

LEROY J. BURT
ATTORNEY AT LAW
SAPULPA, OKLA.

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January 20th, 1931.

Hon., C. Guy Cutlip,

Wewoka, Okla.

Dear Sir: I want to commend you for the dissenting opinion in the Hazen Green, et al., case. I think you are exactly right and none of the respondents except Chandler should have been disbarred. These men made mistakes in asking such an exorbitant fee, but I don't think they intended to deceive anybody. Others, even one of the governors of the Oklahoma State Bar made a mistake years ago, but that was forgiven.

I am not very strong for the State Bar Act now in force in the State of Oklahoma. We active lawyers are being taxed some \$17,000.00 dollars each year to accomplish what could have been done under the old law just as well. I have been practicing law here since January, 1907; I paid my admission fee; I stood the test both on fitness and qualifications, but now I am taxed to help weed out the unfit; this burden should be borne by the State at large and not by a class. Every taxpayer has to help bear the burden of enforcing the laws against crime. If an attorney violates his oath of office and becomes unfit to have the privilege or license to practice, then the State should bear the burden of taking that privilege away from him, disbarring him. Don't you think I am right? With best wishes,

I remain, Respectfully,

Leroy J. Burt

January 22, 1931.

Mr. LeRoy J. Burt
Attorney at Law
Sapulpa, Oklahoma

Dear Mr. Burt:

I received your letter of January 20th relative to the dissenting opinion in the Hazen Green matter and thank you for the commendation thereof expressed in your letter. Of course, I had no interest in that matter other than to do what I thought was justice in regard to those men and I would have been less than craven if I had not expressed my honest opinion in the matter as I did.

I also note what you say regarding the State Bar Act and I too realize that there are objections to be made to any movement of this kind but in any movement that is looking towards reform there will be certain expenses attached to it. In all times the lawyers have been able to reform their own matters and, after all, it is the lawyers who are bearing the direct burden of criticism and censure and I have sometimes felt that that was growing more and more severe as the time went on. It is, therefore, necessary that the lawyers themselves take some action that will re-establish themselves in the eyes of the business world and the laymen. You say that the State should bear this expense but I doubt if that is correct for the reason that it is the lawyers themselves who are more directly interested in re-establishing the profession's reputation. I am firmly of the opinion that ninety percent of the lawyers of the State are good men, of the highest ideals and the best intentions. but, as in all organizations and classifications the majority's reputation is made by the over-zealous or corrupt minority. Therefore, it is our duty as lawyers to correct the thing in our midst that makes for a bad reputation and it necessarily follows that we must pay for that privilege.

I am of the belief that soon we will be able to get away from so much disciplinary action and institute constructive measures for the Bar and the judiciary both. I feel that the backing we are now able to give to the

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judicial council with powers to make rules regulating practice and procedure, particularly in appellate matters, will eliminate a tremendous lot of effort and waste, expense and trouble, both for the lawyers and litigants. Our first year's expense I believe will of necessity be the heaviest because of the large number of cases, almost a hundred, transferred to us by the supreme court for action against the different lawyers of the State. I hope that we may soon be able to reduce the fees that are exacted of the lawyers to a lesser sum. I believe also that it is not the fact that we visit discipline upon many members of the Bar that will be of outstanding benefit but the fact that there is a piece of machinery capable of acting expeditiously and efficiently will throw a restraint around the lawyers that will obviate the necessity of disciplinary action. We are all forgetful sometimes and when we realize that there is a tribunal that can act promptly and efficiently toward any transgression of the rules that we have laid down, we are more prone to think and recollect our duties as attorneys than we would without that particular restraint being with us.

So, as a whole, I am inclined to believe that the State Bar Act is now and will eventually develop into something of tremendous good for the profession.

Again thanking you for your kind letter, I am,

Yours respectfully,

C. GUY OUTLIP,
Governor.

CGC:ZVR