



THROUGH LEGAL EYES: CHANGES IN THE PROFESSION IN THE PAST 50 YEARS

Compiled by Naseem Stecker

For those of us who are particular about facts, the new millennium actually began in January 2001 and not January 2000. The dawn of a new century, fresh with promise and poised to bring about even more change is a good occasion to reflect about the past. Consider what these legal minds had to say when I asked them what the greatest changes in the profession have been. If you feel inclined to add your voice to their comments, don't hesitate to contact us.

"I started practicing in 1987. At that time FedEx was just starting, and faxing was in its initial stages (with printers whose ink faded after a year or two in the file!). Now, there is an expectation from clients for immediate action—within two hours, rather than within 24 hours. And I have frustration when others don't respond to my misuses with equal rapidity!"

Elizabeth A. Baergen, Harper Woods

"The changes that strike me as the most incredible are in the way we can create, edit, and transmit documents instantaneously. Word processing, fax machines, and now e-mail have revolutionized the way we communicate. When I began practicing, a Xerox machine was the latest miracle: I can recall TYPING documents with quadruplicate carbons, ever so carefully, because a mistake meant making five corrections! Even with the advent of 'mag-card typewriters,' documents had to be retyped if they were revised substantially, and I can remember many times carefully pasting tiny little strips of white paper over lines of text and then trying to revise the text in a way that would fit on the old lines. We literally used to cut and paste documents together when preparing pre-hearing reports at the Court of Appeals; now we can make the changes on our computers and print an entirely new draft. I am not sure the quality of legal writing has improved as much as it should have with the advent of these means of

perfecting upon our work product, but if we accept Justice Brandeis' maxim that 'there is no such thing as good legal writing, only good rewriting,' we are certainly in a position to adhere to it!"

Frederick M. Baker Jr., Lansing

"The information explosion. When I was first admitted to practice 50 years ago, there was no Court of Appeals. Now there are hundreds of volumes of regulations, statutes, and ordinances. The information that a lawyer has to know and process has probably quadrupled from the time I graduated. Then, it was possible for one lawyer to know most of the law. Now, there's so much information that it is impossible for one person to keep up with everything."

Richard J. Brake, Lansing

"The greatest change in the practice of law is the major increase in the population of attorneys. By way of illustration, way back when I started, before attorneys had to be numbered, I think there were only three or four Coopers in the Michigan Bar—now there are almost three columns of Coopers in the Bar Directory. The result of the major increase in attorneys (not the increase in Coopers) has been a lack of accountability and civility. It used to be that what 'went around, came around' and if you did not keep your word with an attorney, you'd be seeing him or her soon enough on another case and he or she would remember. Now, there is no real consequence for disrespect of a colleague. Another major change is the attitude of the judges. No longer are courts simply a forum where the attorneys can schedule a trial at their convenience and adjourn it forever if they wish. Now, for better and for worse, judges are controlling the dockets and that puts a great deal more pressure on practitioners."

Hon. Stephen C. Cooper, Southfield

"When I started in 1948, there were no women practicing in Washtenaw county. Since that time, 75 percent of those practicing family law are women. That's the big change in Washtenaw County

and it may be true elsewhere. There were 100 lawyers in 1948. Now there are 900 lawyers in this county. Also, the number of judges has increased from one during the first 30 years of my practice to at least 10 judges. There's a lot less collegiality among lawyers. Everything was done with a handshake, now you have to watch out, it's not quite the same."

Peter P. Darrow, Ann Arbor

"The number of women in the profession is pretty significant. I was the only woman in my law school (University of Detroit) graduating class in 1949. Now, 50 to 51 percent of law school applicants are women, which is quite a change. Unfortunately, there's still a long way to go. There's not the number of women partners in law firms that [there] should be. I don't think enough help is given to married women lawyers. It is much more difficult for women who have a family to get ahead in law offices. Women have come a long way, but they still have a long way to go. I don't think they've reached true equality in law firms. There have been significant changes in civil rights litigation. In 1949, there were still a lot of restrictions against minorities. Now, we still have a ways to go but there are vast differences in the protection of minorities than in 1949 when I got out of school."

Betty Farwell, Cooper City, Florida

"I started practicing law in 1937. In those days, deeds cost \$3 and written opinions \$5. The rates have gone up considerably from what they used to be. I enjoyed the practice of law as long as I did it. I retired when it wasn't fun anymore and because we were required to do things that the judges used to do themselves. I didn't feel justified charging clients for doing judges' work like research or references."

J. Addington Wagner, Green Valley, Arizona

"There is a lot more litigation. When I started in 1950, things were slow. There were not that many trials. You hardly went to the courthouse. Now, you practically live at the courthouse. There are too many people waiting to find some way to sue someone. Also, the quality of lawyers is not as good as it used to be. They are not as professional, trustworthy. I've been talking to judges, insurance people, industrialists, doctors and they say you can't trust the younger people like we used to. They are all fighting for themselves. There have been many good changes like discovery and third party practice and improvements in communication like fax machines and computers. It's been an enjoyable experience. I'm still working and will work until I drop. Keeping contact with the clients keeps me alive."

William Harold Walker, Adrian

Naseem Stecker is a staff writer for the Michigan Bar Journal.

