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ADDRESS

BY

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at

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The University of Texas Law School

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It is a genuine pleasure to participate in the dedication of this magnificent building which will house the University of Texas Law School. Educational experts have recognized that the facilities and environment in which opportunities for learning are made available, are almost as important to the educational process as the calibre and ability of the teaching faculty. I know the deep satisfaction that all of you must feel in finally realizing, after years of planning and preparation, that law students for generations to come will have the privilege and pleasure of studying in beautiful Townes Hall and the Tarlton Library.

Of course, it takes more than a building to make a law school, just as it takes more than a law school to make a lawyer. In the last analysis, the responsibility is on the individual student. However, on that score you have no worry -- your students being mostly Texans. And certainly, both as to faculty and facilities, the University of Texas Law School ranks with the best in the Nation. The many positions of high honor and responsibility which your graduates now hold in Government, in business, and in the Armed Forces of the United States, bespeak the reputation of this school. I know, that as in the past, you will continue to graduate young men and women trained and ready to assume the high responsibilities placed on those in the legal profession today. May I congratulate you on your many fine achievements and your continued growth.

I should like to discuss with you briefly the law graduate of today and the opportunities which are open to him. In at least one major respect the graduate of today differs from the graduate of a generation ago. Either before or after he completes his legal education, he will serve in the Armed Forces of the United States. Therefore, in addition to the seven years of higher education required of him by most States before he obtains his LL.B. and is admitted to the Bar, he must add two more years. He is older, more experienced and more mature. He has

acquired more responsibilities. Over half of the members of the graduating law school classes of today are comprised of married men or women. Baby carriages are as commonplace a sight on the campus as the raccoon coat was in my day; strollers have replaced the "jalcpy."

Most of these men and women have a rather general idea of what they would like to do. But almost all of them come to their professors, or to the Dean, or to someone established in practice, for advice. And the question most frequently asked is "Where can I get the most experience and the most responsibility in the shortest time and still earn enough to provide for myself and my family? I intend to teach -- or practice on my own some day -- but I can't afford to hang out a shingle and wait for clients."

This is a challenging question. Those of us who have tried to answer it have not always found it easy. We would agree that a year or two as law clerk to a state or federal judge is extremely valuable experience. But, unfortunately, there are not enough judges to go around. Some of us have recommended the big law firm as the place to get started. Others have counseled the graduate to enter the small but growing partnership in his home town.

I would like to discuss another possibility -- one overlooked by most of us -- and yet one which I believe deserves careful consideration -- practicing law in Government Service.

There is something vague and mysterious about the work of the Department of Justice to those who have never been associated with it. Most people, including many lawyers, think only of the FBI when the Department of Justice is mentioned. This is hardly surprising. The FBI has become synonymous with honesty, integrity and ability, under the capable leadership of J. Edgar Hoover. It is beyond doubt the best known and most respected arm of the Federal Government. While other

Divisions of the Department of Justice became the roosting place for men of no ability but very powerful political friends, the FBI continued to accept as candidates for Agents only men of the highest qualifications. Its 6,000 Agents are all either graduate lawyers or public accountants, and they have always been chosen strictly on the basis of merit. In esprit de corps the FBI has no equal. Every family in the United States is safer because of the courage, the vigor, and the devotion to duty of these carefully trained and incorruptible men who comprise the Agents of this important unit of Government. It is little wonder that competition for appointment to the FBI has always been so keen.

But apart from the FBI, there has been a feeling in recent years that unless you had "drag" -- there was little possibility of obtaining employment in the Department of Justice. Whatever the practice may have been in the past, I have many times said, but it bears repeating, that I view the function of law enforcement as wholly non-political. It is a self-defeating process to appoint a person to enforce the laws, not because he is able, but because he knows the right people and made the right contribution at the right time. That practice, it has been fully demonstrated, leads only to bribery, influence peddling, corruption, or just plain bungling.

But there have been other reasons which have unfortunately deterred young men and women of ability from seeking employment in the Government as lawyers. There is, for example, a mistaken idea that the starting salary is so small that without outside means of support a lawyer can't afford to work for the Government. The starting salary of \$4,200, which we offer to law graduates of ability with less than one year's experience who are members of the Bar, is a complete answer to that rumor. And a graduate need not be a member of the Bar to obtain employment. He can start as a "law clerk" at a slightly lower salary, and, when

he is admitted to the Bar, his salary will automatically be increased.

Finally, the young lawyer has passed over Government employment under the mistaken impression that he would be assigned to a unit where he would prepare only legal memos, or where he would assist in just one big case, or where he would become an expert on some minute and unheard of provision of the tax regulations. These are false impressions, and the reason they exist is because the Department has been woefully lax in publicizing the many fine and interesting opportunities it has available for young lawyers.

I will not submerge you with a textbook description of the structure and organization of the Department of Justice. But I think it important that you have at least a birds-eye view of the variety of legal work we handle. No law office, however large its practice, can begin to compete as to variety of legal problems, nor do any of them place as much responsibility for important matters in their young men and women.

The Department of Justice employs approximately 30,000 people, of whom 1,600 are full-time practicing lawyers. Almost two-thirds of these lawyers are assigned in Washington. The rest comprise mostly the staffs of the United States Attorneys' Offices. When I left private practice to join the Justice Department last January, I was surprised, as I believe you may be, to discover the scope of opportunity for a young lawyer who practices law in the Department.

The Antitrust Division, in addition to Sherman and Clayton Act cases, engages in litigation involving final orders of the Interstate Commerce Commission, the Federal Communications Commission, the Civil Aeronautics Board, the Federal Maritime Board, and Agricultural orders under the Packers and Stockyards Act. Empaneling and presenting evidence to Grand Juries is just another of its

important functions.

The Civil Division has the largest variety of cases and provides probably the closest equivalent to the general practice of law to be found anywhere in Government. It handles tort claims, admiralty cases, Government contracts, including renegotiations, patent and copyright matters, veteran's affairs and social security cases. All in all, the Civil Division has more than 64,000 law suits pending, involving claims totaling more than 3 billion dollars.

We have a whole Division devoted to real property litigation which runs the gamut. The Lands Division has jurisdiction of condemnation proceedings, boundary disputes, land patents, mineral and water rights, and many other cases involving real property owned by the Government. It is also both the protector of Indian rights and the defender against Indian Claims. In this litigation it is said that almost every acre of land west of the Mississippi River is the subject of an Indian Claim.

Approximately 110 lawyers are assigned to the Tax Division to prosecute and defend over 6,000 tax cases involving more than 340 million dollars. Any private practitioner knows that experience in the Tax Division is invaluable experience -- perhaps a prerequisite -- to the lawyer who intends specializing in Tax law. One of our greatest Departmental problems is that our really good tax men are in great demand and private law firms are always raiding us. To the young lawyer seeking litigation experience, the Tax Division offers all he wants. In no other Division do young lawyers appear in court sooner.

The Office of Alien Property holds almost 400 million dollars worth of property seized during World War I and II under the Trading with the Enemy Act. In dealing with the affairs of companies in which the stock has been vested by the Government, such as General Aniline Film Corporation, problems in corporation law occur with regularity.

But equally as important are the cases involving enemy interests to be found in estates and trusts, bankruptcy proceedings, and even domestic relations cases. More than half of this litigation takes place in State courts. The Office of Alien Property also has a large administrative return section, where claimants to vested property with title or debt claims may seek administrative relief. Thus a lawyer may gain experience in administrative practice and procedure, certainly one of the more important phases of legal work today.

Our Criminal Division, as you might suspect, has the largest criminal practice in the country, both in number and variety of cases. Yet in addition to espionage and Communist cases, and the prosecution of crimes set forth in Title 18 of the United States Code, the Division also has jurisdiction of cases arising under the Food, Drug and Cosmetics Act, the Safety Appliances Act, the Foreign Agent's Registration Act, and the Civil Rights Acts. Where it does not handle litigation itself, it supervises cases tried by the United States Attorneys and their staffs. And, of course, it is to the Criminal Division that FBI reports are submitted for the purpose of determining possible violations of Federal criminal law.

The Office of Legal Counsel acts as "house counsel" to the Government, rendering legal opinions to the President, to the Attorney General, and to the other Executive agencies. It also drafts or reviews for form and legality all Executive orders and Presidential proclamations. It is responsible for litigation arising from bequests to the United States and for determining the draft status of those claiming exemption as conscientious objectors.

To complete this birds-eye view of the Department there is the Office of the Solicitor General which is responsible for the preparation and argument of

cases in the Supreme Court. Few people recognize that the Government is a party to over one-third of all litigation which reaches that tribunal. The fifteen lawyers who comprise this office also pass on and approve every appeal taken by the United States. Needless to say, lawyers assigned to this office are men of outstanding ability, usually drawn from other Divisions where they have gained experience and shown proficiency in appellate litigation. It is the goal of many young lawyers in Government service.

I think you will agree that the Department of Justice has a most comprehensive practice and many opportunities for young lawyers of ability whatever their interest may be. Most lawyers just out of law school are assigned to one of the many trial or appellate sections where, under the supervision of men of experience, they soon learn the intricacies of trial and appellate litigation. Within a year they have learned the ropes and are assigned the trial of a case or the briefing and argument of an appeal. I can assure you, we have plenty of work for all, and expect our young lawyers to carry their fair share. As they gain experience they may be asked to render a legal opinion on the construction of a statute, or to draft regulations to implement new legislation. The importance and responsibility placed on these lawyers cannot be over-emphasized. Every case, every opinion, every regulation or Executive order, will affect the lives of countless Americans.

Obviously, if this work is assigned to second-rate lawyers, we cannot expect to have first-rate law enforcement.

I am happy to take this opportunity to announce a new program for recruiting outstanding law graduates into the Department of Justice. We will make available each year 30 positions in the Department to be filled by the best qualified law graduates who apply for jobs. Selections will be strictly on the basis of merit.

We will seek to obtain law graduates from all areas and not from one geographical segment of the Nation.

Candidates will be asked to designate three positions in the order of preference. Selection will be made on the basis of scholastic standing, outside activities, such as law journal work, and on the impression made at an oral interview. Interviews, where practicable, will be held regionally, thus obviating the expense and time involved in traveling to Washington. Applications must be filed prior to February 1 each year, and the committee will make firm offers of employment to those selected sufficiently early in the spring so the applicant will be assured of a job on graduation.

The starting salary will be competitive with that offered by the large law firms. In addition, men and women selected under the program will be given a full grade promotion at the end of one year if their work is satisfactory.

An important feature of the program is that it is designed to permit young lawyers to acquire experience in more than one Division of the Department and in more than one type of legal work. While he would not be required to transfer, the lawyer will be encouraged to shift around for a year or two, thus obtaining a working knowledge of the Department as a whole. For example, a lawyer might spend a year in the trial section in the Criminal Division, then transfer to the appellate section of the Tax Division, and then be assigned to the Office of Legal Counsel.

The purpose of the program, which we expect will be under way by the first of the year, is two-fold. The Department of Justice needs the services of young topflight lawyers. We are confident that many who come with the idea of staying only a short time will recognize the importance of Government service,

its many opportunities, and will elect to make of it a career. On the other hand, the legal profession as a whole will benefit by the training and knowledge that these young people will carry with them into the private practice of law. Where so much litigation today is between the Government and private interests, both sides to these controversies will benefit if lawyers have knowledge and appreciation of Government practices and procedures.

I should also like to make brief mention of another training program for law students, a program we have recently instituted on an experimental basis in the United States Attorney's offices in New York and Brooklyn. In cooperation with metropolitan law schools, 40 third-year law students have been selected, on the basis of merit, to work as "student assistants." The student who participates is expected to put in about ten hours a week under the supervision of an Assistant United States Attorney. They are assigned to help draft pleadings, prepare drafts of briefs and to evaluate evidence. While they receive no compensation for this work, some of the participating law schools have indicated that they are prepared to give scholastic credit for this work.

Among the cases and projects to which the students are being assigned are the New York waterfront investigation, appeals of Communist leaders, the appeal of John Provoost from his conviction for treason, and the preparation of cases for trial and legal and factual research on many other important matters.

This project will also benefit both the Department of Justice and legal education generally. It will give young law students an opportunity to utilize their talents and the fruits of their education long before they receive their law degrees. The sum result should be a more accomplished candidate for Bar examinations and subsequent practice in the field of law than has been previously possible. There has been so much interest and progress made in the New York

experiment that I am confident this program will soon be extended throughout the United States.

We now have in the top echelons and policy-making positions a nucleus of highly qualified men; brilliant lawyers and able administrators of the highest integrity. But the process of rebuilding the Department of Justice must also begin at the bottom and work up. I would recommend to the young law graduates of today employment in the Department of Justice. It offers them not only the opportunity to gain experience and competence in their profession but the satisfaction which comes from performing interesting and important public service. I am confident that through these and perhaps other programs, we will attract to the United States Department of Justice young lawyers of ability who will not only complete the task of restoring public confidence in the world's largest law office but who will make it also the world's best law office.