

March 13, 1975

SENATOR CHAMBERS: Which ones of these programs have you availed yourself of?

SENATOR CAVANAUGH: I have not.

SENATOR CHAMBERS: Then you feel that you're a totally accomplished attorney and you no longer need to improve?

SENATOR CAVANAUGH: No I don't feel that I just have not had the time or opportunity to indulge in any of their programs.

SENATOR CHAMBERS: So then the existence of these programs does not mean that lawyers are necessarily going to benefit from them by taking use of them?

SENATOR CAVANAUGH: No, I think that the existence of the programs provide the opportunity for lawyers to seek that assistance which they need to improve their quality. Lawyers, generally, know what they need and when they need it. I could certainly benefit from some of the things that they have offered. Had I had the time I would have availed myself.

SENATOR CHAMBERS: Thank you Senator Cavanaugh. I'll be brief and I'm speaking in opposition to Senator Warner's motion to indefinitely postpone. I want to read to you an article from the Wall Street Journal, May of 1974. "The Justice Department moved, for the first time, to block lawyers from banding together to set uniform rates on how much they can charge clients. In a civil anti-trust suit filed in the U.S. District Court in Portland, Oregon, the Department charged the Oregon Bar Association with illegally setting fee schedules that apply to all 3,700 lawyers in that state. The suit says the fee schedule eliminates competition among lawyers in the sale of legal services". This is important, "all lawyers practicing in Oregon are required to join the Bar Association and abide by its rules, the Justice Department said. In several other states the bar associations set either uniform or minimum fees for legal services. The Justice Department's suit charges that uniform fee setting denies the right of clients to obtain legal services at competitively determined fees". That is an Oregon situation, but they were considering uniform or minimum fees in this state. When this word came out they backed away from it. There are still informal type agreements, among lawyers, of the types of fees that they will set. There is discussion among the Bar Association members about this. The lawyers who are opposed to the Bar Association cannot speak publicly against it. A few will and a few have. I've passed out a letter from one of them who is a government lawyer because he showed where the bar has no relationship to him whatsoever. He must belong or he cannot practice. I ask that you defeat Senator Warner's motion.

PRESIDENT: You have two minutes Senator.

SENATOR CHAMBERS: Thank you. I won't need all of that. I ask that you defeat his motion, that you consider the merits of this provision, and understand that it's putting a vote before the people as to whether, only in the legal profession, a person must belong to a private type, or a