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Attorneys—Compulsory Membership in State Bar Association

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ATTORNEYS—COMPULSORY MEMBERSHIP IN STATE BAR ASSOCIATION.—Oklahoma has joined the list of states which have by legislative act created a compulsory bar association. Okla. Laws 1929, p. 376. The act provides in detail for the organization, government, membership and powers of the bar, completely regulating the practice of law. Applicants for the bar are examined by the association, and every licensed lawyer is automatically a member of it. It is a self-governing and self-perpetuating body.

The question raised by the passage of the act is whether a compulsory bar association is desirable or necessary. Unanimity of opinion is lacking, but the present tendency seems to be in favor of the establishment of such bar associations, which have complete state-wide membership. 12 A. B. A. J. 323.

Various objections to the plan have been raised. In the first place, it will effectively hamper or entirely supersede the present voluntary associations, many of which are doing excellent work. But if it is believed that the work of the compulsory bar would not be as effective, the fact remains that a voluntary association could exist side by side with the state association and its beneficial work continue. Another objection advanced is that in the state association many of the members would be entirely disinterested, and this would hinder its progress. This is in a measure true, but it should be remembered that the leaders in the voluntary association would become the heads of the state association, and the inactivity of those lawyers who take no interest in association work would leave the field free for the active workers.

A third objection to the compulsory association is that it might become the political machine of the less desirable elements of the profession. But this possibility is outweighed by the beneficial work which can be done by such an organization, both in fostering necessary legislation and in formulating opinion on matters of public and legal interest.

A survey of the advantages of the plan shows benefits which are unavailable in a voluntary association. Supervision over all elements of the legal profession is established, a common forum for all lawyers is provided, and ethical standards having the force of legal rules of conduct may be adopted. This is the result of the fact that the association has full control over its membership and consequently over *all* legal practitioners. The opinion of the whole profession as to the ethics of certain matters of practice could be formulated in these requirements, and the administration of justice be improved and expedited. The Oklahoma statute, placing the power of admission and disbarment in the bar association itself, is a laudable step, and similar legislation in other states should be encouraged. R. W. B., '31.