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A UNIVERSITY LEGISLATIVE RESEARCH CENTER: Michigan's Legislative Research Center

*Samuel D. Estep**

The purpose of all agencies working in legislation is to improve the statutory materials which have come to play such a significant role in the law of this country. This is true whether they be governmental or private, or connected with an educational institution or not. Yet, there is an element of uniqueness in the concept which motivated the establishment of the Legislative Research Center at the University of Michigan Law School in 1951, and the product of our efforts over the last five years has some characteristics which mark it off from that of other agencies in the field, several of which are described in other papers in this symposium.

Most agencies working in legislation, including even those connected with educational institutions, direct their research and training efforts toward specific projects usually culminating in the preparation of a report or statute for a specific legislature or some body sponsoring specific legislation. While service work of this kind was one of the purposes Dean Stason had in mind in setting up the Legislative Research Center, he had two others which were even more important and which are responsible for whatever uniqueness we can claim. After a rather extensive survey of agencies working in legislation, we came to the conclusion that there was at least one very great void in our legal literature if not also in the American law school curriculum—material dealing with state statutes, particularly systematic analysis of new trends in state statutes. We want to improve the statutory product of the forty-eight state legislatures too, but in a somewhat more generalized, if more indirect, way and on a broader basis. We also look forward to the time when our efforts may result in a substantial change in law school instruction from that inaugurated by Ames and so slavishly followed by American law schools in this century.

The genesis of the Legislative Research Center and the key roles played by Dean Stason and Professor L. Hart Wright of

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our faculty have been described elsewhere.¹ My purpose here is to describe how we have operated our program and tell something about the research work we have done these last five years. Perhaps more important and of greater interest to those interested in the field of legislation and particularly legal education is an analysis of the problems we have encountered, the lessons we have learned and a reporting of some of the conclusions we have come to, tentative though they may be in some cases. For this reason the fairly detailed description of our operating procedure is presented toward the last of this article.

I. CURRENT TRENDS IN STATE LEGISLATION SERIES

The most unique undertaking of the Legislative Research Center is undoubtedly the series of monographs on current trend-setting statutes enacted by the legislatures of the forty-eight states. These monographs have appeared in a series of volumes entitled "Current Trends in State Legislation," the third of which will be published late in 1956.² A description of the kind of studies appearing in a typical Current Trends volume should go a long way towards explaining the purpose of this series. The following summary of topics covered in the third volume indicates the type of work we have been doing:³

"This third volume in our Current Trends series contains an even dozen studies of recent state statutes. In our judgment each problem studied is unique enough to merit serious consideration by state legislatures and others interested in state legislative enactments. The purpose of these monographs is to call attention to such statutes and to provide a scholarly and objective appraisal and analysis of the problem involved and the solution adopted. We continue to think, as we did when we started this series, that there is a very real need for such studies of new state statutes and that our studies make a real contribution towards filling this relative void in our legal literature.

"Private as Against Public Law Topics

"The emphasis in this volume is again on private and not public law statutes but several of the studies included

1. 41 A.B.A.J. 749 (1955), and Preface to CURRENT TRENDS IN STATE LEGISLATION, 1952.

2. The first two were CURRENT TRENDS IN STATE LEGISLATION, 1952, and CURRENT TRENDS IN STATE LEGISLATION, 1953-1954.

3. From the Preface to be included in CURRENT TRENDS IN STATE LEGISLATION, 1955-1956.

here are at least on the borderline if not over into the public law area. The study on Broadcasting and Telecasting of Legal Proceedings, that on Legislative Review of Administrative Rules, or those on Spendthrift Employee Benefit Plans and Hospitalizing the Mentally Ill clearly at least touch on public law problems. They each involve problems of very current and extreme importance to state legislatures and those citizens who are directly affected by such legislation. We think that in each case the kind of research effort represented by the monographs is not likely otherwise to be done, even by those pressure and interest groups most directly concerned.

"Summary of Topics Covered

"The conclusions reached by Mr. Shuman concerning broadcasting and televising of legal proceedings run contrary to those held by many persons, including lawyers, but the analysis of the problems involved should help greatly in identifying the policy questions that must be answered by legislators and lawyers, and these are not problems that we can solve by ignoring.

"It is our opinion that Mr. Howe's study on review of administrative rules by legislative bodies makes a real contribution in pointing out the abuses that may arise in this process. His analysis of the constitutional questions involved in such review is more thorough and informative than any study we know about. This new technique for meeting the ever-growing problem of keeping a multitude of administrative agencies operating within the framework of authorizing legislation is one all students of administrative law are intensely interested in, and Mr. Howe has made a significant contribution to an understanding of it.

"The study on Spendthrift Employee Benefit Plans covers a subject of vital concern to a great and growing number of employers and employee representatives. With the tremendous growth in pension plans the legal problems involved in providing a workable and safe administration of the funds accumulated cannot be overlooked. It is our belief that Mr. Cole has made the first thorough analysis of these problems which seriously concern employers, unions and legislators.

"In Mr. Ross' study of Hospitalizing the Mentally Ill for Emergency and Temporary Commitments we believe there is an identification of problems and a collection of authorities that is not otherwise to be found in legal literature. Yet this is a problem with which all states must deal—and it is a growing one. This study should enable interested state agencies to identify the legal problems involved much more readily and to suggest the necessary changes in state statutes.

"The monograph on Governmental Supervision of Charitable Trusts should be of particular interest to those state officers, such as attorneys general, who are given the responsibility for supervising such trusts but who are not permitted, by lack of funds often, to do the job. Mr. Lees' work should make it possible for such officers, with cooperation of local bar groups, to press for the necessary changes required to make supervision effective.

"The other studies all deal with private law questions of primary interest to lawyers and bar associations. Some of them, such as that on fiduciary liability for erroneous distributions and the one on the emancipation of minors, deal with problems of great everyday practical significance to lawyers. Yet in most states the law is hazy to say the least, and usually is, for practical purposes, non-existent. The probate bar should also be interested in the papers on disposition of income earned during administration of estates and on limitations on accumulations. There is existing law on these matters in all states but much could be done in most to improve it, and these monographs should help considerably. The paper on *lis pendens* and the federal courts points up a problem that lawyers have too often ignored even though they should not do so. Lawyers should press for the necessary enactments. The study of automatic renewal clauses in leases of personal property deals with a narrow topic but one which affects a great many people and legislatures should not adopt legislation without thoughtful consideration of the problems discussed by Mr. Namanye. Mr. Quinn's paper on the Interpleader Compact should be of great help to state legislatures and bar groups considering the adoption of the compact. He analyzes the constitutional questions raised and also makes some suggestions for changes in the compact as now written."

In each case we feel that the legislatures of most states should seriously consider statutory enactments dealing with the problems studied. In many cases our studies will be the only thorough discussions of the particular problem available to interested groups and in all cases the studies should make the task much easier. Yet, we are seriously considering abandonment of our Current Trends series.

Abandonment of Current Trend Series

Our conclusion to abandon the series is tentative and certainly reluctantly reached, but we are convinced something else must be done if we are to reach the audience for which the studies are intended. Our present format is of real interest to the student of comparative law and of legislative trends, whether he be American or foreign. He can see what new problems or solutions are currently being considered by American state legislatures. Yet, we have come to believe that the book format has several serious disadvantages.

In the first place the monographs do not appear in the *Index to Legal Periodicals*. Unless a researcher knows of our series and checks the contents of each volume he will not be able to take advantage of the work the Legislative Research Center personnel have done. Even reprinting in the current volume the table of contents of previous volumes may not help for many may never find *this* volume! Actually, of course, even the *Index* does not assure us that legislators and legislative service agency staff members would know of our work if listed because they have to know of the topic before they can find an article in the *Index*. It is our feeling that one of the really unique contributions our volumes can make is in the *systematic* survey of state legislation and the calling of attention to the new ideas incorporated. This is not served by *Index* listing.

Another serious objection to the book form is the delay in publication of completed studies. If each study were published as completed rather than after a group of eight to twelve monographs are completed, it would be available that much sooner. A system of individual publication would also avoid the overwhelming concentration of the job of checking and proof-reading involved in a printed volume of 500-700 pages.

Another not insignificant objection to publishing a collection of studies is that people object to full-line forcing; if they have an interest in one monograph, they dislike the idea that they have to pay for seven to eleven others they are not interested in. (Actually, receipts from the volume do not cover even printing costs, let alone the many thousands of dollars spent yearly for the research and writing itself.) In addition, there is the psychologically paralyzing impact of 600 pages of reading as against 50-100 for individual papers.

Yet individual publication raises real problems too. Law review publication gives no assurance of reaching legislative committees and service agencies or even bar association committees. Much of law review material is of no particular interest to such groups, or at least such persons do not read the law reviews, or, at best, they read only one review. Our primary audience is not the law teacher. In addition, since we try to write so that the intelligent layman (such as a legislator or committee staff member) can understand the monographs, we often spend more time laying out background material (such as the common law treatment of the problem) than is acceptable to law review editors. Also a fair number of our monographs are 100-150 pages long, too long for most law reviews. Separate publication of individual papers presents a very difficult problem of making up mailing lists with attendant heavy costs. Maybe the answer is some combination of individual and book form publication, but this may have the disadvantage of both forms, as well as the advantages.

Because we work through publication rather than by enlisting the support of pressure groups or governmental bodies in attempting to influence state legislatures, we are not able to determine whether particular studies have been called to the attention of legislators and service agencies or have been used as the basis for legislative action. We do know that our early study on the Uniform Reciprocal Support Act resulted in some changes being made in that act. We also know that the National Conference of Commissioners on Uniform State Laws has recently established committees to make recommendations regarding two subjects covered in our 1953-54 volume. We also made our study on Hospitalizing the Mentally Ill, to be included in the third volume, available to a state group preparing such a statute for this current legislative session (1956), even before

publication. We even know of instances where our studies probably should have been used by legislative bodies.⁴ But these instances are too few for us to claim any very great impact, and too little probably to justify the rather great expenditure of time and money.

We have the feeling, from the number of copies of each volume that have been sold and from the lack of comment from readers and reviewers (what little we have received is very encouraging), that our efforts are being placed on the library shelves around the country and allowed to gather dust, except for the all too rare occasion when a specific monograph has been called to the attention of some person or group with a particular interest in the subject at the time. Yet, we continue to feel that, in spite of what may be faulty distribution, there is a real need for *systematic* research in state legislation such as we are attempting. We are looking for a better way to make our research efforts known and available. We would welcome comment as to the value of our efforts to date from those who have used them, and suggestions from those who have read this far as to what can be done to solve the distribution problem.

Impact on Law Schools and Legal Scholars

Though the primary target is the legislator and lawyer, there can be real benefits for law schools and legal scholars. Already mentioned is the interest of the student of comparative law, whether American or foreign. Another incidental benefit is the stimulation of interest among law students and law teachers in statutes and their growing significance in the law. The training that research assistants receive is a very valuable supplement to the regular curriculum for training them to handle statutory research and to develop writing skills. Our practice of calling to the attention of our own faculty recent interesting state statutes in their respective fields of specialization surely has some impact on their classroom teaching and perhaps on their research efforts. We are planning now to make this service available to law schools throughout the nation if we can work out the details of distribution. Over a period of years this might well have some considerable impact on law teaching, perhaps even on the curriculum.

4. Professor Zacharias suggests several instances in the state of Illinois, in his review of our second volume in 34 *CHI.-KENT L. REV.* 93 (1955).

In thinking back over our work in preparing the first three volumes of the Current Trends series some questions have been raised which, if valid, have really very great significance for law schools and their curriculum committees. As pointed out later, roughly 25,000 separate statutes were passed by state legislatures in 1955; yet, only about ten per cent seemed to fall within an area of interest to a faculty member teaching a regular law school course. Also, of the thirty-two studies published in these first three volumes, a surprising number of the statutes that seem to us to be trend-setting are either not emphasized in regular law school courses, or are not covered at all in any course. (This is based on a probably inadequate perusal of casebooks now being used in American law schools and our knowledge of our own curriculum.) If we had not been sticking pretty strictly to private law statutes, the percentage of statutes untouched by a typical law school's curriculum would be almost phenomenal, if we may be permitted a guess we are not prepared to document but which we feel rather clearly is accurate. This is not quite so true of federal statutes, with courses in tax law, labor law, antitrust law, etc., but even here many very important statutes are not touched at all in most schools or, where they are touched, it is on a haphazard selection basis and then usually only in restricted enrollment courses. How many schools make sure that *all or nearly all of their students* know something about our great maze of national defense legislation, or something about the legal principle of social security, or atomic energy, or health and welfare statutes? Yet, surely as great a percentage of law graduates in a given class will have to work with these laws as with the legal concepts of *Pierson v. Post*, or perhaps even of offer and acceptance.

Looking at the thirty-two monographs already published in the Current Trend volumes, these questions seem pertinent. Should law graduates know nothing about the legal problems of weather modification, or about the impact of the unsatisfied judgment fund as it relates to the problem of the irresponsible motorist, or about the new statutes governing defamation by radio, or about the use of the new procedures to follow fleeing fathers under the reciprocal support acts? Should law training give instruction in the peculiar problems of the employee benefit pension plans, or the legal principles involved in hospitalizing the mentally ill? Is there room for comparative analysis of

notice problems in various branches of the law along the lines of the analysis of the Mullane doctrine in the monograph by Mr. Perry in our first volume, or his pendens and federal-state relations? To mention one not included in our volumes, how many law students are given systematic instruction in that body of state law of such great importance to industrial concerns as that concerning zoning, water and air pollution, handling poisonous substances, etc.?⁵

We don't know what conclusions should be drawn but we ask the question whether law schools are really keeping up to date? Not all laws are important any more than all cases. Likewise, we can't teach all of the law to all or even one law student. But can't the "basic principles" of torts be taught in the context of weather modification, or defamation by radio, or unsatisfied judgment fund law or of the Federal Tort Claims Act? Can't we "treatise" many of the older principles and dissect more modern problems and teach the fundamentals just as well? Shouldn't we at least keep abreast of what is concerning the various state legislatures and Congress now? Surely we can teach the "lawyers approach" to a problem while using new problems — we don't have to think only of foxes and chimney-sweeps to teach property law, surely.

In a course such as criminal law, to take one of the more obvious examples, would it be possible to categorize and compare the statutes of the United States rather than just case law, say on the degrees of murder? Would it even be possible to teach the law of crimes by making the class, by the discussion method, frame a statute punishing the varying degrees of murder? Could we do the same for security transactions?

We only make these as suggestions, not conclusions, but we have a feeling, after systematically canvassing the output of forty-eight state legislatures for the last six years, that the law school curriculum may not be keeping up with the changing times. Statutory law is no longer something we unfortunately have to mention once in a while as we develop the cases; it is at least equal partner of case law.

These questions and suggestions have come as a by-product only of our research in state legislation because our primary

5. See the collection of such state regulation of industry having an impact on the new atomic energy industry: STASON, ESTEP & PIERCE, *STATE REGULATION OF ATOMIC ENERGY* (Lithoprint, University of Michigan Law School, 1956).

audience has been those directly concerned with enacting legislation or with obeying it. This emphasis also results in the monographs not being of maximum value for the ivory tower legal scholar or the law teacher trying to learn what the statutory law of the forty-eight states is on a given point. We have felt that a careful selection of representative jurisdictions gives us most of the ideas needed for comparison with some current statute being studied, so we do not purport to research the statutory and case law of all forty-eight states on every point for every study. Even with these limitations, some of the monographs raise the basic questions and present the range of solutions more than sufficiently for classroom presentation, if this were felt desirable. Often they are too long and take up too much reading time for the amount of classroom time the narrow topic may warrant. But we wonder if the statutes of the forty-eight states as well as the cases of the forty-eight states should not be included in the law teachers' preparation of classroom materials.

Regardless of our audience, the value of our studies, as well as that of most legal research in this country, would benefit greatly from comparison with the principles of other legal systems. But this is research hard to come by—it takes researchers with unusual qualifications, as my brother Yntema has so clearly demonstrated.⁶

Organization of Research for Current Trends

(1) *Selection of topics.* During 1955, the state legislatures enacted approximately 25,000 separate statutes. Each of these enactments received a cursory examination by Associate Director William J. Pierce to determine whether or not it was of interest to a faculty member or would furnish the basis for a research project. Roughly, 10% of the 25,000 acts fell into one or both categories. This fact indicates, at least from a mathematical standpoint, that our legislators are primarily concerned with legislative problems that have no special significance in the present day law school curriculum. In addition, less than 1/10 of 1% of the enactments may be said to be new solutions

6. Address delivered at a Conference on Aims and Methods of Legal Research at the University of Michigan, November 4, 1955. It will be printed, together with a discussion of it by other speakers, in the published proceedings of the conference. Professor Yntema's address will also be published in one of the issues of the *Michigan Law Review* in the spring of 1956.

for old private law problems or solutions to new private law problems. We continue to be amazed at the extremely small number of trend-setting state statutes.

Two conclusions might be drawn from this evidence. It may be argued that existing legislation and the common law in the private law area are largely satisfactory and that little improvement is necessary. On the other hand, it might be said that the legislators are not informed of desirable private law revision because no group or agency directs its efforts toward informing the legislatures of desired improvements in the private law through legislative proposals. This latter, of course, is the general conclusion which we reached in deciding to undertake the "Current Trends" project.

Furthermore, it should be recognized that there are many important revisions and reforms within individual states that are not made the subject matter of studies because they incorporate statutory solutions which have been employed in other jurisdictions for several years. The general result of the paucity of unique statutes affecting the private law has led us recently to decide to broaden the subject matter of our projects to include significant public law legislative enactments, as indicated in the summary of topics covered in the forthcoming third volume.

(2) *Personnel.* During the period 1950-1955, research assistants were obtained from the graduating classes of the University of Michigan Law School. The assistants were hired on a one-year basis and have generally left after one year with the Center. Reappointments have been unusual for two reasons: (1) a relatively small organization affords little or no room for advancements; and (2) limited funds make it impossible to provide sufficient economic incentives to continue in research activities. Most of the research assistants have not been interested in teaching, but have accepted the appointments because of an interest in the opportunity to do original research and at the same time to learn more about legislation than is offered in the law school curriculum. During recent years it has become exceedingly difficult to attract select personnel because of the excellent employment situations for law school graduates and the imminence of military service for many of them. As a result, a number of the Center's projects have been undertaken

by personnel available for shorter periods; for example, during summers after an individual has completed his residency in the graduate program.

In 1955, the Center, in cooperation with the Graduate Committee of the Law School, decided to offer a special program combining legislative research and the graduate program which leads to the LL.M. or S.J.D. degrees. It is our hope that this program, coupled with the expansion of the subject matter of the research projects, will make it possible for the Center to attract personnel graduating from other law schools, bringing to the Center a group of persons interested in devoting a great proportion of their professional lives to legislative research and other scholarly endeavors. As this is written, it appears that we shall have several such degree candidates for 1956-57.

(3) *Supervision of research.* Anyone who has engaged in exhaustive legal research knows of the time-consuming and painstaking work that is involved. Days may be spent on investigation of a problem which turns out to be irrelevant to the subject at hand, or if relevant, is summarized only briefly in the final product. These difficulties are compounded when the researcher has no special knowledge in the field he is investigating. In such case, the research must begin with an attempt to obtain a basic understanding of the general area before investigation of the specific problem begins. This is, of course, the case with most of our research assistants who come to us fresh out of law school. Furthermore, the Associate Director and Director have no special training in the legal problems involved in most of our studies so that it often is impossible to determine in advance that certain lines of investigation are fruitless and could be dispensed with summarily. In some instances, members of the University of Michigan Law School faculty do have an excellent grasp of the legal problems involved, and they are able to guide the research assistants in defining the scope of the project. Where the project is of such a nature that no specialist on our faculty has sufficient knowledge of the problems to provide this guidance, the problems of supervision are more acute. It is these cases that create the most difficult supervision problems and raise the pointed question as to whether the final research product justifies the effort, time, and money expended.

Typically, the assistant is provided with the legislation which serves as the basis of the study and the reasons it is thought to

be significant. In preliminary interviews with the Associate Director, an attempt is made to identify the basic legal and policy considerations involved. The assistant is then requested to research the problem with the end in view of preparing an outline of a study for publication.

From this point until the submission of a rough draft of the study, the assistant is charged with the major responsibility for the scope and methods of his investigation. Although we could provide a rather concrete outline of the research in advance, we have been of the opinion that the research assistant should be given wide discretion in his investigations. Thus, preliminary direction is limited to an explanation of some of the general techniques of research and the various sources that should be examined. Any more specific direction could lead to a sterility in ideas, stifling any originality which may be contributed by the assistant himself. Instead, the Director and Associate Director are available at all times for consultation.

After a few weeks of research, the assistant is generally faced with the problem of keeping his efforts within manageable proportions. At this point, he usually recognizes that it would be possible to write a major treatise on his subject. Through conference the general scope of the study is defined and "fringe" issues are largely eliminated. The assistant is urged to prepare an outline and to commence writing at the earliest possible date. It has been our observation that this is helpful to the inexperienced investigator, in that the writing itself reveals profitable avenues of further research. Thereafter, research and writing are carried on simultaneously. Until a rough draft is completed, supervision is at a minimum and most final decisions regarding the research are left to the judgment of the assistant.

When the rough draft is completed, a very thorough supervisory process is initiated. First, the Associate Director reads the manuscript largely for the purpose of injecting ideas, although some editing is also completed at this phase. Then, in conference, he reviews the manuscript line by line with the assistant, requesting him to consider other ideas and to make suggested revisions. He then prepares a second draft of the study along lines determined at this conference.

Upon completion of the second draft, the study is submitted to the Director, and one or more members of the faculty, where

possible. Additional conferences bring forth more suggestions for consideration and correlation. The writer then prepares a third draft of the study, incorporating all of the ideas and suggestions which have been accepted as worthwhile. Finally, the study is edited and all footnotes are thoroughly rechecked. The study is then ready for publication.

The entire review process is extremely challenging and rewarding to the research assistant. Every phase of his research effort is subjected to critical perusal. The scope of his research investigation is analyzed and criticized. Suggestions are made to help him in his techniques of writing, analysis, and investigation. From this, the research assistant usually gains immeasurably, as witnessed by the fact that his subsequent efforts are usually materially better than the first.

Although this process of supervision may be criticized as inefficient from the standpoint of obtaining a product in the shortest time possible, it provides a thoroughness in basic research training which cannot be obtained as well from a system which defines and outlines every detail of the investigation in advance. What we lose in initial efficiency is regained in the experience and training which the process affords the research assistant in independent legislative research and analysis. We do not want to make the research assistants merely "legmen" for some faculty member. In a real sense the final product is in most respects his own.

(4) "*Non-doctrinal*" research. Mention should be made of the kind of research material used in the preparation of statutory monographs. In addition to the obvious standard library materials, a real effort is made to support analysis of statutory problems with what has come to be called, though nobody is quite sure just why, "non-doctrinal"⁷ research. For example, Mr. Remmers in preparing the paper on Defamation by Radio for our first volume engaged in many personal interviews with radio station representatives to determine the problems they face and their viewpoint on what is a workable solution. In preparing his paper for the third volume on Televising Legal Proceedings, Mr. Shuman consulted with technical experts and actually observed

7. This term blossomed during the Conference on Legal Research referred to in note 6 *supra*, as a result of an address by Karl N. Llewellyn, also to be included in the published proceedings of the conference. It seems to refer to non-legal materials such as are found in other disciplines than the law and in research in the field, as contrasted with that in the books.

the operation of television cameras. Mr. von Otterstedt, for his study of Support of Dependents statutes, and Mr. Elicker, for his monograph on Administrative Enforcement of Civil Rights, exchanged innumerable letters with the various state agencies and officials concerned with such problems. Mr. Yager, in doing research on the Photographic Copies as Evidence paper, had personal consultation and discussion with representatives of one of the largest retail stores in the United States and of companies engaged in the photographic business.

We still do not do enough but we are convinced that more and more of this kind of research must be used in developing even legal studies of statutory problems. Policy decisions made without such study are simply not as realistic. The best system is that which we used in connection with our service project, described later, for the preparation of a pharmacy code for the state of Michigan. In these cases we work directly with a policy-forming body made up of experts interested in the field. We are doing the same thing with a group of psychiatrists and psychologists in exploring the possibilities of delineating the boundary between the treatment of mental illness (which constitutes practicing medicine in many states) and consultation on lesser psychological and personality problems done by psychologists.

We are convinced much of the really significant legal research done in the future will be in the statutory areas and this demands even more "non-doctrinal" research.

II. OTHER ACTIVITIES OF THE RESEARCH CENTER

While the Current Trends volumes constitute our major effort, other activities have taken considerable amounts of the time of the staff. We hope that these can be increased in size and variety as our research program matures and more funds and personnel are available. Some of these activities should be mentioned here.

Service Work

Our service work divides itself roughly into three categories: (1) preparation of reports or statutes concerning Michigan law and having no particular significance for others outside Michigan; (2) preparation of such materials primarily for enactment in Michigan but coming up with a product that may have sig-

nificance as a model for other states; and (3) preparation of materials for organizations such as the American Bar Association committees or National Conference of Commissioners on Uniform State Laws which clearly have national or at least multi-state significance.

The benefits to our general research program of such projects is considerable in our opinion. Requests for such work usually come from government agencies, bar groups, etc., which constitute a ready-made source of "non-doctrinal" research material and policy consultation. Such work has the additional satisfaction of giving tangible evidence of the contribution we make much more quickly and much more certainly than general publication only can do. We know such work does something other than rest on library shelves. Another really significant advantage of such work is its impact on our research personnel. It gives further training in legislative service and drafting techniques which can be had only through practical experience. Just as important, it gives staff members a "break" from the longer and often more tedious research projects of the current trends variety. Here they too can derive the sense of accomplishment that comes from seeing their efforts actually used in a concrete manner. We feel their efficiency increases when given such breaks, though such projects can be extremely time-consuming.

In the first category of projects would come work with faculty members, bar groups and government agencies on such things as notice provisions in the Michigan probate code, a compilation of the general laws of Michigan dealing with cities, suggestions for technical revision of the new Michigan Business Receipts Tax, preparation of a constitutional amendment on selection and tenure of judges, etc. In the second category we would put our work with the Pharmacy School faculty and the State Pharmaceutical Association in preparing a proposed pharmacy code for Michigan, as well as our work with the psychiatry and psychology faculties in preparing a proposed act for certification of psychologists. Both of these, through the national professional organizations of the faculties involved, may be used as models for statutory enactments in other states even though they are not immediately enacted into law in Michigan. The third category would include such projects as our work for the Uniform State Laws Commissioners on the Uniform Abandoned

Property Act, and our work for the American Bar Association Special Committee on Atomic Energy in the preparation of their report for the Joint Committee of Congress. The report of this special committee undoubtedly had a considerable impact on the shape of the Atomic Energy Act of 1954.

State Constitutional Studies

The completion this year of a detailed study on state constitutional provisions dealing with uniformity and equality in taxation is the first of a series which over the years should do much to help state agencies throughout the country when they undertake the revision of state constitutions. Ours is only a bare beginning but this is an area of law which, while much neglected, is very important.

Federal Statutes — Atomic Energy Acts

As yet we have only one project dealing with federal statutes, but we hope this is only the first of many. Through help of Michigan's Phoenix Project on atomic energy, we are working on a legislative history of the Atomic Energy Acts of 1946 and 1954. In addition we have already published material on state regulation of atomic energy and on the impact of the Public Utility Holding Company Act on the budding atomic energy industry in this country. There will also be a volume on the problems arising from the mixture of atomic energy and tort law.

Similar comprehensive analyses of important federal statutes should do much to help practicing lawyers and their clients deal with these statutes, and possibly even will serve, indirectly, to improve federal statutes. Such studies might even pave the way to inclusion of more such material into law school instruction. We hope to encourage others from our own faculty and from other schools to make similar studies.

III. CONCLUSION

While, as already indicated, we have encountered many problems in developing our program in legislative research, we still feel that there is a great need for scholarly work in the areas we have described. In our experience over the last five years we have seen nothing to change our opinion on this. We have far to go to achieve our ultimate goals but we continue to think them

worth achieving. We would welcome criticism and suggestions from others towards the quicker attainment of such legislative research goals. We hope to gain much from the work of others to be described in other articles in this symposium.