Cramton Named to State Post

Prof. Cramton, Gov. Milliken, and David Dykhouse

Professor Roger C. Cramton of the Law School has been appointed to the Administrative Law Commission by Governor William G. Milliken to review Michigan administrative law and to make recommendations for improvements.

Professor Cramton, an expert on administrative law, was involved in the drafting of the new Michigan administrative procedures act, which becomes effective on July 1, 1970. The Administrative Law Commission is intended to ease the transition to the new statute by reviewing problems in the application of the act as they arise and making recommendations to the Governor for their solution.

David J. Dykhouse, Jr., U-M alumni and legal adviser to the Governor, is Chairman of the new Commission, and Cramton is Vice-Chairman.

The executive order creating the Administrative Law Commission states that "There is a great need for the Governor... to be advised by an impartial body which will review proposed changes in administrative law, recommend additional changes, where needed, observe the operation of administrative law and procedure in practice, and conduct a continuing review of administrative law."

"Modern Criminal Procedure" Has 'Weighty' New Edition

The increasing size of successive editions of Modern Criminal Procedure: Cases, Comments & Questions, and the frequency of the revisions of these teaching materials, evidence the continuing rapid changes in the field and the growing attention being given it in the law schools.

The first edition, published in the fall of 1965, contained 13 chapters and was 565 pages long; the second edition, published only a year later (Miranda had come down in the meantime), contained 17 chapters and 880 pages. The third edition, published last fall—with Professors Jerold Israel of the U-M Law School and Wayne LaFave of the Illinois Law School joining the original team of Livingston Hall of Harvard and Yale Kamisar of the U-M Law School—contains 29 chapters and 1,456 pages. Moreover, points out Professor Kamisar, thanks largely to new co-authors Israel and LaFave, not only is the third edition much larger but the cases more carefully edited and the comments more tightly written.

None of the authors has weighed the monumental third edition, but Solicitor General Erwin N. Griswold has. In a recent speech stressing the vast amount to be learned about

criminal procedure nowadays, he illustrated his point by turning to the new Hall, Kamisar, LaFave, and Israel materials: "It is a remarkable, and literally a weighty volume. I put it on the scales and it weighs nearly six pounds... Clearly there is a great deal which can be learned by the current generation of law school students about criminal procedure."

Although the first two editions dealt mainly with the constitutional dimensions of criminal procedure, the new edition of Modern Criminal Procedure contains many chapters which are primarily non-constitutional in thrust—for example, the decision whether to prosecute; preliminary hearing; jurisdiction and venue; joinder and severance of counts and parties; and post-trial motions and appeals. Probably the two most interesting new chapters are "General Reflections on the Police, the Courts and the Criminal Process," which examines (1) tensions between police and racial minorities, (2) various means of controlling and influencing police power and discretion, (3) the impetus for (and resistance to) "judicializing" the criminal process; and "The Administration of Justice in the Wake of Civil Disorders," which considers riot curfews, mass arrests and general searches, bail and "preventive detention," and the role of defense lawyers, prosecutors, and judges generally in times of crisis.

As in the previous editions, in addition to the exhaustive Notes and Questions, the authors have greatly enriched the case materials with extensive extracts from illuminating and stimulating books, reports, articles, and speeches. Because of the current concern over the need for legislative attention to problems in the administration of criminal justice, they have frequently included proposals growing out of such recent law reform efforts as the American Bar Association's Standards for Criminal Justice and the American Law Institute's Model Code of Pre-Arraignment Procedure.

In their efforts to make maximum use of the most recent writings in the field, the authors checked out and ran down every report or rumor of forthcoming articles, books, and studies pertaining to any topic of criminal procedure. Thus, in preparing the new edition they were able to study, profit by, and select extracts from manuscripts or galleys of various then-unpublished works. Much of the materials in the "civil disorder" chapter, for example, is based on a University of Chicago Law Review study of the April 1968 Chicago disorder and various reports by the National Commission on Causes and Prevention of Violence and the District of Columbia Committee on Administration of Justice under Emergency Conditions, none of which appeared in print.

Prof. Israel (left) and Prof. Kamisar