

Shartel and Simes Announce Retirement Plans

Two veteran members of the Law School faculty, Profs. Burke Shartel and Lewis M. Simes, will begin their retirement from active teaching this summer—but both have plans for a very active “retirement”!

The youngest professor of the Law School faculty at the time of his appointment in 1920, Professor Shartel says quite simply, “My first interest in teaching has been to work with students.” He has counseled literally hundreds of them in the course of their studies and served seven years as faculty editor of the *Michigan Law Review*.

Professor Shartel has probably taught a wider variety of courses than any other man on the law faculty. At one time or other, he estimates he has handled about half the classes offered by the School. His special interest, however, has been jurisprudence, and in 1947–48, his faculty colleagues chose him for the Thomas M. Cooley lectureship on “Our Legal System and How It Operates.”

“Today, our legal thinking and methods are just as much in need of change as are those of physics and science generally,” he declares. “The lawyer understands best how the social control machinery of America works. But he can’t continue to do a good job if the machinery becomes obsolete.”

He maintains that courts play an important role in policy making—a function which they have actually performed for many years, but one which only in the last few decades has become the subject of extensive public discussion.

Courts become policy makers for two reasons, Professor Shartel explains: 1) because there is often a lag between the time new laws become desirable and the time they are enacted by legislatures, and 2) more importantly, because legislatures are too busy with taxing and spending to discover gaps in the law and to look into details of earlier laws which may need correction.

One of Professor Shartel’s ambitions is to bring together his views on this subject in a book suitable for both beginning law students and the general public. At present, he’s using most of his time outside class to finish a new book on “The Law of Medical Practice,” co-authored with Prof. Marcus L. Plant.

After his retirement begins this summer, Professor Shartel plans to complete the manuscript and turn it over to the printer. In the fall, he and Mrs. Shartel will go to Germany, where he has been offered a Robert Merton guest professorship at the Law School of the University of Munich. He lectured in Germany during the summers of 1950, 1953 and 1955, receiving an hon-

orary juris doctor degree from the University of Heidelberg in 1953. He will resume his writing when he returns to this country.

“Mr. Future Interests” of the American law profession, Prof. Lewis M. Simes, will spend the first few months of his retirement on a long-planned air trip around the globe. This has been a dream long shared with his wife—a map of the world has long hung by the breakfast table at the Simes’ residence. Their three-month jaunt will start in October.

A soft, slow-speaking Missourian, Professor Simes has served on the law faculty for more than a quarter century. From 1942 to 1954, he was the first director of the School’s legal research program, guiding the spending of \$100,000 annually in funds left the School by benefactor William W. Cook.

In 1946, Professor Simes helped draft a model probate code for the American Bar Association. This was used as the basis for legislation in Arkansas, Indiana, Texas, and Missouri.

The following year, he was chosen for the Floyd Russell Mecham University Professorship in Law, a position he still holds. And in 1953–54, the Law School faculty invited him to deliver five Thomas M. Cooley lectures on “Public Policy and the Dead Hand.”

Professor Simes describes himself as “a firm believer in research in advancing the science of law.”

“You can’t do anything about reforming the law without knowing what the law is and how it operates,” he explains. “Research provides a means of rationalizing a number of interpretations of existing law. It provides the basis for new legislation, as well as wider use of existing law.”

Once his three-month trip is over, Professor Simes plans to return to research, this time to develop a model code, basic texts, and model title standards for conveyancing. Professor Simes’ interest in conveyances has developed in part from his work in future interests, which sometimes involve real estate, and from his basic belief that law advances through research.

“It is becoming increasingly difficult and expensive for the general public to transfer ownership of real property with a clear title. As titles to a particular property get longer and longer, they are bound to have more mistakes included,” he points out. “In theory, the recording system for transferring title to property is so complex as to be almost unworkable; in practice, lawyers get along with the system by agreeing to overlook certain minor errors in recording.”

A three-month trip around the world is planned by Professor Simes this fall, as he begins retirement. His extensive writing on wills, trusts, and related legal documents has earned him the title of “Mr. Future Interests” of the legal profession.

Burke Shartel, professor of law at Michigan for 38 years and counselor to hundreds of students, here chats with Frederic Brace, Jr., associate editor of the Michigan Law Review and son of Frederic Brace ('34), practicing attorney in Greenville, Mich.

