First Amendment giving newsmen immunity from grand jury subpoenaas. (Thirteen states have already passed statutes giving newsmen an immunity to protect the identities of their anonymous sources.)

—There should be an “absolute” and “unqualified” privilege for newsmen against subpoenas issued by legislative bodies and administrative agencies.

—Newsmen should not be required to disclose confidential sources in civil trials unless: the information sought is “substantially different in quality or import from any other evidence admitted at the trial”; the source was not given a specific promise of confidentiality, and disclosure of the source’s identity would not cause “irreparable harm” to the newsmen’s professional relationships.

—In criminal trials, newsmen should be required to disclose confidential information only if: they have evidence concerning criminal behavior (not the “victimless variety, such as drug use, homosexuality, gambling or prostitution”) to which they were eyewitness or in which they actually participated; or if the defendant invokes his sixth amendment right to call witnesses in his favor and makes a showing of reasonable grounds to believe that a newsmen has information relevant to the case.

—Newsmen claiming a constitutional privilege should be full-time employees of an established news medium, or have contributed at least three items published in an established medium.

Dr. Watson’s Specialty: Psychiatry and the Law

What is a psychiatrist doing on the Law School faculty?

Dr. Andrew S. Watson, who has held a joint appointment in the University of Michigan Law and Medical Schools since 1959, sees the situation as a natural one. His joint appointment—an example of the increasing interdisciplinary character of modern legal education—allows him to study his favorite subject—the legal profession—and gives him an opportunity for teaching assignments in courses as diverse as criminal law and torts.

A licensed doctor of medicine and psychiatry in Michigan, Dr. Watson divides his time between the Law School and the U-M Children’s Psychiatric Hospital.

At the Law School he is regularly invited to teach sessions in criminal law, where issues of personality, legal capacity, and motivation parallel concepts in the behavioral sciences. He has also taught courses in family law, and is a lecturer in juvenile law, civil procedure, and torts. He conducts his own class in law and psychiatry, where the focus is on contemporary psychiatric theory and its relationship to the law.

Dr. Watson is currently preparing to research problems relating to the “over-litigious client”—one who is likely to hire an attorney after another in a never-ending tangle with judges and courts. The research will attempt to determine ways to prepare lawyers and tribunals to handle this distinct brand of litigation and counseling.

Dr. Watson has also been a consultant to the National Conference of Commissioners on Uniform State Laws, and has conducted clinics for the Association of American Law Professors.

The U-M professor hopes that his contributions to legal education will stir more than a passing interest in the behavioral sciences among lawyers. After all, he points out, members of the legal profession are expected to deal fairly and efficiently with the widest range of human affairs.

A serious critic of some forms of legal education, he says the traditional direction of professional legal studies may, in a sense, be “leading the lambs to the slaughter.” Often, he contends, graduates with traditional legal training have an easy time dealing with conceptual problems, but have little background in handling the “sticky” problems of human affairs. Dr. Watson examines this problem in a recent Cincinnati Law Review article entitled “The Quest for Professional Competence: Psychological Aspects of Legal Education.”

Dr. Watson also maintains that many law students find it difficult to make the transition from laymen to lawyers. This comes as the result, he says, of an educational process that exposes students to brilliant professors, but leaves them without professional models to emulate for their careers.

And Dr. Watson believes that the ordinary lawyer’s distaste for divorce litigation should come as no surprise. He points out that most lawyers are ill-prepared to meet the demands of individuals who cannot separate their legal quarrel from more general family problems and psychological difficulties. Thus, he says, the average member of the legal profession shies away from involvement in this area, leaving divorce cases to marginal members of the bar.

To remedy the situation, Dr. Watson recommends professional training in interviewing techniques and formal study of human behavior. As part of his Psychiatry and Law course, he draws on his own clinical training and experience to instruct students in the human aspects of being a lawyer and a professional.

“Though there have been impressive exhortations about lawyer behavior, the simple fact is that many American practitioners act as if they are quite impervious to these statements,” Dr. Watson says.

“The bar’s cynicism about professionalism could too easily be accepted at face value. I believe that it primarily reflects the necessary adaptive response of individuals who are sent into a demanding situation without the necessary skills.

“Few human beings have a more difficult task to perform than the lawyer who must simultaneously protect his client’s interests, be an officer of the court, and make his own living.”

Clinical Law Program Finds a New Home

When a fire gutted Ann Arbor’s Municipal Court Building this winter, the University of Michigan’s new clinical law program found itself without a home for several weeks. Now settled