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HISTORY OF THE SOUTHERN METHODIST UNIVERSITY'S AIR LAW SYMPOSIUM

EUGENE JERICHO

WE HAVE COME a long way in the last 25 years, exploring the history and developments of air law.

The first aviation related decision reported in this country was *Guille v. Swan*. In *Guille*, the New York Supreme Court held that when a balloonist descended into a private garden, he was liable in an action of trespass for damage to crops, caused not only by the balloon itself, but also by a large crowd breaking into the garden as a result of curiosity. From the time of the *Guille* decision until 1966, when the first Southern Methodist University Air Law Symposium was held, the CCH Aviation Reporter had grown to ten volumes.

In 1961 the Southern Methodist University School of Law agreed to assume the responsibility of publishing the *Journal of Air Law and Commerce* from Northwestern University School of Law which had published it since 1931. The early volumes of the *Journal* reveal that the first attempt at aviation statutory regulation came in 1911 when the Governor of Connecticut, along with the American Bar Association, unsuccessfully advocated federal legislation of air navigation. Shortly thereafter, however, Governor Baldwin was successful in convincing the Connecticut legislature to enact the first aeronautical legislation in the United States.

In 1920 the Conference of Commissioners on Uniform State Laws and the American Bar Association won approval of a Uniform State Law for Aeronautics imposing

absolute liability on aircraft owners for damages caused by descending aircraft, whether voluntary or involuntary, as well as other provisions to be controlled by the states. The Conference determined, however, that regulation of air transportation, air worthiness of aircraft, testing of pilots and enforcement of various regulations should be the responsibility of the federal government. In response, Congress enacted the federal Air Commerce Act in 1926.

The first Air Law Symposium, held in 1966, was a humble gathering at the Law School, but rapidly rose to international prominence in August of 1967 when the symposium focused on the Warsaw Convention. Speakers and delegates came from England, Ethiopia, Netherlands, Germany, Japan, Jamaica and Russia, who sent Representative V. G. Samoroukov of the USSR's Aeroflot, the largest airline in the world. Approximately seventy people attended the Symposium, the majority of whom were from the United States. The proceedings of the Symposium were fully reported in an issue of the *Journal of Air Law and Commerce*.

For the next few annual symposia, receptions and dinners were held usually in private homes. Speakers were universally required to appear at their own expense and without honorariums in order to build a fund for future expansion.

Throughout the succeeding years, attendance at each Symposium has grown dramatically to a typical registration of approximately 600 lawyers, insurance executives, independent adjusters, legal scholars, manufacturers, government personnel, meteorologists, engineers, reinsurers, and other aviation experts to fill out a remarkable cross section of attendees. The size of the gathering now requires the use of the largest hotels in Dallas to accommodate the meetings, receptions, banquets and sleeping facilities for those coming from all over the United States, as well as foreign countries. It is impractical to list the hundreds of speakers and aviation topics presented over the last twenty-five years, but all have been preserved

in the individual symposium notebooks, as well as in the *Journal's* annual symposium issue

The depth and breadth of the subjects covered at the springtime symposia has also grown by enormous bounds. Subscriptions to the *Journal of Air Law and Commerce* likewise have expanded internationally. The *Journal* has become the unexcelled legal publication of the aviation industry and is the only air law periodical published in the English language.

The *Journal's* Boards of Editors chosen each year from the law students and supervised by the appointed Law School faculty member expend an enormous effort to publish each issue of the *Journal*, one of which continues to be the yearly symposium issue. To assist both the Symposium and the *Journal* the registration fees are providing scholarships for some of the *Journal* editors to allow them to dedicate a larger amount of their time to the publication and symposia.

Its success is illustrated by the the various organizations which have sought to compete with the annual Air Law Symposium, both in this country and abroad. None have equalled the universal acceptance experienced at the Southern Methodist University programs in either size or quality. Indeed, unlike the balloonist in *Guille v. Swan*, the Symposium is flying high. In recent years, the annual Springtime Air Law Symposium has taken on the semblance of an enormous organized reunion where almost every attendee looks forward to meeting friends and outstanding speakers.

