

# MARJORIE M. SHOSTAK

*Attorney, Stein & Shostak, Los Angeles, California*

*First Vice-President, Foreign Trade Association of Southern California*

MARJORIE M. SHOSTAK, one of the comparatively few attorneys in the United States who specialize in Customs law practice, devotes her efforts exclusively to the representation of importers in customs matters and other foreign trade problems related to the importation of merchandise into the United States. She is the only woman attorney in the private practice of Customs law who regularly attends circuit sessions of the United States Customs Court at ports of entry on the Pacific Coast, along the Mexican Border, in Texas, and at New Orleans.

A native of Nebraska, she received her B.A. degree in 1935 from the University of Nebraska, where she was elected to Phi Beta Kappa. She has been associated with the practice of Customs law since 1935, when she began work as law clerk in the office of the late Philip Stein, nationally known authority on Customs law (*World Trade Personality* No. 36). In 1946, she became a partner in the firm, the name of which was changed in 1955 to Stein and Shostak.

Miss Shostak is a member of the Bar of the State of California, the United States Customs Court, which has nation-wide jurisdiction over customs controversies of a civil nature, the United States Court of Customs and Patent Appeals, and the Supreme Court of the United States. She is also admitted to practice before the Treasury Department and all field offices of the Bureau of Customs throughout the United States. Now first vice-president of the Foreign Trade Association of Southern California, Miss Shostak served as chairman of its Legislation Committee in 1955 and 1956; as secretary of the association in 1958; and as its second vice-president in 1959. She has been a director of the association since 1957, the first woman to serve on the board of that association in its 41-year history. An active member of the Los Angeles Chamber of Commerce, Miss Shostak serves on its World Trade Committee, and has acted as Chairman of its Import Legislation and Customs Committee since 1955. She is also a member of the West Coast Foreign Trade Group of the U. S. Department of Commerce; Los Angeles World Affairs Council; and the National Council of American Importers, Inc.

Miss Shostak took an active part in the civic campaign to obtain a new Custom House and Federal Office Building for Los Angeles. The campaign to obtain Congressional authorization for the building was initiated in 1944 by Philip Stein, then chairman of the Import Affairs Committee of the Los Angeles Chamber of Commerce. Title to the expanded site has now been acquired, and it is expected that construction of the building, to cost \$38,000,000, may begin in 1961.

From 1946 to 1953, Miss Shostak and Mr. Stein instructed classes at the University of Southern California on United States Customs Administration and Procedure, the first course of its kind given at any university or college in the United States. Miss Shostak also collaborated with Mr. Stein in the preparation of text books on the subject, and a brochure on the United States Customs Court published in 1950.



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# CUSTOMS LAW PRACTICE: SCOPE AND CHALLENGE

By Marjorie M. Shostak

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THE practice of Customs law is a specialized branch of the legal profession in which comparatively few members of the bar in the United States engage. While many lawyers have been admitted to practice before the United States Customs Court, it is estimated that not more than 150 attorneys regularly practice in this highly specialized field. The offices of most of these attorneys are located in New York City, where the United States Customs Court has its permanent headquarters. At a few of the larger ports of entry at which the Customs Court holds circuit hearings, such as Boston, Baltimore, Detroit, San Francisco and Los Angeles, only two or three attorneys specialize in Customs work.

The Customs Section of the Department of Justice, which handles all customs cases of a civil nature arising in the United States, likewise has a comparatively small staff, composed of highly specialized trial lawyers whose work is limited to the Customs field. Although stationed in New York City, these attorneys represent the Government at Customs Court circuit hearings at ports of entry throughout the United States, its territories and possessions.

The United States Customs Court, created by Act of Congress in 1926, has exclusive nation-wide jurisdiction over civil controversies arising under the tariff and customs laws of the United States. Nine Judges, appointed by the President, comprise the Bench of that Court, which holds regular sessions at New York throughout the year. Circuit sessions of the Court at which one Judge usually presides are held periodically at ports of entry throughout the United States, its territories and possessions, to permit importers to obtain judicial review of customs administrative assessments and rulings at the ports of entry where their controversies arise. The exclusive jurisdiction of the Customs Court over tariff controversies also insures uniformity of decisions throughout the United States, as required by Article I, Section 8, Clause 1 of the Constitution.

On first impression, Customs law practice may seem very limited in scope, concerned only with merchandise rather than with people. Suits in the United States Customs Court involve tons of crude ma-

terials, carloads of produce, bales of rags, yards of textiles, cases of manufactured goods. Personal relationships of adversary parties are seldom involved, since Customs Court actions deal principally with the rate and amount of customs duties chargeable on imported merchandise or its dutiable value, the facts relating to the determination thereof, and the interpretation and construction of our tariff laws.

After 25 years in legal work in the customs field, ranging from the review of liquidated entries at the custom house, to trial work and appellate appearances, the writer can say that, far from being the dull and uninteresting field a general practitioner or lay person might imagine, customs law is a fascinating and challenging profession. While it may be more exacting, demanding, and time-consuming than other branches of the law, it is a completely absorbing field and offers a never-ending challenge to the inquisitive mind.

Few other fields of law require such continuous study of a practically unlimited range of academic subjects normally unrelated to the law, such as chemistry, botany, engineering, electronics, metallurgy, to name but a few. Customs cases frequently involve inquiries into the composition, design, or chemical properties of imported articles, or the nature of the component materials of which they are made, or their function or method of operation, or the chief use to which they are put throughout the United States. At least an elementary understanding of many diversified fields must be acquired

