VI. COURSES OF INSTRUCTION

The program of each student is subject to the approval of the Dean. Normally all work for the first three quarters is required. A legal writing, research, and moot court program is also required of every student. Students are permitted to specialize in the second and third years. Members of the faculty may prescribe special qualifications for admission to particular courses or seminars.

Unless special permission is granted, the student must take all courses listed below for the first-year program. The numbers in parenthesis at the end of each course description represent the value of the course in terms of course hours per quarter.

In order to achieve credit for 135 course hours in nine quarters, the student must take an average of 15 course hours (31 course units) per quarter. Unless special permission is granted, no student may take more than 17 course hours in any quarter.

FIRST-YEAR COURSES

201. ELEMENTS OF THE LAW. The functions and problems of tribunals. The theory of legal rules and of the law-crafts. The theory and practice of American case-law, especially in regard to principle, precedent, statute, and justice, are developed with intensive study of selected case-materials. Aut (3), Win (2), Llewellyn.

202. CONTRACTS. Promises and consideration—the bargain; fairness, duress, mistake, supervening events, default as an excuse, damages; an introduction to multiple party transactions; contracts and competition. Aut (4), Win (4), Sharp.

203. CRIMINAL LAW AND PROCEDURE. The criminal act, criminal intent, consent, justification, crimes against the person and against property; selected material in the administration of criminal law. Win (2), Spr (4), Puttkammer.

204. CIVIL PROCEDURE. Introduction to adjective law; division of business and function between State and Federal courts; choice of forum; jurisdiction over subject matter, persons, and things; venue; forms of judgments, res judicata and collateral estoppel; full faith and credit. Aut (4), Currie.

205. REAL AND PERSONAL PROPERTY. Present and future interests in land and chattels; restrictions on the creation of future interests; conveyances inter vivos, including land contracts; adverse possession and statutes of limitation. Win (4), Spr (6), Dunham, Tefft.

206. TORTS. Protection of personal integrity, including freedom from contact, defamation, etc., compensation for personal injuries; protection against injuries to property interests; protection of consumers, purchasers, and investors; protection of business and other interests from wilful invasion; theories of civil liability. Aut (4), Win (2), Kalven.

207. AGENCY. Study of vicarious liability, workmen's compensation, and the allocation of risks in various types of business organizations, with emphasis on the effect of employer control of business operations and profit-taking. Aut (4), Steffen (limited to students who entered the Law School in the Summer Quarter, 1954); repeated Spr (4), Steffen (for students who entered the Law School in the Autumn Quarter, 1954).

215. EQUITY. The origin and development of equitable remedies and their role under present conditions. Aut (4), Tefft. (Limited to students who entered the Law School in the Summer Quarter, 1954.)

249. TUTORIAL WORK. Intensive training in analysis, research, and exposition of legal and related social materials by means of work on a series of individual projects under supervision. Moot court. Aut (1), Win (2), Spr (2), Kalven and Bigelow Teaching Fellows.

SECOND- AND THIRD-YEAR COURSES

With the exception of the required second-year tutorial work, the program for the second and third years is elective. Courses recommended, but not required, as second-year courses are marked with an asterisk.

301. ADMINISTRATIVE LAW. * Right to notice; opportunity to be heard; adequacy of notice; elements of fair administrative procedure; what constitutes a fair hearing; administrative proceedings and res judicata; judicial control of administrative proceedings. Spr (4), Sears.

302a-1. CONSTITUTIONAL LAW. * Enforcement of written constitutions; three departments of government; the federal system; powers of the national government; interstate and foreign commerce.1 Aug (4), Sears.

1Students taking Constitutional Law may elect 302a-1 or 302a-2 or both, or may take 302b.
CONSTITUTIONAL LAW. * Personal liberty; political and social rights; due process and equal protection; eminent domain; retroactive laws.\(^1\) Win (4), Sears.

CONSTITUTIONAL LAW. * The Constitution of the United States. A developmental presentation of the usual topics of constitutional law. Attention is given to the political background of the Constitution; the process of drawing and adoption; the intended meaning of the document; and the process by which the accepted modern theories of the Constitution came to be substituted therefor.\(^2\) Win (4), Spr (4), Crosskey.

COMMERCIAL AND INVESTMENT PAPER. * A study of commercial and banking transactions, with particular regard to the development and use of notes, drafts, checks, bonds, and share certificates, the concept of negotiability, and the problem of statutory codification.\(^3\) Aut (5), Steffen.

ACCOUNTING. * Introduction to accounting techniques and the interpretation of financial statements.\(^4\) Aut (3), Katz.

ECONOMIC ANALYSIS AND PUBLIC POLICY. * The pricing process and the allocation of resources in a free-market system; monopoly and restraint of trade; monetary theory and the credit system; industrial fluctuations; economic analysis and economic policy.\(^4\) Aut (4), Director.

FAMILY LAW. Marriage and the family as social and legal institutions; legal relations between members of the family and between the family and outsiders; dissolution of the family. Aut (4), Rheinstein.

TRIAL PRACTICE. Pleading; parties; deposition and discovery; pretrial hearings; trial motion practice; division of function between judge and jury; verdicts. Win (4), Kurland.

CORPORATION LAW. * Distribution of control; application of the fiduciary principle to directors, officers, shareholders, and promoters; the procuring and maintaining of corporate capital. Aut (5), Katz.

COMMERCIAL LAW PRACTICE. * Problems in the law of sales, letters of credit, chattel security, and collection of negotiable instruments with special emphasis on the techniques of problem analysis, counseling, and statutory construction.\(^5\) Win (2), Spr (4), Llewellyn, Mentschikoff.

RESTITUTION. As an alternative remedy for tort; remedies in contracts induced by fraud or mistake, and in contracts unenforceable because of impossibility of performance, the statute of frauds, or plaintiff's breach; rescission for defendant's breach and duress. Spr (4), Dawson.

MORTGAGES. A study of real estate and chattel mortgages and related types of security with emphasis upon enforcement and liquidation. Spr (4), Tefft.

SECOND-YEAR TUTORIAL WORK. Drafting, analysis of financial statements. A study of various legal problems and the drafting under supervision of contracts, leases, and other papers, including statutory provisions, and the preparation of supporting memoranda. Win (2), Spr (2), Steffen and Bigelow Teaching Fellows.

TAXATION. Income, gift, and estate taxation by the national government; the taxation of families as income-receiving and wealth-holding units; the taxation of business income and capital gains; the relationship of taxation to monetary and fiscal policy; and the role of taxation in a private enterprise economy. Aut (4), Win (4), Blum.

TRUSTS. Problems relating to the creation and administration of trusts; contemporary use of the trust device. Win (4), Dunham.

BANKRUPTCY AND REORGANIZATION. Credit aspects of inflation and deflation; problems of investment, debt, and failure in a fluctuating economy; debtor relief, including corporate reorganization plans; corporate capital structures. Spr (4), Blum.

LABOR LAW. The legal framework for collective bargaining, strikes, picketing, lockouts, and other forms of pressure; the relationship of that framework to the general problem of regulating monopoly; the selection of the collective bargaining representative; the relationship of the representative to the individual employee, including the regulation of the internal affairs of labor organizations; the negotiation, administration, and enforcement of collective bargaining arrangements. Win (4), Mentschikoff.

LAW OF COMPETITION AND MONOPOLY. The structure of American industry, the theory of competition and monopoly; the development of patents and trade-marks; problems of unfair competition; the enforcement of the antitrust laws against restraints of trade and against monopoly. Win (3), Spr (3), Director, Levi.

EVIDENCE. The law governing the proof of facts in issue in trials at law and equity, with incidental treatment of hearings before administrative agencies; including burden of

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\(^{1}\) May be taken with Law 311.

\(^{2}\) Recommended in connection with Law 310, 401, and 403. May not be taken for credit by students who have had over a year of college accounting.

\(^{3}\) Recommended as preparation for Law 401, 403, 404, and 405.

May be taken with Law 303.
proof, presumptions, and judicial notice; the functions of judge and jury; the examination, competency, and privilege of witnesses; the exclusionary rules of evidence. Aut (6), Kurland.

407. Modern Real Estate Transactions. A study of land marketing transactions with particular regard to problems of the development of urban land, of marketing urban land, whether by sale or by lease, of financial acquisition of urban land, and of marketable title and title examination. The problems are illustrated with materials from the area of marketing of housing. Aut (4), Dunham.

408. Conflict of Laws. The problems arising when important facts of a case occur in states or countries having different rules of law. Aut (4), Currie.


410. Jurisprudence—Law in Our Society. A horse-sense approach to a selection of basic problems facing the lawyer today as a craftsman, as a citizen, and as a person. Written critiques required weekly. Spr (4), Llewellyn.

411. Insurance. A study of the insurance contract, with some reference to the peculiar responsibilities of the insurance company. Spr (4) Sharp.

412. Insuranc. A study of the insurance contract, with some reference to the peculiar responsibilities of the insurance company. Spr (4) Sharp.

413. Decedents' Estates. The machinery for, and the substantive law of, the transfer of wealth upon death (intestacy, wills, probate, administration); exercises in estate planning and drafting. Win (4), Rheinstein.

414. The National Judiciary System. The constitutional and statutory jurisdiction of the national courts, both trial and appellate, including the relation of the national courts to the administrative agencies of state and nation. Casskey. [Not given in 1954-55.]

415. State and Local Government. Selected problems in state constitutional and administrative law and the general legal principles applicable to the operation of counties, cities, and towns. Spr (4), Lucas.

417. Federal Jurisdiction. History of federal judiciary acts; structure and business of the federal courts; nature of federal judicial function; diversity of citizenship jurisdiction; federal question jurisdiction; jurisdictional amount; removal jurisdiction; jurisdiction to enjoin federal courts; three-judge courts; law applied by federal courts; federal criminal jurisdiction; habeas corpus; jurisdiction of the Courts of Appeals; jurisdiction of the Supreme Court. Spr (4), Kurland.

418. Admiralty. Admiralty and maritime jurisdiction; torts in admiralty (including wrongful death); workmen's compensation; maritime contracts (including contracts for arbitration); the governing law aboard ships; the seaman; the maritime lien; common carriage by water; towage; pilotage; salvage; general average; collision; limitation of liability. Spr (4), Currie.

419. Public Utilities. The application and implications of the "regulated monopoly" theory in federal, state, and city regulation of public utility rates and services, with some examples from the region. Aut (4), Swiren.

SEMINARS

454. Seminar on the Steel Industry. The seminar will attempt to evaluate legal and economic problems relating to "competition" and "monopoly" in the steel industry. Basic issues which have been raised with respect to public policy on steel will be traced through previous hearings and court cases. Students may elect either Law 454 or 457. Spr (3), Bowman.


458. Seminar on Resale Price Maintenance. Objectives; economic interest of producers, distributors, and consumers; legislative and legal history; methods and results in particular industries. Can conflicts with the Sherman Act be avoided? Win (3), Bowman.

459. Seminar on Patents, Trademarks, and Copyrights. Examined as devices to sanction or encourage conduct otherwise prohibited or discouraged by the Sherman Antitrust Act. Spr (3), Stevens.

462, 463, 464. Seminar in Law Revision. Examination of the need for uniformity in areas suggested by the National Commissioners on Uniform State Laws. Preliminary investigation and preparation of uniform statutes. Specific topics to be announced. Three separate seminars. Aut (3), Dunham; Win (3), Lucas; Spr (3), Lucas.

465. Seminar in English Legal History. A survey of the constitutional controversies of the Tudor and early Stuart periods, against the background of medieval political theories, ex-
panding powers of the English monarchy, and institutional growth under Tudor leadership. Win (3), Dawson.

466. Seminar on Money, Banking, and Employment. Discussion of past and proposed plans for dealing with the problem of economic instability. Spr (3), Director.


475. Seminar on Governmental Regulation of Speech and Political Activity. An intensive examination of the extent to which speech and political activity are protected from direct or indirect governmental control. Spr (3), Kalven.


484. Seminar on International Law. International law, with some reference to proposals for international government and to the characteristics of international lawlessness. Aut (3), Sharp.


496. Seminar on the Supreme Court. An analysis of work of the U.S. Supreme Court and its opinions for the current term. Aut (3), Win (3), Spr (3), Kurland.

497. Seminar on Taxation. Selected problems in the income tax field with special emphasis on business aspects. Spr (3), Kirby.

COURSES FOR THE SUMMER SESSION, 1954

206. Civil Procedure. (6), Kurland.
206. Torts. (6), Lucas.
413. Decedents’ Estates. (4), Johnson.
422. Creditors’ Rights. (4), Blum, Katz.
423. Military Law. (4), Ming.
460. Seminar on Corporate Securities. (3), Bane.

SUMMER SESSION, 1955

The Law School will be in regular session in the Summer Quarter of 1955. A special announcement will be made at a later date concerning the courses to be offered.