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 parentheses 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 (3¾ course units) per quarter. Unless special permission is granted, no student may take more than 17 course hours in any quarter.

FIRST-YEAR COURSES


202. Contracts. Promises and consideration—the bargain; fairness, duress, mistake, supervening events, default as an excuse, damages; and introduction to multiple-party transactions; contracts and competition. Aut (5), Win (3), Sharp.

203. Criminal Law and Administration. General doctrines of criminal liability, crimes against persons and property, legislative problems of criminal-law revision; selected problems of procedure, administration, and constitutional rights. Aut (3), Win (3), Allen.

204. Civil Procedure I: Jurisdiction and Judgments. 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; kinds of judgments, res adjudicata and collateral estoppel; full faith and credit. Spr (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. Aut (3), Win (3), Spr (3), 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. Win (3), Spr (3), 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. Spr (5), Steffen.


249. Seminar on Legal Ethics and the Practice of Law. A non-credit, but required, seminar which meets throughout the year. Aut, Win, Spr, Mackinnon.

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.

300. Equity.* The origin and development of equitable remedies and their role under present conditions.¹ Win (4), Tefft.

¹ Available also to first-year students who entered in the Summer Quarter, 1956.
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), Mentschikoff.

302a-1. Constitutional Law.* Judicial review; problems of federalism; the Commerce Clause; intergovernmental immunities; the Compact Clause. Win (4), Kurland.

302a-2. Constitutional Law.* Due process and equal protection of the laws; civil liberties; political and social rights; military powers. Spr (4), Allen.

302b. 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. Win (4), Spr (4), Crosskey.

303. 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. Aut (5), Steffen.


305. 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. Aut (4), Director.

306. 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. Win (4), Llewellyn.

309. Civil Procedure II: Trial Practice. Pleading; parties; deposition and discovery; pretrial hearings; trial motion practice; division of function between judge and jury; verdicts. Aut (4), Kurland.

310. Corporation Law.* Distribution of control; application of the fiduciary principle to directors, officers, shareholders, and promoters; the procuring and maintaining of corporate capital. Win (5), Katz.

311. 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. Win (3), Spr (3), Gilmore, Mentschikoff.

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

349. Tutorial Work II. 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. Aut (2), Win (first half) (1), Steffen and Bigelow Teaching Fellows.

350. Tutorial Work III. Analyses of problems of legislation and administrative regulation from the perspective of preparing and drafting policy papers, statutes and regulations, and materials in support thereof. Techniques for improving professional standards of drafting and the limitations imposed by the nature of the legislative process will be explored. Actual drafting, under supervision, of statutes and related materials will be required. Win (second half) (1), Katzenbach and Bigelow Teaching Fellows.

* Students taking Constitutional Law may elect 302a-1 or 302a-2 or both, or may take 302b.

* May be taken with Law 311.

* 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.

* Recommended as preparation for Law 401, 403, 404, and 405.

* May be taken with Law 303.
401. 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.

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

403. 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.

404. 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), Meltzer.

405. 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 (4), Director, Levi.

406. 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 proof, presumptions, and judicial notice; the functions of judge and jury; the examination, competency, and privileges of witnesses; the exclusionary rules of evidence. Aut (6), Meltzer.

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 significant facts of a case relate to states or countries having different rules of law. Aut (4), Currie.


410. Jurisprudence: Law in Our Society. A common-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. Aut (4), Llewellyn.

412. Insurance. 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. Spr (4), Rheinstein.

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. Win (4), Currie. [Offered in alternate years. Not offered in 1957–58.]
419. **International Law.** A study of the role and utility of legal practices and doctrine in the world-power process. Emphasis will be upon contemporary problems of national and international economic regulation and development. Aut (4), Katzenbach.

**SEMINARS**

450, 451, 452. **Seminar on Foreign Trade and Business.** Examination of changing legal and economic patterns of international relationships between exporters and importers, factors, brokers, exchanges, insurers, shipping interests, and banks; of regulations regarding quotas, inspections, patents, cartels, tariffs, and currency; of problems relating to the expansion of corporate business and investment and the establishment of foreign offices. Aut (3), Win (3), Spr (3), Katzenbach, Llewellyn, Mentschikoff, Steffen.

453. **Seminar on Reasoning and Law.** Magic, science, and law; the argument from "analogy"—its uses and limitations; alternative forms of argument; some problems of proof. Win (3), Sharp.


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.

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

467. **Seminar on Law and Criminology.** An examination of a variety of issues of criminal-law administration including juvenile delinquency, probation, parole, and the organization of correctional systems. Emphasis will be given to the evaluation of relevant criminological materials. Spr (3), Allen.

469. **Seminar on the Ratification of the Constitution.** Attention will be focused on what occurred in New York, and an attempt will be made to evaluate the famous Federalist papers read in the context in which they originally appeared. Spr (3), Crosskey.

471. **Seminar on Labor Law.** An examination of selected problems of labor law, with emphasis on problems involved in the drafting, administration, and enforcement of collective bargaining agreements. The basic course in labor law is usually a prerequisite, but students who have had relevant practical experience or relevant work in other departments may be admitted with consent of the instructor. Spr (3), Meltzer.

472. **Seminar on Law and Public Opinion.** An examination of theories as to the relevance and importance of public opinion to law in a democratic society; a review of the techniques for ascertaining and analyzing the state of public opinion. Win (3), Blum, Kalven.

474. **Seminar on Comparative Law.** A comparison of methods of legal thought and technique in the common law and the civil law as illustrated by the treatment of basic problems of loss shifting. Win (3), Rheinstein.

476. **Seminar on Urban Land Planning.** Discussion of selected problems of zoning, planning, building, urban redevelopment, and urban conservation legislation. Spr (3), Dunham.

482. **Seminar on Public Utilities: Federal Regulation of Railroads.** Problems in the field of railroad rates and the division of joint rates. Win (3), Hamilton.


485. **Seminar on Patents.** Theory and operation of the patent system; patentable subject matter; acquisition, enforcement, licensing, and assignment of patent rights; common-law and statutory protection of other forms of industrial property. Spr (3), Gottschalk.

491, 492, 493. Seminar in Civil Law. Contracts, torts, property, and family law; the seminar will deal with French and German private law in alternate years. In 1956–57 the seminar will deal with German private law. Aut (3), Win (3), Spr (3), Rheinstein.


COURSES FOR THE SUMMER SESSION, 1956

204. Civil Procedure I: Jurisdiction and Judgments. (4) Brainerd Currie.
208. English Legal History. (4) Donovan Waters.
413. Decedents' Estates. (4) Ralph E. Kharas.
478. Seminar on Oil and Gas Law. (2) Walter J. Blum.

SUMMER SESSION, 1957

The Law School will be in regular session in the Summer Quarter of 1957. A special announcement will be made at a later date concerning the courses to be offered.