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 (3 1/4 course units) per quarter. Unless special permission is granted, no student may take more than 17 course hours in any quarter.

**FIRST-YEAR COURSES**


302. Contracts. Promises and consideration—the bargain; fairness, duress, mistake, supervening events, default as an excuse, damages; an introduction to multiple-party transactions. Aut (3), Win (3), Spr (2), Sharp.

303. 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.

304. 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 persons and things; venue; kinds of judgments, res judicata and collateral estoppel; full faith and credit. Spr (4), Currie.

305. 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 (2), Win (3), Spr (4), Dunham, Tefft.

306. 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 (3), Win (3), Kalven.

307. Agency. A study of that pervasive device by which one person (association, trust, or corporation) may employ others to do his work, construct his factory, acquire property, or sell and deliver goods, as if he were present and acting—with particular attention to the social basis for vicarious liability and the procedures for allocating risks. Spr (5), Steffen.

348. Tutorial Work I. Intensive training in analysis, research, and exposition. Aut (2), Win (2), Spr (0), Katz 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.

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

401. Administrative Law.* The powers and procedures of administrative agencies in the United States. The constitutional position of the administrative agency; procedural
problems relating to the exercise of administrative power; the methods and extent of judicial control over administrative action. Spr (4), Cramton.

402a-1. Constitutional Law.* Judicial review; problems of federalism; the Commerce Clause; intergovernmental immunities.¹ Win (4), Dam.

402a-2. Constitutional Law.* Due process and equal protection of the laws; civil liberties; political and social rights; military powers.¹ Spr (4), Kurland.

402b. 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.¹ Win (4), Spr (4), Crosskey.

403. Commercial and Investment Paper.* A study of commercial and banking transactions, with particular reference to the development and use of notes, drafts, checks, bonds, and share certificates; the concept of negotiability; problems of statutory construction.² Aut (5), Steffen.


405. 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 Spr (4), Director.

406. 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, Spr (4), Allen.

409. 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.

410a. 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), Kaplan.

411. 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 (3), Spr (3), Mentschikoff.

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

450. Tutorial Work II. Individual research and writing on selected problems, including those illustrated by cases in The Edwin F. Mandel Legal Clinic; evaluation of law and procedure affecting low-income groups and proposals for reform; group discussion of related problems of the organization and responsibility of the legal profession and its relation to other professions and agencies. Aut (1), Win (1), Spr (1), Katz and other members of the faculty. (Required of second-year students.)

502. Decedents' Estates.* Intestate succession; limitations upon testamentary power; execution and revocation of wills; interpretation of wills; will substitutes; probate and administration. Win (4), Rheinstein.

504. 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 representa-

¹ Students taking Constitutional Law may elect 402a-1 or 402a-2 or both, or may take 402b. Students electing to take all three Constitutional Law courses must secure the permission of the Dean.

² May be taken with Law 411.

³ Recommended in connection with Law 410a and 520. Students who have had as much as a year of college accounting must secure permission of the instructor prior to registering for Law 404.

⁴ Recommended as preparation for Law 504 and 505.

⁵ May be taken with Law 403.
tive and 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), Melzer.

505. 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. Aut (5), Levi, Director.

506. Evidence. The law governing the proof of disputed issues of fact in trials at law
and equity, with incidental treatment of hearings before administrative agencies, includ­
ing burden of proof, presumptions, and judicial notice; the functions of judge and jury;
the examination, competency, and privileges of witnesses; the exclusionary rules of evi­
dence. Aut (6), Melzer.

507. Modern Real Estate Transactions. A study of land marketing transactions em­
phasizing 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 market­
able title and title examination. The problems are illustrated with materials from the
area of marketing of housing. Spr (4), Dunham.

508. Conflict of Laws. The problems arising when significant aspects of a case relate
to more than one state or country. Win (4), Currie.

510. 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. Spr (4), Llewellyn.

511. Legal Argument. The general theory of argument, centered on the appellate
brief. Preparation, critical discussion, and rewriting of briefs built on transcripts of

512. Comparative Law: The Rule of Law. Methods of dispute settlement in primitive,
archaic, and developed societies; the role of law in the international community of
nations. (4), Rheinstein. [Not offered in 1960–61.]

513. Insolvency and Reorganization. Credit aspects of inflation and deflation; prob­
lems of investment, debt, and failure in a fluctuating economy; debtor relief, including
Corporate reorganization plans; corporate capital structures. Win (4), Blum.

514. Trusts.* The creation and termination of trusts; contemporary use of the trust
device; constructional problems of trusts. Aut (4), Dunham.

515. State and Local Government. Selected problems in state constitutional and ad­
ministrative law and the general legal principles applicable to the operation of counties,
cities, and towns. Win (4), Lucas.

516. State and Local Taxation. A study of selected problems dealing with the power
tax and limitations placed upon such power by the federal and state constitutions; the
chief sources of state and local tax revenues; and problems of conflict between tax sys­
tems in a federal state. Federal Taxation I is a prerequisite. Spr (4), Lucas.

517. Federal Jurisdiction. History of federal judiciary acts; structure and business of
the federal courts; nature of federal judicial function; diversity of citizenship jurisdic­
tion; federal question jurisdiction; jurisdictional amount; removal jurisdiction; juris­
diction to enjoin federal courts; three-judge courts; law applied by federal courts. Win
(4), Kurland.

518. Admiralty. Admiralty and maritime jurisdiction; marine insurance; carriage of
goods; charter parties; general average; rights of seamen and other maritime workers;
collision; salvage; maritime liens and ship mortgages; limitation of liability. (4),
Currie. [Offered in alternate years. Not offered in 1961–62.]

519. International Law. A study of the role and utility of legal practices and doctrine
in the world-power process. Win (4), Katzenbach.

520. Federal Taxation I. Income taxation of individuals: the rate structure; the
definition of income; the exclusions and deductions; the treatment of gains and losses
from property; the taxable unit and the attribution of income. Aut (3), Blum.

521. Federal Taxation II. Income taxation of partnerships, corporations, and other
business entities: the corporate income tax; the taxation of shareholders; the compara-
tive tax treatment of partnerships and corporations; the accounting aspects of income taxation; the relationship of taxation to monetary and fiscal policy. Federal Taxation I is a prerequisite. Win (3), Blum.

522. Federal Taxation III. Estate planning: the income taxation of trusts and estates; the estate and gift taxes; the conservation of family estates from a tax point of view; the social and economic implications of progressive taxation. Federal Taxation I is a prerequisite. Spr (3), Blum.

525. Regulated Industries. A study of some of the legal and economic aspects of federal regulation of selected industries, with primary emphasis on the transportation industries: restrictions on entry; abandonment; adequacy of service; rate regulation; and acquisition of control. (4), Cramton, Director. [Not offered in 1960-61.]

526. International Commercial Problems. A study of international sales transactions with emphasis upon methods of remittance; financing; cartelization; governmental controls over currency and commodities, such as exchange controls, quotas, licenses, and tariffs; state trading; and taxation of income from foreign sales. Aut (3), Dam, Llewellyn, Mentschikoff, Steffen.

527. International Investment Problems. A study of legal and economic factors influencing the international flow of capital, particularly in the form of direct investment in foreign subsidiaries. Problems of organizing, financing, and operating foreign companies will be examined with particular emphasis upon national and international law about concessions, subsidies, licensing, monopoly, and competition; expropriation and protection of property abroad; copyright and patent protection; taxation of foreign business; and related problems. Win (3), Katzenbach, Llewellyn, Mentschikoff, Dam.

SEMINARS

550. Seminar: Community Property. A survey of community property laws of the United States and a comparison with common-law marital property rules. Student will be required to prepare a detailed paper on one subject. Win (3), Dunham.

551. Seminar: Contracts. Problems illustrated principally by questions of suretyship and insurance. Permission of the instructor is required. Win (3), Sharp.

552. Seminar: International Commercial Business Problems. Students explore independently in more detail problems raised or suggested by the discussion in Law 526 or Law 527. Limited to students who have taken Law 526 or Law 527. Spr (3), Llewellyn, Mentschikoff, Steffen.

553. Seminar: Reasoning and Law. The functions of logic and other experiences in the law. Permission of the instructor is required. Spr (3), Sharp.

554. Seminar: Government Regulation of Speech. An intensive study of selected problems in the governmental regulation of speech and political activity. Some of the following problems will be studied: the power of federal and state governments to punish individuals for engaging in political speech; loyalty oaths and loyalty programs; legislative investigations; obscenity control; television programming. Win (3), Cramton, Kalven.

555. Seminar: Taxation. A study of various aspects of the taxation of the income of corporations and shareholders. Limited to students who have taken Law 521. Aut (3), Blum.

556. Seminar: Securities Regulation. A study of the problems in the issuance of corporate securities. It is a prerequisite to have taken, or to be taking, Corporation Law. Win (3), Kaplan.

562, 563. Seminar: 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. Two separate seminars. Win (3), Spr (3), Lucas.

564. Seminar: Law Revision. Examination of problems currently being worked upon by the International Law Commission in areas suggested by the U.S. member of the Commission. Preliminary investigation and drafting of proposed treaties and codifications of customary international law. Win (3), Katzenbach.
566. Seminar: Money, Banking, and Employment. Discussion of past and proposed plans for dealing with the problem of economic instability. Aut (3), Director.

567. Seminar: 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 is given to the evaluation of relevant criminological materials. Win (3), Allen.

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

570. Seminar: Labor Law. An examination of selected problems of labor law, including 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.

571. Seminar: Tort, Risk-bearing, and Insurance. A study of (1) the institution of liability insurance and of other devices for risk and loss distribution; (2) the impact of insurance and risk theory on the current law of torts; and (3) the possibilities of large-scale legislative changes, with emphasis on workmen's compensation and social insurance analogies. (3), Blum, Kalven. [Not offered in 1960-61.]

572. Seminar: Advanced Problems in Corporation Law. An examination of selected problems in corporation law, including problems in connection with the drafting of and issuing of convertible securities; stock options and their uses for compensation purposes; and problems of fairness in connection with recapitalization plans. The basic course in corporation law is a prerequisite. Spr (3), Kaplan, Katz.

573. Seminar: Criminal Procedure. A critical study of the criminal-law processes at various stages from arrest to appeal. Primary attention will be given to the Illinois practices, but consideration will also be given to the Federal Rules of Criminal Procedure, model legislation, and proposals for procedural reform. Aut (3), Allen.

574. Seminar: Public Regulation of Land. A survey of various regulatory laws controlling land use, such as housing and building codes, zoning and planning, anti-nuisance statutes, fencing and party-wall statutes, water regulation, etc. Spr (3), Dunham.

575. Seminar: Conflict of Laws. Individual research in, and group discussion of, basic problems of methods and objectives in the conflict of laws. The course in Conflict of Laws (508) is a prerequisite except for students enrolled in that course in the Winter Quarter. Registration for the seminar is subject to the approval of the instructors and will be at the beginning of the Winter Quarter. Spr (3), Currie, Rheinstein, and other members of the faculty.


577. Seminar: Government Regulation of Motor Carriers. An examination of selected problems in the regulation of motor carriers by state and federal regulatory commissions. Alternative policies of attempting to protect the public interest in adequate service and fair rates, including recent proposals for increased competition, will be studied in the context of: administration of entry controls; limitations on ownership and merger; rate regulation; and discriminatory pricing. Win (3), Cramton, Director.

578. Seminar: Government Regulation of Aviation. An examination of selected problems in the regulation of air carriers by the Civil Aeronautics Board. Evolution of the national route pattern; choice of an air carrier for a particular route; the general passenger fare investigation; and Board supervision of equipment purchases, schedules, rates, and financing. Spr (3), Cramton, Blum.

584. Seminar: Workshop in Industrial Organization. Studies in the structure and behavior of industries, with special emphasis on the role of government regulation. Permission of the instructor and Dean are required. Aut (3), Win (3), Spr (3), Stigler, Director, and other members of the faculty.

585. Seminar: 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), Levi.

586. Seminar: The Supreme Court. An analysis of work of the United States Supreme Court and its opinions for the current term. Enrollment is limited and by permission of the instructors. Aut (3), Cramton, Currie, Dunham, Kurland.


589. Seminar: Copyright Law. Legal problems arising out of the production, marketing, and distribution of literary and related properties. Spr (3), Kurland.

591, 592, 593. Seminar: Civil Law. Contracts, torts, property, and family relations law under the system of German and Swiss law. This seminar constitutes a part of the Foreign Law Program; properly qualified students who are not in the Foreign Law Program may be admitted for one quarter. Aut (6), Win (6), Spr (6), Rheinstein, Marshall v. Bieberstein.


597. Seminar: Oil in the World Community. A study of the legal, economic, and political problems raised by the international structure and operation of the oil industry. (3), Katzenbach. [Not offered in 1960–61.]


COURSES FOR THE SUMMER SESSION, 1960

400. Equity. (4) Sheldon Tefft and John W. Reed.


529. Oil and Gas Law. (4) Stanley A. Kaplan.


COURSES FOR THE SUMMER SESSION, 1961

The Law School will be in regular session in the Summer Quarter of 1961. A special announcement will be made at a later date concerning the courses to be offered.