

University of San Diego

Digital USD

School of Law Course Catalogs

University of San Diego Course Catalogs

1958

Bulletin of the University of San Diego School of Law 1958-1959

University of San Diego. School of Law

Follow this and additional works at: <https://digital.sandiego.edu/coursecatalogs-law>

Digital USD Citation

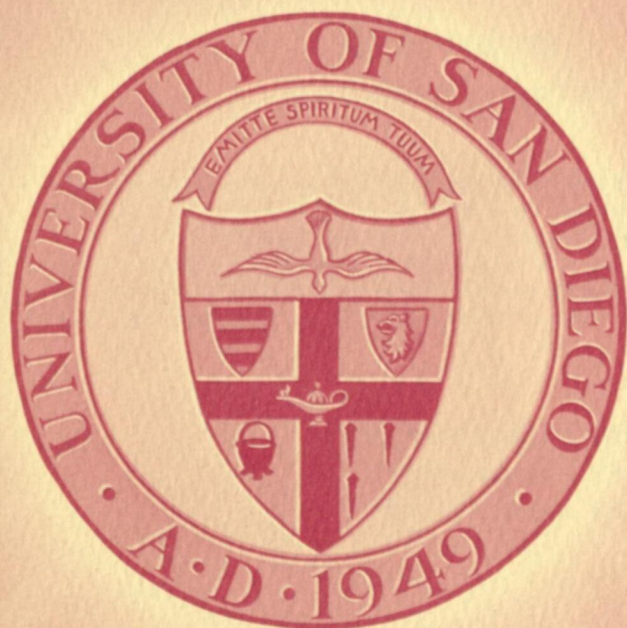
University of San Diego. School of Law, "Bulletin of the University of San Diego School of Law 1958-1959" (1958). *School of Law Course Catalogs*. 5.

<https://digital.sandiego.edu/coursecatalogs-law/5>

This Catalog is brought to you for free and open access by the University of San Diego Course Catalogs at Digital USD. It has been accepted for inclusion in School of Law Course Catalogs by an authorized administrator of Digital USD. For more information, please contact digital@sandiego.edu.

LD
4881
.S156T
A536

BULLETIN OF THE



UNIVERSITY OF SAN DIEGO

SCHOOL OF LAW

BULLETIN OF THE
UNIVERSITY OF SAN DIEGO

This BULLETIN OF THE SCHOOL OF LAW is one of three bulletins published each year giving information about the colleges and School of Law of the University of San Diego. Also available are bulletins of specific information about the summer sessions, extended day program and evening schools of the University. A request for a bulletin should be addressed directly to the Admissions Office of the college or school about which information is desired, at Alcala Park, San Diego 10, California.

General Bulletins

BULLETIN OF THE COLLEGE FOR WOMEN

BULLETIN OF THE COLLEGE FOR MEN

BULLETIN OF THE SCHOOL OF LAW

BULLETIN OF THE UNIVERSITY OF SAN DIEGO

1958-1959

Published by the University of San Diego, Alcala Park, San Diego 10, California

BULLETIN OF THE
UNIVERSITY OF SAN DIEGO

GENERAL INFORMATION

DEGREE AND REQUIREMENTS

COURSES OF INSTRUCTION

CALENDAR

1958

Summer Session, 1958

July 1, 2—Tuesday, Wednesday	Registration for Summer Session.
July 7—Monday	Summer Session classes begin.
Aug. 18, 20—inclusive	Final examinations for Summer Session.
Aug. 20—Wednesday	Summer Session ends.

Fall Semester, 1958-1959

Aug. 28, 29—Thursday, Friday	Registration for Fall Semester.
Sept. 3—Wednesday	Fall Semester classes begin.
Nov. 27—Thursday	Thanksgiving recess.
Dec. 1—Monday	Classes resume.
Dec. 15-19—inclusive	Final examinations for Fall Semester.
Dec. 20—Friday	Fall Semester ends.

Spring Semester, 1958-1959

Jan. 2—Friday	Registration for Spring Session.
Jan. 5—Monday	Spring Semester classes begin.
April 27-May 1	Final examinations for Spring Semester.
May 1—Friday	Spring Semester ends.

THE UNIVERSITY OF SAN DIEGO

The University of San Diego is a privately endowed, non-profit corporation chartered by the State of California to conduct a four-year liberal arts college and a School of Law and empowered to grant, upon completion of its program, the degrees of Bachelor of Arts, Bachelor of Science, Bachelor of Business Administration, and Bachelor of Laws.

BOARD OF TRUSTEES

Most Reverend Charles F. Buddy, Ph.D., S.T.D., LL.D., President
Very Reverend Monsignor Richard Daniels, Secretary
Right Reverend Monsignor Owen Hannon, V.F.
Right Reverend Monsignor Patrick Dunne, V.G.
Right Reverend Monsignor Francis Ott
Right Reverend Monsignor Frederick A. Wekenman
Right Reverend Monsignor Thomas A. Matthews, V.G.
Right Reverend Monsignor Peter Lynch, V.F.
Right Reverend Monsignor Francis Dillon, V.G.R.
Right Reverend Monsignor Franklin Hurd, LL.D.
Right Reverend Monsignor Joseph V. Clarkin, V.F.
Right Reverend Monsignor Joseph R. Nunez
Reverend David P. McAstocker, S.J.

THE BOARD OF REGENTS

The Board of Regents is the governing and policy-making body for the College for Men and the School of Law.

The members of the Board of Regents are:

Most Reverend Charles F. Buddy, S.T.D., LL.D., Ph.D., President
Reverend William D. Spain, Secretary
Right Reverend Monsignor William A. Bergin
Right Reverend Monsignor James T. Booth
Right Reverend Monsignor John L. Storm
Reverend Methodius Cikrit
Reverend Charles J. Dollen
Reverend William A. Nolan
Irving W. Parker
Reverend John Quinn
Reverend Theodore Twarog
Reverend Russell Wilson

THE CHANCELLOR

Most Reverend Charles F. Buddy, S.T.D., LL.D., Ph.D.

UNIVERSITY ADMINISTRATION

Right Reverend Monsignor William A. Bergin, LL.D.

President and Rector, Immaculate Heart Seminary

Right Reverend Monsignor James T. Booth, J.C.D.

Regent of the School of Law

Mother Frances Danz, R.S.C.J., B.S., Ph.D.

President of the College for Women

Right Reverend Monsignor John L. Storm, A.B., M.A., LL.D.

President of the College for Men

SCHOOL OF LAW

Regent

Right Reverend Monsignor James T. Booth, J.C.D.

Administrative Officers of the School of Law

Howard S. Dattan, B.A., LL.B., Dean

Irving W. Parker, B.A., Dean of Admissions and Records

Beatriz Anita Velazquez, B.A., Assistant Registrar

Reverend Charles J. Dollen, B.A., Librarian

Reverend James Anderson, Chaplain

FACULTY

F. J. Bear

B.A., University of Wisconsin

LL.B., George Washington
University

Howard S. Dattan

B.A., University of Southern
California

LL.B., University of Santa Clara

Reeves Elledge

B.A., San Diego State College

LL.B., University of California

C. Hugh Friedman

B.A., Yale University

LL.B., Stanford University

Charles W. Froehlich, Jr.

B.A., Stanford University

LL.B., University of California

Philip P. Martin, Jr.

B.S., Notre Dame

LL.B., University of Marquette

George R. McClenahan

B.A., University of Indiana

LL.B., University of California

James F. Mulvaney

B.S.C. Loyola University (Chicago)

J.D. Loyola University (Chicago)

Reverend J. Walshe Murray

A.B., Gonzaga University

M.A., Gonzaga University

Ph.L., Mt. St. Michael's College

S.T.L., Alma College (California)

Timothy P. Murphy

B.S., Notre Dame

LL.B., Notre Dame

Lawrence A. Patton

B.S., University of Illinois

LL.B., University of Illinois

Paul Peterson

B.A., University of California

LL.B., University of California

John S. Rhoades

B.A. Stanford

LL.B. Hastings College of Law

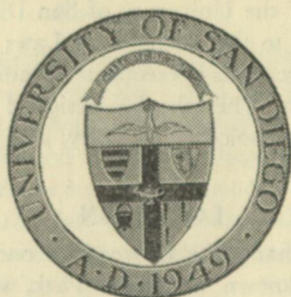
John M. Riley

B.A. University of Oregon

LL.B. Balboa University

COMMITTEE ON SCHOLARSHIP

The Committee on Scholarship is composed of the Regent, Dean, Dean of Admissions and Records and such other faculty members as they deem necessary from time to time. All matters of scholarship and discipline, both in general and in particular, are to be determined by this body.



The profoundest and subtlest science of law could not point out a criterion for distinguishing just from unjust laws, mere "legal law" from true law, other than that which is already perceptible in the light of natural reason from the nature of things, and perceptible by man himself from the law written in man's heart by the Creator, and expressly confirmed by revelation.

—Pius XII

GENERAL INFORMATION

PURPOSE

The School of Law of the University of San Diego offers a program of instruction leading to the Bachelor of Laws degree and fulfilling the educational requirements prerequisite to admission to the Bar of the State of California. The school is designed to meet the needs of students who, through choice or necessity, seek a legal education by attending evening classes.

LOCATION

The School of Law shares the University's one hundred and sixty-seven acre campus, known as Alcala Park, with the College for Women and the College for Men. Overlooking Mission Valley as it opens to the Bay of San Diego and the Pacific Ocean, Alcala Park is in ideal proximity to the business and residential areas of California's third largest city.

BUILDINGS

Classes are held in More Hall, which was dedicated in December, 1957, in the honor of Saint Thomas More, the patron Saint of the legal profession. This modern building is beautifully constructed, with airy and spacious classrooms. The Law School Library is set apart in the University Library Building, which is immediately adjacent to the School of Law.

LIBRARY

The library of the School of Law contains 10,000 usable volumes, including reports of the State Courts, the National Reporter System, digests, citators, encyclopedias, statutes, decisions of administrative tribunals, textbooks, and periodicals. The library is open to the use of the student body Monday through Friday from 9 a.m. until 10:30 p.m., and on Saturday from 12:00 noon until 8:30 p.m.

FACULTY

Instruction is given by a combination of full-time and part-time faculty. The Dean, and Dean of Admissions and Records maintain offices in the Law Building. Dean Dattan also maintains school office hours at his law office in the San Diego Trust and Savings Building. The part-time faculty members are lawyers or judges in active practice whose education and experience have distinguished them.

PROGRAM

The course of instruction requires not less than four years. Class sessions are held from 7 to 10:15 p.m. Monday, Wednesday, and

Friday. A maximum of 9 credit units (144 class hours) may be taken during the Fall Semester and an equal number in the Spring Semester. A maximum of 2 credit units (54 class hours), during the six-week Summer Session is allowable.

DEGREE REQUIREMENTS

Upon recommendation of the Dean and the Faculty the degree of Bachelor of Laws will be granted to students of good moral character who, having been admitted to regular standing, shall have pursued the full four-year course and completed not less than 76 units of study as provided by the curriculum of the School. All students are held to the rules and regulations of the School governing admission, receipt of credits, continuance and graduation.

CANDIDATES TO THE BAR

The student is responsible to acquaint himself with the requirements for admission to the Bar of the State in which he desires to practice. Graduates of the School of Law of the University of San Diego who maintain not less than 270 class hours of instruction per year for four years are eligible to take the Bar Examination of the State of California. Candidates for admission to the Bar of the State of California must register with the Committee of Examiners within three months (90 days) after beginning the study of law and are required to take the first year law student's examination administered by the Committee in Los Angeles on the last Monday of June following completion of their first year of study. A registration form may be obtained by application to the Committee of Bar Examiners, 440 Rowan Building, 458 Spring Street, Los Angeles 13, California.

ENTRANCE REQUIREMENTS

The School of Law is open to both men and women of good moral character.

Regular Students

A regular student is one who has been admitted to the school as a candidate for the degree of Bachelor of Laws. Required for admission as a regular student is a minimum of three years' college work acceptable for a Bachelor's degree on the basis of a four-year period of study in an approved college or university. This work must have been completed with a scholastic average equal to that required for graduation in the institution attended and must entitle the student to full senior standing as a candidate for an academic degree. Students who do not meet this requirement may petition the Board of Admissions on a form to be secured from the Office of the Registrar. Said petition is to be submitted with application for admission.

Any student presenting less than two years' college preparation under the special student category (see below) will be required to complete the two-year college equivalency examination given by the California Committee of Bar Examiners. A student who maintains a satisfactory grade point average for one year will be eligible for classification for regular status.

Each transcript of credits submitted by an applicant must include, or be accompanied by, a statement of the total number of credits and honor points as computed by the institution where the credits were earned.

ADVANCED STANDING

Applicants who have completed at least one year of work in another law school, which is a member of the Association of American Law Schools, may be admitted, at the discretion of the Dean, to the second year with credit for not more than one year of such work. Only students in good standing will be considered. Students who contemplate transferring to the School are advised to have an official transcript of their law work sent in advance for provisional evaluation.

SPECIAL STUDENTS

A limited number of students over the age of 23, who give evidence of sufficient intellectual and social maturity, may be admitted to the study of law at the discretion of the Dean and Faculty, even though they do not meet the general educational and admission requirements. Such students will be subject to the same rules and requirements, and the same charge for tuition and fees that apply to the regular students. A special student who maintains a satisfactory grade point average for one year will be eligible for reclassification to regular status.

REGISTRATION

Formal registration takes place one week in advance of the opening of the Fall Semester. By this time an application form, letters of recommendation, and complete official transcripts of college work must be on file in the Admissions office. Formal registration is by invitation only. No applicant will be considered registered until his or her application and credentials are on file at the School and part of the tuition and fees have been paid or satisfactory arrangements have been made.

Students are required to renew their registration in person at the beginning of each semester. No charge is made for such renewals except in the case of late registration.

TUITION AND FEES

All tuition is payable upon registration unless special arrangements have been made with the Administration. Auditors pay the regular tuition rate and may attend class only after having registered.

Application Fee.....\$ 10.00

This fee must accompany the application for evaluation and admission. It is payable only once and is not refundable.

Tuition, per semester

9 units\$200.00

8 units or less, per unit\$ 25.00

(Except for summer session where the fees are \$50.00 per course)

Late Enrollment\$ 5.00

Late Registration\$ 3.00

Special Examinations, each.....\$ 25.00

Graduation Fee\$ 25.00

Transcript Fee\$ 1.00

Without charge, each student will be issued one transcript of his work at this School. This fee is for each additional copy.

POLICY

Regular attendance in the courses in which he is registered is required of every student. A student may be excluded from the examination in any course in which he has not maintained a satisfactory attendance record.

The continuance of each student of the Law School, his receipt of academic credits, and his graduation are strictly subject to the disciplinary powers of the Dean and Faculty of the School, who are free to refuse admission or readmission to any student at any time, and to exclude any student at any time should such action be deemed in the interest of the School.

All students must maintain a C average in each individual year of law school attendance to be retained as a student. A numerical grade indicating C- is not considered a satisfactory mark.

Moreover, the Administration reserves the right to advance the requirements for admission or graduation; modify the arrangements, content, and materials of courses; change tuition fees, and other regulations affecting the student body.

DESCRIPTION OF COURSES

Administrative Law

A study of the law applied by and applicable to government bodies other than the courts. Emphasis is on the relationship of these agencies to the courts.

1 unit

Agency

This course deals with the consequences which follow from conducting business through agents, with the risks which are run by business men who employ agents or who deal with the agents of others, the liability created by authorized and unauthorized acts of agents, and the legal effect of the principal's ratification of the unauthorized acts of his agent.

1 unit

Business Associations:

The nature, formation, management and liabilities of associates; formation, dissolution and liquidation of partnerships, limited partnerships, joint ventures and other unincorporated associations.

1 unit

Community Property

A study of the Community Property Law of the State of California; the definition of separate and community property; the management and control, liabilities and dissolution of the community.

3 units

Conflict of Laws

A study of the nature of jurisdiction, of the questions which arise concerning the rights and responsibilities of persons of one jurisdiction by reason of their acts, public or private, done in another jurisdiction.

3 units

Constitutional Law I-II

A study of the resources of state and national government, of the limitations imposed on each by our federal system and its guarantees of liberty and property. Consideration is given to the commerce and taxation powers, to the powers of the executive, to the safeguarding of civil liberties under the federal constitution.

3 units per semester

Contracts I-II

The general scope and purpose of the legal protection accorded contracts; mutual assent and consideration; rights of the third party; assignments, conditions, specific performance, the Statute of Frauds.

3 units per semester

Corporations I-II

The promotion and organization of corporations; how and through whom corporations act; the powers of corporations and the powers of shareholders; capital and dividend restrictions; corporate finance; statutory provisions.

3 units per semester

Criminal Law

The course covers the fundamental problems in the substantive and procedural law of crimes; the defenses and protections provided in the administration of criminal justice.

3 units

Damages

The theory of the money award as compensation for legal damage and its application in the various fields of litigation.

1 unit

Equity I-II

The development of equity as contrasted to the common law; examination of the procedural devices developed in equity, treating specifically of injunctive relief, specific performance, mandatory relief, etc. An inquiry into the ability of our courts to seek a just decision under all the facts and to enforce that decision.

3 units per semester

Evidence I-II

A study of the general rules relating to judicial control over methods of proof, the competency, privileges and examination of witnesses and the principal rules of exclusion.

3 units per semester

Jurisprudence

A study of the origin and nature of jurisprudence with emphasis on the Natural Law as the ultimate basis of law in the Anglo-Saxon society.

3 units

Legal Bibliography

Familiarization with the modern legal library and practical and theoretical problems in its use and in the problems of quick, comprehensive and thorough legal research.

1 unit

Legal Ethics

A study of the history and organization of the legal profession, covering the qualification, admission and discipline of lawyers. Emphasis is placed on the duties of lawyers to the courts, their clients and to the public.

1 unit

Legal Method and Approach

A study of the source and classification of authorities of the law, together with case analysis and legal appreciation. Special attention is given to the technique of legal writing.

1 unit

Negotiable Instruments

A study of the form of negotiable instruments and the creation of the various relations involved; negotiations; liability of parties; discharge of negotiable instruments; Uniform Negotiable Instrument Law.

3 units

Personal Property

Development of the law of property in relation to chattels, or other personalty. Consideration of possession of unappropriated or lost chattels, bailments, liens, gifts, accession, confusion, fixtures and emblements.

1 unit

Persons and Domestic Relations

This course deals with the law governing marriage, annulment, divorce and separation; adoption and legitimation, guardian and ward, parent and child.

1 unit

Pleading and Procedure

A study of the system of code pleading with special emphasis upon the forms of pleading prescribed by the Code of Civil Procedure in California; procedure in civil actions under modern codes, State and Federal.

3 units

Real Property I-II

Land as the object of rights; classes of rights in land; estates in fee simple and fee tail, life estates, estates for years; tenancy, uses and Statute of Uses; co-ownership; rights of enjoyment incident to ownership; powers; natural rights; easements; covenants; restrictions enforceable in equity; conveyances; adverse possession; prescription; accretion; eminent domain.

3 units per semester

Restitution

Relief against unjust enrichment. Equitable and quasi-contractual remedies to recover benefits conferred in the performance of contracts, or those acquired by tort or as the result of mistake or compulsion.

1 unit

Sales

A study of the sale of personal property under the Uniform Sales Act; executed and executory sales; rights and remedies of seller and buyer; nature and function of bills of lading and warehouse receipts.

3 units

Security Transactions

A study of the common law and statutory provisions governing credit transactions; trust deeds, equitable liens, etc.; priorities, assignment, enforcements; suretyship relation.

1 unit

Taxation I-II

A study of the powers of the state in matters of taxation and the legitimate purposes of taxation. Emphasis is on the constitutional limitations of the power to tax incomes, persons, property, and estates, and upon the jurisdiction of the federal, state and local governments in taxation; leading cases in interpreting the statutes are studied in detail.

3 units per semester

Torts I-II

This course deals with the wrongs committed by one person upon another. It shows the development of the legal concept which gives protection to persons who have been harmed by the intentional or wrongful conduct of others. Assault, battery, false imprisonment, negligent injuries, defamation, fraud, malicious prosecution, etc.

3 units per semester

Trusts

This course deals with the purpose of the trust in modern business and its relationship to other legal institutions; creation of the trust; subject matter of the trust; the trustee and the beneficiaries; restrictions; statutory limitations, etc.

3 units

Wills

A study of testate and intestate distribution; execution of wills. The various types of wills, the laws governing execution of wills and the administration of decedent's estates are reviewed in detail.

3 units

Workmen's Compensation

Administrative and constitutional background compensable injuries, diseases; serious and willful misconduct; employer-employee and independent contractor relations; excluded occupations; jurisdiction; benefits; liability, procedure; subrogation.

1 unit

USD COPLEY LIBRARY



3 5073 40349 8450

UNIVERSITY OF SAN DIEGO
SAN DIEGO
CALIFORNIA