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University of San Diego

SCHOOL OF LAW



1962-1963

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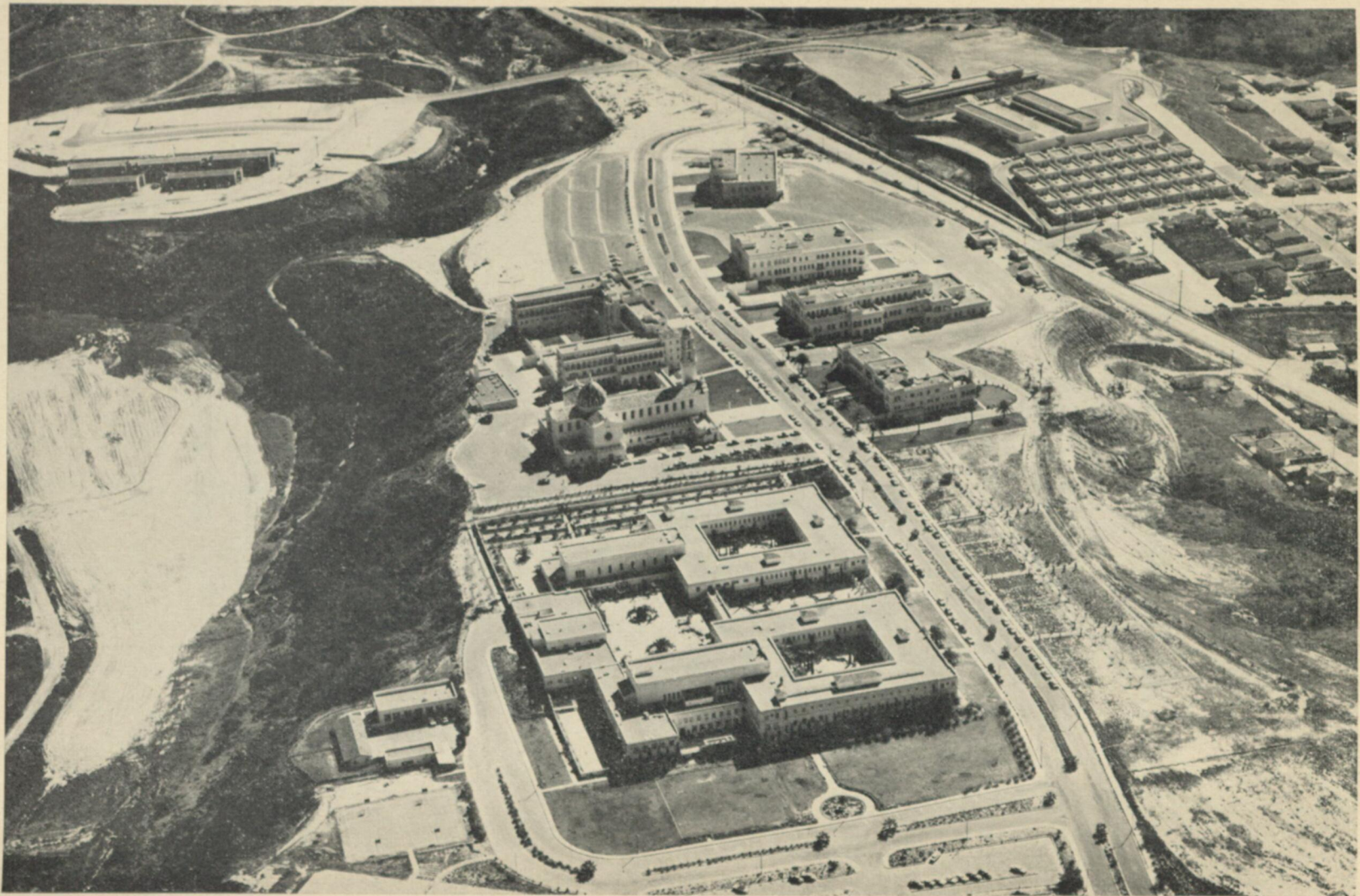
THE UNIVERSITY OF SAN DIEGO

SCHOOL OF LAW

1962-1963

ALCALA PARK

SAN DIEGO



CALENDAR

Fall Semester—1962

Sept. 6—Thursday	Registration for Fall Semester
Sept. 11—Tuesday	Fall Semester Classes begin
Nov. 1—Thursday	Holy Day, All Saints Day
Nov. 22—Thursday	Holiday, Thanksgiving
Dec. 20—Thursday	Christmas Recess
Jan. 3—Thursday	Classes Resume
Jan. 14—Monday	Final Examinations

Spring Semester—1963

Jan. 24—Thursday	Registration for Spring Semester
Jan. 28—Monday	Spring Semester Classes begin
Feb. 22—Friday	Holiday, Washington's Birthday
April 10—Wednesday	Easter Recess
April 15—Monday	Classes Resume
May 20—Monday	Final Examinations 8/22
May 23—Thursday	Holy Day, Ascension Thursday
May 30—Thursday	Holiday, Memorial Day
June 2—Sunday	Commencement

THE UNIVERSITY OF SAN DIEGO

SCHOOL OF LAW

ADMINISTRATION

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

Very Reverend Martin McManus, A.B., LL.B., LL.M., J.S.D.
Dean

Reverend Alfred F. Geimer, A.B., M.S., in L.S.
Librarian

FACULTY

Joseph S. Brock
A.B., College of St. Thomas
LL.B., Stanford University

Hon. James M. Carter
Judge, United States District Court
A.B., Pomona College
J.D., University of Southern California

C. Hugh Friedman
A.B., Yale University
LL.B., Stanford University

Reverend Alfred F. Geimer
A.B., St. Norbert's College
M.S., Catholic University

Leo D. Hermle
Lt. General, USMC, Retired
B.A., University of California
J.D., University of California

George W. Hickman, Jr.
Maj. General, USA, Retired
B.S., United States Military Academy
LL.B., Harvard University

Louis T. Marlas

M.A., University of Chicago
J.D., Northwestern University

Philip P. Martin, Jr.

B.S., Notre Dame University
LL.B., Marquette University

Very Reverend Martin McManus

A.B., John Carroll University
LL.B., Georgetown University
LL.M., University of Southern California
J.S.D., New York University

Hon. Dewitt H. Merriam

Retired Judge
LL.B., Detroit College of Law

William J. Miller

Brigadier, Royal Signals, Retired
Barrister, Inner Temple, London

James F. Mulvaney

B.S.C., Loyola University
J.D., Loyola University

Eugene E. Reynolds, Jr.

B.S., University of California
LL.B., University of California

Joseph A. Sinclitico

A.B., Holy Cross College
LL.B., Harvard University

Carroll H. Smith

Retired Deputy District Attorney
A.B., University of California
LL.B., McGeorge College of Law

J. Stacey Sullivan

B.S., Columbia University
J.D., Northwestern University

Stanley Wallach

Retired District Attorney
B.S., State Teachers College
LL.B., Washington University



GENERAL INFORMATION

HISTORY

The University of San Diego is conducted by the Roman Catholic Diocese of San Diego. It is incorporated under the laws of the State of California and is invested with full power to confer degrees.

The University was inaugurated in 1949 by His Excellency, the Most Reverend Charles F. Buddy, Ph.D., S.T.D., LL.D., the Bishop of San Diego and the President of the University. It is composed of the School of Theology, the School of Law, the College for Men, and the College for Women, all located on the Alcala Park campus. Although a Catholic institution, the University of San Diego welcomes students of all religions.

PURPOSE

Since the School of Law of the University of San Diego is a unit of a Catholic University, the faculty strives to give the students a sound legal education in an environment conducive to the development of high ethical standards, compatible with Catholic philosophy. Recognizing the objective moral order, the School of Law of the University of San Diego is dedicated to awakening in the student an appreciation of the natural law, which is enunciated in the Declaration of Independence and codified in the Constitution of the United States, as the basic law upon which the United States Government is founded.

PROGRAM

The School of Law of the University of San Diego offers both a full time program and a part time program, each of which leads to the Bachelor of Laws degree. The course of instruction requires three years in the full time program or four years in the part time program. Both programs are designed to offer complete and systematic instruction in those fields of law which will best prepare the students for the later practice of law. Instruction is presented primarily in the casebook method. Special attention is given to the study of California Law as expressed by the Legislature through statutes and as interpreted by the California Courts.

ACCREDITATION

The School of Law is accredited by the State of California, by the State of New York and is approved by the American Bar Association.

LOCATION

The School of Law shares the University's two hundred and eighteen acre campus, known as Alcala Park, with the Seminary, the College for Men and the College for Women. 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.

BUILDING

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.

LIBRARY

The library of the School of Law contains more than 25,000 volumes, including the reports of all State and Federal Courts, digests, citators, encyclopedias, statutes, decisions of administrative tribunals, textbooks and periodicals. The law library occupies spacious facilities. Recent years have seen a tremendous expanse of library facilities and of the law library itself.

DEGREE REQUIREMENTS

Upon recommendation of the Dean and the Faculty, the degree of Bachelor of Laws will be conferred on students of good moral character who have completed at least 80 semester units of work as prescribed in either the full time or the part time program.

CANDIDATES FOR THE BAR

The student is responsible for acquainting himself with the requirements for admission to the Bar of the State in which he desires to practice. Candidates for admission to the Bar of the State of California must register with the Committee of Examiners for the California State Bar within three months after beginning the study of law. Forms for this registration may be obtained from the State Bar or from the Office of the Registrar. Any student who wishes to take the California State Bar Examination while in attendance at the School of Law and who is otherwise eligible to do so, must secure the approval in writing of the Dean. Application to take this examination without such approval will be deemed cause to terminate the student's academic program retroactively to the date of such application.

ENTRANCE REQUIREMENTS

The School of Law is open to both men and women of good moral character without regard to religious preference.

A Bachelor's Degree from an approved college or university together with a satisfactory score on the Law School Admission Test is required for admission.

No student who has been dismissed from another law school is eligible for admission to this School of Law.

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.

REGISTRATION

Registration takes place one week in advance of the beginning of the fall and spring semesters. An applicant will not be considered registered until his application, transcripts, and Law School Admission Test Score have been received and tuition has been paid.

TUITION AND FEES

Tuition is payable upon registration. Tuition will not be refunded upon voluntary withdrawal after the 5th week of class in each semester. Refunds will be pro-rated on a weekly basis prior to that time.

Application Fee	\$10.00
Tuition, per semester unit	\$30.00
Special Examination	\$25.00
Graduation Fee	\$25.00

SCHOLARSHIPS

A limited number of scholarships are available to qualified students. They are awarded on the basis of scholastic record, recommendations of teachers of pre-law work, and financial need.

Applicants should forward a transcript of credits completed to date, two letters of recommendations, and a personal letter of application stating the need to the Registrar, School of Law, University of San Diego.

POLICY

Regular attendance in class 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 subject to the disciplinary powers of the Dean and Faculty of the School, who are free to refuse admission or readmission to any student and to exclude any student should such action be deemed in the interest of the School.

Every student must maintain an average of 70 in each semester of law school attendance to be retained as a student.

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.

WORK OPPORTUNITIES

Students who require assistance in financing their education may work on campus. There is also a Student Placement Office which helps obtain part time work for students.

MOOT COURT

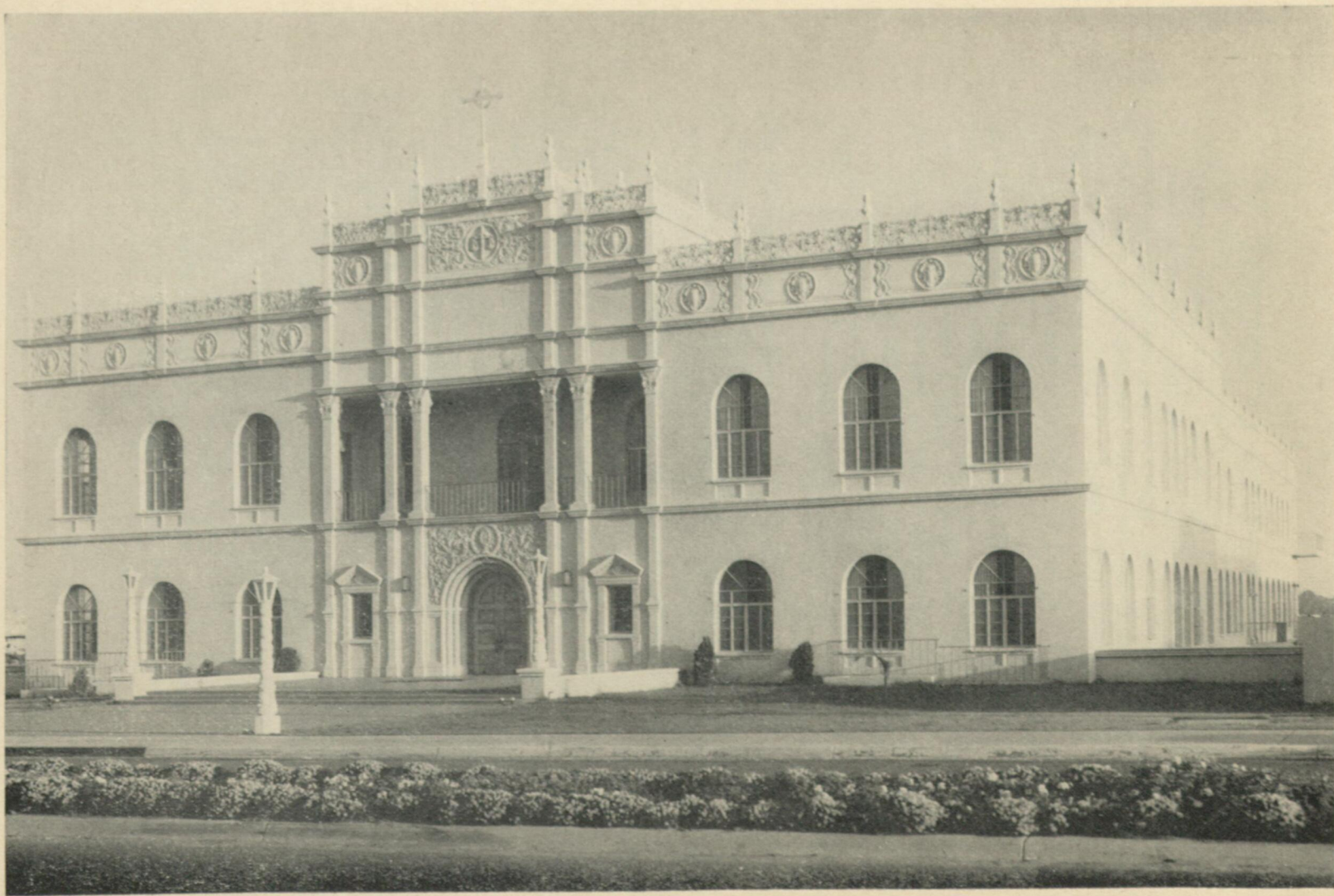
The Moot Court of the School of Law is conducted by the Hon. James M. Carter, Judge, United States District Court. All students are required to participate in the Moot Court as a prerequisite to graduation. Moot Court includes both trial and appellate practice with special emphasis on the techniques of preparing for trial, of presenting a case in court, of advocacy, and of brief writing.

STUDENT BAR ASSOCIATION

The Student Bar Association under the direction of the faculty works closely with the Bench and Bar of San Diego to afford the student maximum opportunity to participate in legal activities of both a religious and a civic nature, such as, the annual Red Mass, the Moot Court, and the Naval Justice Program.

LAW SCHOOL ADMISSION TEST

All candidates for admission to the School of Law are required to take the Law School Admission Test.



DESCRIPTION OF COURSES

ADMINISTRATIVE LAW

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

2 units

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 effects of the principal's ratification of the unauthorized acts of his agent.

2 units

BIBLIOGRAPHY

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

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

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.

6 units

CONTRACTS

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.

6 units

CORPORATIONS

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.

4 units

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

EQUITY

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 and mandatory relief. An inquiry into the ability of our courts to seek a just decision under all the facts and to enforce that decision.

4 units

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

EVIDENCE

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.

4 units

FAMILY LAW

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

2 units

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.

2 units

NEGOTIABLE INSTRUMENTS

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

2 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.

2 units

PLEADING

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.

2 units

PROCEDURE

This course consists of a study of procedure under the rules of Federal procedure. Academic emphasis is placed on the adjective law as concerned with the relation between the State and Federal Courts including the jurisdiction and venue of the Federal Courts of Appeal.

4 units

PROPERTY

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.

5 units

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

TAXATION

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 government in taxation; leading cases in interpreting the statutes are studied in detail.

5 units

TORTS

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.

6 units

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.

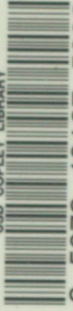
3 units

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

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