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THE FOUR-YEAR LAW COURSE IN AMERICAN UNIVERSITIES

ALFRED HARSCHE

Between 1840 and the decade of the World War the process of legal education in the United States was being transformed from a system of "reading law" under practitioners to that of formal instruction in law schools. The schools were of two types: independent profit-seeking ventures of individual entrepreneurs and schools attached to or affiliated with the fast-developing colleges and universities. After Langdell conceived the pedagogical use of cases and the idea was developed by Ames and his colleagues the breach further broadened between the two classes of schools. Following the lead of Harvard, the university schools of law, at first slowly, then in rapid succession, adopted the case book for instructional purposes. The method of Langdell and Ames was assumed ne plus ultra and defense of the case book system against sporadic attacks by the text book-lecture adherents was virtually the only occasion for considering methodology in the university law schools. The leading university law schools gradually increased the length of their course from one or one and a half years to three years and took the lead in establishing the completion of two or more years of college work as an entrance requirement. Teaching methods and aims, however, remained the same. Shortly prior to the World War an occasional voice was raised to express the need for improved teaching technique and for broadening the aims of the law schools. In 1914 the Carnegie Foundation for the Advancement of Teaching published a study of the case method in American law schools which attracted considerable attention. The report was the work of Professor Redlich, an eminent and able European educator. Although he was commendatory of the case method, he pointed to deficiencies which most American law teachers had not observed at close range. Possibly aided by this report there was a noticeable increase during the war period in the number of law teachers.

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1 Reed, Training for the Public Profession of the Law (Carnegie Foundation for the Advancement of Teaching, Bull. No. 15, 1921) c. 14, pp. 151-154 and c. 22.

2 Hohfeld, A Vital School of Jurisprudence and Law (1914) 14 Handbook, Assoc. of Am. L. Schools 76.


4 See, e.g., Papers and Discussion Concerning the Redlich Report (1916) 4 Am. L. School Rev. 91.
displaying a critical attitude with respect to the standards and methods of the university law schools. In 1918 the executive committee of the Association of American Law Schools unanimously recommended an increase from three to four years in the university law school course in order to provide for instruction in fields not covered in the three-year curriculums. In 1919 the same association appointed a committee to consider the advisability of the four-year plan. A majority of this committee in 1920 reported against recommending such an extension, its suggestion being based upon the inadvisability of delaying entry into practice another year and upon the fact that materials in the new fields to be included in such an extended curriculum—jurisprudence, Roman law, comparative law, legal history, etc.—were not available. Dean John Wigmore vigorously dissented, stating that a four-year curriculum was needed because much of the field of law was not covered by law school instruction, because many subjects which might well be offered—both practice courses and courses in jurisprudence and legal science—must be omitted from the three-year curriculum. He also pointed to the courses of four or more years in professional schools of medicine and engineering and to the four-year university law courses of continental Europe as buttressing his position. No further action was taken by this association, however.

In 1921 the Carnegie Foundation for the Advancement of Teaching published the Reed report, an historical survey and outline of the principal contemporary problems of legal education in the United

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6 This is evidenced by such papers as those referred to in the preceding note, in the reports of committees and sub-committees of the American Association of Law Schools during this period, and the discussions of such reports reported in the Association Handbooks for this period. See also Wigmore, Nova Methodus (1917) 30 Harv. L. Rev. 812.

7 Consisting of Professors Walter W. Cook, of Columbia, Edward S. Thurst on, of Yale, and Harry S. Richards, of Wisconsin, with Dean (now Justice) Stone, of Columbia, as ex-officio member.


9 The same argument against the adoption of a compulsory four-year law curriculum is found in Confidential Report of the Committee on Curriculum, Harvard Law School (1936) 8.

10 As an argument the unavailability of materials is scarcely convincing. Langdell had no materials available in 1871. In reading the reports and comments thereon one is led to suspect that unstated, rather than stated, reasons controlled the majority report.

11 In 1921 the majority report of the association's curriculum committee deals with suggested improvements in methods of legal education but does not mention the four-year curriculum question. Dean Wigmore again filed a minority report in which he took law teachers to task for general conservatism and particularly for failing to expand their curriculums to offer instruction in the fields of legislation, jurisprudence, Roman law, comparative law, etc. Majority Report of the Committee on Curriculum (1921) 19 Handbook, Assoc. of Am. L. Schools 34; Minority Report of John H. Wigmore, 35.

12 Reed, op. cit. supra note 1.
States. This report furnished an excellent factual background for discussion of the subject. It showed, *inter alia*, that aside from a small group of short-course schools, there were in 1920-1921 seventy-one full-time law schools, of which more than forty per cent were university law schools requiring at least two years of college study as a prerequisite to entrance. Of the thirty-one genuine university law schools there were two which then offered a four-year course of instruction in law leading to the first professional degree. At each of the schools, however, the four-year curriculum was offered as an alternative to the three-year course, which was at that time the standard in university law schools.

During the twenties the idea of increasing the length of the law course was recessive. At one school the experiment was formally abandoned, and at the other it became dormant although nominally retained. During the latter part of the decade the faculty of one large eastern law school considered and rejected the longer course in the process of remodeling its three-year curriculum.

Early in the present decade the trend reversed. In 1931 Northwestern University revived its dormant four-year program, and in the same year a midwestern state university adopted an alternative four-year plan. Between 1933 and 1937 similar adoptions occurred at a far western, a southern, and another midwestern law school. In 1938 two schools discontinued their three-year courses and offered the four-year program of study as the only one leading to the award of a professional degree in law. Another midwestern school has announced an alternative four-year curriculum to be offered beginning in 1939.

While the forty years prior to 1920 brought little change in pedagogical methods in the university law schools, the eighteen years since that date bear strong evidence of searching introspective scrutinization. The four-year course of study is not a product of the thirties but it stands out as one of the most popular experiments of the decade. Although it is but one outward manifestation of curricular revision in the university law schools, its present popularity makes a survey of the four-year movement of interest at this time. The purpose here is to undertake such a survey.

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12 This group totaled 16, of which 8 were full-time law schools in which the complete law school course offered might be completed in two or less years of residence. The presence of full-time schools offering a complete law course in one and one-half or two years at this late date emphasizes the wide variation in beliefs as to the essentials of legal education confronting those who then, or now, urge the four-year curriculum.

13 The part-time law schools at this time numbered 55. All of this group offered courses which might be completed in either three or four years of part-time application. See, *op. cit. supra* note 1, at 441-448.

14 Northwestern University and University of California. Both are hereafter discussed.

15 Washington University School of Law (St. Louis).
As the systems of legal education in England and upon the continent are frequently referred to by those advocating the adoption of the four-year law course in the United States, some observations as to the plans there prevailing seem pertinent. On the continent a necessary step in the process of obtaining a legal education is study at a university. In order to be admitted to a university the applicant must have completed preparatory schooling which is roughly equivalent to the completion of junior college or the first two years of an American university. Schools of law as distinct entities in the universities do not exist there, as they do in the United States. Upon enrolling in the university the student immediately begins the study of law. But the student may, and usually does, attend lectures other than those in law. Moreover, the lectures of the law professors cover a wider range and are, generally, less technical than in the American school. Except as recent innovations in a few countries, prescribed courses of law study do not exist. The period of study at the university varies from three to four or more years. Although practices vary from country to country, it is generally true that after passing an examination at the end of the period of formal university study there follows a period of apprenticeship varying from two to three years. After the apprenticeship period and another examination, the successful applicant is admitted to practice law or to judicial service. The same course qualifies him for entry into other branches of governmental service in several countries. It is, of course, impossible to summarize accurately the situation in all European countries in a single sentence. It seems safe, however, to say that with respect to continental legal education: (1) it extends over a period of approximately six years after preparatory schooling is completed, and preparatory schooling includes the equivalent of the first two college years in the United States; (2) throughout the entire period in the university the student is engaged in the study of law, although his entire time may not be devoted exclusively to law subjects; (3) the university study covers a wider range than that of the American law school, both with respect to the inclusion of non-legal studies and in respect to the character of the instruction in law, there being more emphasis upon broad fields and upon the philosophy of law and less upon practice and procedural aspects; and (4) the period of formal university training is followed

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by a period of apprenticeship which is prerequisite to admission to
the practice of law and to judicial service.

Legal education in England varies in many respects from that
upon the continent. Traditionally it has been the function of the
Inns of Court, in which the pattern was that of apprenticeship. Never-
theless, there have been faculties of law in the ancient universities of
Oxford and Cambridge for more than a century and a half. Admis-
sion to these universities depends upon the completion of the "public
school", which is roughly equivalent to the American high school and
the first two years of undergraduate college. At Oxford a one year
course known as "Law Moderations" is followed by admission to
the "Honour School of Jurisprudence". Two years of study there
leads to the degree of Bachelor of Arts in Jurisprudence, and one
more year brings the degree of Bachelor of Common Law. At Cam-
bridge the Law Tripos curriculum leads to comparable degrees. At
present, instruction in English law is offered at these institutions, cover-
ing the broad fields of contracts, torts, property, constitutional law,
equity, etc., as well as legal history, English and comparative juris-
prudence, and Roman law. At these universities the emphasis is
academic rather than professional, there being practically nothing of-
fered in regard to technical procedure, which is reserved for additional
study in preparation for bar examinations. During the past fifty
years the Law Society and a number of universities and university
colleges scattered throughout England and Wales have developed
faculties of law offering instruction of professional character. While
instruction at the last mentioned institutions may be more nearly
comparable to that in American university law schools, the Oxford
and Cambridge curriculums more nearly resemble those of the contin-
ent and, except for those anent a definite period of apprenticeship
following university study, the remarks above made with respect to
continental legal education apply to this aspect of English legal edu-
cation.

A Three-year School—Columbia University

As the installation of a four-year curriculum is but one manifesta-
tion of the process of change in legal education in the United States,
background is supplied by viewing the changes in curricular design
and equipment effected at a school which still retains the three-year
form. The first concerted faculty effort toward revision of a law cur-
riculum occurred at Columbia University. In 1926 the faculty or-

18 Jenks, English Legal Education (1935) 51 L. Q. Rev. 162.
ganized itself into a seminar in legal education. The group study con-
tinued over a period of two years. The first step was to formulate
objectives which the faculty believed the law school should seek to
attain. Those agreed upon were dual in character, one looking to
the activities of the faculty itself, the other to the character of student
instruction. Stated shortly, these objectives were: first, to foster
a faculty, the aim of which would be to further research in law as
an aspect of social organization and, second, to have the school render
unique service in the preparation of persons for public service in law.

At the outset some consideration was given to lengthening the
law school course from three to four years but the proposal was re-
jected, probably because of a feeling that the law course at this school
could not be lengthened unless similar action was taken at Harvard
and Yale. The establishment of instruction in designated subjects as
an entrance prerequisite was also seriously considered, but no such
action was taken although its desirability seems to have been generally
agreed upon. Probably this action was deterred because so many of
the school's students came from other colleges and universities of
varying standards, and many came with college degrees.

The progress in curricular revision and improvement of teaching
methods at Columbia in the past decade is succinctly stated by Dean
Smith when he writes\(^2\) that the effect has been:

"... to modernize its [the curriculum's] content by including subject
matter relating to the problems of present-day life; to afford greater un-
derstanding by arranging materials so as to focus the study of law
against its economic, political and social backgrounds, and by combin-
ing in a single course subject matter dealing with closely related prob-
lems; and to broaden the scope of the student's education by placing
a greater emphasis upon public law, legal history, comparative law
and jurisprudence."

In the first year a course in the history and development of legal
institutions is offered, as well as a new and separate course in legis-
lation. The former is designed to furnish not only that factual back-
ground without which a lawyer's education is incomplete but as well
to bring to the front the economic and social factors which condi-
tioned the development of English law and to make the student early
aware of the importance of such factors in the building of a legal
system. The latter (legislation) is placed in the first year curriculum
not only to acquaint the beginning student with the nature of the
legislative process but to apprise him at the outset of the concomitant
study is treated in Columbia University Faculty of Law, Summary of
Studies in Legal Education (1928).
\(^2\) Columbia University, Report of the Dean of the School of Law for period
eending June 30, 1937, p. 4.
importance of legislation with judicial decisions in the legal process—a factor which Langdellian usage suppressed and deprecated at all times. The first year curriculum also includes an introductory course on procedure in actions at law and a course embracing an introduction to the principles of equity jurisdiction and theory, as well as the materials of substantive law, usual to the first year program, in contracts, real property, and torts. In these courses a technique consciously employed has been that of selecting as instructors men with differing interests and attitudes so as to obtain, deliberately, a variation in instructional methods, points of view and stresses. This schedule of first year courses—all of which are required—is designed to introduce the student not only to law as a body of substantive rules but to furnish the background against which such rules have been evolved, and some appreciation of the processes through which they are developed, and to show how judicial law is supplemented and altered through the legislative process. The first year curriculum is framed upon the theory that if only the pronouncements of courts and “rules of law” as such are made the focus of attention in this year the student receives a bent which subsequently is not entirely altered no matter how forcefully the legislative, historical, economic, and social factors conditioning the legal system are brought to his attention. The objective, then, has been to formulate a program which will create lawyers with better perspective because they have become acquainted at the outset with a variety of factors bearing upon the making of law and not merely with as many rules of law as it is possible to cram into the student in a given time.

After completing the first year each student is required to read a selected list of books dealing with various philosophies of law and articles containing current discussion of legal problems from varying points of view. These readings are designed to give each student some familiarity with the better known schools of legal thought and to aid him in seeing and treating law as a complex working organism rather than as a congeries of isolated rules and “subjects”.

After the first year all work offered is elective, with the qualifications hereinafter noted. Some courses are designated as second year courses and others as third year courses. A second year student may not elect a third year course except with special permission, although a third year student may elect a course in the second year group. Freedom of election is further restricted by the requirement that each student must elect a specified number of hours from a designated group of courses in the fields of public law, comparative law, and courses with particular emphasis upon social and economic factors in law. Thus, while enjoying nominal freedom of election, the law stu-
dent must successfully complete courses within certain broad areas before he is entitled to be graduated.

The program undertaken also involved the reorganization of the content of the courses offered and the preparation of new teaching materials. In general the aim was to organize such new materials along functional lines, rather than along the accidental "course" lines upon which teaching materials had been prepared since the beginning of the case method of instruction. The purpose of this reorganization was to eliminate duplications and to cut down so far as possible the time devoted to the development of topics which have mere historical value or which, under modern conditions, are of slight significance. Also, the purpose was to make room for laying greater stress upon areas of prime current interest, many of which areas were not included within the existing "course" set-ups. This included, particularly, large areas in the public law field, the importance of which was little recognized prior to the twenties. The significance of this field was recognized not only through the preparation of materials in its new and rapidly expanding areas but, as mentioned above, by placing a number of public law courses upon the list from which second and third year students were required to elect work.

Two provisions look toward the development of the student's ability to engage in independent study and toward training in the art of presenting the results of such study in written form. In the first place each student is required to prepare at least one written essay during each of the last two years upon topics selected by him with faculty approval. For each of these essays satisfactorily completed one semester hour of credit is allowed. In addition, students of high standing are permitted and encouraged to participate in seminars in which particular phases of law or jurisprudence are studied intensively and written reports are required.

The need of breaking down the then existing pedagogical barriers between law and the social sciences also has been considered as basic to the preparation of young men and women to fill positions of responsibility at the bar, on the bench, in public life, and in teaching. Law cannot longer—if it ever could properly—be considered to stand in isolation from other fields of thought, and an appreciation of that relationship was deemed essential to the new program of legal education. Moreover, modern judicial attitudes are favorable to lawyers who can do more than glibly recite the holdings in cases, who appreciate that decisions in litigated cases constitute more than mere exercises in abstract logic, who discern the significant social, economic, and political facts which form the background of disputes, and who can marshal and present the data essential to complete understanding.
of each case in its social background. Several practical difficulties must be overcome in undertaking such a program. Of greatest importance is a teaching personnel familiar not only with law but with the terminology and concepts in the related fields.

Law teachers have been trained primarily in law; teachers in social science have been trained in the ideology of their own subjects and are as unaware of legal methods of thinking and the judicial process as are lawyers of the social sciences. Another hurdle is that of time—especially acute where the law curriculum is to be kept within a three-year period. Although seminars jointly conducted by members of the social science faculties of the college and by members of the law faculty were experimentally tried, the plan now largely followed is for each member of the law faculty to acquaint himself with those areas of the social sciences which bear most directly upon the field of law with which he is concerned; and through incorporation, in so far as is possible, of non-legal materials into teaching tools and by conscious effort at presentation in class discussion, the interrelation and interplay of legal and non-legal concepts and phenomena is brought to the students' attention.

Thus is the situation seen ten years after the program for revision of the curriculum was instituted at Columbia. During the same period changes have likewise been made in the curriculums of other law schools. At Yale Law School, for instance, the trend of revision has followed a somewhat different line, but a glance at its current bulletin clearly shows a marked departure from that of ten years ago. The situation at Columbia is not presented as typical or atypical of the trend in curricular revision. It is stated to indicate the course that one law faculty has followed in redesigning its pedagogical formulas so that its graduates of today shall be more adequately equipped to cope with the situations which this faculty envisages will confront the lawyers, judges, and administrators of tomorrow. It affords some idea of what has taken place at a school which retains the three-year law course. Major consideration here is the four-year law curriculum, its content and bearing upon the improvement of the process of legal education in the United States.

**Early Experiments**

As early as the autumn of 1919 two university law schools offered four-year courses leading to a first degree in law as alternatives to three-year courses. Those were Northwestern University School of
Law and University of California School of Jurisprudence. At both institutions the fourth year of law was substituted for one year of pre-law college instruction. Although a college degree was then required for admission to the three-year course at Northwestern, but three years of college work was required for entry upon the four-year curriculum. At California the alternatives were 3-3 and 2-4.

Under the program adopted at Northwestern the first two of the four law years were framed to impart legal information. The work of these two years was almost wholly prescribed and included, in addition to a general survey course extending throughout the two years, courses in Contracts, Torts, Property, Procedure, Bibliography, Trusts, Equity, Agency, Carriers, Negotiable Instruments, and Evidence. During the last two years the emphasis was placed upon cultivation of mental discipline rather than upon acquisition of information. While the work of these years was generally elective, a minimum number of hours in legal history and jurisprudence was required, to be selected from a large number of offered courses of this type.

At California the four-year program provided: first, for election of advanced courses in economics, sociology, philosophy, history, and political science contemporaneously with work in the law school; second, for addition of legal history and jurisprudence to the law school offerings; and third, for research in special legal topics during the fourth law year. Certain law courses were prescribed, including some work in legal history and advanced jurisprudence. Procedural courses and public law materials were stressed in the fourth year offerings. During the period that the program was continued in operation a majority of the entering students elected the four-year curriculum. The experiment, however, was short-lived. In 1923, the faculty by a narrow margin voted to abandon it. Since that time the law course continues to take up three years—although the pre-law requirement has been increased to four years—and required work in legal history, jurisprudence, or Roman law, salvaged upon abandonment of the four-year experiment, has more recently been abandoned, too.

Without going into detail at this point, one may note in these early experiments most of the features, variations as well as similarities, that mark the four-year plans of today. That neither experiment flourished may not indicate sterility of the seed as much as it indicates frigidity of the soil in which it was expected to take root.

Millar, loc. cit. supra note 22. Specific course designations and term-hour allotments are stated at pp. 118-119. During the first two years the student had but one election—Carriers, Agency, or Quasi-contracts.

McMurray, loc. cit. supra note 22. The writer is also indebted to Professor McMurray for additional information and comments upon the four-year experiment at this school and its abandonment, contained in correspondence.
Although the early four-year program was not formally abandoned at Northwestern University, as it was at California, it did not flourish. In 1931 the plan was refurbished and reëmphasized. This school continued to offer alternative programs leading to the first degree in law: a three-year course for which a college degree was prerequisite, and a four-year course for which but three years of previous college work was required.

For the school year 1932-1933 the work of the first year in law was prescribed alike for both curriculums. The courses indicated were Constitutional Government, Agencies of Business, Contracts, Torts, Criminal Law Administration, Procedure, Court Organization, Legal Bibliography, and General Survey. As explained by Dean Green the first two were designed to give a concept of the machinery of government and of business practices. He stated that while the next five courses involved discussion of "rules", emphasis was placed upon the judicial process and upon history, stressing not only the rule but why the problem is judicially so dealt with—showing that facts outside "rules" contribute to judgments. The remaining courses Dean Green called "language facilities", designed to aid in making the transition into the study of law.

The second year was made up of electives, except for a course designated "Profession of the Bar", and a legal aid course. The courses available for election numbered twenty-eight and included various substantive and adjective law courses usual to the law school curriculum.

The third year of the 4-3 curriculum and the third and fourth years of the 3-4 curriculum were treated alike. The work was segregated into five divisions: commercial law, law administration, property, public law, and jurisprudence. While there was some formal classroom work in these years the plan envisaged study upon some topic in a chosen field, in the nature of laboratory work rather than the usual classroom instruction. The student was to mobilize factual data and authorities bearing upon the problem, prepare a written analysis for criticism, and then redraft it in final form.

The characteristics noted here are: first, the stated aim to give "a comprehensive view of the field of law" in the first year of instruction, with emphasis upon the processes of government and business as well as upon the judicial process; and, secondly, concentration upon individual work or research in the third and fourth years. The four-year curriculum, in contrast with the three-year program, consists,

25 Northwestern University Bulletin, School of Law, 1932-1933.
26 Green, A New Program in Legal Education (1931) 17 A. B. A. J. 299.
in the first place, of the substitution of one year in law school for one year in college; and, in the second place, of devoting the extra year in law school to additional individualized work in law. The four-year program at this school, therefore, may be summarized as a three-year law course stressing particularly the business aspects of law, to which has been added an additional year affording an opportunity for more individual laboratory work in law and additional time for election of jurisprudence and legal history courses if the student desires to do so.

More than a year ago a member of the faculty advised that no students had been electing the 3-4 curriculum. The current bulletin indicates virtual abandonment of the revised four-year plan. While it is stated that both a 3-4 and a 4-3 curriculum are offered leading to the degree of Juris Doctor, the school now awards the degree of Bachelor of Laws upon completion of a 3-3 curriculum. While the first year studies list, prescribed alike under the three curriculums, still retains some characteristics of the 1932-1933 list it is not materially different from that of most present day three-year law schools. For the third and fourth years there is still a wide variety of substantive and procedural law courses, supplemented by courses in formal jurisprudence, history of English law, introduction to the science of law, legal method, and world's legal systems. There are also seven individual or small group studies open to some second year students as well as to third and fourth year students. There is nothing, however, to indicate that a student electing the four-year program of law study must register for any of the jurisprudential studies which Ex-Dean Wigmore stressed twenty years ago nor that such a student shall display his ability at independent research, as was required under the four-year curriculum formulated in 1931.

Stanford University School of Law

Since 1933 alternative courses of study leading to the degree of Bachelor of Laws have been available at Stanford University School of Law. The alternatives are a three-year course for which a college degree is prerequisite and a four-year course for admission to which three years of college work is essential.

28 The listed courses are Business Agencies I, Constitutional Law I (not offered 1938-1939, Property I and Property II substituted), Contracts I, Criminal Law I, Legal Bibliography and Writing, Procedure I (designated in the alternative Court Organization and Administration), and Torts I.
29 Second year courses, numbering twenty-three, are elective except for Profession of the Bar.
29a The topics listed are Aeronautical Law, Comparative Civil Procedure, Criminal Law, Current Legislation, Industrial Law, Modern Theories of Law, and Roman Law.
Students entering under the four-year curriculum must satisfy the lower division requirements of the university\textsuperscript{30} and in their third year of college register under a pre-law curriculum. During this year the student selects further academic subjects with the advice and consent of a law faculty committee. Ordinarily, it is expected that students will do advanced work in political science, economics, etc., during this year, although there are no set rules in this regard.

Upon entering the law school the four-year student takes the regular professional courses, the requirements being the same as those for three-year students.\textsuperscript{31} In the fourth year of law the student may elect as he chooses from the second and third year professional law courses and, with faculty permission, may register for a directed research course designed primarily for graduate law students. In addition it is indicated that students under the four-year program "will be permitted to offer certain courses in business in lieu of an equal number of units in law".\textsuperscript{32}

No attempt to correlate legal and non-legal theories or to emphasize jurisprudence and legal history is indicated. Neither does the requirement of special permission to enroll for the research course in the fourth year indicate that the development of individual abilities in handling specific legal problems is one of the aims of this program. The outstanding characteristic is the reduction of one year in the period of pre-law work and a corresponding increase in the amount of time which may be spent upon professional law courses.

\textbf{Louisiana State University School of Law}

Louisiana State University School of Law inaugurated a four-year course of study in law in 1936. For the school year 1936-1937 it announced several alternative courses of study.\textsuperscript{33} A standard three-year law program was open to college graduates and to certain students

\textsuperscript{30} The lower division requirements call for completion of at least 15 quarter-units of work in each of three groups: \textit{viz.}, arts and letters, natural science and mathematics, and social sciences. Stanford University Bulletin (6th Ser., No. 57) Information (Jan. 3, 1938) pp. 160-161.

\textsuperscript{31} Required first year courses include Remedies and Personal Property, Contracts I, Torts, Criminal Law, Real Property, Legal Ethics, Legal Bibliography and Briefmaking, and Legal Writing. Second and third year courses, thirty-four in number, include standard law subjects. Six public law courses are listed in this group. Contracts II, Bills and Notes, Private Corporations, Conveyances, Equity, Trusts, Code Pleading, Evidence II, and Constitutional Law are required for the LL.B. degree. There are no offerings in Legislation, Legal History, or Jurisprudence. Stanford University Bulletin (6th Ser., No. 65) School of Law Annual Announcement 1938-1939, pp. 19-27.


\textsuperscript{33} University Bulletin, Louisiana State University (V. 28 N. S., No. 6) Announcement of the Law School for 1936-1937.
who had completed three years of college work.\textsuperscript{34} It also announced two programs involving instruction in the law school over a period of four years prior to the granting of the first degree in law.

The first alternative to the three-year course was a combined curriculum in commerce and law for students who did their college work at Louisiana State University. Under this program the student spends six years at the University. The first two years of the six are devoted to work in the school of commerce, the next three years to work in both the school of commerce and the school of law, and the sixth year exclusively to work in the law school.\textsuperscript{35} It amounts, in short, to a six-year course leading to two degrees,\textsuperscript{36} in which the usual work of the first year in law school is spread over a two year period (the third and fourth of the college career) and, except for one course in commerce, the remaining two years are devoted to the usual law school studies normally pursued in the second and third year of law school.\textsuperscript{37}

The second alternative to the regular three-year law school program was a 2-4 course—two years in college and four years in the law school. Under this program the work in the law school varied to a considerable extent from that of the regular three-year law course, which is not true of the first alternative above discussed. Under this plan the student, after completing two years of college work, was admitted to the law school. During the first year in law school the entire course was fixed. It consisted of, first, three regular first year law courses—Torts, Contracts, and History of Legal Institutions—and, second, courses in Logic, Sociology of Law, Comparative Constitutional Theory,\textsuperscript{40} Use of Economic and Social Data,\textsuperscript{41} and Legal

\textsuperscript{34} The 3-3 course is a combined arts and law curriculum leading to A.B. and LL.B. degrees.

\textsuperscript{35} In the third year at the university the student enrolls for 18 semester-hours in commerce and 13 semester-hours in law. The law school courses are Torts, Contracts, and Business Organization. The fourth year program consists of 15 hours in commerce and 16 hours in law. The law courses are Criminal Law, Property, Procedure, and Constitutional Law. In the fifth year the students under this program take one 6 hour course in commerce and the remainder of the work in law. In the sixth year all work is in the law school.

\textsuperscript{36} B.S. in Commerce and LL.B.

\textsuperscript{37} Notice, first, that this school offers the usual 3-3 combined arts and law curriculum in which three years of college work (apparently without supervision as to its content by the law faculty) is followed by the regular three-year law course; and, second, that it also offers a combined six-year commerce and law course in which the course study in commerce is prescribed by the school of commerce. The first makes the usual sharp break between college and law school work. The second constitutes a departure in that work in both commerce and law is contemporaneous in the third and fourth years and to a limited extent in the fifth year. Here the sharp line vanishes.

\textsuperscript{38} The total credit for three courses is 12 semester-hours.

\textsuperscript{39} The total credit for the second group is 21 semester-hours.

\textsuperscript{40} A political science-government course.

\textsuperscript{41} This course dealt with accounting and statistics, with particular emphasis upon their legal application.
In the second year of the 2-4 course the remaining first year law courses were required, and the student was permitted nine semester-hours of elective law courses. The entire program of the third and fourth years was nominally elective. However, the courses offered were divided into four groups or classes. The student selected one of these groups as the field of his major interest—a step in the direction of specialization—and was required to elect a specified minimum amount of work in each of the other three groups of courses. Thus, with nominal freedom of election in the third and fourth years a modicum of specialization was permitted, but a balanced educational program in law was assured without the rigidity of a prescribed course of study.

Two other features of the Louisiana plan are worthy of note. First, the college prerequisite was reduced to two years for those undertaking the four-year course in law in a school which required three years of college work of high quality or a college degree as a prerequisite for its three-year law course. Second, upon completion of the second year's work in law the student was eligible for the award of an academic degree, Bachelor of Science in Law, thus providing for both a non-professional and a professional degree upon successful completion of six years of college and law school study, with but two years, instead of the usual three or four years, of college work essential to the attainment of these degrees. In both respects the Louisiana plan parallels the Minnesota and Chicago programs. In requiring but two years of college prior to law training these programs, as is likewise true of Northwestern, California, and Stanford four-year law plans, constitute a reversal of the trend in university law schools to lengthen the period of college study prior to matriculation in law school.

In formulating the 2-4 curriculum here there seems to have been the same desire as was noted in the Columbia revisions: so to correlate legal and social science materials as to bring out their important interrelations, subdued or wholly missed under the usual three-year programs. Here, through the addition of one year to the law school course of study, time was made available for study of non-legal materials in courses, taken contemporaneously with the beginning work

42 This was a three semester-hour course, apparently required only of those who had not had French prior to entering law school.
43 These courses, totalling 16 semester-hours, were Property, Criminal Law, Business Organization, and Constitutional Law.
44 The four groups were: (1) civil law, (2) common and commercial law, (3) public law, (4) social science.
45 The stated requirement is a minimum of 20 semester-hours in the major group and a minimum of 8 hours in each of the other three groups.
46 The group elective requirements also apply to students enrolled under the 4-3, 3-3, and six-year commerce and law programs heretofore discussed.
in law and under the direct control of the law faculty. Offered by members of the law faculty, materials in logic, social science, and accounting could be presented so as to emphasize aspects of particular interest and use to law students. It was made certain that all law students pursue study along these lines. Through the shortening of the college course and lengthening of the law course not only was the foregoing accomplished, but an additional nine semester-hours for purely law courses was made available. These features, together with the scheme of grouping subjects and minimum requirements so as to permit some specialization but at the same time avoid too much of it in order to assure a symmetrical program, constitute the aspects of this program most striking to one who did not observe its actual operation.

This program, to a marked degree, is similar to that of the University of Chicago Law School, hereafter discussed. However, a differentiation between the Louisiana and Chicago plans is observed: At Louisiana all courses of non-legal content were offered in the first of the four years; at Chicago such courses extend throughout the four-year curriculum.

The latest announcement at Louisiana\textsuperscript{47} shows a great alteration in the four-year curriculum. While the six-year combined commerce and law course remains intact and the 2-4 law course is still offered alongside a three-year law curriculum, the non-legal courses have been eliminated from the program of the first and second years of the four-year law curriculum. The first year courses are prescribed alike for students under the three-year and four-year law plans. The work of the second, third and fourth years "are elective or scheduled as prescribed by regulations of the Law Faculty". The group-minimum requirements for electives are no longer mentioned. The altered four-year program at this school seems to be essentially a plan under which students may follow either a 3-3 curriculum or a 2-4 curriculum, the fourth year in law school under the latter plan being substituted for one year of college and devoted to additional law courses. To this extent it resembles the Stanford program. Here the courses from which the four-year student may elect include Legislation, Jurisprudence, and research in Criminal Law; but there is nothing to indicate that such a student is expected or required to elect any of these.

\textbf{University of Minnesota Law School}

An optional four-year law course was offered at the University of Minnesota Law School in 1931 as an alternative to the usual three-

\textsuperscript{47}University Bulletin, Louisiana State University (V. 30 N. S., No. 9, June, 1938) The Law School, Announcement for 1938-1939.
year law curriculum. Beginning in the fall of 1938 only the four-year curriculum is offered. The course is of the 2-4 type, two years of college work being prerequisite to law school entrance.

The courses offered are divided into first year subjects, second year subjects, and third and fourth year subjects. All offered courses in the first and second years are required. Fifteen year-hours in the third and fourth years are prescribed; nine year-hours are elective.

The first year curriculum includes courses in Contracts, Property, Torts, Common Law Actions and Equity, Criminal Law and Procedure, and Agency. The second year program consists of seven substantive law courses of two year-hours each and a course in Briefmaking for which one year-hour of credit is allowed.

While the third and fourth year subjects are grouped together, there are certain courses which seem to fall naturally into the third year and others into the fourth year. Thus the required courses in Practice and Practice Court, Evidence, and Pleading seem to be third year courses. The remainder of the student's work in the third year is made up of electives from the third and fourth year list. This group of courses numbers fifteen and consists of standard law courses. Here, as in the case of the required first and second year law courses, standard case books are used; and there is nothing to indicate that during these three years any attempt is made to emphasize non-legal theories or to tie in non-legal materials. The bul-

48 In 1931 twenty per cent of the entering class enrolled for the four-year law course; in 1936 seventy per cent of the entering class selected the four-year curriculum. In the latter year virtually all of those electing the three-year course had a college degree. Fraser, *An Integrated Course of Training for Lawyers* (1936) 34 HANDBOOK, ASSOC. OF AM. L. SCHOOLS 60, 64.


50 Bulletin of University of Minnesota (V. 39, No. 35) Law School Announcement for the Years 1936-1938, pp. 11-13. All statements here made with respect to the courses offered are derived from this bulletin.

51 The first three named are offered three hours a week throughout the year.

52 The last three named are given two hours a week throughout the year.

53 Constitutional Law, Equity II, Private Corporations, Property II, Negotiable Instruments, Sales, Trusts.

54 In addition each third year student is required to serve as an assistant in the office of the Legal Aid Society. No credit is given for this.

55 As Practice, Evidence, and Pleading total 7 hours per week, the student has 5 hours per week for electives, 12 hours being the specified hour load.

56 Not here counting the required third year courses mentioned above and the six courses listed as fourth year requirements, hereafter mentioned.

57 The courses listed are Conflict of Laws, Property III, Mortgages, Damages, Insurance, Municipal Corporations, Public Utilities, Taxation, Accounting and Federal Income Taxation, Partnership, Suretyship, Equity III and Quasi-contracts, Wills, Bankruptcy, Persons. All except Conflict of Laws (2 hours per week for year) and Accounting and Federal Income Taxation (3 hours per week for half year) are two hour courses for one-half year.
letin from which this information is obtained, of course, does not indicate what stresses may be employed in class discussion.

In the fourth year the following courses, totaling eight hours of the twelve hour weekly schedule, are required: Judicial Administration, Jurisprudence, Legislation, and either Administrative Law or Labor Law and Trade Regulation. The remaining four hours per week may be elected either from the law courses in the third and fourth year list or, with the approval of the dean, from other departments in the University.

Under this program the major shift noticeable with respect to the content of the law curriculum is the work of the fourth year. The courses in the first three years of the four-year program are essentially the same as those taught in the orthodox three-year law school. Contrary to the original program at Louisiana, as we have seen, and to the program at Chicago, as we shall see, all additions to the curriculum are offered during the fourth year of residence. The objectives stated in the law school bulletin point to this difference:

"The four years in the Law School are devoted to the three year professional course . . . and one additional year of law work of the type of graduate work in some law schools, such as judicial administration, legislation, jurisprudence, administrative law, and criminology, not available in the three year course . . . This is the course recommended by the law faculty as preparation for the practice of law. It is designed to give a broader view of law and legal institutions, and to train the student not only to care for clients' interests, but also for public service in his profession and for public and legislative leadership."

Again pointing to the different nature of the approach here from that at Louisiana, Chicago, and possibly Columbia, are the following excerpts from statements by Dean Fraser at the 1936 meeting of the Association of American Law Schools:

"Instead of making advanced work in the social sciences a prerequisite for law, we would make law a prerequisite for advanced social sciences."

The bulletin contains the following statement, however, with respect to the course in Accounting and Federal Income Taxation: "This course will cover the system of federal income taxation and those fundamental principles of accounting related thereto and useful in interpreting corporate balance sheets and income statements." Op. cit. supra note 50, at 12.

Each of these three take up two hours a week throughout the year. Administrative Law carries two year-hours credit; Labor Law and Trade Regulation are each given two hours per week for a half year.


science. The social sciences are taught in the colleges in a theoretical fashion without regard to existing conditions. The lawyer's job is to apply them to existing conditions, and for this purpose he should study them after he knows the existing law and institutions.

"The point is that a student gets much more out of his study of the fundamentals of law than before. He sees the relation of these studies to his main purpose, and has a greater interest in them. He chooses more wisely and studies more intensely."

What of the prescribed work in the fourth year? How, in other words, are the stated objectives to be accomplished? The Administrative Law or Labor Law-Trade Regulation requirement adds materials in rapidly expanding areas and recognizes them as sufficiently significant to require one or the other of every graduate. The other three prescribed courses are described in the catalog as follows:

"Judicial Administration. A study of the function and method of judicial administration, the organization of courts, the selection of judges, qualifications and organization of the legal profession, the jury, problems of procedure, and reforms adopted and advocated."

"Jurisprudence. The subject matter of this course will include theories of law and of justice, relation of law and social sciences, general methods of legal reasoning, and general conceptions employed in legal analysis."

"Legislation. Agencies, content, and province of legislation; relation to common law; preparation and drafting; sanctions; interpretation."

The names appended to the new courses in the Minnesota curriculum stress legal content whereas the new courses at Louisiana and Chicago bear non-legal designations. However, the description of the courses indicates that the Minnesota aim is to bring to the front in these courses the same social, economic, and political considerations which the Louisiana and Chicago courses stress, with the difference that at Minnesota the students first will have had the background of three years of law training—the full amount which has heretofore been considered sufficient to permit them to embark into practice. The course in legislation has no counterpart in the original Louisiana or Chicago plans but is found in the Columbia curriculum. Here, again, the Minnesota plan differs in placing in the last year materials which at the other institution are offered at the beginning of the law school career.

The striking difference, then, between the Minnesota plan and the others discussed is that Minnesota adds to a regular three-year course in law an additional year of work after completion of the standard three years in law, which additional time is devoted partly to development of some areas of law which are of expanding current interest and partly to gathering together the strands which have been woven
separately in the previous three years and bringing them together with strands now brought in from related non-legal fields and with problems of judicial administration.

While the chief point of distinction between the Minnesota four-year plan and the others lies in the difference in time at which the non-legal materials are stressed, there are several other features of the Minnesota scheme which should be noticed. One feature which seems to be closely related to the time at which the new materials are presented in the Minnesota program is control of the pre-law curriculum. Students may enter the law school with two years of college work and may obtain the non-professional degree of Bachelor of Science in Law \(^4\) regardless of the college courses taken. However, all students who continue thereafter in the Law School as candidates for the professional degree must have satisfactorily completed certain college courses specified by the law faculty. The required pre-law courses constitute approximately seventy per cent of the work of two college years. The list includes specified courses in English, Philosophy, Political Science, Economics, History, and Psychology. The matter of controlling the pre-law college courses is one which, while very closely related to the developments in legal education herein discussed, has received considerable attention of late as a separate problem.\(^5\)

\(^4\)While probably not germane to discussion of four-year professional law curriculums, another aspect of the Minnesota curriculum seems so much a part of it as to warrant a footnote. This feature is the provision for the granting of a non-professional degree at the end of the second year of law work. As stated in the text a student may enter the law school after two years of college. Upon so entering he becomes a candidate for a non-professional degree designated as B.S. in Law. In effect this is a continuation of his college course with a major in law. Thus a student who has no desire to enter the practice of law but who wishes law training as a background for a business career is enabled to enroll in a course which gives him his college degree at the end of the usual four years, and still permits him to have the general law training he desires. Another advantage of this program is that it eliminates all necessity for law school entrance standards, examinations, aptitude tests, etc. Any student who has successfully completed two courses in college is eligible to enter the first year of law, and he may, by meeting the grade standards, remain there until the end of the second year, at which time he will be granted the non-professional degree. However, unless he has maintained a certain average in the work of the first two years he is not entitled to be enrolled as a candidate for the professional degree, which enrollment is prerequisite to entry upon the third year of work in the school. And, as noted in the text, the completion of the requisite college courses is likewise a condition to enrollment for the professional degree. The presence of this feature of the program undoubtedly accounts for the delay of all procedure courses until the third year of the law school course—whereas in a number of other schools there has been a recent tendency to advance some procedure courses into the first year, as for example, at Yale.

While there may be some other schools which go as far as Minnesota has gone in the matter of fixing the pre-law curriculum, they are undoubtedly few in number. But with the control in this regard which the Minnesota law school exercises, the faculty can assume a common background in these fields and some basic information upon the part of all law students of the social sciences. A further difference in the character of the fourth year work in law here may be in this, that the fourth year in law is advanced work in both law and the social sciences and not the elementary type which it is the purpose to give in the first law year under the original Louisiana program.

For the student who receives the professional law degree in six years under the 2-4 program, seventy per cent of his two years of pre-law work is fixed. In the law school all of the work of the first two years is fixed, and there are but nine hours of electives in the twenty-four hours taken in the last two years. Thus more than eighty-three per cent of the entire law school course is prescribed. The combination of pre-law and law school prescriptive courses here exceeds that noted in any other school for the entire collegiate period, although the percentage of law school work here prescribed is less than that at Chicago and Washington.

At Minnesota, as at each of the so far mentioned schools adopting four-year curriculums, the period of pre-legal study required has been reduced one year. Here the reduction from three years to two years is explained upon the basis that the fourth year of law is a substitute for one year of college work, and that two years of college work is ample prior to undertaking the study of law.

It is often contended that where such work is taken prior to entering law school: (1) the student is not particularly interested, fails to see in the social science materials as given in college any use to him as a lawyer, and thus gets and retains little out of the courses he takes; and (2) the materials are not presented in the college in a manner which shows their significance for the lawyer. In the state university particularly, where the great bulk of law students pursue their college work in the university college, both of these objections may be met by a strict pre-legal requirement. In the first place the pre-law student, if he knows that the courses are demanded as prerequisite to pursuing a professional law degree may be impressed with the importance of really getting and retaining the content of these courses. In the second place if the courses are required of all pre-law students the number of such students may be sufficient so that the departments—even though not otherwise particularly cooperative—may be induced to cooperate to the extent of designating particular sections for pre-law students and by having the men handling these sections adapt themselves and the materials used to furnish better the background desired by the law faculty.

After outlining the fourth year program the following statement is made: "As this year is a substitute for a year of college work, students will be permitted to take some work in other departments of the University. . . ." Fraser, supra note 48, at 6.

Id. at 62.
From this survey the Minnesota program appears to be designed:

(1) To make available a two year training in law leading to a non-professional degree for those who desire law training for business;

(2) To exercise a large degree of control over not only the pre-law curriculum but also over the entire law course of four years;

(3) To require of all its graduates familiarity with the legislative process and function and with certain fields of public law which are of increasing importance under the social and political developments of the time;

(4) To substitute for its 3-3 curriculum a 2-4 program of study in which the fourth year in law school, to the extent of one-half of the time, is devoted to studies designed to present the broad aspects of law and its relation to the society in which it functions, and to acquaint the student with the problems which he will face as a member of the legal profession, to the end that he shall be fitted “not only to care for clients’ interests, but also for public service in his profession and for public and legislative leadership”.

University of Chicago Law School

A 2-4 law curriculum was put into operation at the University of Chicago Law School in the fall of 1937. This is an alternative to a three-year course in law for which a college degree is an entrance prerequisite. Under the 4-3 plan the student is excused from the non-legal courses required under the four-year program.

The extension of the law school curriculum to four years has been explained by Professor Katz as due, primarily, to a desire to integrate the study of non-legal materials with the study of law. In explaining the program he has stressed three phases of the plan: first, the introduction of non-legal studies into the law school curriculum; second, the placing of emphasis upon what law is and the ends it tends to promote; and third, the administrative and pedagogical changes designed to secure more effective instruction.

As to the first phase, after indicating the difficulties existing under the standard college and law course in attempting to integrate non-legal and legal materials Professor Katz points out that the Chicago plan adopts two methods of bringing non-legal materials into the law curriculum: first, through specific required courses in non-legal subjects given in the law school curriculum; second, by infusion of non-legal materials into the law courses themselves. Separate courses of non-legal content are spread over the first three years of the law curriculum.


In the first year, courses in Psychology and English Constitutional History are offered. In the second year there are courses in Economic Theory, in Accounting, and in Political Theory. In the third year a course in Ethics is required of all students enrolled under the four-year plan. The aims in such separate courses are: first, to assure training of law students in certain non-legal fields in which the materials are deemed essential to the intellectual equipment of the modern lawyer; second, to offer such courses by instructors who have not only training in the non-legal field but an awareness of the bearing of materials in that field upon legal problems; and third, so to present the non-legal materials as to call for application by the law student of knowledge acquired in law courses taken either prior to or simultaneously with such non-legal courses. The aim in giving law courses is also to put emphasis upon the bearing of the non-legal materials, studied in the separate courses, upon the law and to call for application by the student of concepts gleaned from the non-legal courses to the subject-matter of the law courses.

The second stress in the program is that of dealing more articulately and intelligently with the relationship between law and society and with the ends which law should serve. It is to accomplish this that a course in Legal Methods and Materials\(^7\) is included in the first year and one in Ethics in the third year. These are designed to inculcate an appreciation of what is involved in the study and criticism of law and to pose possible standards for individual and group conduct as the basis for value judgments as to the end of law. It is also hoped to develop, as a by-product, a better understanding of the relation of psychology, economics, etc., to law.

Under this plan approximately three-quarters of the work in law school is prescribed and is to be taken in specified order. Course examinations are abolished in favor of a single examination covering the work of the entire year, there being no separation of questions as to courses. Examinations in the second and subsequent years likewise will include questions which call for application of material covered in previous years.

The first year courses, in addition to those already mentioned,\(^7\) are Torts, Family Relations, Contract and Quasi-contract, Procedure I.

The courses of the second year, in addition to those heretofore mentioned,\(^7\) are The Problem of Crime, Business Organization I, Sales, Property, Procedure II.

\(^7\) "Elements of law; types of legal concepts, their evolution and function; precedent, logic, and social policy; the relation of law to other studies; research techniques and written work." Announcements, University of Chicago (V. 38, No. 10, April 15, 1938) The Law School, 1938-1939, p. 7.

\(^7\) Legal Methods and Materials, Psychology, English Constitutional History.

\(^7\) Economic Theory: "A transition course supplementing college economics and developing the relations between economic and legal institutions"; Account-
The third year courses, in addition to Ethics, are Historical Method, Business Organization II, Negotiable Instruments and Commercial Banking, Trusts, Public Finance and Taxation, Procedure III, Conflict of Laws, and work in fields of specialization. The latter, which constitutes the elective portion of this year's program, constitutes approximately one-fifth of the total for this year.

In the fourth year about one-half of the work is required. This consists of a course, designated Economic Organization, in which legal and non-legal material will be focused upon economic organization, the division of national income, and the business cycle. While the exact content of this course has not been announced, it is proposed to include study of advanced economic theory and statistical method, as well as legal aspects of restraint of trade, unfair competition, rate regulation, price fixing, and corporate reorganization, and some phases of labor, corporation, and tax law. The remainder of the work of the fourth year will be carried on in one or two broad fields of concentration. Here the student will be called upon to use both legal and non-legal materials in working upon individual problems and to submit written reports embodying the results of such research.

As at Louisiana and Minnesota but two years of college work is prerequisite to entrance upon the four-year law curriculum. At the same time for those who select the three-year law curriculum the college degree entrance requirement formerly applicable to the three-year law course is retained.

The outstanding features of the Chicago plan are:

(1) Contemporaneous instruction in social science and legal subjects through the medium of separate non-legal courses offered throughout the four years of law by instructors who are members of the law faculty;

(2) Emphasis upon interrelation of law and the social sciences in the law courses;

(3) The aim to bring into consideration by the student the ends of law, to make the student think in terms of the social desirability of legal behavior, and to provide the materials with which the student may formulate such value judgments;

(4) Provision for specialization to a limited degree in a broad
field of the student's choice, with the requirement of individual research in such field and presentation of written reports of such work;

(5) Standardization of the entire curriculum except for specialized work as noted above;

(6) Reduction of the pre-law entrance requirement to two years of college work for those pursuing the four-year law curriculum while retaining the college degree requirement for those enrolling for the alternative three-year law course.

The apparent absence of stress upon legislation and upon public law materials is particularly noticeable here. In contrast to the Minnesota plan the program at Chicago contemplates that the elementary instruction in certain social science subjects shall be brought directly into the law school curriculum, and shall be given by instructors attached to the law faculty contemporaneously with instruction in legal subjects. The Chicago program involves a more positive integration of legal and social science materials throughout the law course, and, it seems, places more emphasis upon the normative aspects than does the Minnesota program. Under the Minnesota plan stress upon the non-legal aspects is reserved for the fourth year of the curriculum and is directed to a fusion of legal and non-legal concepts upon an advanced plane by students who have received their background training in law and social science at different periods of time. The fourth year at Chicago may be comparable to the fourth year program at Minnesota in one respect—as a fusion of legal and non-legal concepts upon an advanced plane—but if so, the Chicago stress in the fourth year is from the economic standpoint whereas the Minnesota stress is legal. It is clear, in any event, that as between the two programs, both of which require two years of pre-law college work, greater time emphasis upon legal subject-matter is characteristic of the Minnesota program than of the Chicago program; or stating it differently, whereas the emphasis of the Minnesota program is upon legal aspects the Chicago plan seems to place the emphasis upon social and economic aspects to a much more apparent extent.

The original Louisiana and Chicago plans are alike in placing elementary instruction in social science subjects under the law faculty and in giving such instruction contemporaneously with instruction in law. However, they differ in that at Louisiana all non-legal subjects were taught in the first year of law and at Chicago the non-legal courses appear throughout the four-year curriculum. The result is that at Louisiana, as at Minnesota, there was a heavier weighting of the four-year law curriculum with law courses than at Chicago.
At the University of Washington a four-year law curriculum was instituted beginning in the fall of 1938. There is no three-year alternative for those entering after that date. This school, therefore, stands with Minnesota in projecting a mandatory four-year law course for all its students who begin law study in 1938 or thereafter.

Prior to adoption of the four-year curriculum in law, three years of college work was essential to entrance upon the three-year law program. The same pre-legal requirement was continued upon adoption of the four-year plan, thus making the new course of the 3-4 type. While there are other 3-4 programs, this is the only school which has lengthened the period of combined college and law school study by reason of adopting a four-year law curriculum.

Except for students who qualify under a combined arts, science, and law curriculum, but one degree, Bachelor of Laws, is awarded upon completion of seven years of college and law school study. In this respect the plan differs from those of Louisiana, Minnesota, and Chicago where, in six years, both a non-professional and a professional degree may be obtained without conforming to additional requirements.

Under this four-year curriculum studies are prescribed alike for all students during the first three years. The first year courses are Contracts, Torts, Property, Criminal Law and Procedure, Agency, and Bibliography. In the second year the prescribed courses are Sales, Wills and Administration, Domestic Relations, Equity, Evidence, Bills and Notes, Constitutional Law I, and Code Pleading; in the third year, Legal Administration and Ethics (Legal Ethics), Constitutional Law II, Administrative Law, Real Property II, Trusts, Practice and Procedure, Credit Transactions, and Business Associations.

In the fourth year the courses in Conflict of Laws, Community Property, Legislation, and Taxation are prescribed for all students. These courses total slightly in excess of one-third of the total work of this year. In addition, each student must elect two from a list of eleven seminar and individual research courses; these two constitute slightly less than one-fourth of this year's work. The remaining seventeen quarter-hours, constituting forty per cent of the hour load may be elected from fourteen listed courses. Thus, but forty per cent of the

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77 Bulletin, University of Washington (Gen. Ser., No. 513, March 26, 1938) School of Law, 1938-1939.
78 Northwestern University and Stanford University.
79 A tentative listing of fields to be embraced includes trusts, banking law, public utility regulation, income taxation, corporation reorganization, corporation practice, comparative law, government regulation of business, civil and criminal procedure, labor law, and recent decisions and statutes.
80 International Law, Damages, Legal Accounting, Public Utilities, Federal Jurisdiction and Procedure, Insurance, Future Interests, Administration of
work in one year—roughly ten per cent of the entire law course—is freely elective.

Although not unique, Washington carries the matter of prescribing courses as far as is done by any four-year curriculum. In the three-year law schools a trend toward the elimination of wholly free election and toward fixing first and second year courses is noticeable. Of the four-year curriculums, those of Minnesota and Chicago approximate the degree of rigidity of the Washington program. All three are considerably more rigid than the original and present Louisiana plans; and all other four-year programs have fewer prescriptions after the first year.

The differences between the three-year law program formerly offered and the four-year law curriculum recently inaugurated consist in the following: first, prescribing in toto the programs of the second and third years and a substantial part of the fourth year, whereas only the work of the first year had been formerly prescribed; second, transfer of Legal Bibliography to the first year; third, slight revisions in time allotment for some courses; fourth, addition of required fourth year seminar and individual research courses; fifth, addition of a required fourth year course in Legislation; sixth, addition of an elective fourth year course in Legal Accounting; and seventh, elimination of some specialty courses theretofore offered as electives in alternate years.

The emphasis upon public law is marked. With fifteen quarter-hours of required courses, seven quarter-hours of fourth year elective courses, and four seminar and individual research courses available for election, the offerings in this field are broad and varied, and, as at Columbia and under the original Louisiana plan, each student is required to complete a minimum amount of work in this field.

The new course in Legislation is a requisite to graduation. In placing this course in the fourth year the plan is like that at Minnesota rather than at Columbia, where it is offered in the first year program.

Debtors' Estates, Admiralty, Probate Practice and Procedure, Municipal Corporations, and Roman Law. These total 43 quarter-hours, approximately 14 year-hours. The excess of instructional hours (exclusive of seminar and individual research courses) is thus 25 quarter-hours, or approximately 8 year-hours.

At Harvard, e.g., beginning in 1939-1940 the work of the second year is prescribed, except for one choice between two three-hour courses. There is provision for departure from the prescribed course with consent of the administrative board, but it is understood that deviations will be allowed only in exceptional cases. Official Register of Harvard University (V. 35, No. 20, April 27, 1938) The Law School for 1938-39, pp. 19-20; Simpson, The New Harvard Curriculum (1938) 51 HARV. L. REV. 965, 974, n. 19; id. at 977, 978.

See notes 119-121, infra.

The second year of course of study of the three-year program was specified in its entirety for students who entered in 1937.

Constitutional Law I and II, Administrative Law, and Taxation.

Public Utilities and Federal Jurisdiction and Procedure.
As presently outlined the elective fourth year course in Legal Accounting is the only evidence of an attempt to correlate legal and non-legal materials. Under the Minnesota plan, which the Washington curriculum most resembles, a background of elementary social science theories is assured by means of a strict control over pre-law work, and correlation of legal and non-legal materials is sought by addition of new required courses in the fourth year which focus attention upon problems not only from their legal aspect but with reference to concepts and theories in related fields of politics, sociology, and economics. Exercising no control over pre-law work, and with but a single elective wherein instruction in the theory of another science is presented with stress upon its legal implications, the Washington program is in marked contrast with those of Louisiana (1936) and Chicago, and differs, as well, from that of Minnesota.

In regard to instruction in legal science the Washington plan is not comparable to those of Northwestern, Louisiana, Chicago, or Minnesota. While there are elective courses in International Law and Roman Law and a seminar in Comparative Law, there are no required courses within this group. At Minnesota there are courses in Judicial Administration and in Jurisprudence in the fourth year. At Louisiana and Chicago the offerings in this group are even more numerous and a substantial amount of work is required. At Northwestern a number of courses are offered but, as at Washington, are not requisite for graduation. At Columbia, a three-year school, some work in the field is required through prescribed readings and qualified electives.

Closely related to the foregoing is the matter of instruction in legal history. At Columbia, Louisiana (both programs), and Chicago, courses in the history of legal institutions are prescribed; at Northwestern there is a somewhat similar course; at other institutions—three-year as well as four-year—instruction of some type, under various designations, is offered during the first year of law to show the historical background of legal institutions and to aid in making the transition from college to professional school. Washington, like Minnesota and Stanford, does not offer such materials.

In providing for individual work upon special topics and the submission of written summaries of the results of such research the seminar and individual research courses of the fourth year at this school are noteworthy. Besides affording each student an opportunity to select a field of interest in which to specialize to a moderate degree, these courses should break regular course routine and result in training all students, not only members of law review boards, in independent work and writing. The same feature is stressed in the Northwestern (1931) and Chicago plans.
The points of major interest in the Washington program are:

1. The substitution of a four-year curriculum in law without an alternative three-year course;
2. The continuation of the same pre-legal requirement—three years of college—as for the three-year law course, with the result that the combined period of college and law study is increased one year;
3. The prescription of all of the work of the first three years and of sixty per cent of the work of the fourth year;
4. The provision for individual work upon special topics during the fourth year, to the extent of approximately one-fourth of that year's program, with attendant opportunity to specialize in a chosen field to this extent;
5. The addition of courses in Legislation and Legal Accounting, without addition of materials in legal history, legal science, or in other related non-legal subjects; and without exercise of control over the pre-legal curriculum.

Upon the whole the Washington program constitutes less of a departure from the orthodox three-year law curriculum than those of Louisiana (1936), Chicago, or Minnesota, although it embraces some aspects of each of these programs. On the other hand, it is more of a departure than the Stanford and later Louisiana plans. In retaining the three-year pre-legal requirement it seems to recognize that its four-year program is still so essentially vocational in character that it requires the same pre-legal cultural background as the former three-year law curriculum.

WASHINGTON UNIVERSITY SCHOOL OF LAW (ST. LOUIS)

This school has announced a four-year plan to go into operation in the fall of 1939. The announcement came too late for inclusion in the text of this article. It is summarized in the footnote.854

854 This announcement outlines a 3-3 plan and a 2-4 plan. The character of the pre-legal work is not specified. The Arts degree will be awarded at the end of the first and second year of law, respectively, and the LL.B. degree upon completion of the law school program.

The requirement of the three-year curriculum is 82 semester-hours of work and will remain unchanged. The corresponding requirement for the four-year curriculum will be 109 semester-hours. Included in this total will be 10 hours of research in a field of the student's choice during the final two years of study. Also included are 9 hours of work during the same two years in other divisions of the University. It is not intended that this collateral study be of a professional nature.

The introduction of what is known as non-legal material into the new curriculum will be accomplished so far as possible by incorporating it into the legal courses, rather than by providing separate courses in which it may be studied. The traditional courses will, in consequence, be enriched as rapidly as possible with additional material. It is necessary, on the other hand, that certain general questions and points of view be familiar to the student in advance of his attack upon practical legal problems. Moreover there is economy in treating recurring issues so far as possible at one time. For these reasons 8 hours of introductory
Summary

From observation of one three-year law school and six recently inaugurated four-year law programs the following characteristics may be gleaned, though it is not meant to intimate that all are observable in each of the schools:

work are added to those now being offered. In addition, the course in Constitutional Law I will become partly of a political science nature, and the present first year course in Legal Processes will be continued. Legal Accounting will be increased to a 3 hour course. A course in Jurisprudence will also be offered during the final year.

The additional hours of introductory work will consist of Legal History, 3 hours, in the first year, and Law and Economic Problems, 3 hours, and Law and Adjustment of the Individual, 2 hours, in the first semester of the second year.

The present three-year curriculum is modified to the extent of permitting a student, if he is not properly grounded in pertinent fields of study, to elect as much as 6 hours of work in the added introductory courses, including Constitutional Law I, and to elect the course in Jurisprudence during his final year. In addition, the character of many of the legal courses will change, as noted above.

For the purpose of indicating its content, the new curriculum is divided into the following divisions: Jurisprudence and Social Science; Procedure; Business Law; Social Relations Law; Property Law; Public Law; and International Law. Course offerings are distributed among the several divisions as shown in the following table:

<table>
<thead>
<tr>
<th>Division</th>
<th>Hours Required in Four-Year</th>
<th>Hours Elective</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Jurisprudence and Social Science</td>
<td>17</td>
</tr>
<tr>
<td>II</td>
<td>Procedure</td>
<td>7</td>
</tr>
<tr>
<td>III</td>
<td>Business Law</td>
<td>14</td>
</tr>
<tr>
<td>IV</td>
<td>Social Relations Law</td>
<td>9</td>
</tr>
<tr>
<td>V</td>
<td>Property Law</td>
<td>6</td>
</tr>
<tr>
<td>VI</td>
<td>Public Law</td>
<td>9</td>
</tr>
<tr>
<td>VII</td>
<td>International Law</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>62</td>
</tr>
</tbody>
</table>

In each of these curricular divisions except International Law, there is at least one survey course, together with specific courses and courses of an advanced nature, some of which will be seminars. The survey courses and the basic specific courses will be required during the first two years of study. The third and fourth years will be elective. The research which students will undertake during their final two years will in each case lie within one of the curricular divisions. Neither it nor the required study in other divisions of the University are included in the above tabulation.

Program of Courses—Proposed Four-Year Curriculum

First Year: Legal History, Legal Bibliography, Constitutional Law I, Contracts, Torts, Profession of the Bar, Legal Processes, Civil Procedure I, Legal Accounting.


Footnote by the Editors.
1. **Reorganization of materials.** There has been an effort to reorganize and improve the teaching materials for law school use. This has proceeded along the lines of: (a) elimination of overlapping materials in several courses offered; (b) deletion of matters of slight current import; (c) presentation of subject matter along functional lines, discarding the largely accidental segregation of legal materials into "courses" familiar since the advent of the case method of instruction; and (d) infusion of non-legal materials into teaching tools.\(^80\)

2. **Addition of instruction in modernly significant topics.** The expansion of curriculums to include instruction in areas of increasing present day significance has been widespread. This is evidenced by the addition of formal courses in legislation\(^87\) and in the field of public law; and of late, particularly courses concerning government regulation of business and labor law.\(^88\)

3. **Correlation of law and the social sciences.** The placing of emphasis upon the necessary and close relation between law and the so-called social sciences is a characteristic observable in varying degrees at all except one\(^86\) of the schools examined. This has been evidenced in two ways; first, by requiring that students have separate instruction in certain non-legal fields and, second, by integration of non-legal materials into law courses.\(^90\) Instruction in non-legal fields has been accomplished: (a) by requiring completion of certain non-legal courses prior to law school enrollment;\(^91\) and (b) by offering non-legal courses simultaneously with instruction in law.\(^92\) The latter, in turn, apparently may be subdivided according to whether the instructor is attached to the law faculty as a full-time member thereof\(^93\) or drawn by the law school from another department of the university for part-time only.\(^94\)

4. **Instruction in legal science or legal theory.** The type of instruction here referred to includes instruction in legal history, comparative law, international law, Roman law, jurisprudence, legal philosophy, and the social sciences.

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\(^80\) These features are most apparent at Columbia and Chicago. Yale may also be added to this list. See Bulletin of Yale University School of Law, 1937-1938. The course designations and adoptions of materials at Louisiana indicate some progress along these lines. The least seems to have been accomplished at Minnesota and Stanford, judging by course designations and materials used.

\(^87\) Columbia, Northwestern, Chicago, and Minnesota (fourth year).

\(^88\) Patently observable at all except Chicago.

\(^86\) No emphasis whatever is discernible at Stanford. At Washington the emphasis along this line is very slight.

\(^90\) Columbia, Northwestern, Chicago, and Minnesota (fourth year).

\(^91\) At Minnesota.

\(^92\) At Louisiana and Chicago.

\(^89\) As at Chicago and Louisiana.

\(^94\) At Louisiana in 1936, e.g., this was true of the course in Philosophy. The course in Sociology of Law was offered by one of the members of the law faculty. At Washington a member of the economics and business faculty offers the course in Legal Accounting.
THE FOUR-YEAR LAW COURSE

legal methodology, law administration and the legal profession. This aspect of curricular revision has gone hand in hand with the expansion of the law curriculum to include materials in the fields of social science. The two seem to be but different manifestations of the same underlying thought—to provide a cultural background and a breadth of vision as well as purely vocational training to the end that the graduates of the university law school will be fitted to understand and cope with the broad aspects of problems with which they will be confronted in life, not merely as advisers of clients and as advocates but as community leaders, legislators, members of the judiciary, and administrative officers of government and business. At four of the schools observed some work of this type is required. At three of the schools the field of legal theory or legal science may be the major field of interest. At one school there are some elective courses projected. While this sampling is not representative of the extent to which such offerings constitute a part of the curriculum of the typical American university law school today, it is clear that much change has taken place in this respect since Dean Wigmore addressed his remarks concerning courses of this type to the Association of American Law Schools in 1921. It is particularly pertinent to note that at least three of the four-year schools require two or more courses of this type of every graduate. The first year readings required of students at Columbia and Washington University at St. Louis, among other schools, are also directed to this same cultural and broadening effect.

5. Legal history and introductory courses. The majority of schools offer formal instruction during the first year of law in materials designed to show the historical background of legal institutions and to aid the student in making the transition from college to the professional school. The courses are variously designated. Their descriptive statements, however, indicate a common purpose, with different stresses. The offering of such courses in the first year at each of the observed schools exhibits an unusual unanimity of opinion among these schools.

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See note 10, supra.

There is not such unanimity among all of the schools. See Report of Sub-Committee on the First Year Curriculum (1936) 34 HANDBOOK, ASSOC. OF AM. L. SCHOOLS 265, 268. While this report shows but 15 schools offering In-
as to the desirability of supplying the student with an historical and linguistic background immediately upon undertaking the study of law to implement transition into the professional field and to eliminate the student's fumbling progress when struggling unaided to attain such information and perspective.

6. **Specialization and individual work.** At three of the schools observed\(^1\) provision for limited specialization in some field of the student's selection and a requirement of individual work, together with a presentation of the results thereof in written form, are incorporated in the curricular revisions. At two others one phase only is completely a part of the program.\(^2\) At the other institutions\(^3\) neither aspect is apparently stressed. This development in the technique of legal education is one which is attracting more and more attention and should become even more prominent if the four-year law movement continues. The writer predicts that unless opportunity for limited specialization and for individual work is afforded under four-year law curriculums student pressure will be sufficient to force the return to the three-year program. While it is impossible to evaluate quantitatively the curricular trends here noted, it is certain that this one is of as great pedagogic significance as any.

7. **Pre-law course: length and content.** The adoption of four-year law curriculums has been marked generally by a reduction in the amount of college preparation prerequisite to law study. This constitutes a

[\textit{Introduction to Law} and 6 offering Legal History, it is stated that a number of schools smuggle the material into standard courses. How many do this is not there shown, but there are 40 schools giving first year courses in Common Law Pleading and 35 offering courses in Civil Procedure. These figures are for 1936-1937. For an earlier survey see (1931) 29 \textit{Handbook, Assoc. of Am. L. Schools} 149.

\(^1\) Northwestern (1931), Chicago, and Washington.

\(^2\) At Louisiana (1936) each student was required to select one of four major fields in which to concentrate; see notes 44-46 and text above. This, however, was merely for the purpose of determining law courses to be taken, not for the purpose of individual research. Individual work was confined to "a limited number of undergraduate honor students who by high standing in their examinations have indicated superior ability." The revised Louisiana program apparently contains neither element here considered. At Columbia each student is required to submit two essays upon selected topics prior to graduation. These essays call for individual research and submission of written evidence of its results. In addition, provision is here made for student participation in seminars in which individual work and written reports are the rule; such participation, however, is limited to honor students. The essays and participation in seminars permit the student to indulge in some specialization before graduation, but the extent to which it is possible clearly is not comparable to that envisaged under the Northwestern (1931), Chicago, and Washington programs and it is of quite different character from that at Louisiana (1936).

\(^3\) Minnesota, Stanford, Louisiana (revised program), Northwestern (revised program). At Stanford and Northwestern (revised program) a student under the four-year program may elect research courses, but such courses apparently are not required.
reversal in the trend in American university law schools for the past several decades.

Upon adoption of a four-year law curriculum four schools\(^{104}\) have established the completion of two years of college work as prerequisite to beginning law study. In four instances\(^{105}\) a college diploma has been prerequisite to admission upon the school's three-year law course, and this requirement was retained for the alternative three-year course. At two of these schools\(^{106}\) the pre-law requirement for the four-year curriculum was reduced to two years; at the other two\(^{107}\) it was reduced to three years. In three instances\(^{108}\) three years of pre-law study had been required for admission to the school's three-year law course and this was retained for the three-year alternative courses. At two of these institutions\(^{109}\) the college prerequisite for the four-year law course was reduced to two years; at the third\(^{110}\) the three year prerequisite was retained. As a result the combined length of college and law school work at two institutions\(^{111}\) is one year less than prior to adoption of the four-year curriculum, at four schools\(^{112}\) it is the same as it was prior to adoption of the four-year program, and at one school\(^{113}\) it is one year longer than it was before the four-year program was inaugurated.

Dean Fraser of Minnesota, who alone among administrative officers of the four-year law schools has been articulate upon the subject, does not attempt to justify reduced college preparation upon the theory that the period of combined college and law school study should not be lengthened; he believes that two years of pre-legal college work is ample. He has said:\(^{114}\)

"No doubt remains in our minds that students can do as effective law study after two years of college work as they can after four. We have kept comparative records for ten years, and we find that the quantity of college work beyond two years makes no difference either

\(^{104}\) California, Louisiana, Chicago, and Minnesota.

\(^{105}\) Northwestern, Stanford, Louisiana, and Chicago. As to Louisiana, a qualification is necessary. Prior to the adoption of the four-year program a student doing undergraduate work at Louisiana State University might qualify for entrance to the law school at the end of his third year under the combined arts and law curriculum. This was available only to students maintaining work of a certain quality. This 3-3 alternative was retained after adoption of the four-year law course, as was a somewhat similar arrangement consisting of a combined commerce and law curriculum, previously commented upon.

\(^{106}\) Louisiana and Chicago.

\(^{107}\) Northwestern and Stanford. Under the recent modifications at Northwestern a student may enter upon the three-year law course with but three years of pre-law. The degree in this case is LL.B., whereas J.D. is awarded to one entering the three-year course with a college degree and to graduates of the four-year law course.

\(^{108}\) California, Minnesota, and Washington.

\(^{109}\) California and Minnesota.

\(^{110}\) Washington.

\(^{111}\) Louisiana and Chicago.

\(^{112}\) California, Stanford, Northwestern, and Minnesota.

\(^{113}\) Washington.

\(^{114}\) Fraser, supra note 48, at 62.
as to the number who survive the first year, or as to the grades of the survivors."

If one accepts law school grades as the standard by which the efficacy of the educational process is to be evaluated the statement is persuasive, because it is based upon observations over a fair period of time. But while unable to offer a standard, subject to empiric verification, many are not willing to accept this criterion, even if tendered as evidence merely of probable future accomplishment. It has long been recognized that the typical American university law school is essentially a vocational school, and its curriculum largely devoid of cultural aims. Being in this respect unlike the legal training offered in the older English and European universities, college training in excess of two years prior to law study has been fostered in the United States in order to offset the deficiencies of the law curriculums, whereas abroad there has been no such need felt and, consequently, no such development. Reduction of pre-legal requirements in the four-year law schools makes them resemble, in respect to pre-legal education, the English and continental universities, completion of two years of college in the United States being roughly equivalent to completion of the middle-school which is prerequisite abroad to university legal study. But the European pattern is not justified unless the content of the law course is likewise comparable. Thus, whether the longer pre-law requirements should be retained upon the adoption of a four-year law curriculum should depend upon what the adopting faculty conceives to be the cultural need in the light of the objectives and content of its four-year law curriculum. As the objectives and content vary, so should the pre-legal requirements. If the purpose of the additional year of law is simply to provide opportunity for offering more substantive and procedural law courses of the orthodox, technical type, the same cultural considerations will control as did in the case of the three-year law course. If the ultimate aim of the four-year program in law is to inject into the curriculum consideration of those fields of thought which are so closely related to law as to require concurrent treatment, or to provide a period of time in which the student shall pause before he leaves to embark upon his professional career to consider the broad aspect of the legal system and its relations with existing social, economic, and political institutions, then there is a basis for curtailing the college preparatory period.

The fact that all except the University of Washington have reduced pre-legal work by one year upon adopting a four-year law curriculum indicates the existence of a widespread impression that the amount of pre-legal training and the length of the law school course are related.
To what extent this relation is purely financial, that is, a consideration of increased financial burdens upon students and their supporters if the total period of study is increased, is not clear. That this is a factor which must be given weight, particularly in state universities—where, for the most part, the four-year plans are being tried—cannot be gainsaid. However, it is suggested that this desire should influence the initial formulation of objectives and content of the four-year curriculum rather than merely bringing about a diminution in the period of pre-legal training after extension of the law course to four years has been agreed upon.

Another aspect of the pre-law study requirement is that of control over subject-matter studied prior to law school entrance. Of the four-year schools but one indicates definite specification of courses to be completed; the list here is quite comprehensive. At one school consultation with a law faculty committee as to the program of the year prior to law school entrance is required; other schools merely demand compliance with requirements of the college. Although there is still considerable difference of opinion as to pre-law course prescriptions or recommendations, the Minnesota course prescriptions illustrate the use of this device to further the objectives of the four-year law curriculum.

8. Specification of law school courses. Though practices with respect to prescribing the law courses to be taken and the order in which the same shall be undertaken are not uniform, there is a definite trend toward such specification. In the four-year law schools the regulation of the entire program of the second year, as well as the normal prescription of the work of the first year, is the rule. As to the third

115 Minnesota.
116 Stanford.
117 For results of a recent survey by a sub-committee of the Committee on Curriculum of the Association of American Law Schools see (1936) 34 HANDBOOK, ASSOC. AM. L. SCHOOLS 260. For an earlier report see (1932) 30 HANDBOOK, ASSOC. AM. L. SCHOOLS 130, 132-135.
118 Compare the attitude at Northwestern, where prescriptions and recommendations are eschewed—op. cit. supra note 27, at 12—with that of California, which, without prescribing, indicates a program of pre-legal study beginning even before entering college—University of California Bulletin (V. 31, No. 23, June 1, 1938) School of Jurisprudence Announcement for 1938-1939, p. 10; PROGRAM AND REPORTS OF COMMITTEES, ASSOC. AM. L. SCHOOLS (1937) 30-31.
119 The first year course is prescribed at all schools. The entire second year program is fixed at Chicago, Minnesota, and Washington. At Louisiana in 1936 sixty per cent of the second year work was prescribed. At Northwestern two courses are prescribed for the second year. At Stanford the equivalent of 16 year-hours is required after the first year, although the year in which it is to be taken is not specified.
120 All of the work of the third year is nominally elective at Northwestern, Stanford, and Louisiana. At Louisiana, under the 1936 program, election must have been made from designated groups of courses in specified minimum amounts. Eighty per cent of this year's work is prescribed at Chicago and fifty-eight per cent at Minnesota. Under the Washington plan all of the third year's work is prescribed.
and fourth\footnote{121} years there is greater divergence but the trend toward exercise of control by requiring that elections be made from a group or groups of designated courses constitutes a parallel development which, to a lesser extent, has the same general effect. Even in the three-year law schools a trend toward the elimination of wholly free election and the designation of first and second year required courses is noticeable.\footnote{122} Although the sampling is insufficient to permit drawing conclusions as to law schools in general, the trend in the four-year schools is definitely toward extending course prescriptions beyond the first year and diminishing nominal student freedom of election in one or the other of the ways indicated.

There seems to be little argument against fixing the course for the first two years, even in a three-year school. The faculty should be in a better position to indicate a well-rounded program for these years than is the student. Such action does definitely throw upon the faculty the onus of making its required course one that can be readily justified as \textit{the} combination of materials best suited to the purposes of every graduate regardless of the particular specialty which he may pursue after graduation. As to the third and fourth year courses there is more occasion for argument. If the faculty is limited in size so that few excess hours of instruction can be offered, rigidity is inevitable. Again the faculty has the obligation of being very sure of its judgment in determining the courses to be offered and required. If it is possible to offer a greater variety of courses the plan adopted at Louisiana seems to have much to recommend it. There the elective courses were divided into broad groups and the student was permitted to select a major field of interest but still required to pursue a minimum amount of work in each of the other groups. A leeway\footnote{123} is thus available to satisfy individual cases but a rounded course is assured.

\textbf{Conclusion}

Twenty-five years have elapsed since an eminent European educator, after surveying American university law schools, suggested that a leading eastern law school should experiment with a four-year law course.

\footnote{121} All of the work of the fourth year is nominally elective at Northwestern, Stanford, and Louisiana. The same comment as made in note 120 applies to the 1936 Louisiana plan. Fifty per cent of this year's work is prescribed at Chicago and approximately two-thirds of it at Minnesota. At Washington in excess of one-third of the work of this year is definitely prescribed and another quarter of the work is qualifiedly elective.

\footnote{122} The relative freedom of election under this plan is difficult to ascertain. Clearly the student does not enjoy the freedom nominally given in the present three-year curriculums, but he does have freedom to select among the several courses in each of the groups. In fact this means that considerable control is exercised over the selection of courses taken, depending in quantity upon the number of excess hours offered in each group.
Nearly twenty years have passed since the first four-year law programs were tried in two western universities. The earliest four-year programs did not flourish. A plan launched eight years ago apparently "died a-borning". Another, instituted two years ago, already has been so changed that it is scarcely recognizable. An alternative program launched five years ago attracts not more than fifteen per cent of the school's students. At two other schools adoption is so recent that there is no record upon which to comment. At one school the four-year plan has been in successful operation more than seven years and has now supplanted the three-year course to which it was originally an alternative. But despite this unprepossessing record, one more school\textsuperscript{124} has announced such a program for the coming year, and recent reports indicate that others are to follow.

The first four-year curriculums were early manifestations of a growing dissatisfaction with the accepted stereotyped form of legal education in university law schools. That these ventures did not survive is probably attributable to the fact that the need for change was not then appreciated by a sufficiently large proportion of educators or the public. After these experiments a decade passed during which the tide of critical appraisal rose. The thought, debate, writings, and experiments of this decade have aided in clarifying ideas as to what objectives should be, as to what the weaknesses in the present methods are, and as to what the possible remedies may be. With this as a background, there is again experimentation with the four-year curriculum—and, as at first, it is in the midwestern and far western schools, in state as well as privately endowed universities. Differing widely in content, yet resembling each other in many respects, the four-year curriculums of today show clearly a more widespread appreciation of defects in accepted formulas and indicate a general desire to turn out graduates who are aware of their responsibilities to community, state, and nation as well as good legal technicians. Most, but not all, of the present programs show that law faculties are becoming more concerned with the character, rather than merely the quantity, of the training which their students receive in areas other than those traditionally legal. Some reveal an effort to broaden their students' understanding of the legal system as a whole and of its place in society. Will the four-year curriculum better accomplish the desired ends than a three-year course? What is the relation between pre-law and law school training? What will be the general character of the law school curriculum? The answer to each is uncertain, but as these experimental curriculums flounder, undergo changes, and make headway the future of legal education in the university law schools is being determined.

\textsuperscript{124}Washington University School of Law (St. Louis). See note 85a, supra, for a summary of this announcement.