1975

Bulletin of the University of Kentucky College of Law – 1975-1976

University of Kentucky College of Law

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The study of law should be a very personal endeavor of individual experience and development. The student needs an academic environment suitable to his particular interests and purposes. He needs the instruction and guidance of an experienced and able faculty working together with a student body of diverse backgrounds and interests. For these reasons, selecting a law school requires factual information about the school's traditions, goals, resources, facilities, curriculum, student activities, research programs and public service.

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Calendar 1975-76

The Calendar of the College of Law conforms generally to the Calendar of the University of Kentucky except as specifically noted hereafter.

1975 FALL SEMESTER

August 25-26—Monday and Tuesday—Registration
August 27—Wednesday—Class work begins
September 1—Monday—Labor Day (Academic Holiday)
September 2—Tuesday—Last day to enter an organized class for the Fall Semester
September 8—Monday—Last day to drop a course without a grade
September 26—Friday—Last day to file an application for a December degree
October 20—Monday—Last day to withdraw from the University and receive any refund
November 6—Thursday—Last day to withdraw from a class before finals
November 10-21—Monday through Friday—Advance Registration for Spring Semester
November 27-29—Thursday through Saturday—Thanksgiving Holidays (Academic Holidays)
December 1—Monday—Deadline for submission of application and receipt of all materials for admission, readmission or transfer into Spring Semester 1976
December 3—Wednesday—Class work ends
December 4-7—Thursday through Sunday—Law Examination Reading Period
December 8-19—Monday through Friday—Law Final Examinations
December 19—Friday—End of Fall Semester

January 20—Tuesday—Last day to enter an organized class for Spring Semester
January 26—Monday—Last day to drop a course without a grade
February 12—Thursday—Last day to file an application for a May degree
February 13—Friday—Last day for submission of Fall Semester final grades to Dean's office
March 1—Monday—Deadline for submission of application for admission for Fall Semester, 1976
March 5—Friday—Last day to withdraw from the University and receive any refund
March 15-20—Monday through Saturday—Spring Vacation
March 29—Monday through Saturday—Last day to withdraw from a class before finals
April 12-23—Monday through Friday—Advance Registration for 1976 Fall Semester
April 25—Friday—End of class work
April 24-27—Saturday through Tuesday—Law Examination Reading Period
April 28-May 8—Wednesday through Saturday—Law Final Examinations
May 8—Saturday—End of Spring Semester
May 8—Saturday—109th Annual Commencement

1976 SUMMER SESSION

June 14—Monday—Registration
June 15—Tuesday—Class work begins
June 18—Friday—Last day to enter an organized class for the 1976 Summer Session

1976 SPRING SEMESTER

January 12-13—Monday and Tuesday—Registration
January 14—Wednesday—Class work begins
June 25—Friday—Last day to drop a course without a grade
June 28—Monday—Last day to file an application for an August degree
July 5—Monday—Independence Day (Academic Holiday)
July 14—Wednesday—Last day to withdraw from the University and receive any refund
July 14—Wednesday—Last day for submission of Spring Semester final grades to Dean's office
July 26—Monday—Last day to withdraw from a class before the end of the Summer Session

July 27—Tuesday—Deadline for application and submission of all materials for transfer from another law school into Fall Semester, 1976
August 5—Thursday—Law classes end
August 6-8—Friday through Sunday—Law Examination Reading Period
August 7-10—Saturday through Tuesday—Law Final Examinations
August 10—Tuesday—End of Summer Session

Aerial view of the College of Law
The College of Law

History

The College of Law, established in 1908 as the fourth College of the University, is fully accredited by all agencies which establish standards for law schools, including the Association of American Law Schools, the American Bar Association, and the courts and boards of bar examiners of all fifty states. Since 1912 the College has published the Kentucky Law Journal, which is recognized on all lists of leading legal periodicals. The law library of 130,000 volumes is acknowledged as one of the outstanding collections in the South and East.

General Program

The College of Law conducts a three-year program leading to the Juris Doctor (J.D.) degree. The curriculum and sponsored activities afford a thorough education both in legal skills and in related knowledge which prepares graduates for a wide range of careers in private practice, public service, business management and other creative and rewarding work. Like all state-supported law schools, the University of Kentucky College of Law exercises a special responsibility for legal service and leadership in its jurisdiction. Like all nationally-oriented law schools, the College proceeds on the premise that excellence in legal education cannot be attained by concentrating on the laws and institutions of a single state jurisdiction. Instead it requires thorough training in the skills of legal advocacy, decision-making, systems of public and private ordering, and broader social institutions and goals pervading the nation, the Anglo-American common law world and beyond. State responsibility and national orientation converge in a legal education which in the laboratory of a not atypical state prepares a graduate for practice and other employment anywhere.

Curriculum

The College faculty continually examines and revises the curriculum to assure that it reflects developments in law, in legal practice, in relationships with other professions, and in social institutions and cultural patterns. While a series of required courses makes up the first year of study—in conformity with good practices in any specialized educational program—students in their second and third years choose from a wide variety of courses, seminars, and professional experience activities. By careful use of elective opportunities, each student can fashion a legal education which best conforms with his vocational goals.

Faculty

The faculty of the College of Law varies in age, experience, geographic origin and professional specialization. The 22 full-time professors and several adjunct professors, assisted by 18 staff members, are experienced through prior teaching, active practice, and concentrated research. Their articles, books and other writings are published nationally. Limitation on teaching duties and a tradition of
“open doors” permit a very full faculty-student interchange in classroom discussion, professional activity, research projects and informal associations.

**Student Body and Alumni**

In recent years the enrollment in the three classes of the College of Law has averaged about 500 men and women. Approximately 12 percent of them come from outside Kentucky; the Kentucky residents represent all parts of the Commonwealth; 20 percent are women; and five percent are minorities. While they are strongly represented on the rolls of Kentucky lawyers, College of Law alumni practice in more than three-quarters of the states outside Kentucky. Placement opportunities for College of Law graduates are good, both inside and outside Kentucky, and the College actively seeks a broad spectrum of opportunities for its students.

**Facilities**

The College of Law is housed in the Law Building, designed and constructed for the College in 1965 to provide all the facilities for a complete program of legal education. The Law Building contains a model courtroom for moot court and practice court sessions as well as for convocations and other large assemblies; three amphitheatre rooms for instruction in large classes; four smaller rooms designed for seminars and conferences; a three-level library complex, equipped with private student carrels, small study rooms and other conveniences; offices for all faculty and staff members, all student organizations and visitors using the library and other facilities; and reception areas, student lounges and other rooms.

**University Community**

Situated on South Limestone Street immediately south of Memorial Hall, the Law Building is well within the central campus of the University of Kentucky, located near downtown Lexington. The University supports Colleges of Arts and Sciences, Agriculture, Law, Engineering, Education, Business and Economics, Medicine, Dentistry, Nursing, Pharmacy, Home Economics, Architecture, Allied Health Professions, Library Science, Social Professions, and the Graduate School; the division of University Extension; a state-wide Community College System; and a number of bureaus, agencies and institutes for research and service.

**Student Life**

Campus life for over 21,000 students on the Lexington campus is regulated to a large extent through a student governing body. Each college, in addition, is represented in the University Senate. The University has its own post office, book store, radio station, newspapers, theatre, museums, hospital, printing plant and security force.

**Location**

Lexington, and the surrounding area of Fayette County, with a population of over 175,000 persons, is a fast-growing urban center for the famous Blue Grass Region of Central Kentucky. It offers many attractions for the law student. The Council of State Governments has its national headquarters in Fayette County. Lexington is headquarters for the Federal District Court for the Eastern District of Kentucky. All state and local courts convene in Lexington, except for the Court of Appeals, which, with the rest of central state government, is located in Frankfort, the state capital, some twenty-eight miles from the University campus. Lexington is only eighty miles from both Louisville and Cincinnati with connections by express highways and frequent air and bus transportation.
Preparation for Law School

Prelegal Study

Students enter the College of Law from colleges and universities throughout the country. In academic year 1974-1975 they represented 120 American and foreign institutions and over half of the fifty states.

While a broad, liberal arts education is generally considered to be an excellent preparation for law school, there is no fixed, comprehensive prelaw curriculum prescribed by this or any other American law school.

This fact is very important, and its implications should not be misunderstood. American legal education is not a graduate program of advanced work in a specialized course of study beginning in college. It is not a technical or scientific training that builds upon a thorough preparation in basic techniques and knowledge acquired in undergraduate school. Legal education is a professional education requiring of its students three accomplishments in their prelegal experience—accomplishments which may be obtained in a variety of learning ways and academic subjects.

First, because the basic working tools of lawyers are written and spoken words, the beginning law student must have a thorough preparation in the use of language. The importance of this requirement cannot be stressed too greatly. A fundamental knowledge of grammar and syntax, a good vocabulary, an ability to read rapidly with insight and understanding, and a facility in expressing ideas with clarity and order are all essential to success in the study and practice of law. Any prelaw student who is deficient in these abilities should immediately take additional courses in English literature and composition, seek specialized remedial assistance and exert all efforts for language mastery. Otherwise he may enter legal study under a serious handicap and may even jeopardize his admission to law school.

Second, because the primary working arenas of lawyers are social, economic and political communities, the beginning law student must obtain the comprehensive, explorative undergraduate experience for which the term “liberal education” stands. He should have a good knowledge of history (especially of English and American events), of government and political processes, of social and cultural patterns and the interactions that create them, and of the ethical and spiritual credos that men live by.

Third, because the fundamental techniques of legally-trained persons are careful ordering of facts and events, conceptual analysis and synthesis, and comprehensive advocacy, the prelaw student should pursue a degree program in which he will learn to think clearly, will form sound study habits, and will have the opportunity to master the methodology and knowledge of a particular field under the guidance of experienced instructors. Generally, any major undergraduate course program can satisfy this requirement, as well as help to meet the other two needs outlined above. Prelaw students with definite legal career objectives in mind may wish to prepare for them by majoring in appropriate subjects, for example: business or
economics, government or political science, or engineering and the natural sciences.

Experience indicates that the poorest preparation for legal study lies in inadequate development of language skills, lack of historical and social awareness and appreciation, and failure ever to achieve the mastery of any academic discipline that overcomes the shallowness of vague generalization. Therefore the prescription from this law school to the prelaw student is that he must invest in the broadest, deepest undergraduate education open to him and not in some predetermined curriculum.

For additional information, see the official Pre-Law Handbook, 1975-1976 edition, to be published in October 1975 and prepared by the Law School Admission Test Council and the Association of American Law Schools. This book includes material on the law and lawyers, pre-law preparation, applying to law schools, and the study of law, together with individualized information on most American law schools. It may be obtained at college bookstores or ordered from Educational Testing Service, Princeton, New Jersey 08540.

The College of Law is aware that some students seeking to enter law school may have been hindered, through circumstances over which they have had no control, from obtaining the benefits of prelegal education recommended here as important prerequisites to successful legal study. Such circumstances may be brought to the attention of the Admissions Committee during the course of the regular admissions process.

Admission to the College of Law

Beginning law students are accepted for admission only for the first semester (fall term) of the academic year. Initial admission of the second semester (spring term) is not granted except in exceptional instances where an applicant has a very special need and has a superior academic record necessary to assure satisfactory work under the handicaps of beginning at midyear. Any applicant seeking second semester admission should consult the Assistant Dean of the College of Law in advance for consideration of the program-making difficulties involved. A beginning student cannot under any circumstances begin the study of law during the summer term, because no first year courses are offered then.

If space is available in the advanced classes, an applicant who has previously enrolled in another law school will be considered for admission as a transfer student only if he has successfully completed the equivalent of one full year of law study (approximately 50 hours of credit). Transfer decisions will be based upon the following general guidelines:

No transfer student will be admitted who has a cumulative law school grade-point average of less than 2.7, or who at the time of his initial admission to law school, had qualifications less than a 3.0 undergraduate average and a score of 600 on the LSAT in addition to a 2.3 on all law school work attempted.

The applicant must have attended an American Association of Law Schools accredited institution and must meet the University deadline of June 1 for application. Applicants must submit, in addition to the application, a letter of good standing from the Dean of the parent law school, an official transcript of all work attempted, and a report of the LSAT score. A final decision is at the discretion of the Law School Admissions Committee.

Requirements for Admission

In addition to the general requirements for admission to the University, an applicant for admission to the College of Law must meet the following requirements:
mission should consider that for the fall of 1975 entering class, more than 1000 applications met these minimum standards.

1. The applicant must have a bachelor's degree from an accredited institution.
2. The applicant must have taken the Law School Admission Test.
3. The applicant must have registered with the Law School Data Assembly Service and furnished the necessary transcripts which such registration requires.

It is anticipated that an applicant who has achieved a prelaw grade-point average (on all college work attempted) of at least 3.3 on a 4.0 scale and a Law School Admission Test score of at least 630 will receive favorable consideration. The Admissions Committee considers the prelaw grade record, the LSAT, the writing ability score, the academic improvement shown in the prelaw grade record furnished by the LSDAS and the applicant's aptitude for law study. The Committee examines with particular care the grade average for the most recent semesters of prelaw study, recommendations of faculty, the nature and difficulty of the course work attempted in prelaw study, undergraduate extracurricular activities, and work experience.

While the Law School has no established quota for non-resident applicants, the Law School's obligation to the residents of the Commonwealth of Kentucky requires that preference be given to in-state applicants. All applicants will be considered by the Admissions Committee and admission will be on the basis of evaluative decision of the Committee. The Committee also considers the postbaccalaureate experiences where such experiences, in the Committee's determination, indicate a development of aptitude for the study of law. The Committee will ordinarily deny admission if either the cumulative grade-point average is less than 2.6 or the LSAT score is less than 525; however, any applicant who believes his application and credentials merit individual consideration may request a Committee decision. Students seeking admission should consider that for the fall of 1975 entering class, more than 1000 applications met these minimum standards.

**Procedure for Application**

The Dean of Admissions and Registrar of the University of Kentucky is the designated admitting officer for the College of Law. Application for admission is made by submitting to his office a completed application form. At the same time the applicant should register for the Law School Data Assembly Service and arrange for transcripts of all previous academic work to be sent to the Educational Testing Service, the agency managing the LSDAS. If an applicant is accepted to the College of Law, two copies of his final transcripts showing the awarding of a degree will have to be sent to the Dean of Admissions and Registrar prior to the applicant's enrollment.

An application form different from that used for the rest of the University is used for the College of Law and the College has established deadline dates for receipt of applications and transcripts which are different from the deadline dates for general University admission. These Law School dates are stated in this Bulletin. The law application form can be obtained by writing to the Dean of Admissions and Registrar or to the Dean of the College of Law.

March 1 of the year in which one expects to enter law school for the fall term is the deadline for the receipt of the admissions application and notice of LSDAS registration by the University Admissions Office. March 31 is the deadline for receipt of all materials, including LSAT scores and the LSDAS report by the University Admissions Office. Accordingly, the February administration of the
LSAT in the year for which an applicant seeks admission is the last LSAT examination which will be accepted by the Admissions Committee. Recommendation: To insure full and timely consideration, it is suggested that your transcripts be on file with LSDAS by February 1 since there is a time lag of some six weeks before the report of the LSDAS is received by the University Admissions Office. Only under extraordinary circumstances will the Committee consider applicants whose applications and credentials are not submitted within the above deadlines.

**Law School Admission Test**

The LSAT is prepared, administered and scored by the Educational Testing Service. It is normally given in October, December, February, April and July of each year at testing centers throughout the country according to a schedule of dates and places published well in advance by the Educational Testing Service. The LSAT is also given in some foreign country locations. The University of Kentucky in Lexington is a testing center for all scheduled dates of the test.

Applications for taking the LSAT may be secured directly from Law School Admission Test, Educational Testing Service, Box 944, Princeton, New Jersey 08540, or from the Dean’s Office of the College of Law or the Admissions Office of the University of Kentucky. The completed application should be returned directly to the Educational Testing Service and received there at least three weeks prior to the next testing date.

**Law School Data Assembly Service**

Developed by the Law School Admission Test Council and administered by Educational Testing Service, the Law School Data Assembly Service (LSDAS) simplifies admissions procedures for applicants to participating law schools. It is a centralized service which receives and evaluates, according to a standard scale, the undergraduate transcripts of applicants and furnishes a report to the member institutions requested by the applicants.

Registration for the LSDAS and application to take the LSAT should be made at the same time and as early as possible. Instructions and forms for registration for the LSDAS are available from the Educational Testing Service at the address indicated above, from the University of Kentucky Admissions Office or from the Dean’s Office of the College of Law.

If you have previously sent LSDAS a Registration Form and transcript, you need only request (on the appropriate LSDAS form) that they add the name of the University of Kentucky College of Law to the list of schools to which you are applying. You must, however, comply with the additional requirements of this and other schools.

Since the transcript analysis is done mainly for students applying during their senior year of college and includes only the first three years of undergraduate work, applicants who are still in college and desire to have their academic records for the senior year considered should send an official transcript of these grades, as soon as available, to the University of Kentucky Admissions Office, for the attention of the Law School Admissions Committee.

With regard to letters of recommendation, the Committee does not require such letters but welcomes and will consider particularly recommendations by professors. For the purpose of uniformity, the Committee requests that students intending to submit such recommendations use the standard recommendation form prepared by the Law School Admissions Test Council. This form is available at the Dean’s Office of the Law School or the University of Kentucky Admissions Office.
versity Admissions Office. In submitting such recommendations the Committee requests that no more than two such recommendations be forwarded to the Committee. Recommendations from employers or persons in an immediate supervisory capacity are also considered favorably by the Committee. Recommendations from persons other than professors and persons in a supervisory capacity are of little value to the Committee and are not encouraged.
Financial Considerations

The costs of attending the College of Law, exclusive of tuition fees, may be considered average or below average. Tuition fees, which are relatively low, vary according to residence. The following sections describe the principal expenses and indicate sources of financial assistance in the College of Law and through the University of Kentucky.

Tuition and Special Fees

Full-time students: Ten semester hours or more
Fall and spring semesters—
$240.00 per semester for Kentucky residents
$605.00 per semester for nonresidents
Summer session—Five semester hours or more
$133.50 for Kentucky residents
$320.00 for nonresidents

Part-time students: Nine semester hours or less
$24 per semester hour for Kentucky residents
$61 per semester hour for nonresidents
Summer session—Four semester hours or less
$27 per semester hour for Kentucky residents
$64 per semester hour for nonresidents

The above fees are the only charges made to law students by the University. They include class instruction; admission to athletic contests, convocations and other events; use of libraries; use of Student Center facilities; discount on admissions to the Guignol Theatre; admission to the Central Kentucky Concert-Lecture Series; and subscription to the University student newspapers and the Kentucky Law Journal. Health and Infirmary Service are available at a minimal charge to the student. All fees are payable upon registration, and the fee schedule is subject to change without notice.

Books

The cost of required books and other materials used in legal study varies according to whether a student buys new books or used books and whether he retains or resells them after course use. For new books the average cost each semester, exclusive of trade-in values, is about $100; for used books, $75. Other professional expenses may include small outlays for typing briefs and papers and fees for temporary classwork materials prepared by the law school.

Law books may be purchased at the University Book Store, or in off-campus book stores. The Student Bar Association also sponsors a book exchange program each semester. The books and materials assigned in each course are announced by the instructor on the College of Law bulletin boards at the opening of each term.

Housing

Law students arrange their own housing in either accommodations maintained by the University or in private residences in the area.

University housing for all students is under the administration of the University of Kentucky Housing Office. Requests for information should
be directed to that office. In addition, a limited number of residences owned by the University are rented through the Real Property Division of the University. A list of off-campus rooms and apartments approved for availability to anyone regardless of race, creed or national origin, may be obtained from the Dean of Students' office.

Located on the campus are the Cooperstown apartments for occupancy by unmarried graduate students at the following rates per student: $644 for an efficiency apartment, $734 for a one-bedroom apartment, each multiple occupancy. The contract for these facilities is for one year. There is one residence hall, Blanding II, which houses both men and women who are unmarried graduate students. Single occupancy is $1,278 per year; double occupancy $639 per student per year. Rates are subject to change at any time.

Many married law students reside in the Cooperstown apartments maintained by the University near the Law Building. Married law students also live in the Shawneetown apartments. In either facility, efficiency, one-bedroom and two-bedroom units rent respectively for $105, $120 and $130 per month, including basic furnishings, utilities and maintenance. (Comparable rates for private housing in the city are slightly higher.)

Married law students, together with graduate students, medical students and other professional school students, have first and equal priority for assignment to University housing, as available space allows.

Because the demand for graduate student housing is great, application should be made as early as possible to:

University Housing Office
218-L Service Building
Lexington, Kentucky 40506
Telephone 606 257-1866

Scholarships

A limited amount of scholarship assistance for students in the College of Law is awarded on the basis of academic ability, character and financial need. The aid is made possible through annual contributions of alumni and members of the bar. The number and amounts of awards depend on the funds available in relation to the applications received. Grants usually do not exceed the costs of registration fees, and may be less. Application for scholarship aid should be made before June 1 (but after a student has been accepted for College of Law Admission) on forms obtained from the Chairman of the Committee on Scholarships, of the College of Law, to which all inquiries concerning scholarship aid should be directed.

Loans

Loan programs for students in the College of Law are administered by the University of Kentucky Student Financial Aid Office. Two kinds of loans are generally available: National Direct Education Act loans, and federally-guaranteed bank loans. Although the amount of any loan is determined primarily by the needs and resources of the applicant and his dependents, the application procedures, financial standards, and repayment terms vary according to program.

Application for National Direct Education Act loans must be submitted to the Student Financial Aid Office during the month of March. Although acceptance as a student in the College of Law is not a pre-condition to loan application, the loan processing will not become final until acceptance does occur.

Requests for loan information and application should be made to:
Law students and applicants for admission to the College of Law who need special assistance in obtaining a loan may consult the Assistant Dean of the College.

**Part-Time Work**

Part-time work exists on a limited basis for students in the College of Law, both as law library employees and, for students with advanced standing, as faculty research assistants. Selection criteria vary according to the job and usually include the student's relevant experience and available time as well as his financial need. Inquiry should be made directly to the law library, the Assistant Dean of the College of Law or individual faculty members shortly before a term begins.

Law students and prospective law students with major financial needs are encouraged to apply for participation in the Work-Study Program of the University. Eligibility on the basis of the student's economic resources is determined by the Student Financial Aid Office, Office Tower, to which application should be made at or before the beginning of a term. Work assignments in the College of Law are coordinated by the Assistant Dean of the College. Pay rate and hours of work are consistent with law school policies for part-time employment.

Student work is also available elsewhere on campus and in Lexington and vicinity. The University operates the Student Part-Time Employment Service (Office of Student Financial Aid), located in the Office Tower, as an aid to all University students.

Because the study of law is a full-time pursuit, law students who expect to carry a full academic program are advised to keep their outside work to a minimum. Part-time employment by upper-class law students not exceeding twenty hours per week and not conflicting with academic responsibilities is permissible.
The Course of Study

In order to qualify for the J.D. degree, a student in the College of Law must have accumulated at least 87 hours of course work in residence in which he has maintained a grade-point average of 2.0 or better, as explained under Scholastic Regulations. The course of study is designed to be completed in six successive semesters of academic residence or, under an accelerated program, in five semesters and two eight-week summer sessions, allowing graduation in December of the student’s third year.

Normally a student takes 14 or 15 credits each semester. The recommended load is 15 hours (exclusive of military or air science class work); the minimum for residence credit as a full-time student is 10 hours per regular semester. During the summer session the recommended load is seven hours; the minimum for residence credit as a full-time student is five hours; and the minimum credit as a part-time student is three hours. No evening courses are offered in the College of Law.

The required and elective courses, seminars and experience options included in the College of Law curriculum are listed below. Subject to on-going curriculum revision, they are offered each year, usually in the same semester arrangement, with certain exceptions to meet special needs. The second and third-year courses taught in the summer session, however, vary from year to year. For precise information about the curriculum and schedule for a particular school year, a student should refer to the Schedule Sheets distributed from the Dean’s Office at the beginning of each semester.
FIRST-YEAR COURSES

**Fall Semester**

**Required:**
- 802 Legal Bibliography
- 805 Torts
- 810 Criminal Law
- 812 Contracts
- 815 Practice and Procedure I

**Spring Semester**

**Required:**
- 807 Property
- 811 Criminal Procedure
- 820 Constitutional Law
- 824 Legal Research Tutorial

**Required Elective (choice of one of the following):**
- 830 Legal History
- 898 Environmental Law
- 950-46 Civil Liberties
- 950-51 Consumer Protection
- 950-53 Women and the Law

**SECOND-YEAR COURSES**

**Fall Semester**

**Elective:**
- 817 Practice and Procedure II
- 860 Taxation I
- 873 Land Transfer Law
- 876 Trusts and Estates
- 880 Commercial Law
- 885 Commercial Debtor-Creditor Relations
- 950-46 Civil Liberties

**Spring Semester**

**Elective:**
- 818 Remedies
- 851 Business Associations
- 873 Land Transfer Law
- 890 Evidence

**SECOND/THIRD-YEAR COURSES**

**Fall Semester**

**Elective:**
- 892 State and Local Government
- 910 Labor Law
- 925 International Law

**Spring Semester**

**Elective:**
- 830 Legal History
- 853 Federal Corporations Law
- 898 Environmental Law
- 914 Relational Torts
- 935 Unfair Trade
- 950-40 Civil Rights

**THIRD-YEAR COURSES**

**Fall Semester**

**Elective:**
- 855 Corporation Finance Law
- 865 Tax Planning
- 872 Land Use Planning
- 875 Securities Regulation
- 905 Conflict of Laws
- 915 Family Law
- 920 Administrative Law
- 930 Anti-Trust Law
- 960 Practice Court
- 961 Moot Court
- 962 Law Journal
- 963 Legal Aid
- 964 Law Clerkship
- 965 Legal Aid Intern
- 968 Research Problems
Spring Semester
Elective:
819 Federal Courts and the Federal System 3
855 Corporation Finance Law 3
865 Tax Planning 3
868 Taxation III 3
877 Future Interests 2
881 Sales Financing and Commercial Transactions 2
960 Practice Court 1
961 Moot Court 2
962 Law Journal 1.2
963 Legal Aid 2
965 Legal Aid Intern 2
968 Research Problems 1.3

THIRD-YEAR SEMINARS

Fall Semester
Elective:  
950-8 Pre-Trial Procedure 2
950-20 Legal Medicine 2
950-25 Fiduciary Administration 2
950-28 Estate Planning 2
950-32 Consumer Credit 2
950-45 Negotiation and Arbitration 2

Spring Semester
Elective:
950-10 International Trade 2
950-15 Jurisprudence 2
950-22 Employment Relations 2
950-28 Estate Planning 2
950-29 Corrections 2
950-35 Law and Psychological Sciences 2

(Other seminars are offered in each semester as needed and desired.)
Course Descriptions

802 Legal Bibliography
An introduction to the materials of legal research by lectures and weekly written assignments. Emphasis is placed on the analysis of fact situations, methods of effective research, and the actual use of legal materials in the working of practical problems.

805 Torts
Intentional torts and defenses, negligence, causation, duties of occupants of land and manufacturers and vendors of chattels, contributory negligence, strict liability, deceit, defamation, malicious prosecution, interference with advantageous relations.

807 Property
Basic course in property; possession, gifts, bona fide purchasers of personality. Estates, uses, easements, and rights incident to ownership.

810 Criminal Law
The course is concerned with that behavior which is so anti-social as to be considered criminal. Major areas of the law subjected to analysis are the law of homicide, the codes regulating sexual conduct, and the law governing drug possession and use. Problems of proof, the matters of defining the acts to be deemed criminal and matters of law reform are all subjects for study.

811 Criminal Procedure
The course in Criminal Procedure explains the processes of applying criminal laws, from arrest through appeal. Attention focuses on the respective powers and rights of the prosecution and the accused person and the continuing problems in achieving public order and protection and guaranteeing individual rights. A substantial part of the course consists of consideration of federal constitutionally guaranteed rights. Most of the material used in the course is developed from cases decided by the Supreme Court of the United States.

812 Contracts
Contracts deals with the creation, interpretation and enforcement of consensual agreements, that is, relationships entered without compulsion or accident. The course provides a rich opportunity for a study of the processes by which Anglo-American law has evolved over the years through the accretion of court decisions. The impact of the Uniform Commercial Code on traditional contract law is also considered. The major subject areas covered include: formation of contracts (offer, acceptance, and consideration); Statute of Frauds; third party beneficiary contracts; assignments; performance of contracts (the law of conditions and impossibility of performance).

815 Practice and Procedure I
The course in Practice and Procedure I introduces first-year law students to the judicial process in civil cases. It has three objectives: (a) To give the student a brief introduction to the initiation and trial of a civil case from beginning to end; (b) to provide a thorough treatment of the problems concerning jurisdiction of courts, both federal and state, and the problems of due process of law with respect to the power acquired by a court over individuals in civil litigation; and (c) to provide an understanding of the process of pleading and an ability to use and understand modern rules of practice, both state and federal.

817 Practice and Procedure II
The main topical subdivisions in this course are Venue; Jurisdiction; Pleading; Depositions and Discovery; Pre-Trial Conferences; Adjudication Without Trial; The Parties and the Dimensions of Their Dispute; Trial; Judgment; and Appellate Review. This course is geared substantially to the Federal Rules of Civil Procedure which have been adopted in Kentucky and at least 35 other states. The objective of this course is to develop students into skilled technicians in pre-trial and trial procedure through study and discussion of the civil rules with relevant case analysis. The course material is developing rather than stabilized. The rules of civil procedure we now have require frequent revision in order to adjust to new and unanticipated problems.

818 Remedies
The main topical subdivisions are the Nature of Damages; Nature of Specific Relief; Personal Interests; Contractual Interests; Property Interests; Specific Relief and the Government; and the Economic Evaluation of Unproductive Persons.

819 Federal Courts and the Federal System
The nature of the federal judicial function and its development, distribution of power among federal and state courts, federal questions and diversity jurisdiction, federal habeas corpus, removal jurisdiction and procedure.

820 Constitutional Law
This course explores the development of the power of judicial review in enforcing the Constitution of the United States as the primary law of the land. The distribution of power among the three departments of the federal government and between the central and state governments is analyzed with special emphasis on constitutional controls of the power to tax and regulate commerce, the power to provide for the general welfare, and the guarantees of civil liberties and individual rights. Emphasis within the individual rights and civil liberties areas varies in accordance with changes in the urgency of particular issues.
824 Legal Research Tutorial

Instruction in the analysis and solution of legal problems by the preparation of documents used in legal scholarship and law practice. Emphasis is placed on the functions and techniques of writing and organization of legal materials. Students are required to write several memoranda and a brief. All work is criticized by the instructor.

828 Workmen's Compensation

A study of statutes, administrative reports, regulations, legislative hearings and judicial decisions relating to modern social legislation, including Social Security, Workmen's Compensation, medical care insurance, unemployment insurance, wages and hours, and public assistance.

830 Legal History

Basic introduction to the development of the common law in England prior to 1700. Topics covered include the nature of the common law, the feudal background, the development of the central courts, original writs and the forms of action, the origins of jury trial, the growth of equity jurisdiction, the rise of Parliament, judicial protection of individual rights, and the development of the law merchant.

851 Business Associations

The aim of this course is to provide a basic introduction to the different forms of business organization recognized by American law, with primary emphasis on the nature and structure of the modern American business corporation. Major subject areas covered include: partnership planning (formation of partnerships, rights in partnership property, rights of partners on dissolution and liquidation of partnerships); steps required for organizing a corporation (including the legal consequences of defective incorporation); nature of the corporate entity concept; control and management of the corporation (with emphasis on the special problems of the close corporation); fiduciary duties of directors and controlling shareholders under state law; the nature and special characteristics of the shareholders' derivative suit.

853 Federal Corporation Law

An elective course for advanced law students treating the body of substantive federal corporation law newly generated by the federal securities acts, emphasizing particularly its impact on fiduciary responsibilities of directors or controlling shareholders in the management of corporate affairs. Specific attention is given to proxy control (under Section 14, 1934 Securities Exchange Act); to federal regulation of insider trading (Sections 16b and 16b); to corporate disclosure and insider trading as affected by SEC v. Texas Gulf Sulphur; and to other related matters, including tender offers and the effect of newly developed federal law on state directors' and officers' indemnification statutes.

855 Corporation Finance Law

This course supplements the basic study of corporation law covered in Business Associations and is designed to provide an insight into the legal aspects of corporate financial matters. Major subject areas covered include: corporate promotion and capitalization (with special emphasis on senior securities and their characteristics); corporate distributions (including the declaration and payment of dividends and the purchase and redemption by a corporation of its own shares); corporate acquisitions (merger, consolidation, sale of assets or of stock); and recapitalizations (elimination of accrued dividends on preferred stock).

860 Taxation I

Problems in federal and state income taxation.

865 Tax Planning

Donative transfers of property, including inter vivos transfers and wills; income, estate, and gift tax consequences of the various methods of disposition; administration of estates.

868 Taxation III

Advanced income tax problems of business organization—of corporations and their shareholders connected with dividends and other distributions, liquidation and reorganization; of partners and partnerships; and of trusts and estates.

870 Oil and Gas

Geological and engineering background; state regulation of the petroleum industry including history of conservation legislation, regulation of drilling and production practices and pooling and unitization; mineral estates and mineral interests; consideration of ownership and nonownership theories; protection of rights in minerals; mineral leases, including intensive study of expressed and implied obligations using selected lease forms as well as case materials and problems.

872 Land Use Planning

A comprehensive survey of the basic legal devices to control the use of land, theories of land use planning, nuisance, private agreements, zoning and zoning procedure, the role of the federal government in land planning, exercise of eminent domain, and selected Kentucky problems, such as rural zoning and proposed New Towns for Appalachia.

873 Land Transfer Law

A basic study of the body of land development law, including: land transfers, land sales contracts; deed covenants; recording acts; title insurance; contemporary landlord and tenant law; and public utility; subdivision and zoning regulations. The indicated problem areas are treated together to illuminate the lawyer's role in the land development.

875 Securities Regulation

The body of law relating to the issuance, distribution and trading of corporate securities with primary emphasis on federal regulation of the securities business.

876 Trusts and Estates

Course content includes the examination of rules governing intestate distribution of property; formal requirements governing execution, alteration and revocation of wills; requisite elements of express trust and requirements for their creation, special rules relating to charitable trusts and spendthrift trusts; rules concerning construction of will
and trusts, and general rules governing administration of decedents' estates and trusts.

877 Future Interests 2
An advanced elective course for third-year law students treating in depth future interests of ownership in property, including: the kind of future interests, rules as to class gifts, the rule against perpetuities, and powers of appointment; with emphasis on the lawyer's use of future interests in estate planning and the pitfalls relating thereto.

880 Commercial Law 4
The study of commercial law with special emphasis on the law of sales, negotiable instruments, bank collections and secured transactions as governed by the Kentucky Commercial Code. Secondary emphasis is placed on the Uniform Commercial Code itself and techniques for interpreting and applying the statutory language. The objective of the course is to teach a working knowledge of the Kentucky Commercial Code. There is no single teaching method employed exclusively and classroom work involves case analysis, problem discussion, statutory interpretation and lecture.

881 Sales Financing & Commercial Transactions 2
An analysis of and practice in planning, negotiating, and formulating the security devices and financing patterns which facilitate the sale of goods under the Uniform Commercial Code.

885 Commercial Debtor-Creditor Relations 3
The course consists of two major divisions: (1) the enforcement of judgments and prejudgment remedies, including garnishment, exemptions, fraudulent conveyances and foreign judgments, and (2) bankruptcy, arrangements, and other collection devices for the ordering of a debtor's assets ratably among his creditors. Highly procedural in character, the course stresses the statutory nature of creditors' rights law conflicts among lien interests, the Article 9 U.C.C. -- Bankruptcy Act relationship, and the most recent major changes in creditor's rights law. The objective of the course is to provide the future practitioner with a thorough grounding in the interrelationships within creditors' rights law, the basic policies behind detailed legal prescriptions and how to collect judgments and represent a client in, or to avoid, Bankruptcy Act proceedings.

887 Insurance 2
Nature of contract, insurable interest, making the contract, concealment, representations, warranties, implied conditions of forfeiture, waiver and estoppel, rights under the contract, and construction of the policy.

890 Evidence 4
The course in evidence seeks to provide an understanding of the decision-making process at the trial level of litigation, both civil and criminal. Attention focuses on the rules which govern the admissibility of evidence. The course also deals with such other problems as the division of responsibility between the trial judge and the jury, the responsibilities of the litigants to inform and assist the court, the allocation of the burden of proof.

892 State and Local Government Law 3
An advanced course in the legal problems caused by the great variety of functions performed by state and local governments, including historical development of traditional functions, configuration of contemporary intergovernmental relations, examination of areas of conflict, and in-depth consideration of lawyer roles in dealing with special problems of financing, borrowing money, and furnishing services as to health, education, natural resources, transportation, and welfare.

898 Environmental Law 3
An elective course for study of the role of the legal system in regulating the series of interrelated subsystems that make up the physical environment, including: water and air pollution, solid waste disposal, and strip mining. The legal problems and principles treated emphasize: the constitutional limitations on the public's power to implement planning proposals; the relationship between federal, state and local governments; the structure of agencies designed to regulate the quality of the environment; the standards for the exercise of administrative discretion; the openness of administrative hearing procedures; and the scope of judicial review of administrative decisions.

905 Conflict of Laws 3
Nature of the subject, penal laws, procedure, judgments, domicile, capacity, form, particular subjects, litigation, family law, inheritance, foreign administrators.

910 Labor Law 3
This course analyzes the nature of conflicts arising under the terms and conditions of employment with special emphasis on collective tactics for resolving such conflicts. Examined are the basic statutory schemes for regulating labor management relations including the determination of collective bargaining status, the controls imposed upon the collective bargaining process, grievance settlement and arbitration techniques. The purpose of the course is to provide the student with some background understanding of labor relations law as currently practiced in the United States and to use the labor relations field as a laboratory for observing the tools of conflict resolution.

914 Relational Torts 3
Relational Torts concentrates on three areas: 1) the family unit in tort law--torts to, by, and between members of the family; 2) injury to reputation and personality--defamation and invasion of privacy; and 3) injury to trade relations--interference with contract, trademark violations, the values protected by patent and copyright, trade libel, and trade secrets. Also covered in the course are malicious prosecution and related torts, and misrepresentation. The course is designed to be the second torts course and to fill in the substantive areas not covered in depth in the first year course.

920 Administrative Law 3
Establishment of administrative tribunals, limits on discretion. Notice and hearing, orders, methods of judicial relief, scope of judicial review.

925 International Law 3
The development, content and application of the "common law" of nations, treaties, the laws of international organizations and national laws with significant international ramifications are studied. Interna-
tional law is examined as the basis for decisions by international
tribunals, national courts, the legislative and executive branches of
government, business concerns and individuals. The range of available
sanctions are examined to evaluate the effectiveness of the international
legal system and determine prospects for development.

930  Anti-Trust Law
The body of case law structuring and regulating activities of the com-
petitive sector of the American economy. Major matters considered are
horizontal, vertical and conglomerate business structures and anti-
competitive practices. Basic course materials consist of a textbook and
significant antitrust cases decided by the United States Supreme Court
since 1963 to date. Taught in a seminar format, research papers are
the primary source for students receiving both grades and credit.

935  Unfair Trade
Analysis of various common law unfair competition areas including
misappropriation, false advertising, and trade secrets; in-depth treat-
ment of trademarks, both under common law and federal statutes; in-
troduction to fundamentals of copyright and patent law.

950-5  Legal Accounting
An elective course for second or third year law students to provide
treatment of accounting principles in the legal problems context; in-
cluding introduction to the basics of the double entry bookkeeping
system, the elaboration of accounting principles, the business vocab-
ulary, and understanding of how financial affairs are conducted. Em-
phasis is given to utilization of accounting data, investment analysis,
taxation and managerial decisions. Generally accepted accounting
practices are compared with tax accounting practice, SEC require-
ments, and economic theory. Income measurement, allocation of long-
term costs of tangible assets, expenditures for tangibles, and financial
accounting for stockholders equity are among the topics covered.

950-8  Pre-Trial Procedure

950-10  International Trade
The legal framework for the conduct of international trade and in-
vestment is studied through the problem method. Problems include:
imports and exports in East-West Trade; establishing a foreign dis-
tributorship in Germany; licensing of patents and trademarks to a
French firm; financing in foreign markets; establishing a manufacturing
subsidiary in Mexico, and; operating a multi-national corporation. Tax,
anti-trust, tariff, labor, securities and other laws are examined to gain
an understanding of the inter-play among domestic, foreign and multi-
national laws affecting foreign trade.

950-13  Constitutional Litigation
This seminar provides an in-depth examination of the philosophy of
judicial review, the techniques involved in appealing a case to the
United States Supreme Court, and the deliberative processes in con-
stitutional decision making.

950-15  Jurisprudence Seminar

950-20  Legal Medicine

950-22  Employment Relations Seminar

950-25  Fiduciary Administration
This seminar treats selected problems in fiduciary administration having
to do with the role of the executor-administrator in the settlement of
decedents' estates and the role of the trustee in testamentary and inter
vivos trusts.
The discussion emphasis is on the function of the fiduciary in achieving
the broad purposes of the administration process, based on the exten-
sive and changing statutory framework for that process. The essential
steps and procedures for initiation and completion of an estate settle-
ment and for fiduciary performance of a trust are treated, but it is not
a "how to do it" seminar as such.
The seminar is organized so that each student has the responsibility
to develop, research and discuss a selected problem or topic at one
seminar session. A memorandum or paper summarizing the research
and analysis of the problem discussed before the seminar is required at
the end of the term. One's grade is based equally on the oral pres-
entation to the seminar and the paper submitted.

950-28  Estate Planning

950-29  Corrections
Emphasizes what the criminal justice system does with the person
once guilt is established. Parole, probation and correctional institu-
tion operations are examined in detail.

950-32  Consumer Credit Seminar
An examination of the judicial and legislative responses to the prob-
lems created by mass consumer finance, including the time price
doctrine, state and federal interest rate disclosure legislation, law
dealing with credit reporting and debt collection practices, limitations
on the cutting off of defenses, unconscionability denial of deficiency
judgments, and limitations on confession of judgment. Attention will
be given to the many proposed changes in consumer credit law and
to the social and economic policy questions which they raise.

950-35  Law and Psychological Sciences
An application of psychological theory and data to legal problems.
Among subjects pursued are witness perception, observer reliability,
the psychology of intent, the use of expert psychological testimony
and jury selection.

950-40  Civil Rights
This course treats the equal protection and due process clauses of the
Constitution. Discrimination in the following areas is subjected to
legal analysis: security of the person; voting; housing in different
regions; education in different regions; employment; public accommo-
dations; health and welfare services, as well as civil rights topics of
recent interest.
950-45 Negotiation and Arbitration

This seminar examines the negotiation and arbitration processes as basic techniques of conflict resolution. The arbitration process is surveyed with respect to its format in a variety of settings including the commercial, international and labor fields. Comparisons are made between arbitration and litigation.

950-46 Civil Liberties

This course involves a detailed look at a specialized area of Constitutional Law. Special emphasis is given to the First Amendment area. However, emphasis will vary considerably in accordance with current developments in law and political and social events. The purpose of this course is to explore how constitutional doctrine has evolved with respect to major civil liberties issues, problems encountered in litigating such matters, and the impact of constitutional doctrine upon individual experience in the United States.

950-51 Consumer Protection

Careful consideration of state and federal common law and statutes bearing upon consumers' rights; in-depth treatment, in particular, of the Federal Trade Commission Act and the Kentucky Consumer Protection Act.

950-52 Housing Law

An examination of the housing situation in the United States from legal, economic and public policy perspectives. The focuses will be on the problem of providing housing for low and moderate income persons and various community betterment programs. Statutes, regulations, cases and background materials will be analyzed.

950-53 Women and the Law

A comprehensive survey course analyzing the interrelation of sex discrimination problems in a number of selected areas of the law. Constitutional law, the law of the family, employment discrimination, equal educational opportunities, access to public accommodations and control of reproductive capacities are some of the areas covered.

960 Practice Court

This course, conducted mainly under the Kentucky Code (but treated to give a fair understanding of like work in other states) is designed to fit students for actual court practice following training in substantive law.

961 Moot Court

A system of Moot Court Law Clubs managed by a Board composed entirely of students, with advice and assistance from faculty advisers, provides all students with training and experience in competitive oral argument and brief writing. Every student participates in Moot Court arguments during his second and third semesters. Thereafter elimination rounds culminate in the selection of a three-man student team to represent the College of Law in the National Moot Court Competition sponsored by the Association of the Bar of the City of New York.

962 Law Journal

Candidates for the Kentucky Law Journal are selected in the second semester of their first year on the basis of grades received for the first semester's work. Additional candidates are chosen after the completion of the first year. After successful completion of the candidacy program the student becomes a member of the Kentucky Law Journal. He writes a case comment during the second year and a comprehensive note during the third year. In addition the student edits other student work and performs other duties involved in the publication of the Journal. One to three hours credit are given in the third year based on the number of semesters a student is a member of the Journal.

963 Legal Aid

The College of Law operates a well-established legal aid program in cooperation with the Fayette County Bar Association and the bar associations of surrounding counties. Advanced students have the opportunity to interview indigent clients, to be in court, to assist practicing attorneys, and to gain valuable clinical experience in the solution of legal problems, both civil and criminal.

965 Legal Aid Intern

The course in Legal Aid Intern provides the students with a clinical experience that involves the actual trial of a civil or criminal case. The student is assigned the case by the Legal Aid Director and is also assigned a licensed attorney to provide the necessary supervision and assistance in the preparation, trial and appeal of the case. The student works on the case from beginning to end, provides the necessary investigation of the facts, does the legal research required by the circumstances, and then presents the case in the courtroom. The course attempts to bridge the gap between law study and law practice. Emphasis is on criminal litigation.

968 Legal Research and Writing

Independent study of legal problems under faculty supervision, and supervised training in legal aid, moot court, and legal drafting. (May be repeated for a total of six credits.)

Techniques of Learning and Instruction

The education afforded by any good law school must accomplish four things. First, it must be sequential, that is, each semester or year of courses and other activities must build on previous learning and instruction, starting with the undergraduate preparation of a student and ending with his entrance into general practice, specialized employment or graduate study. Second, the course of study must encourage a maximum of individual development which assures that every student learns to think analytically and critically and to take the personal initiative and responsibility required of professional conduct. He must acquire sound, disciplined habits of factual investigation, legal research and oral and written presentation which he
can follow throughout his professional career. Third, legal education must be practical. It must provide the opportunity for training in such techniques as drafting legal documents, advising clients, initiating lawsuits, arguing cases and other skills crucial to the lawyer’s use of his knowledge and expertise in solving human problems and earning a living. Fourth, the professional education of a lawyer should prepare him to meet his public responsibility as an officer of the court (through admission to practice), as a community leader with special abilities, and as an elected or appointed official with varied duties and opportunities for public service.

The course of study and sponsored activities of the College of Law meet these four criteria. The following description, which emphasizes the first year of study, is presented to acquaint the prospective law student with the experiences he may anticipate during three years of legal study.

**First Year**

The contents of the required first year curriculum, substantially the same at all good law schools, form a solid foundation for successive years of legal education. In the first semester the student is introduced to the elements of procedure in civil cases in Practice and Procedure, including the jurisdiction of courts over disputes and parties before them and the chronology of events in the initiation, development, trial and judgment of a lawsuit. This course not only early acquaints the beginning law student with how legal questions are resolved through adjudication but also assists him in understanding cases examined in other courses.

**Torts**, or civil wrongs, focuses upon the legal duties governing the conduct and relationships among persons and property and the rights of redress for personal injuries and property losses. **Contracts** deals with the creation, interpretation and enforcement of consensual agreements, that is, relationships entered without compulsion or accident. Both Torts and Contracts provide a rich appreciation of the processes by which Anglo-American law has evolved over the years through the accretion of court decisions.

* In the remaining first semester course, Legal Bibliography, the student through a series of lectures and research questions is thoroughly familiarized with the uses and organization of, and ways into, the resource materials of the Law Library. This course, like the rest of the first-year curriculum, is a basic introduction into the law. It provides the foundation for all legal research, both of the law student and of the practicing lawyer. **Criminal Law** takes up the substantive elements of offenses against society, person and property penalized by criminal sanctions of fine and imprisonment. The student learns what makes up the crimes of robbery, arson, murder and the like and the relationships between the objectives and assumptions of criminal law and the patterns of conduct and behavior that are ruled illegal.

Instruction in the first-year courses described thus far is typical of most law school courses in all years of the curriculum. The essential resource materials are casebooks containing the actual leading decisions and opinions of courts (principally appellate courts of last resort), which set forth the law to be held applicable to the facts involved in any case and, through the doctrine of precedent, to future similar cases. The casebook is arranged to show the historical evolution, orderly process and conceptual development of legal doctrine, decision-making and reasoning peculiar to the Anglo-American common law tradition. In many instances this material is supplemented by descriptive literature.
explaining the context of the cases and other law considered.

The student is expected to "brief" each case assigned for class discussion, that is, to analyze on his own the decision and opinion of the court and to write up the analysis in an abstract of the facts, procedure, issues, decision and legal rules in the case. In class the instructor leads an open discussion of the cases on the basis of the students' prior briefing, bringing out underlying intricacies and significances, trends in legal concepts and social events and ideas, and the place of the case in the structure and evolution of law examined in the course.

At the conclusion of the semester and end of the course, the grade for each student is determined by a comprehensive (and usually lengthy) examination which, typically, poses several hypothetical legal situations or problems, based on the course work, and asks for analysis and conclusions in essay answers. With some exceptions in advanced course offerings, as well as in seminars and professional experience options, the same general methods of instruction and examination are followed throughout the law school curriculum.

In Legal Research Tutorial students in the first year are assigned to small class sections for individualized instruction and assistance, especially in legal research and writing. Legal tutorial, as well as Moot Court competition (which begins in the second semester), invokes the student's careful analysis of legal problems, requires extensive library research and calls for forceful presentation, both written and oral.

The course in Criminal Procedure explains the processes of applying criminal laws, from arrest through arraignment, indictment, trial, judgment and sentencing. Attention focuses on the respective powers and rights of the prosecution and the accused person and the continuing problems in achieving public order and protection and guaranteeing individual rights.

The first-year course in Constitutional Law ranges over the development of the United States Constitution as the primary law of the land from the time of its ratification to its construction and interpretation today. In addition to civil liberties and individual rights, the course concentrates on the division of authority between state and federal governments, among the three branches of government, and between the public and private sectors of business and society.

Property concerns the legally-protected rights and powers over real estate and personal property that comprise "ownership" and other interests. Like Torts and Contracts, this course has a strong historical orientation. In order fully to portray our present structure of property law, it traces the evolution of it from the times when possession was the primary indicium of ownership and when interests in land perversely determined social status.

Second Year

All second-year courses in the College of Law curriculum are elective; many are open to both second-year and third-year students. In this way each individual is able to make up his own well-rounded course of study, with whatever degree and kind of concentration he chooses. Most of the courses enlarge upon or continue from first-year offerings. Practice and Procedure II and Evidence carry forward topics from first-year Procedure; Commercial Law and Business Associations cover the law of commercial transactions (business and consumer contracts, banking transactions, debtor-creditor security agreements, and the like) and business entities and relationships (principal and agent, employer and employee, partnership and corporation); Trusts and Estates considers the transmission of property interests by both testate and intestate suc-
cession, the responsibilities of fiduciaries and the administration of trusts; and Remedies and Commercial Debtor-Creditor Relations go in detail into the law specialized to the effect and enforcement of legal obligations. To enrich the variety of courses offered, and enhance the opportunity for student scheduling during both the second and third year of study, a number of courses may be elected during either year.

**Third Year**

In the third and culminating year of study in the College of Law, the kinds of learning situations open to the student are very broad. Through course electives, he can continue specializations begun in the first and second years, for example, in taxation (Tax Planning, Taxation III, Estate Planning), procedure and litigation, (Federal Courts) and property (Land Use Planning, Future Interests, Estate Planning). He can explore topical areas of government regulation and responsibility such as Labor Law, Family Law, Insurance and Anti-Trust Law.

The selection of seminars in both semesters of the third year reflects not only a diverse range of subjects but also a variety of instructional methods and learning activities. In many seminars, a student is expected to submit a research paper or make a similar presentation for class criticism and discussion. In others and in the Independent Study Program, he is invited to engage in field and other original research that takes him outside the law school to tackle current problems and issues of social and legal importance. In addition, the Professional Experience Options open to third-year students provide valuable experience and training in the kinds of work in which practicing lawyers engage and help assure a smooth transition from academic study to professional employment.

**Grading System**

For all students entering the College of Law for the first time on or after the beginning of the fall semester, 1971, the special letter grading system described below applies. For students first enrolled prior to that time, the numerical marking system under which they began continues to apply until they graduate.

The College of Law uses a special letter grading system in which the following grades are given with the respective quality point values indicated:

- A+ 4.3
- A 4.0
- A- 3.7
- B+ 3.3
- B 3.0
- B- 2.7
- C+ 2.3
- C 2.0
- C- 1.7
- D+ 1.3
- D 1.0
- D- 0.7
- E 0

A student’s academic grade record is expressed as a grade-point average computed by multiplying the semester hours of credit for each course by the quality point value of the grade received in the course. These products are added together, and the sum is divided by the total semester hours attempted. The grade-point average thus derived is the basis for each student’s academic status as indicated in the annual publication of the Law Faculty Rules and Policies.

**Scholastic Regulations**

Students enrolled prior to the fall semester of 1971 continue under the 1970 Law Faculty Rules and Policies until they graduate. All students entering the College of Law for the first time on or after the beginning of the fall semester of 1971 are subject to the following:

1. **Source and Coverage of Rules**

Non-academic relationships between students and the University are covered in the Code of Student Conduct found in the University publication Student Rights and Responsibilities. Academic relationships between students and the University...
appear in the separately published Rules of the University Senate. The foregoing descriptions of relationships apply to law students together with the Law Faculty Rules and Policies Concerning Scholastic Standards, Attendance, and Other Matters. The latter are issued annually and posted on the Dean’s Bulletin Board. Unless otherwise indicated, all rules are effective with the beginning of the fall term for the ensuing academic year and summer session. The faculty reserves the right, however, to change any rule or establish new rules at any time upon due and proper notice.

2. Academic Requirements and Exclusion for Poor Scholarship

A student beginning the study of law for the first time on or after the fall semester of 1971 must achieve a cumulative grade-point average of at least 2.0 at the end of the first year of law study (first and second regular semesters). Thereafter, the student, in addition to maintaining a 2.0 cumulative over-all grade-point average on all work done, must achieve at least a 2.0 grade-point average for his second year of law study (third and fourth regular semesters). This provision may be suspended by the Committee on Academic Status and Regulations upon readmission of a student dropped for poor scholarship. A student failing to meet academic requirements will be dropped from the University for poor scholarship.

Any student who receives a grade of E in a required course must re-register for the course and complete all the requirements therefor. When a course is retaken for credit, both the initial and subsequent grade will be reflected on the student’s record and counted in the computation of class standing.

3. Readmission

A student who has been dropped from the College of Law will be recommended by the Dean for readmission only upon the recommendation of the Academic Status and Regulations Committee. The Academic Status and Regulations Committee will approve a student’s petition for readmission only if, 1) the student’s academic performance was the result of circumstances over which the student had no control and which he could not reasonably have avoided; 2) the problems are no longer likely to affect the student’s academic performance; and 3) there is likelihood of satisfactory academic performance. In making its readmission determination, the Committee will consider all relevant facts and circumstances. Readmission may be made conditional upon such events or future performance by the applicant as the Committee deems appropriate.

No student who has been twice excluded will be readmitted without approval of the University Senate Council.

4. Class Attendance, Absences, and Withdrawal

a. Every student must maintain attendance satisfactory to the instructor in each of his classes. A student may be excluded from any course for excessive absences upon the recommendation of the instructor, with the concurrence of the Dean. No instructor is authorized to excuse absences.

b. Whenever any student has been absent from 25 percent of the total of class meetings in any course, in any term, for whatever reason, he shall be disqualified to take the final examination in such course or to receive credit therefor. For the purposes of this excessive absence rule, the following number of absences shall be deemed to constitute 25 percent: four absences in any one-hour course; eight absences in any two-hour course; twelve absences in any three-hour course; sixteen absences in any four-hour course. Instructors may require special makeup assignments for excessive absences not amounting to 25 percent in lieu of excluding
the student, and may take such absences into account in the final grade of the student along with the quality of daily work done.

c. It is the policy of the College of Law to schedule afternoon as well as morning classes. Accordingly, if any student finds it impossible to take afternoon classes because of outside work, he will be expected to take a reduced load, and thereby to extend his time for completing graduation requirements.

d. Any student who withdraws from Law School at any time after registration during any semester or term should be certain to withdraw formally and officially by reporting in person to the office of the Dean and the office of the University Registrar. Compliance with the procedures of those offices is necessary to avoid failing grades and to keep one’s record straight in the Law School and in the University. Withdrawal from the College of Law requires approval of the Dean. Withdrawal from an individual course requires consultation with the instructor, followed by his approval, and approval of the Dean, on a card obtained from the Dean’s office. It is not the policy of the faculty to permit a student to withdraw from Law School or from individual courses late in a semester or term with grades of W, except in extraordinary circumstances. If his load is too heavy, the student should discover this early in the semester. Consequently, any student who withdraws from Law School or from an individual course during the last six weeks of a semester, or the last three weeks of a summer term, will automatically receive a failing grade in any course affected, subject to the right of the student to petition the faculty to have such grade or grades changed to W for cause. No instructor is authorized to give a W in such circumstances without faculty approval, but the instructor is authorized to give a failing grade if in his judgment the work of the student has been unsatisfactory up to that time even if the faculty has granted permission for him to give a W. As to earlier withdrawals, the instructor has full discretion, based on the student’s work up to the time of withdrawal and subject to the Rules of the University Senate.

5. Requirements for Degree

Students admitted to the College of Law as regular students (at least ten hours per semester and five hours per summer term) will be eligible for the degree of Juris Doctor (J.D.) upon completion of a minimum of three academic years (six semesters) of residence, and 87 hours of courses, in the College of Law, with a grade-point average of 2.0 or better. Students admitted for the first time prior to the fall semester of 1971 continue under the 1970 Law Faculty Rules and Policies until they graduate.

6. Outside Work

The regular curriculum leading to the degree of J.D. is considered to require the full time of all students. Entering freshmen are expected to enroll as full-time students and to complete all required courses. Freshmen students who must engage in outside employment for more than a few hours per week must receive the advance approval of the Assistant Dean. Outside work cannot be accepted as a substitute for law study nor as an excuse for poor scholarship. Any upper class student who works more than 20 hours per week may be required to reduce his academic load.

7. Schedules and Elective Courses

Law courses are either required or elective, and are planned to provide a well-rounded curriculum of such content as to give the student a balanced legal education. To this end, term programs are based on groups of courses for each “category” of students. Normally a category is composed of all
students who first entered upon law during a given semester. Any student desiring to substitute in a particular term, any course not offered to his category must obtain the permission of the Dean or his designate for approving schedules.

8. Plagiarism as an Academic Offense

The Rules of the University Senate provide: “All academic work, written or otherwise, submitted by a student to his instructor or other academic supervisor, is expected to be the result of his own thought, research, or self-expression. In any case in which a student feels unsure about a question of plagiarism involving his work, he is obliged to consult his instructor on the matter before submitting it.

“When a student submits work purporting to be his own, but which in any way borrows ideas, organization, wording, or anything else from another source without appropriate acknowledgment of the fact, the student is guilty of plagiarism.

“Plagiarism includes reproducing someone else’s work, whether it be published articles, a chapter of a book, or a paper from a friend or some file. Plagiarism also includes the practice of employing or allowing another person to alter or revise the work which a student submits as his own, whoever that other person may be. Students may discuss assignments among themselves or with an instructor or tutor, but when the actual work is done it must be done by the student, and the student alone.

“When a student’s assignment involves research in outside sources or information, he must carefully acknowledge exactly when, where, and how he has employed them. If he uses the words of someone else, he must put quotation marks around the passage in question, and add an appropriate indication of its origin. Making simple changes while leaving the organization, content, and phraseology intact is plagiaristic. However, nothing in these rules shall apply to those ideas which are so generally and freely circulated as to be a part of the public domain.”

Penalties for the academic offense of plagiarism are prescribed by the Rules of the University Senate: the punishments include expulsion, actual suspension for a specified time, forced withdrawal from the department or course, and any punitive grade for the paper, examination or course in which the offense occurred.

9. Daily Preparation

Effective instruction in the College of Law requires preparation of daily assignments by students. The case and problem method cannot be effectively used when students are not prepared. Therefore, the instructor may exercise wide discretion in tak-
ing action he deems necessary to insure that class-
room performance will be maintained at a high
level.

Admission to the Bar

Upon receiving his J.D. degree, the graduate of
the College of Law is qualified to take the bar
examination in any state or jurisdiction.
(The Kentucky State Bar Examiners have fixed the
application fee at $50 for residents and $150 for
nonresidents.) Other students should investigate
the requirements for admission in the states where
they expect to practice. The Dean's office will assist
upon request.
Additional Information

The Law Library

The Law Library contains about 130,000 volumes and is one of the larger law libraries in the Southeast. The collection includes the reports of all state and federal courts and many federal administrative agencies, as well as an extensive range of British Commonwealth reports. It is a partial depository for United States Government publications. The Library maintains copies of the statutes of all states, the federal government, England and Canada; over 500 foreign and domestic legal periodicals; encyclopedias; treatises; major loose-leaf services; and related materials. It also receives the briefs of the Kentucky Court of Appeals and microfilm copies of records and briefs filed in the United States Supreme Court. Special collections include the Kocourek Jurisprudence Collection, presented to the Library by Professor Albert Kocourek in 1941, and the Stanley F. Reed Collection, supported by a fund established by Mr. Justice Reed’s former law clerks upon his retirement from the United States Supreme Court in 1957.

The annual accession rate for the Law Library exceeds 5,000 volumes. Except for a small reserve collection, all books are arranged on open shelves to permit students to use the materials freely. Individual study carrels are assigned to advanced students.

The resources of the Margaret I. King Library, the general library of the University, are readily available to law students. Containing more than 1.2 million volumes, the King Library is one of the fastest-growing libraries in the South. It is an official United States Government depository, a United Nations depository, and holds numerous volumes of invaluable legal research materials.

Kentucky Law Journal

Of the seventy law reviews published by the nation’s law schools, the Kentucky Law Journal is the tenth oldest. Publication has been continuous since 1912. Four issues are published annually by the College of Law.

The Journal is edited entirely by a student Editorial Board, with guidance from a faculty adviser. Each issue contains leading articles and book reviews written by prominent scholars in legal and related fields and Notes and Comments written by Journal members.

In addition to the value of the information supplied its readers, the Journal provides an excellent educational experience for its student members, who are selected through a competitive candidacy program. They acquire expertise in legal research, analysis and writing that supplements the training of the law school curriculum. More importantly, as authors of Notes and Comments they have an opportunity to communicate to a large and influential audience their criticisms of law and society, their solutions for modern problems and their concepts of justice.

Moot Court Program

A system of Moot Court Law Clubs managed by a Board composed entirely of students, with advice and assistance from faculty advisers, provides all students with training and experience in competi-
tive oral argument and brief writing. Every student participates in Moot Court arguments during his second and third semesters. Thereafter elimination rounds culminate in the selection of a three-man student team to represent the College of Law in the National Moot Court Competition sponsored by the Association of the Bar of the City of New York. In addition, the four finalists meet in a 6th circuit competition held each spring with participating law schools from the Federal 6th Judicial Circuit.

**Practice Court**

More than 50 years ago the College became one of the first law schools in the country to make a practice court program an integral part of the curriculum. Law students act as counsel, witnesses and jurors in realistic trials conducted weekly in the courtroom of the Law Building. The trials are open to the student body.

**Legal Aid and Intern Program**

The College of Law operates a well-established legal aid program in cooperation with the Fayette County Bar Association and the bar associations of surrounding counties. Under the rules of the Court of Appeals of Kentucky, third-year students, under stated conditions, may be certified as legal interns, and as such are entitled to appear in court on behalf of persons unable to employ counsel or on behalf of the Commonwealth, under the supervision of a member of the bar. Advanced students have the opportunity under both programs to interview indigent clients, to be in court, to assist practicing attorneys, and to gain valuable clinical experience in the solution of legal problems, both civil and criminal.

**Independent Study Program**

Third-year students are authorized to earn up to three hours of academic credit each semester (or up to six hours during the summer session prior to graduation) in programs of independent study. To qualify for participation in the program, a student obtains the sponsorship of a faculty member who agrees to recommend the student's project and to oversee his work. The program is designed to permit and encourage students to undertake individual work of legal and social significance that goes beyond the opportunities for research otherwise available.

**International Law Society**

Society members meet on a regular basis with interested faculty members to discuss current topics of international concern. Panel discussions, films, and distinguished speakers are sponsored to promote awareness of international legal developments. The Society also participates in the selection of members of the team representing the University of Kentucky in the annual Phillip C. Jessup International Law Moot Court Competition.

**Student Bar Association**

The Student Bar Association, affiliated with the Law Student Division of the American Bar Association, plays an important role in student life in the College of Law. Including all students in its membership, the Association provides substantial services to student orientation, housing, recreation and placement. Its weekly forum brings to the College of Law prominent attorneys and other persons to speak on current topics relating to law students' professional education. The As-
association recommends persons from the student body for appointment to faculty committees to assume student participation in most areas of the decision-making process.

**BALSA**
*(Black American Law Student Association, Inc.)*

The University of Kentucky Chapter of BALSA received its official charter from the National Organization in April 1975. The purpose for which the UK chapter was established is consistent with that of the national body: “... (to) articulate and promote the professional needs and goals of Black American Law Students; to foster and encourage professional competence; to focus upon the relationship of the black attorney to the American legal structure; to instill in the black attorney and law student a greater awareness of and commitment to the needs of the black community; and to influence American law schools, legal fraternities and associations to use their expertise and prestige to bring about change within the legal system in order to make it responsive to the needs of the black community; and to do any and all things necessary and lawful for the accomplishment of these purposes within such limits as are provided by law.”

A subsidiary function of the local chapter is to provide a forum to foster social well being among black students while in attendance at the law school.

**Dicta**

*Dicta* is a news journal published monthly during the academic year by students at the College of Law. The purpose of the publication is to provide a forum for the discussion of issues confronting the law school and the legal profession.

In addition to news coverage, *Dicta* contains essays by students, faculty members and Kentucky practitioners. Financial support is derived primarily from advertising and subscriptions, with copies distributed free to all law students.

Persons interested in writing for *Dicta* or in joining the staff should contact a member of the Editorial Board.

**Legal Fraternities**

Three of the leading national legal fraternities, Phi Alpha Delta, Phi Delta Phi and Delta Theta Phi, have chapters at the University of Kentucky College of Law. A chapter of Kappa Beta Pi, international legal sorority, was installed in 1966. All promote their purposes to maintain and elevate the professional and ethical standards of the legal profession and to provide worthwhile social organizations that foster enduring friendships and helpful associations within the profession.

**Order of the Coif**

The College of Law and about one-third of the other accredited law schools in the nation have been granted charters by the Order of the Coif, an honor society for the recognition of excellence in legal scholarship. Selection of membership is limited to students who complete the three years of legal study in the top ten percent of their class academically and otherwise demonstrate outstanding ability.

**Prizes and Awards**

A number of cash prizes and valuable book awards are made each year to students in the College of Law who have excelled in their aca-
ademic work or have done exceptionally well in such extracurricular activities as the Law Journal, Moot Court competition and the Practice Court program.

The following donors are among those which have contributed prizes and awards for College of Law students. The College is grateful to them for their contribution to its academic program.

American Society of Composers, Authors and Publishers
Annotated Reports (The Bancroft-Whitney Company and the Lawyers Co-operative Publishing Company)
The W. H. Anderson Company
The Bobbs-Merrill Company
Brown, Todd and Heyburn Corporation Law Award
Bureau of National Affairs Foundation Press, Inc.
Kentucky Law Journal
Lawyers Title Corporation

Little, Brown and Company
Louisville Title Insurance Company
West Publishing Company
Westerfield-Bonte Company

Placement Services
In their senior year all graduates of the College receive assistance for placement in the legal profession from the office of the Assistant Dean, the University of Kentucky Placement Service and the Young Lawyers Section of the Kentucky Bar Association. Representatives from law firms, corporate legal departments, government agencies (federal and state), the military services, and other employers come to the College each year to interview third-year students.

The range of employment opportunities generally open to law graduates is wide; the College is ready to assist individually any student with special placement needs and interests.
The Law Faculty

OTIS ARNOLD SINGLETARY, B.A., M.A., Ph.D., President of the University.

GEORGE W. HARDY III, B.A., J.D., Dean.


WILLIAM LEWIS MATTHEWS, JR., A.B., J.D., LL.M., S.J.D., Professor of Law. A.B. 1941, Western Kentucky State University; J.D. 1941, University of Kentucky; LL.M. 1946, S.J.D. 1950, University of Michigan. Graduate fellow, University of Michigan Law School, 1941-42, 1946. Visiting Professor of Law, University of North Carolina School of Law, summer 1958; New York University School of Law, summer 1959; University of Michigan Law School, sum-


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ROBERT ALLEN SEDLER, B.A., J.D., Professor of Law. B.A. 1955, J.D. 1959, University of Pittsburgh. Teaching and Research Associate, Rutgers University, 1959-60; Visiting Assistant Professor, Rutgers University, 1961; Assistant Professor of Law, Saint Louis University, 1961-64, Associate Professor of Law, 1964-65; Assistant Dean and Associate Professor, Haile Sellassie I University, 1963-66. Visiting Professor of Law, University of Kentucky, 1966-67; Associate Professor of Law, 1967-68. Professor of Law since 1968. Visiting Professor of Law, Indiana University, Summer 1971. Admitted to District of Columbia, Kentucky and federal bars. Remedies, Conflict of Laws, Civil Rights, Civil Liberties. On leave 1975-1976.


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Adjunct Professors of Law

SUSAN D. CSAKY, A.B., M.A., M.S.L.S., Adjunct Professor of Law. Legal Bibliography.

JOE LEE, A.B., LL.B., Adjunct Professor of Law. Referee in Bankruptcy. Commercial Debtor-Creditor Relations.

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HENRY V. PENNINGTON, A.B., J.D., Adjunct Professor of Law. Judge, 50th Judicial District of Kentucky. Pre-Trial Procedure.

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ALVIN BUCKNER TRIGG, LL.B., Adjunct Professor of Law. Partner in firm of Wallace, Turner & Trigg in Lexington. Workmen's Compensation.
College of Law Staff

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Barbara Drake, Administrative Assistant
Mary Ann King, Administrative Secretary
Pamela Johnson, Senior Clerk Typist
Sandra Alvey, Secretary

Instructional Staff
Becky Baker, Secretary
Sydney Creighton, Administrative Secretary, Kentucky Law Journal
Joan Yocum, Secretary
Wanda Reed, Secretary

Office of Continuing Legal Education
John K. Hickey, Director; J.D., 1948, University of Kentucky; M.A., 1964, George Washington University; Retired Colonel, United States Air Force, Judge Advocate General Department, 1948-70; Admitted to Colorado and Kentucky bars.
Joyce Hunt, Administrative Assistant

College of Law Library Staff
William James, B.A., 1967, Morehouse College; J.D., 1972, Howard University; M.S.L.S., 1973, Atlanta University; Law Librarian and Assistant Professor of Law
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Carol A. Smith, Secretary, Legal Services
The College of Law does not discriminate against applicants on the basis of sex, race, religion or age.