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The Four-Year Course—A Brief Statement Concerning Its Content and the Reasons for the Change

By JUDSON FALKNER

Dean of the University of Washington Law School

Effective with the class entering the University of Washington Law School in the autumn quarter of 1938, the law course has been lengthened from three to four years. The plan was approved by the Board of Regents at their meeting on Saturday, January 15th, 1938.

It has been obvious for a long time that a lengthening of the standard law course was inevitable, and we have concluded that it is not wise to defer it longer. Our purpose is to bring the standards and requirements of the school into line with the necessities of present day conditions. For approximately a half century the standard law course has been fixed at three years. But during that period there has been not only a tremendous development in what may be roughly called the old fields of the law, but there have been created and are, of course, in the process of continual development, many new and important fields or branches of the law with respect to which, we are convinced, the average practitioner of the future ought to receive some training and instruction.

Typical are the fields of Income Taxation, Trade Regulation, Administrative Law, Labor Law, Social Security Legislation and Public Utilities. The law teacher feels that he is correct in assuming that the lawyer of the coming years, if he is to advise and represent his clients intelligently and meet the responsibilities of his profession, whether he be in private practice or public service, ought to have some understanding of these matters and some instruction in respect to them. Yet the fact is that under a three-year law course this result is not attainable. I should like to emphasize that many of the subjects referred to are being taught and competently taught at the present time in the Law School, but as I have said, the fact of the matter is that the big majority of our students, after arranging their programs to accommodate more basic and standard courses, have little if any time left to take advantage of instruction of the character mentioned.

The action of the law faculty follows a year's careful study and consideration of the proposal. We believe that this increased requirement is bound to result in better trained, more efficient and more confident graduates. Our action is in line with that recently taken at the Law Schools of the University of Minnesota and the University of Chicago, increasing the law courses at those institutions from three to four years.

The change will mean that a total of seven years of university work, rather than six as heretofore, will be required for our law degree—three years of pre-law and four years of law. This total is the same as is presently required at many institutions, including Stanford, California, Harvard, Yale and others, which require a college degree for admission to the Law School. It is our view, however, that the law student can spend the extra year much more profitably in the Law School than in his pre-law work. Under the new plan a law student will be enabled to obtain both his arts degree and his law degree within the seven-year period, the arts degree being awarded at the end of the first year of law.

A few new courses have been added to round out the curriculum, noteworthy among which are a comprehensive course in legislation which will include a substantial amount of practical and laboratory instruction in the drafting and preparation of legislation, and a course in legal accounting.

Not only will the plan enable the law student to include in his law work many subjects of live and current interest and importance, which, because of the pressure of time, are not now available to him, but will also allow opportunity for and there will be required in the fourth year a substantial amount of seminar work and individual research not now feasible. Tentatively, the fields in which this more intensive work will be provided for are the following:

Public Utility Regulation
 Income Taxation
 Corporate Reorganizations
 Corporation Practice
 Banking Law
 Trusts
 Comparative Law
 Government Regulation of Business
 Civil and Criminal Procedure
 Labor Law

As in the past, the student, by attending summer sessions, may shorten the required course accordingly.

In detail the four-year curriculum follows (the first three years are fixed and without electives).

	First Year		Constitutional Law....	5 credits
Contracts	10 credits	Bills and Notes	6 credits	
Torts	10 credits	Wills	3 credits	
Personal Property ...	3 credits	Code Pleading	3 credits	
Real Property	6 credits			
Criminal Law	6 credits			
Agency	4 credits	Third Year		
Use of Law Books.....	3 credits	Conveyancing	6 credits	
		Business Ass'ns.	8 credits	
		Credit Transactions..	6 credits	
		Trusts	6 credits	
Second Year		Constitutional Law....	3 credits	
Evidence	8 credits	Practice & Procedure	6 credits	
Sales	6 credits	Administrative Law..	4 credits	
Equity	8 credits	Legal Ethics	3 credits	
Domestic Relations...	3 credits			

Fourth Year	Conflict of Laws	5 credits
Legislation	4 credits	Seminars and indi-
Taxation	3 credits	vidual research.....
Community Property	3 credits	Electives
		17 credits

The elective courses are as follows:

Administration of Debtors' Estates....	4 credits
Federal Jurisdiction and Procedure	3 credits
Public Utilities	4 credits
Probate Practice	3 credits
Admiralty	4 credits
International Law	6 credits
Roman Law	3 credits
Future Interests	4 credits
Legal Accounting	3 credits
Damages	3 credits
Insurance	3 credits
Municipal Corporations	3 credits

Report of Committee on Federal Rules

Since the report on the November, 1937, draft of the Federal Rules was written, the Supreme Court, through the Attorney General, submitted to Congress on January 3, 1938, that draft with two important changes advocated by the Washington State Bar Association.

The provision in Rule 26 (f) relating to depositions was stricken, which made it possible for any party to show contradictory statements to those made in the deposition by a witness without calling the contradictory statements to the attention of the witness. If the rule had been adopted as submitted by the Advisory Committee no foundation would have been necessary to be laid for impeaching testimony.

A like provision in Rule 44 (6) relating to trial evidence was eliminated.

From the same Rule 44 (b) the Supreme Court struck the provision that "any witness called by a party and examined as to any matter material to any issue may be cross-examined by the adverse party upon all matters material to every issue of the action." This rule, if it had been permitted to stand as drawn, taken in connection with Rule 18 permitting the joinder, without limitation, of all the claims any party might have against another, Rule 20 permitting joinder of all persons and Rule 21 making the misjoinder of all persons not a ground for dismissal, would have made the procedure proposed one for abuse in joining countless parties in countless causes of action and in subjecting witnesses to unjust harassment in examination as to anything which ingenious opposing counsel might allege in his pleadings.

With the exception of Mr. Justice Brandeis, the Justices of the Court adopted the Rules as proposed in the November, 1937, draft, after a few other verbal changes had been made and the Chief