

Today's Law School Curriculum

By MARTIN B. DICKINSON, JR



In my conversations with members of the Kansas Bar, I find that the most frequently asked questions concern the subjects currently taught in law schools. Lawyers are understandably eager to know what sort of training today's law graduate receives.

In this article I have attempted to provide for those interested a brief overview of the K.U. Law School curriculum. The word "overview" is important, because persons outside the law schools often place too much emphasis on such matters as the presence or absence of a particular course, the number of credit hours assigned to each course, or the list of required courses. Others may attempt to judge a curriculum by scanning the often misleading catalogue listing of courses. The far more important test is *the overall program of study of the typical graduate*. The emphasis should not be on specific courses, but on the extent of training provided in each of the

several broad areas of the law.

The typical student's course of study is determined by two variables—the courses the school makes available and the student's own choices as to elective courses. For that reason, the material in this article emphasizes the results of actual course selection by students from the available offerings.

The reader should first examine Table I, which shows relative enrollments in our more popular courses for the period August 1970 through July 1972. Then the reader should move to Table II, which summarizes the Table I data by constructing the "typical" curriculum—those courses elected by 50 percent or more of each graduating class. Table II can be viewed as presenting a reasonably accurate picture of the education received by today's typical K.U. Law School graduate.

Following the tables are some brief comments that may be helpful to those interested in taking a closer

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Table I

**RELATIVE ENROLLMENT IN
MAJOR COURSES**

1970-72

Required Courses:	Credit Hours
First Year	
Appellate Advocacy	1
Civil Procedure	6
Contracts	6
Criminal Law and Procedure	5
Property	3
Torts	6

Second and Third Years

Commercial Law I	3
Constitutional Law	6
Evidence	3
Legal Profession	1

**Courses elected by substantially all
(80%-100%) graduates:**

Course	Graduates Electing	Credit Hours
Business Associations I	95%	3
Conflict of Laws	95%	3
Wills and Trusts	95%	3
Commercial Law II	85%	3
Federal Income Tax	85%	3
Estate Planning	82%	3
Creditors' & Debtors' Rights	81%	3

**Courses elected by most
(50%-79%) graduates:**

Course	Graduates Electing	Credit Hours
Local Government	71%	3
Workmen's Compensation	65%	3
Advanced Criminal Procedure	65%	2
Labor Law	61%	3
Business Associations II	59%	3
Administrative Law	57%	2
Family Law	57%	2
Trial Practice	53%	2
(Trial Tactics or Procedure Workshop)		
Future Interests	50%	3
Land Transactions	50%	3

**Courses elected by a substantial minority
(33%-49%) of graduates:**

Course	Graduates Electing	Credit Hours
Advanced Income Taxation	49%	3
Insurance	49%	3
International Law	48%	3
Race Relations Law	44%	2
Housing and Land Use	42%	2
Water Rights	41%	2
Clinic Programs	40%	4
(Juvenile, Legal Aid, and Prison)		
Antitrust Law	38%	3
Legislative Workshop	37%	3

Table II

**THE "TYPICAL" CURRICULUM
1970-72**

**Courses elected by 50% or more
of each graduating class:**

	Credit Hours	Total Credit Hours
Business and Tax Law		27
Contracts	6	
Commercial Law	6	
Business Associations	6	
Federal Income Taxation	3	
Creditors' & Debtors' Rights	3	
Labor Law	3	
Property, Trusts, and Decedent's Estates		15
Property	3	
Land Transactions	3	
Wills and Trusts	3	
Future Interests	3	
Estate Planning	3	
Procedure		14
Civil Procedure	6	
Evidence	3	
Administrative Law	3	
Trial Practice	2	

Torts		9
Torts	6	
Workmen's Compensation	3	
Constitutional Law		6
Constitutional Law	6	
Criminal Law and Procedure		7
Criminal Law and Procedure	5	
Advanced Criminal Procedure	2	
Other Fields		10
Appellate Advocacy	1	
Conflict of Laws	3	
Family Law	2	
Legal Profession	1	
Local Government	3	
Total hours elected by 50% or more of graduates:		88
Additional courses elected by less than 50% of graduates:		2
Total hours required for graduation:		90
		=

- 1-The most obvious aspect of the "typical" curriculum is its heavy emphasis on business and tax law. The average student devotes 27 hours—nearly a third of his time—to this area. The strong student interest in the area becomes even more dramatically apparent when it is observed that only 9 of those 27 hours are required.
- 2-Second in importance, perhaps surprisingly to some, is the area of property, trusts, and decedents' estates—totalling 15 hours. This is especially remarkable because only three hours are required in this area. Dramatic examples of high interest in this area are Wills and Trusts, with a 95 percent election rate, and Estate Planning, with an 82 percent election rate.
- 3-These two fields—business/tax and property / trusts / decedents' estates—together account for 42 hours, or nearly one-half of the required 90. Only 12 of the 42 hours are required, so student interest in these two areas is very strong indeed.

- 4-The 14 hours typically devoted to procedure gives a somewhat misleading impression. Interest in trial work remains very strong among a substantial minority of students, and there is great student demand for the limited enrollment courses in which intensive training in trial work is provided.
- 5-The 9 hour total for Torts is also somewhat misleading. A student interested in personal injury practice usually takes more advanced and specialized offerings, such as our Law and Medicine Seminar.
- 6-A recent innovation in our curriculum is the availability of an optional 4-hour course in Constitutional Law that can be elected by those who do not have a strong interest in this area. However, the great majority of students still choose the broader exposure offered by the 6-hour course.
- 7-Interest in criminal law is still rising rapidly, reflecting the criminal procedure revolution of the 1960's. The popularity of criminal law courses is also enhanced by the school's outstanding reputation in this field. Many students interested in criminal law obtain valuable practical experience in the field through the school's prestigious prison clinic programs.
- 8-Legal writing does not expressly appear on the list, but training in this area is provided in various ways. The required first year course in Appellate Advocacy provides training in both written and oral advocacy. In addition, virtually all first-year courses now include written exercises. Finally, many seminars and "planning" courses in the third year require

preparation of extensive written materials.

- 9-After the average student completes the "typical" 88 hours, there is obviously little time left for other material. The Table I listing of courses elected by one-third to one-half of the students gives some idea of the way students fill out their 90 hours. Many elect courses involving contemporary issues, such as Race Relations Law and Housing and Land Use. Other courses, such as International Law, provide a very important broadening of the prospective lawyer's professional perspective and world view.
- 10-Perhaps the single greatest deficiency in the curriculum is the low number of students (40%) who go through our clinic programs in the prisons, the Douglas County Juvenile Court, and the Douglas County Legal Aid Society. This low percentage reflects not lack of student demand, but lack of faculty manpower, for clinic courses require much more faculty manpower than traditional classroom courses. These clinic programs primarily involve students in the rendering of legal assistance to indigents under the supervision and direction of faculty members. We hope that in the not-too-distant future we can provide a clinical experience of moderate duration for all graduating students. This means each student will have a supervised period of experience involving contact with actual clients in real cases. Lawyers will immediately recognize the value to them of hiring graduates who have had this kind of practical experience during law school. The graduate is certain to become a valuable and productive member of a firm or organization at a much earlier date with this kind of training during his law school years.
- 11-Additional manpower is also needed so that more "planning" courses can be taught. These courses, ideally involving small classes, involve not the presentation of more substantive material, but instruction in the application of legal principles to given fact situations. For example, in the new course in Business Planning the student is expected to draw together his prior study of partnerships, corporations, taxation, and securities law and apply these to the planning of various common business transactions. The students are expected to prepare documents implementing their recommendations. As with the clinic programs, the utility of this training for law practice is obvious, and more of these courses should be made available to meet the growing student demand.
- 12-In many courses there is increased coverage of the legal rights of the consumer. In Property, for example, balanced coverage is provided as to the rights of both landlord and tenant. In Commercial Law, products liability claims are given extensive treatment. The recent change in course name from "Creditors' Rights" to "Creditors' and Debtors' Rights" symbolizes this shift to what is probably a more balanced view of legal relationships in our economy. Hopefully, this will equip our students equally well to assert the legal rights of tenants or their landlords, and of debtors as well as creditors.
- 13-One must not forget that the "typical" curriculum is only that. Many students form somewhat specialized career interests by the second year of law school and need more advanced courses in

certain areas. As the only state university law school in Kansas, we feel an obligation to serve these needs. Thus our curriculum includes a considerable number of courses that are highly important to a small number of students, but which have low total enrollments. Examples are Oil and Gas, Securities Regulations, and Legal problems of the Poor.

- 14-The Law School curriculum, like law practice and the everyday lives of the nation's citizens, increasingly reflects the impact of federal law. Many courses, such as Federal Income Taxation, Labor Law, Securities Regulations, and Antitrust Law, are devoted almost entirely to federal law. Other courses, such as Creditors' and Debtors' Rights and

Estate Planning, include increasingly large segments of federal law. Almost certainly this trend will continue.

- 15-The listing of "typical" courses in Table II, filling 88 of the required 90 hours with rather basic material shows why some of the recent proposals to shorten the law school degree program are highly unrealistic. In most cases, three years provides time only for very basic coverage in most of the important legal areas. There is very little time for specialization or extended exposure to a given area. Perhaps more than ever, the graduating law student finds that his three years in law school are only the beginning of a lifetime of learning.

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