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1973-1974 Southern Illinois University Bulletin Carbondale Campus (School of Law Catalog)

Southern Illinois University Carbondale

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Southern Illinois University Bulletin



This publication provides information about the School of Law of Southern Illinois University at Carbondale. The University reserves the right to change information contained herein on matters other than curricular requirements without notice when circumstances warrant such action, and apply the change to all students without regard as to their date of entry into college.

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This Issue

of the *Southern Illinois University Bulletin* covers in detail questions concerning the School of Law program of Southern Illinois University at Carbondale.

The following issues of the *Southern Illinois University Bulletin* may be obtained free from University Graphics, Southern Illinois University at Carbondale, Carbondale, Illinois 62901.

Graduate Catalog

Schedule of Classes. Please specify quarter (fall, winter, spring, or summer).

School of Law Catalog

Undergraduate Catalog

Contents

Board of Trustees; Officers of Administration	iv
School of Law Calendar	v
Faculty Photos	vi
Faculty Resume	1
Faculty Photos	2
Faculty Resume	3
Law Library Staff	3
School of Law Staff	3
School of Law Building Photos	4
Establishment of the School of Law	5
The School of Law Program	5
Facilities	5
Accreditation Status	5
Course of Study	6
First Year Courses	6
Admission	6
Degree Requirements	7
Tuition and Fees	8
Financial Aid	8
Housing	8
Honor Code	8

Board of Trustees Southern Illinois University

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Thomas G. Roady, Jr., *Associate Dean, School of Law*
Robert A. McGrath, *Dean of Admissions and Records*

School of Law Calendar

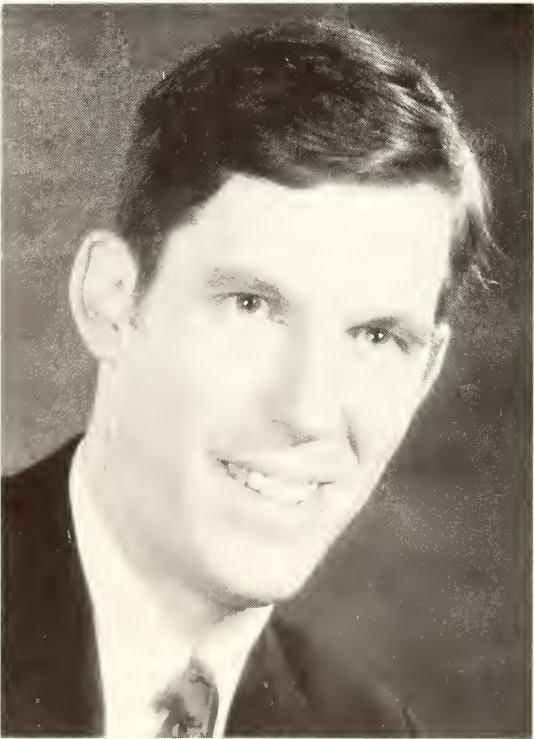
<i>FALL, 1973</i>	Registration	Tuesday, September 4
	Classes Begin	Wednesday, September 5
	Thanksgiving Vacation	Wednesday, November 21– Sunday, November 25 (inclusive)
	Classes End	Saturday, December 15
	Examinations	Monday, December 17–Monday, December 24 (inclusive)
<i>WINTER, 1974</i>	Registration	Thursday, January 17
	Classes Begin	Friday, January 18
	Washington's Day Holiday	Monday, February 18
	Spring Vacation	Sunday, March 17–Sunday, March 24
	Last Day of Classes	Saturday, May 4
	Examinations	Monday, May 6–Wednesday, May 15



Carl W. Holm



Roger F. Jacobs



Edward J. Kionka



Hiram H. Lesar

Faculty and Staff

Faculty

Carl W. Holm, B.S., J.D.
Assistant Professor of Law

B.S. 1967, University of Southern California; J.D. 1972, Santa Clara University; LL.M. 1973, Yale. Graduate Fellow, Yale Law School, 1972–73. Admitted to practice in California.

Roger F. Jacobs, A.B., A.M.L.S., J.D.
Professor of Law and Librarian

A.B. 1962, J.D. 1970, University of Detroit, A.M.L.S. 1964, University of Michigan. Admitted to practice in Michigan. U.S.N. 1954–58. Librarian and assistant professor 1967–69, librarian and associate professor 1969–72, librarian and professor 1972–73, University of Windsor. President, Canadian Association of Law Libraries, 1971–73.

Edward J. Kionka, B.S., J.D.
Associate Professor of Law

B.S. 1960, J.D. 1962, University of Illinois. Admitted to practice in Illinois. Private practice 1962–64, 1971–72. Lt. Cdr., USNR. Teaching associate, Columbia University, Fall 1962; instructor in law, University of Michigan, 1964–65; director, Illinois Institute for Continuing Legal Education, 1965–67; assistant dean and assistant professor of law, University of Illinois, 1967–71; special counsel, General Government Committee, Sixth Illinois Constitutional Convention, 1970; Krulewitch Fellow, Columbia University, 1972–73. Editor: Illinois Civil Practice After Trial (Illinois Institute for Continuing Legal Education, 1970). Author of articles in legal periodicals.

Hiram H. Lesar, A.B., J.D., J.S.D.
Professor of Law and Dean

A.B. 1934, J.D. 1936, University of Illinois; J.S.D. 1938, Yale. Admitted to practice in Illinois, Missouri, U.S. Supreme Court. Sterling fellow, Yale, 1936–37; assistant professor 1937–40, associate professor 1940–42, University of Kansas; senior attorney 1942, principal attorney 1943, Board of Legal Examiners, Washington, D.C.; U.S. Navy 1944–46 (Lt. Cdr.); associate professor 1946–48, professor 1948–57, University of Missouri; professor 1957–60, dean and Zumbalen professor 1960–72, Washington University; dean and professor of law, Southern Illinois University since 1972. Summer visiting professor: Illinois, 1947; Indiana,



Frank W. Miller



Thomas G. Roady, Jr.



Edward Welch

1952; Southern California, 1959; North Carolina, 1961; New York University, 1965. Reporter, Special Study Committee on the Judiciary (Mo.), 1966–67. Author: Landlord and Tenant (Little-Brown, 1957); Vol. I Pt. 3 of American Law of Property (*Casner ed.*) (Little-Brown, 1952); articles in Annual Survey of American Law, 1953, 1955–70, in various legal periodicals, and in the *Encyclopaedia Britannica*.

Frank W. Miller, B.A., LL.B., S.J.D.
Visiting Professor of Law

B.A. 1946, LL.B. 1948, S.J.D. 1954, University of Wisconsin. Admitted to practice in Wisconsin. AUS 1942–45. Graduate fellow 1948, University of Wisconsin; assistant professor 1948–53, associate professor 1953–56, professor, 1956–62, Coles professor of criminal law and administration 1962–65, James Carr professor of criminal jurisprudence since 1965, Washington University. Author: with *Becht*, The Test of Factual Causation in Negligence and Strict Liability Cases (Washington University Press, 1961); Prosecution: The Decision to Charge a Suspect with a Crime (Little-Brown, 1969); with *Dawson, Dix and Parnas*, Criminal Justice Administration and Related Processes (Foundation Press, 1971); articles in various law reviews and in the *Encyclopedia Americana*.

Thomas G. Roady, Jr., A.B., M.A., J.D.
Professor of Law and Associate Dean

A.B. 1940, M.A. 1949, J.D. 1948, University of Illinois. Admitted to practice in Illinois and Tennessee. AUS-AC, 1942–46, Maj.; Lt. Col., U.S.A.F. Res. University fellow, Columbia University, 1948–49; assistant professor 1949–50, associate professor 1950–51, professor 1951–52, University of Tennessee; associate professor and assistant dean, Washington University, 1951–52; private practice in Illinois 1952–56; visiting professor, University of Missouri, 1954; professor, Vanderbilt University, 1956–68; professor, University of Tennessee, 1968–73. Editor: Professional Negligence (with *Andersen*, 1960); Essays on Procedure and Evidence (with *Covington*, 1961); Selected Problems in the Law of Corporate Practice (with *Andersen*, 1960). Articles in law reviews.

Edward Welch, A.B., J.D.
Lecturer in Law

B.S. 1957, St. Louis University; J.D. 1960, Washington University. In private practice, East St. Louis and Edwardsville. Labor attorney with Allis-Chalmers and National Labor Relations Board, 1960–67.

Law Library

Roger F. Jacobs, A.B., A.M.L.S., J.D., Librarian
Elizabeth A. Kelly, B.A., Technical Services Librarian

Staff

Norma M. Brown, B.A., Administrative Assistant to the Dean
Beulah M. Nehring, Admissions Secretary



School of Law Library



Classroom/Office Building

Establishment of the School of Law

In May, 1971, the Illinois Board of Higher Education published Phase III of its study, A Master Plan for Higher Education in Illinois. It was there stated that a new law school "should be opened at Southern Illinois University in Carbondale as soon as appropriate planning, approval, and funding can be achieved." The University, which has main campuses at Carbondale and Edwardsville and which was aware of the need generally for more good law schools and particularly for a school in its region, immediately took steps to make the school a reality. An appropriation for this purpose was secured from the Illinois legislature in June, 1972, and shortly thereafter Hiram H. Lesar, then dean of the School of Law at Washington University, was employed as the first dean of the new school. The nucleus of an able faculty, experienced in practice and teaching, was recruited, and it was announced that a first-year class would be accepted to enter in September, 1973.

The School of Law Program

The main purpose of the School of Law is to train lawyers who will be competent to practice law, both now and in the future. In addition to teaching specific legal rules, this involves teaching analytic skills, research techniques, and the basic legal principles and policies underlying the current applications of such rules. It is the school's position that this process can best be accomplished with a student body of from 350 to 450—small enough so that faculty and students may know one another and large enough to justify a faculty of sufficient size to offer all the courses that should be given in a modern law school. As soon as a new building can be provided, the school will be expanded to this size. In the meantime, an entering class of 75 will be accepted each year, and the faculty will be expanded to approximately 15 full-time members to accommodate a total enrollment of about 200.

Facilities

The school will occupy two adjoining buildings in Small Group Housing across from Lake-On-The-Campus on the main campus. These buildings, which formerly housed fraternities, are being remodeled. One will house the library, while the other will be the classroom—office building. They provide entirely adequate facilities for a school of 200. Fortunately, the University's 1,400,000 volume Morris Library has acquired a large collection of law books for research in the social sciences, and these are being transferred to the law library. The result is that the new School of Law commences operation with a library of over 65,000 volumes—one that meets all the minimum requirements of the Association of American Law Schools and one that is larger than that of many older accredited schools.

Accreditation Status

It is not possible for a law school to receive accreditation until it is fully operational. However, provisional approval by the Section on Legal Edu-

cation and Admission to the Bar of the American Bar Association may be secured after the first class meets. In the fall of 1973, the school will request an inspection and provisional approval. It is assumed, in view of the fact that the school's planned program is in excess of the requirements in all respects, that this approval will be granted. Provisional approval is good for three years and therefore will permit the first class to qualify for the state bar examinations. It is assumed that full approval will be secured within that time.

Course of Study

The first-year curriculum includes the most basic substantive courses and is required. It differs from the first-year curriculum in many, if not most, schools in that first-year legal writing is included in Legal Process I (the Judicial Process) and taught in small sections of approximately 15 students each by regular full-time faculty members, and in the inclusion of a course in commercial law the second semester to familiarize students with statutory law.

First-Year Courses

<i>First Semester</i>		<i>Second Semester</i>	
<i>Course</i>	<i>Semester Hours</i>	<i>Course</i>	<i>Semester Hours</i>
Contracts	4	Commercial Transactions	2
Legal Process I (Judicial Process)	3	Constitutional Law	4
Remedies	3	Criminal Law	3
Torts	4	Property	4
Legal Bibliography	0	Legal Process II (Administrative- Legislative Process)	3
	Total 14		Total 16

Second- and third-year courses, which will be mostly elective, will be added in 1974-75. Courses will be offered in all major fields of law. Students who so desire can therefore take a number of courses in a specialized area. Such areas include administration of criminal justice, business, civil litigation, legal problems of the disadvantaged, managing the environment, public law, taxation and estate planning, and international law.

Admission

To be admitted as a candidate for the Juris Doctor degree, an applicant must have received a Bachelor's degree or the equivalent and must have demonstrated capacity for the study of law by a satisfactory undergraduate record and satisfactory performance on the Law School Admission Test. Forms for applying for admission may be obtained from the School of Law, Southern Illinois University at Carbondale, Carbondale, Illinois 62901.

The law school admission test is administered on a nationwide basis by the Educational Testing Service, Box 944, Princeton, New Jersey 08540. The test administration dates in July, October, and December of the applicant's final year of undergraduate study are preferred.

Applicants must also register with the Law School Data Assembly Service LSDAS by completing the form found in the LSAT bulletin of information and returning it to the Educational Testing Service. Applicants must have transcripts sent to LSDAS by the registrar of each college and professional or graduate school attended. The applicant's test score and evaluation of transcripts are reported to him and to the law schools he designates. The applicant should indicate on the LSAT/LSDAS forms that his score and evaluation are to be reported to the Southern Illinois University at Carbondale School of Law. It is not necessary that application for admission to the School of Law be made before taking the test or registering with LSDAS.

Applications for admission to the school may be filed any time after October 1, but preference will be given to applicants who file their applications prior to March 1. There is no charge for filing.

An applicant who is admitted is required to make a nonrefundable deposit of \$100 at the time of his acceptance. This deposit is credited against the first semester's tuition.

Degree Requirements

A candidate for the degree of Juris Doctor (J.D.) must satisfy the entrance requirements, fulfill the residence requirements, and satisfactorily complete a total of ninety semester hours of work for credit and must take all required courses.

Residence Requirements. A candidate must complete six semesters of residence, not less than the last two of which must be in this School of Law. In order to obtain residence credit for a semester, a candidate must examine in a minimum of twelve hours of work and must obtain final credit in a minimum of ten hours of work. A candidate who either examines in or obtains final credit for fewer than the required minimum hours will be given proportionate residence credit. No credit toward residence is given in courses in which a student receives a failing grade.

Limitation of Course Hours. No student may register for more than sixteen hours without the consent of the dean. It is advisable for students to devote substantially their entire time to their work in the school. A student who undertakes substantial employment outside the school should reduce his course load.

Attendance and Withdrawal. Regular attendance is expected and required of each student. An instructor may exclude from any class a student who is unprepared and may, after prior notice, exclude from the final examination in any course any student whom, for reasons of lack of preparation or lack of attendance, he deems unqualified to receive credit in the course. A student who fails to write a required paper for any course or who is excluded from a course or examination for absences, tardiness, or unpreparedness will be withdrawn from that course and cannot obtain credit for it except by retaking the course.

A student may withdraw from a course at any time before the final examination with the consent of the dean.

Examinations. A student who has not withdrawn, or been withdrawn, from a course is expected to take the examination for that course at the regularly scheduled time. Unexcused failure to take an examination will result in a failing grade. If failure to take an examination is excused, the student may, with the permission of the dean and the in-

structor, take the examination after the rest of the class or at the time it is next regularly offered.

Poor Scholarship Rule. Grades are given in numbers, with 75 being the average required for graduation. A student who fails to have a cumulative average of 75 at the end of any academic year will be dropped from the school for poor scholarship.

Tuition and Fees

Tuition and fees in the School of Law are established by the Board of Trustees and are subject to change whenever conditions make changes necessary. Present tuition and fees for regularly enrolled law students (taking eleven or more semester hours) are \$289.50 per semester for residents and \$718.50 per semester for non-residents. Books will cost about \$100 per semester.

Financial Aid

The School of Law has very limited resources for financial aid at its disposal.

The University maintains an Office of Student Work and Financial Assistance through which work on and off campus, cooperative work-study programs, the federal work-study programs, scholarships, and student-loan funds are negotiated.

Additional information may be obtained from the Office of Student Work and Financial Assistance.

Housing

University on-campus housing is available for 5,843 single students and 629 married students. Off-campus housing is readily available. Inquiries concerning on-campus housing may be directed to Housing Business Services, and information regarding off-campus rental facilities may be obtained from the Housing Information Office.

Honor Code

“The cornerstone of our legal system is the integrity of the individual lawyer.” Preparation for law, therefore, must encourage individual integrity as well as understanding of law. The essence of an honor system is the observance by each student of high ethical standards of conduct. The system yields immediate tangible advantages of convenience—examinations are not supervised, a student’s word is accepted as the truth, and ownership of personal belongings is respected; it yields also lasting intangible values of the spirit—those who have lived under an honor code are forever dissatisfied with any less rigorous standards. It is anticipated that students of the school will decide to adopt an honor code and elect an honor council to enforce it.

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OBJECTIVES OF SOUTHERN ILLINOIS UNIVERSITY

TO EXALT BEAUTY

*In God,
in nature, and
in art;
Teaching how to love the best
but to keep the human touch;*

TO ADVANCE LEARNING

*In all lines of truth
wherever they may lead,
Showing how to think
rather than what to think,
Assisting the powers
of the mind
In their self-development;*

TO FORWARD IDEAS AND IDEALS

*In our democracy,
Inspiring respect for others
as for ourselves,
Ever promoting freedom
with responsibility;*

TO BECOME A CENTER OF ORDER AND LIGHT

*That knowledge may lead
to understanding
And understanding
to wisdom.*



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