

1974

1974-1975 Southern Illinois University Bulletin Carbondale Campus (School of Law Catalog)

Southern Illinois University Carbondale

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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. (It supersedes Vol. 15, No. 6.) 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.

Other issues of the Southern Illinois University Bulletin, which may be obtained free from University Graphics, Southern Illinois University, Carbondale, Illinois 62901, are listed below.

Graduate Catalog

Undergraduate Catalog

Schedule of Classes (fall, spring, or summer)

Southern Illinois University Bulletin, Volume 16, Number 8, September 1974
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School of Law Calendar

Fall 1974

Orientation	Tuesday, August 27
Classes Begin	Wednesday, August 28
Labor Day Holiday	Monday, September 2
Thanksgiving Vacation	Wednesday, November 27–Sunday, December 1 (inclusive)
Last Day of Classes	Wednesday, December 11
Examinations	Thursday, December 12–Saturday, December 21 (inclusive)

Spring 1975

Classes Begin	Monday, January 20
Washington's Day Holiday	Monday, February 17
Spring Vacation	Sunday, March 23–Sunday, March 30 (inclusive)
Last Day of Classes	Tuesday, May 6
Examinations	Wednesday, May 7–Saturday, May 17 (inclusive)

1 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 a first-year class was accepted to enter in September, 1973.

Purposes

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 specific legal rules, the student must learn analytic skills, research techniques, and the basic legal principles and policies underlying the current applications of those rules. He or she should also learn the basic skills of advocacy, counselling, and negotiation.

Although its graduates will be prepared to practice in any jurisdiction, it is anticipated that the School of Law by reason of its location will help to provide lawyers to fill the unmet need for legal services in Southern Illinois.

The second purpose of the School of Law stems from recognition of the social fact that lawyers are expected to provide a large part of the leadership in a wide spectrum of American life. In general terms this means that lawyers must perform two functions which go beyond rendering competent legal service. They must be prepared to serve in a "watch-dog" capacity with respect to the proper functioning of American institutions, and they must be prepared to participate in "making law." Of course, the lawyer-legislator "makes" law. But so does the member of the important bar association committee charged with responsibility for drafting proposed legislation.

The second purpose of the school, then, is to assure that the leadership function performed by lawyers is carried out well. For this purpose the lawyer requires not only the whole range of skills and knowledge he needs to practice law, he also needs an understanding of our institutions and a sensitivity to potential conflict areas. Two things are essential to carrying out objectives of such breadth: a curriculum which balances the course offerings as carefully as possible so that neither purpose is sacrificed to the

other; and a faculty with unusual breadth of knowledge and vision to formulate that curriculum and an extraordinary ability to implement it, both within and outside the classroom.

The third purpose of the school—which is essential to the fulfillment of the other two—is to instill in its students a proper conception of the professional responsibilities of the lawyer and the organized bar, an understanding of the nature and role of the legal profession, and knowledge and appreciation of the ethical principles by which all lawyers must be bound.

It is the school's position that this kind of training 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 80 will be accepted each year, and the faculty will be expanded to approximately 15 full-time members to accommodate a total enrollment of about 225.

Facilities

The school occupies two adjoining buildings in Small Group Housing across from Lake-on-the-Campus on the main campus. These buildings, which formerly housed fraternities, have been remodeled. One houses the law library, while the other is the classroom-office building. They provide entirely adequate facilities for a school of 225. Fortunately, the University's 1,600,000-volume Morris Library acquired a large collection of law books for research in the social sciences, and these were transferred to the law library. The result was that the new School of Law commenced operation with a library of approximately 35,000 volumes, and 15,000 will be added each year.

Accreditation

It is not possible for a law school to receive accreditation until it is fully operational. However, provisional approval by the Section on Legal Education and Admission to the Bar of the American Bar Association may be secured after the first class meets. The school was so approved in February, 1974. This approval is good for three years and, therefore, permits the first class to qualify for the state bar examinations. It is assumed that full approval will be secured within that time.

Curriculum

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 10 to 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. Second- and third-year courses, which are mostly elective, are offered in all major fields of law.

The combined total of course work permitted in the areas of Clinical Law, Moot Court Board, and Law Review may not exceed 6 semester hours.

In addition to the first-year courses below, every student will be required to take at least one seminar which requires the production of a paper of the quality of a Law Review comment. Law Review students are not required to take a seminar but may do so if they wish. A seminar generally will be an "in depth" study of one or more aspects of the above courses or a combination of such courses.

Up to 6 semester hours of credit for course work taken in the Graduate School may be applied, with permission of the deans of both the Graduate School and the School of Law, toward the number of hours required for the J.D. degree and toward the residence semester requirement. A student must earn a grade of *B* or better in such work for School of Law credit to be given, but this letter grade will not be reflected on a student's School of Law record, nor will it be used to compute the law grade-point average.

FIRST-YEAR COURSES

First Semester

<i>Course</i>	<i>Semester Hours</i>
Contracts	4
Legal Process I (Judicial Process)	3
Procedure I	3
Torts	4
Legal Bibliography	0
Total	14

Second Semester

<i>Course</i>	<i>Semester Hours</i>
Commercial Law I	2
Constitutional Law	4
Criminal Law	3
Property I	4
Legal Process II (Administrative- Legislative Process)	3
Total	16

SECOND- AND THIRD-YEAR COURSES

(Not all of these courses will be offered in 1974-75.)

<i>Course</i>	<i>Semester Hours</i>	<i>Course</i>	<i>Semester Hours</i>
Administrative Law *	3	International Law	3
Admiralty Law	2	Jurisprudence	3
Advanced Criminal Justice	3	Labor Law	2
Business Associations I *	3	Law and the Poor	3
Business Associations II *	3	Law Review	0-3
Business Planning	3	Legal History	3
Civil and Political Rights	3	Managing Our Urban Environment	3
Clinical Law	0-3	Moot Court II	1
Commercial Law II *	3	Moot Court Board	0-1
Comparative Law	3	Oil and Gas	3
Conflict of Laws	3	Patents and Copyrights	2
Consumer Remedies	2	Procedure II *	3
Creditors' and Debtors' Rights	3	Property II	3
Criminal Justice Administration *	3	Remedies II	3
Equity	3	Resources and Environment ..	2
Estate Planning	3	Security Regulation	2
Evidence *	3	Taxation I *	3
Family Law	3	Taxation II	3
Federal Courts *	3	The Legal Profession (required)	3
Future Interests	2	Trade Regulation	3
Graduate School courses .. up to	6	Trial Advocacy	3
Insurance	3	Trusts and Estates *	4
International Business Transactions	3	Unfair Trade Practices	2

* Normally elected in the second year.

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 (LSAT). Forms for applying for admission may be obtained from the School of Law, Southern Illinois University at Carbondale, Carbondale, Illinois 62901.

The LSAT 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 a \$10 application fee.

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 Juris Doctor (J.D.) degree must satisfy the entrance requirements, fulfill the residence requirements, and satisfactorily complete a total of 90 semester hours of work for credit and must take all required courses.

RESIDENCE REQUIREMENT

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 12 hours of work and must obtain final credit in a minimum of 10 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 16 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. Specific rules regulating attendance and withdrawal from courses appear in the student handbook which each student receives.

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 instructor, 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 twelve or more semester hours) are \$289.00 per semester for residents and \$717.00 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 5,067 single students and 576 married students. Off-campus housing is readily available. Inquiries concerning on-campus or off-campus housing office or rental facilities may be obtained from University Housing.

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. Students of the school have adopted an honor code and elected an ethics council to enforce it.

2 Faculty and Staff

Faculty

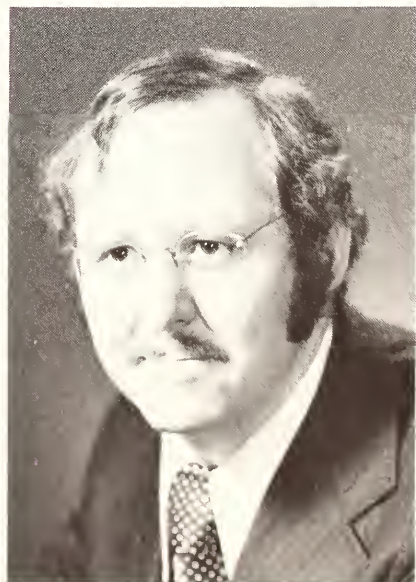
ROBERT H. DREHER, J.D., D.L.
Associate Professor of Clinical Law

B.A. 1936, University of Texas; J.D. 1940, University of Illinois; D.L. 1973, Oxford. Admitted to practice in Illinois and California. Special agent, F.B.I., 1940-46; private practice, 1946-67; associate professor, Center for the Study of Crime, Delinquency, and Corrections, and Department of Government, Southern Illinois University, since 1967, and associate professor of clinical law, School of Law, since 1974.



DONALD W. GARNER, J.D.
Assistant Professor of Law

B.A. 1967, University of Texas at Arlington; J.D. 1971, University of Texas at Austin. Admitted to practice in Texas. Briefing attorney, Texas Supreme Court, 1971-72; private practice, 1972-74; assistant professor, Southern Illinois University, since January, 1974.



CARL W. HOLM, B.S., J.D., LL.M
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. Assistant professor, Southern Illinois University, since 1973. Summer Cleo Institutes: Indianapolis, 1973; South Bend, 1974.



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 1962-67, University of Detroit; librarian and assistant professor 1967-69, librarian and associate professor 1969-72, librarian and professor 1972-73, University of Windsor; librarian and professor, Southern Illinois University, since 1973. President, Canadian Association of Law Libraries, 1971-73.



EDWARD J. KIONKA, B.S., J.D., LL.M.
Associate Professor of Law

B.S. 1960, J.D. 1962, University of Illinois; LL.M. 1974, Columbia University. 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; associate professor, Southern Illinois University, since 1973. 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, 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*.



BRIAN E. MATTIS, J.D., LL.M.

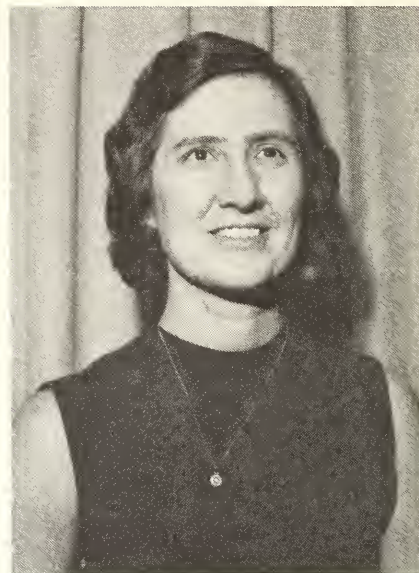
Professor of Law

B.S.B.A. 1960, University of Florida; J.D. 1968, University of Miami; LL.M. 1969, Yale. Admitted to practice in Florida. Sterling fellow, Yale, 1968-69; associate professor 1969-72, professor 1972-74, University of Nebraska; professor, Southern Illinois University, since 1974. Summer: University of Nebraska, 1970, 1972, 1973. Author of articles in legal publications.



TAYLOR MATTIS, J.D., LL.M.
Associate Professor of Law

B.A. 1960, University of Alabama; J.D. 1963, University of Miami; LL.M. 1969, Yale. Admitted to practice in Florida and Nebraska. Private practice, 1963-66; law clerk, U.S. District Judge Emmett Choate, 1966-68; Sterling fellow, Yale, 1968-69; hearing examiner, Nebraska Equal Employment Opportunity Commission, 1971; attorney, Nebraska Appellate Justice Project, 1972-74; associate professor, Southern Illinois University, since 1974. Author of articles in legal periodicals.



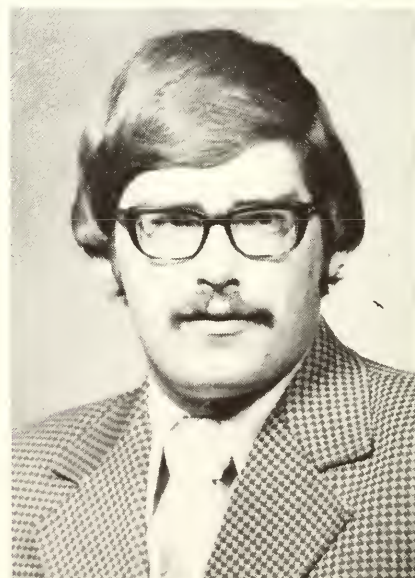
ANDREW N. ONEJEME, LL.B., LL.M., J.S.D.
Associate Professor of Law

LL.B. 1960, London; LL.M. 1961, J.S.D. 1963, Yale. Admitted to practice in Nigeria. Graduate fellow, Yale, 1960-63; lecturer, Lagos University, Nigeria, 1965-70; research fellow, S.O.A.S., London, 1966-67; associate professor, University of Connecticut, 1971-72; Hofstra University, 1972-74; Southern Illinois University, since 1974. Summer: University of Connecticut, 1972.



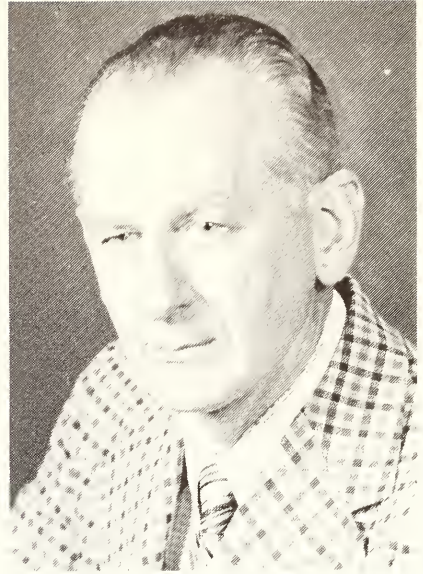
THOMAS P. POLITYKA, J.D.
Assistant Professor of Law

B.A. 1971, J.D. 1973, University of Nebraska. Admitted to practice in Nebraska. Law clerk, U.S. District Judge Robert Van Pelt, 1973-74; assistant professor, Southern Illinois University, since 1974.



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; professor and associate dean, Southern Illinois University, since 1973. 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.



FREDRICH H. THOMFORDE, JR., J.D.
Visiting Professor of Law

B.A. 1963, J.D. 1966, Valparaiso. Admitted to practice in Illinois. Attorney, U.S. Securities & Exchange Commission, 1966-68; registered representative, F.S. Moseley & Co., Boston, 1968-69; assistant professor 1969-71, Valparaiso; Ford Urban Law Fellow, Columbia, 1971-72; professor 1972-74 and associate dean 1973-74, University of Tennessee. Author of articles in legal periodicals.



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 Staff

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ELIZABETH A. KELLY, B.A., *Technical Services Librarian*

ELIZABETH WOODFIN MATTHEWS, B.A., M.S., Ph.D., *Law Cataloger Librarian*

Dean's Office Staff

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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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