

University of Tennessee Law

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1971

### **Bulletin (1971-1972)**

University of Tennessee College of Law

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1972

## Bulletin (1971-1972)

University of Tennessee College of Law

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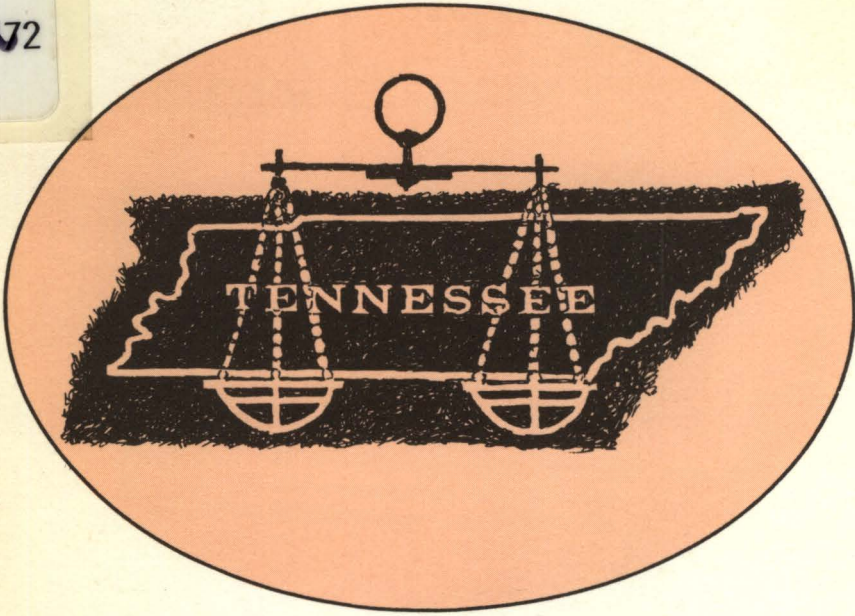
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The University of Tennessee

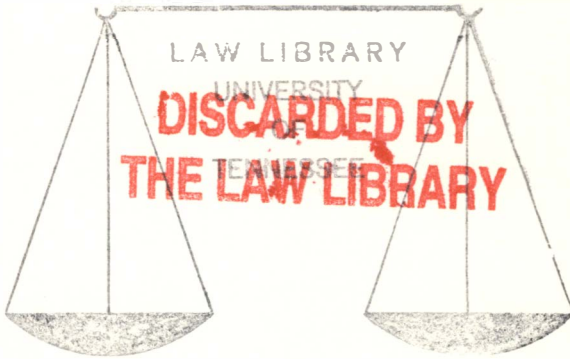
*College  
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**Announcement**

**1971-72**



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**ANNOUNCEMENT**

**1971-72**

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**THE COLLEGE OF LAW\***  
**THE UNIVERSITY OF TENNESSEE**  
1505 WEST CUMBERLAND AVENUE  
KNOXVILLE 37916  
APRIL, 1971

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*\* Charter Member of the Association of American Law Schools*  
*Approved by American Bar Association*

# Calendar For 1971-72

## *Summer Quarter, 1971*

June 17, Thursday ..... Registration  
June 18, Friday ..... Classes Begin  
August 24, Tuesday ..... Commencement

## *Fall Quarter, 1971*

Sept. 20-21, Monday-Tuesday ..... Registration  
Sept. 21, Tuesday ..... Orientation  
Sept. 22, Wednesday ..... Classes Begin  
Nov. 25-27, Thursday-Saturday ..... Thanksgiving Holidays  
Dec. 15, Wednesday (7:00 P.M.) ..... Christmas Holidays Begin  
Dec. 17, Friday ..... Commencement

## *Winter Quarter, 1972*

January 3, Monday ..... Registration and  
Orientation  
January 4, Tuesday ..... Classes Begin  
March 15, Wednesday ..... Commencement

## *Spring Quarter, 1972*

March 23, Thursday ..... Registration and  
Orientation  
March 24, Friday ..... Classes Begin  
June 8, Thursday ..... Commencement

## *Summer Quarter, 1972*

June 15, Thursday ..... Registration and  
Orientation  
June 16, Friday ..... Classes Begin  
August 22, Tuesday ..... Commencement

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DON O. SHADOW		1970	June 1, 1979
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## *From Hamilton County*

PAUL J. KINSER		1969	June 1, 1978
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## *From Knox County*

CHARLES D. LOCKETT		1959	July 1, 1971
FRANK P. BOWYER		1959	July 1, 1971

## *From Shelby County*

MARCUS STEWART		1970	July 1, 1981
HARRY W. LAUGHLIN		1953	July 1, 1981

## *From Weakley County*

WAYNE FISHER		1953	July 1, 1981
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# LAW FACULTY

## TEACHING FULL TIME

**PAUL R. BAIER, A.B., J.D., *Assistant Professor of Law***

A.B., 1966, University of Cincinnati; J.D., 1969, Harvard University; Clerk for Michigan Court of Appeals Judge, 1969-70; Instructor in Law, University of Michigan, 1970-71; Assistant Professor of Law, University of Tennessee, since 1971.

**MARTIN J. FEERICK, A.B., B.S., J.D., *Professor of Law and Faculty Supervisor of Law Library***

A.B., 1935, Manhattan College; B.S. in Library Science, 1936, J.D., 1941, Columbia University; Graduate study in Library Science, Columbia University, 1936-38; general practice, 1941-49; Assistant Professor of Law, University of Tennessee, 1949-51; Associate Professor of Law, 1952-53; Professor of Law since 1953.

**JOSEPH G. COOK, A.B., J.D., LL.M., *Associate Professor of Law***

A.B., 1961, J.D., 1964, University of Alabama; LL.M., 1965, Yale University; Assistant Professor of Law, University of Tennessee, 1965-68; Associate Professor since 1968.

**ROBERT McDONALD GRAY, A.B., J.D., LL.M., *Director of Law Division of Government, Industry, and Law Center, and Professor of Law***

A.B., 1929, J.D., 1932, University of North Carolina; LL.M., George Washington University, 1947; practice of law, 1932-38; Special Assistant in United States Attorney General's Office, 1939-41; United States Army, 1938-39, 1941-63; Colonel (JAG) United States Army (Ret.); Instructor, Business Law, Oglethorpe University, 1960-61; Director of Law Division of Government, Industry, and Law Center, and Professor of Law, University of Tennessee, since 1963.

**ERIC C. HOLMES, A.B., J.D., *Assistant Professor of Law***

A.B., 1965, Duke University; J.D., 1969, University of North Carolina; private practice, 1970-71; Assistant Professor of Law, University of Tennessee, since 1971.

**DURWARD S. JONES, A.B., J.D., *Associate Professor of Law***

A.B., 1951, J.D., 1954, University of North Carolina; Assistant Director of the Institute of Government, University of North Carolina, 1956-58; general practice, 1958-65; Assistant Professor of Law, University of Tennessee, 1965-68; Associate Professor since 1968.

**JACK D. JONES, LL.B., *Associate Professor of Law***

LL.B., 1950, University of Wyoming; Private practice, 1950-51; Shell Oil Company, Land Department, 1951-60; Private business as Oil and Gas Lease Broker and Specialist, 1960-63; Graduate study Southern Methodist University Law School, 1963-64; Assistant Professor of Law, University of Tennessee, 1964-67; Associate Professor since 1967.

**FORREST W. LACEY, A.B., LL.B., LL.M., S.J.D., *Professor of Law***

A.B., 1939, LL.B., 1941, University of Indiana; LL.M., 1951, S.J.D., 1953, University of Michigan; Deputy Prosecuting Attorney, Wayne County, Indiana, 1941-42; Military Service, U.S.N.R. 1942-46; Deputy Attorney General, Indiana, 1946; general practice, 1946-49; Assistant Professor of Law, University of Alabama, 1949-50; Lecturer, University of Toledo College of Law, 1951; Visiting Professor of Law, University of Indiana, Summer, 1951; Assistant Professor of Law, University of Tennessee, 1951-52; Associate Professor, 1952-54; Professor of Law since 1954.

FREDERICK S. LECLERCQ, B.A., M.A., LL.B., *Associate Director of Legal Aid Clinic and Assistant Professor of Law*

B.A., 1959, University of South Carolina; M.A., 1960, Fletcher School of Law and Diplomacy; LL.B., 1963, Duke University; Associate, Center of Study of Law and Sociology, University of California, Berkeley, 1963-65; private practice, 1965-67; Research attorney, Equal Employment Opportunities, 1966; Director of Community Legal Services and Assistant Professor of Law, Emory University, 1967-1971; Associate Director of Legal Aid Clinic and Assistant Professor of Law, University of Tennessee, since 1971.

CHARLES H. MILLER, A.B., J.D., *Professor of Law and Director of Legal Aid Clinic*

A.B., 1928, J.D., 1934, Duke University; general practice, 1934-40; Assistant Legal Aid Clinic, Duke University School of Law, 1934-46; Lecturer, School of Law, Wake Forest College, 1942-43; Lecturer in Business Law, Duke University, 1941-53; On Leave as Consultant with National Probation Association, 1943-45; Director, North Carolina State Department of Institutions, 1946-47; Professor of Law and Director of Legal Aid Clinic, University of Tennessee, since 1947.

DIX W. NOEL, A.B., J.D., A.M., *Professor of Law*

A.B., 1927, J.D., 1930, Harvard University; A.M., 1938, Columbia University; general practice, 1930-38; Assistant Professor of Law, University of Toledo, 1938-42; Senior Attorney, Office of Price Administration, 1942-43; Associate Professor of Law, Temple University, 1943-44; Associate Professor of Law, Northeastern University, 1944-45; Associate Professor of Law, University of Tennessee, 1945-46. Professor of Law since 1946; Distinguished Professor since 1966.

ELVIN E. OVERTON, PH.B., J.D., S.J.D., *Professor of Law and Secretary of the College of Law*

Ph.B., 1928, J.D., 1931, University of Chicago; S.J.D., 1943, Harvard University; Military Service, 1942-45; Commander, United States Naval Reserve (Ret.); Instructor in Law, University of Arkansas, 1931-33; Assistant Professor of Law, University of Tennessee, 1933-34; Professor of Law, Mercer University, 1934-42; Dean of the School of Law, Mercer University, 1937-42; Research Fellow, Harvard Law School, 1940-41; Visiting Professor of Law, University of Oregon, 1941-42; Professor of Law, Temple University, 1942-46; Professor of Law, University of Tennessee, since 1946.

KENNETH L. PENEGAR, A.B., J.D., LL.M., *Dean of the College of Law, and Professor of Law*

A.B., 1954, J.D., 1961, University of North Carolina; LL.M., 1962, Yale University; Military Service, 1954-57; LCDR U.S. Naval Reserve (JAGC); Research study, London School of Economics, 1957-58; Law clerk, Circuit Judge, U.S. Court of Appeals, 1962-63; Assistant Professor of Law, 1963-66, Associate Professor of Law, 1966-69, University of North Carolina; Ford Foundation, Visiting Professor of Law, University of Delhi, 1967-68; Private practice, 1969-71; Professor of Law, University of Tennessee, since 1971. Dean-elect July-September 1971; Dean since September 1971.

JERRY J. PHILLIPS, B.A., M.A., LL.B., *Assistant Professor of Law*

B.A., 1956, Yale University; B.A., M.A., 1958, Cambridge University; LL.B., 1961, Yale University; Instructor, University of Chattanooga, 1963 and 1966; general practice, 1961-67; Assistant Professor of Law, University of Tennessee since 1967.

THOMAS G. ROADY, JR., A.B., M.A., J.D., *Professor of Law*

A.B., 1940, M.A., 1948, J.D., 1948, University of Illinois; University Fellow, Columbia University School of Law, 1948-49; Military service, 1942-46; practice of law, 1952-56; Assistant Professor of Law, 1949-50, Associate Professor of Law, 1950-51, University of Tennessee; Associate Professor of Law and Assistant Dean, Washington University, 1951-52; Visiting Professor of Law, University of Missouri, 1954-55; Professor of Law, Vanderbilt University, 1956-68; Professor of Law, University of Tennessee, since 1968.

TOXEY H. SEWELL, B.S., J.D., LL.M., *Associate Professor of Law*

B.S., 1942, J.D., 1948, University of Alabama; LL.M., George Washington University, 1954; private practice, 1947; Judge Advocate General's Corps, United States Army, 1949-1966; Colonel, United States Army, Retired. Associate Director of Legal Aid Clinic 1966-70; Associate Professor of Law, University of Tennessee, since 1966.

**HAROLD C. WARNER, PH.B., J.D., *Dean of the College of Law, and Professor of Law***  
Ph.B., 1924, J.D., 1925, University of Chicago; general practice, 1925-28; Military Service, 1941-46; Colonel, Judge Advocate General's Corps, United States Army; Instructor in Law, 1928-30; Assistant Professor of Law, 1930-36; Associate Professor of Law, 1936-49; Professor of Law, University of Tennessee, 1939-71. Emeritus since September 1, 1971; Dean, 1963-71, Emeritus since September 1, 1971.

**HARRY MICHAEL WELSH, B.A., J.D., LL.M., *Assistant Professor of Law***  
B.A., 1963, J.D., 1966, University of Toledo; LL.M., 1967, University of Michigan; Assistant Professor of Law, University of Tennessee, since 1967.

**DOUGLAS QUINN WICKHAM, B.A., LL.B., *Assistant Professor of Law***  
B.A., 1963, LL.B., 1966, Yale University; private practice, 1966; military service, 1966-68; Visiting Assistant Professor of Law, University of South Carolina, 1969-70; Graduate study, Harvard University Law School, 1970-71; Assistant Professor of Law, University of Tennessee, since 1971.

**WILLIAM HENRY WICKER, A.B., LL.B., LL.M., LL.D., *Professor of Law and Dean Emeritus of the College of Law***

A.B., 1917, Newberry College; LL.B., 1920, Yale University; LL.M., 1925, Harvard University; LL.D., 1957, Newberry College; general practice, 1920-22; Legal Editor, West Publishing Company, 1922-24; Research Fellow, Harvard Law School, 1924-25; Instructor in Law, 1925-26; Assistant Professor of Law, 1926-28; Professor of Law, 1928-29; University of Tennessee; Professor of Law, University of South Carolina, 1929-33; Professor of Law, University of Tennessee since 1933; Acting Dean of Law College, 1944-46; Dean of Law College, 1946-July 1, 1963; Dean Emeritus since July 1, 1963; Professor Emeritus since 1967; Visiting Professor of Law, University of North Carolina Summer, 1950.

## TEACHING PART TIME, AND LEGAL CLINIC

**SHARON J. BELL, B.S., J.D., *Assistant in Legal Aid Clinic***  
B.S., 1966, J.D., 1970, University of Tennessee; Assistant in Legal Aid Clinic, since 1971.

**HAI FORREST BURK, A.B., LL.B., *Professor of Taxation***  
A.B., 1926, LL.B., 1928, University of Michigan; tax practice since 1928; Assistant Professor of Taxation, University of Tennessee, 1946-55; Professor of Taxation since 1955.

**THOMAS EDWARD COLE, B.S., J.D., *Professor of Trial Moot Court***  
B.S., 1946, J.D., 1948, University of Tennessee; private practice, 1948-61; Circuit Judge, since 1961; Assistant Professor of Trial Moot Court, University of Tennessee, since 1964.

**JAMES M. HAYNES, J.D., *Professor of Trial Moot Court***  
J.D., 1950, University of Tennessee; private practice, 1951-59; Circuit Judge, since 1959; Assistant Professor of Trial Moot Court, University of Tennessee, since 1961.

**LAWRENCE P. LEIBOWITZ, B.S., J.D., *Assistant in Legal Aid Clinic***  
B.S., 1968, J.D., 1969, University of Tennessee; private practice, 1969-70; Assistant in Legal Aid Clinic, University of Tennessee, since 1970.

**CHESTER RENICK MAHOOD, J.D., *Professor of Trial Moot Court***  
J.D., 1948, University of Tennessee; private practice, 1949-63; Circuit Judge, since 1963; Professor in Trial Moot Court, University of Tennessee, since 1964.

**FRANKLIN R. NORTON, B.S., J.D., *Assistant in Legal Aid Clinic***  
B.S., J.D., 1964, University of Tennessee; Asst. City Atty., Oak Ridge, Tennessee 1964-66; Deputy Law Director, Knoxville, Tennessee since 1966; Assistant in Legal Aid Clinic since 1970.

**HOWELL N. PEOPLES, B.S., J.D., *Assistant in Legal Aid Clinic***  
B.S., 1964, J.D., 1966, University of Tennessee; general practice 1966-69; Assistant in Legal Aid Clinic since 1969.

EDWIN HOPE RAYSON, A.B., J.D., *Assistant Professor of Labor Law*

A.B., 1944, J.D., 1948, University of Tennessee; private practice specializing in labor law since 1948; Assistant Professor of Labor Law, University of Tennessee, since 1950.

ROBERT WAYNE RITCHIE, B.A., J.D., *Assistant in Legal Aid Clinic*

B.A., 1960, Western Kentucky State College; J.D., 1963, University of Tennessee; Judge Advocate General's Corps, 1963-66; Assistant in Legal Aid Clinic, since 1967.

ROBERT H. WATSON, B.S., J.D., *Assistant in Legal Aid Clinic*

B.S., 1968, J.D., 1970, University of Tennessee; Assistant in Legal Aid Clinic since 1970.

# COLLEGE OF LAW

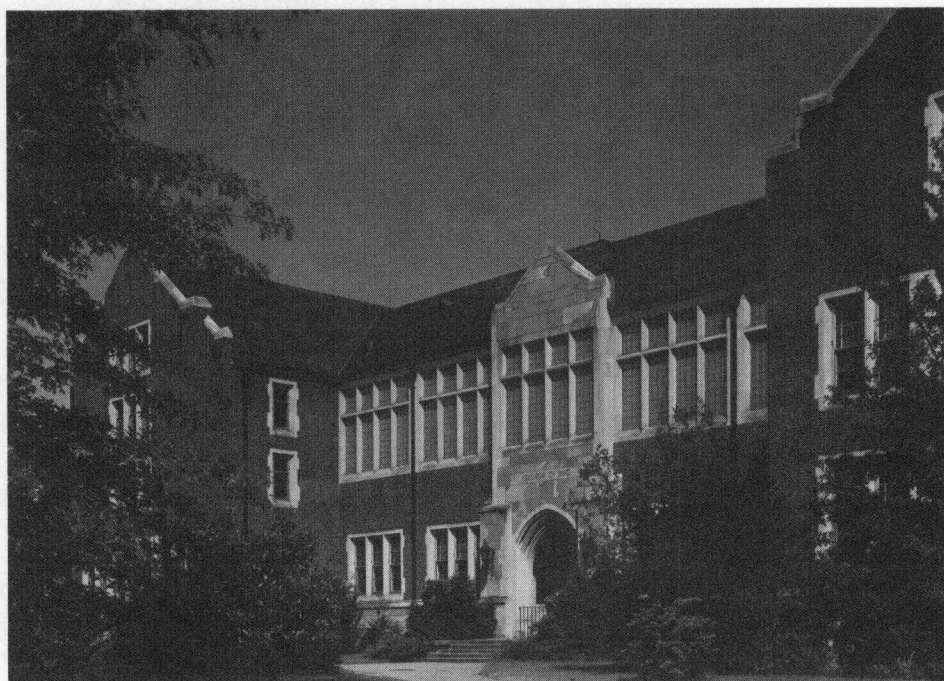
HAROLD C. WARNER, *Dean*

During the past half-century the program of instruction in legal education has been materially expanded and re-designed to provide a broader perspective and a more creative understanding of the spirit of the law, its sources, the manner in which it functions, what the law is and what it should be. In the traditional apprenticeship training of the eighteenth and nineteenth centuries primary emphasis was placed upon the art of advocacy interspersed with a modicum of reading in the law. In the law schools of the period, legal training was based primarily on the lectures of those learned in the law. Neither the law office training nor the law school lecture, however, was adequate to serve the needs of a changing civilization. The legal profession generally and the law schools in particular became increasingly cognizant of the necessity not only to inte-

grate theory and practice, but, in a more fundamental sense, to promote thinking as lawyers think—the development of logical lawyerlike analysis and synthesis of legal and related materials.

Early in this era of reappraisal The University of Tennessee College of Law came into existence. In 1890, a Department of Law was established with a two-year course leading to the degree of LL.B. In 1912, the Department of Law became the College of Law, and in 1913, a third year was added to the curriculum.

Since 1900, when it became a charter member of the Association of American Law Schools, the College of Law has played a leading role in the formulation of the standards of that organization, the highest of any accrediting agency.



## *Objectives and Methods*

The College of Law has long cooperated with the American Bar Association's Council of Legal Education and Admissions to the Bar, having been on the approved list of law schools since the list was first promulgated by that organization in 1923, and having subscribed to the Standards of the American Bar Association which the Council advocates, and which are recommended for enactment by all states. These standards provide that candidates for admission to the bar, in addition to taking a public examination, shall give evidence of graduation from a law school which shall require three years of study in a college as a condition of admission, and three years of legal study for a law degree. If the law course is not a full-time course, the period of law study must be proportionately longer to fulfill the three-year requirement. These standards further require that the law school shall not be operated as a commercial enterprise and that it have an adequate library and a sufficient number of teachers giving their entire time to the school to insure actual personal acquaintance and influence with the whole student body.

The coordinated curriculum in the College of Law today is founded upon an analytical study of the questions faced by the courts as revealed in the reported cases as well as a consideration of the fundamentals of the attorney-client relationship, the drafting of proper legal instruments, the pre-trial preparation of cases when litigation becomes necessary, and the techniques of trial and appellate advocacy. The case system of study is used, carefully selected collections of cases being employed as the basis of instruction. The teacher and the student discuss the assigned materials critically and comparatively, both with reference to the facts and the decisions reached and the rules and principles of law involved. Research, text, and problem methods are also used. Due attention is given to the statutory and administrative materials which form an increasingly important part of our legal system.

In an effort to achieve an optimal balance in legal education, the College of Law has maintained continuing emphasis upon legal research, legal writing and drafting. This has been accomplished not only through formal courses in such subjects but also by intensifying *Tennessee Law Review* training and by the preparation of legal documents

and memoranda of law. Stress has been placed upon trial practice by the well-established Moot Court; upon appellate practice by case club briefs and oral arguments culminating in the annual National Appellate Moot Court Competition; and upon day-to-day practice under actual law office conditions by the operation of an outstanding Legal Clinic in the College of Law Building.

While proper consideration is given to Tennessee law, the course of study is conducted with a view of providing an understanding of the general rules, principles, and standards of American law so as to fit our students for the bar of any state. Legal education at the College of Law, however, is not concerned solely with the inculcation of the necessary knowledge and skills for the practice of law, or a sound legal training for those contemplating careers in business, in politics, or in the service of government agencies. Legal education must also impress upon the student a high regard for the professional duty which he as a lawyer will owe his client, the courts, and the public. There must also be instilled in him an awareness of the responsibility in the social, economic, and political life of the community, the state, and the nation, which traditionally lawyers have uniquely filled.

## *The College of Law Building*

Since 1950 the College of Law has occupied a building especially designed for teaching, study, and research in the law. In the spring of 1971 the Law College occupied the new wing begun in the fall of 1969. The new addition has doubled the available facilities. The library, the classrooms, and the offices are air-conditioned. Adequate classrooms, courtroom, seminar rooms, a private office for each full-time faculty member, the well-equipped offices of the Legal Clinic, and a spacious, well-lighted Law Library are contained in this modern building. Stack space for more than 200,000 volumes will permit the repository of one of the largest law book collections in the South.

## *Law Division, Government-Industry-Law Center*

In 1963, the Legislature established the Government-Industry-Law Center at The University of Tennessee to coordinate and broaden the services available from the Uni-

versity to the people of Tennessee. As a participant in the Center's activities, a Law Division has been established at the College of Law to further the service of the Center by providing studies and research in Law in accordance with the legislative act.

### *Legal Clinic*

The University of Tennessee Legal Clinic was established in 1947. Though the Clinic provides legal assistance to indigent persons, it is designed primarily as a teaching device to correlate theory and practice. It introduces the student under faculty supervision to the law in practice through personal contact with clients and their problems. The Legal Clinic functions as a large law office in which the student gains experience in interviewing clients, writing legal letters, investigating and evaluating facts, preparing memoranda of law, preparing cases for trial or adjustment, and briefing cases. Classroom work supplements the handling of actual cases. The student is thus trained in the technique of law practice and the management of a law office. The ethical responsibilities of lawyers and their function as public servants are stressed. Under present rules of the Tennessee Supreme Court, Clinic students, under the direct supervision of the Legal Clinic staff, are certified to practice before all the courts of Tennessee.

A competent authority has classified the Legal Clinic of The University of Tennessee as one of the two best in the United States. Further national recognition was given the Clinic in 1961 when a substantial grant was made to it by the National Council on Legal Clinics. The grant made possible the development, over a three-year period, of a program to increase the Clinic student's opportunity to participate in the investigation and trial of criminal cases, to have contact with agencies participating in the administration of Criminal Justice, and to participate in seminars for the discussion of professional responsibility and interprofessional cooperation.

### *The Law Library*

The Law Library contains the official state reports of all states, the complete National Reporter system which covers all states and the federal courts, the Annotated Reports, standard sets of miscellaneous reports, the reports of the Canadian cases and of English cases from the Yearbook to date. In addition

to these, there are adequate encyclopedias, digests and dictionaries, standard textbook, law reviews, and current loose-leaf services, totalling together more than 90,000 catalogued volumes. The Library is under the supervision of a full-time member of the faculty with thorough training in library science as well as law. It is under the immediate supervision of a law librarian who is trained in law and library science. The physical facilities, the collection of books, and the library staff combine to make the Law Library of The University of Tennessee one of the best in the South. Law students also have the use of the collections in the University Graduate Library which is located just across the street from the Law Library and the Undergraduate Library a few blocks away.

### *Moot Courts*

#### TRIAL MOOT COURT

In order to meet a need for practical training and experience there is conducted in the College of Law a Moot Court. The Court is divided into sections. Each section meets seven times a quarter throughout the year. Attendance at this Court is required of all students. Students participate in the organization of the court and serve at times as sheriff, clerk, and jurors. Senior students act as counsel in both law and equity cases, and are required to perform all the duties of counsel. Freshman students will fulfill their required attendance by serving as jurors.

The Moot Court room reproduces faithfully a modern courtroom. The judge's bench, jury box, facilities for attorneys and litigants, and space for spectators contribute an air of reality that makes for more effective courtroom training.

Courts of all kinds, criminal, civil, equity, state, and federal, including the Court of Appeals of Tennessee and the Supreme Court of Tennessee, hold their sessions in the City of Knoxville.

#### APPELLATE MOOT COURT

Each student in the College of Law is a member of an Appellate Argument Club for at least one quarter. These clubs provide an opportunity for students to gain experience and training in appellate argument and brief preparation. Those who have participated in the Appellate Argument Clubs are eligible for the Law Day Competition and selection



for a team to represent the College of Law in the National Inter-Law School Moot Court Competition. Regional winners in this competition go to New York for the finals.

### *The Tennessee Law Review*

The *Tennessee Law Review* is a legal periodical published quarterly by the faculty and students of the College of Law of The University of Tennessee. Candidates for the *Review* are selected from the second year law class by the faculty and the *Law Review* editorial board on the basis of scholarship and writing ability. The editorial board is composed of third year students. Specially designed offices are provided for the use of the *Law Review* editors.

The *Review* offers an excellent opportunity to those students with the requisite legal aptitude and industry to do legal research and writing of a practical nature. Notes and comments upon important recent decisions are prepared by each student editor under the supervision of the Law Faculty, and are published in the *Review*.

### *The Order of the Coif*

The College of Law has a chapter of the Order of the Coif. The Order of the Coif is a national law school honor society, election to which depends upon high scholastic attainments in a law school maintaining high standards. Only those students who, at the time of their graduation, are among the first tenth of their class, and have contributed substantially to the *Tennessee Law Review*, are eligible. Election to the order is made by the Law Faculty and is the highest honor conferred by the College of Law.

### *Student Bar Association*

The U-T Student Bar Association is a member of the American Law Student Association, which is affiliated with the American Bar Association. As members of this Association, all law students have the opportunity to participate in College of Law activities. At weekly meetings the Association sponsors lectures and similar programs. Each spring it sponsors an Annual Law Day. The contributions of the Student Bar Association to legal education have received wide recognition from the faculty, the bench, and the bar.

### *Legal Fraternities*

Three of the largest national legal fraternities maintain active chapters at the College of Law. The Roosevelt Inn of Phi Delta Phi Legal Fraternity was established at the Law College in 1919. The McReynolds Chapter of Phi Alpha Delta Legal Fraternity was founded at the College of Law in 1916. The John Catron Senate of Delta Theta Phi received its charter in 1966.

The legal fraternities have traditionally played a leading role in the College of Law affairs, professional as well as social. Weekly luncheon programs and round table discussions and lectures feature addresses by prominent speakers drawn from the legal profession and from commerce and industry. Established primarily to foster a deep consciousness of the ideals of the legal profession and lasting good fellowship among its members, each of the legal fraternities has made a deep impression upon the student body and the alumni of the College of Law.

### *Guidance*

Every member of the College of Law staff is available for consultation with students as an adviser and consultant concerning the law school program. The Office of the Dean exercises primary responsibility for these functions. Choice of courses, schedule problems, and personal problems of study and law school techniques are all within the scope of the advisory service.

In addition, the facilities of the University Students' Counseling Service, and the University's specialized services for improving reading skills and study habits are available to Law College students. Various testing services will assist in appraising aptitudes and abilities.

### ORIENTATION PROGRAM

The Student Bar Association in cooperation with the faculty of the College of Law sponsors at the beginning of each quarter a series of lectures for entering law students. The objectives and aims of the College of Law, the *Tennessee Law Review*, The Order of the Coif, the student organizations and legal fraternities, the functions of the Legal Clinic, and techniques in adapting study habits to the College of Law curriculum are discussed as part of this orientation program.

## *Privileges*

Students in the College of Law have the same privileges and are subject to the same regulations as other University students. They may attend classes in other colleges of the University, without additional charge, subject to approval of the Dean of Admissions and the student's College of Law adviser. They have also equal privileges with students in other departments of membership in University organizations, the use of the gymnasium and the University libraries.

### THE STUDENT CENTER

Directly across from the College of Law is the Carolyn Brown Memorial University Center. Law students are invited to use all of the facilities of this modern University meeting place. In addition to housing most student organization offices, lounges, meeting rooms, and recreational facilities, the Center contains the University Post Office, a grill, cafeteria, bookstore, and supply store.

### STUDENT HEALTH SERVICES

Modern hospital facilities and expert medical care are available to all regular students through the University-maintained Student Health Service. Also offered are various laboratory tests, x-rays, and clinical and nursing services. A nominal charge is made when confinement to student clinic and hospital is necessary for more than one day.

A regular student under care of the health service is entitled to free care by staff physicians. However, if desired, a student is privileged to call in at his own expense any physician of his choice.

A voluntary student group plan of hospital expense insurance for accident and sickness is available. Information on cost and coverage of this insurance will be made available upon enrollment.

### UNIVERSITY CONCERT SERIES

The University Concert Series presents each year outstanding musical organizations and artists. The Opera Workshop, the Training Orchestra, the University Bands, the Glee Clubs, the Choral Society, and the University Singers provide outlets and opportunities for those who are interested in such form of expression.

## *Scholarships and Awards*

### THE JOHN W. GREEN SCHOLARSHIP

By his will, the late John W. Green established several law scholarships which are to be awarded in recognition of unusual ability in the general development of character, ambition to excel, and interest in the general development and advancement of the ethical standards of the legal profession.

These scholarships will be awarded annually by the Faculty of the College of Law to those members of the three law classes, who apply and possess to a marked degree those qualities and academic ability and character as above provided.

The size of the award will depend upon the income from the estate. Currently the awards are worth \$1,000 each.

Entering freshmen are eligible for the award to a member of the first-year class. A recipient of an award is eligible to compete for the award in subsequent years on an equal footing with other applicants. It will thus be possible for a student to receive a substantial award for each of the three years he is in the College of Law. Non-residents of Tennessee are equally eligible for the awards as are residents of Tennessee.

### OTHER SCHOLARSHIPS

Four or more of The University of Tennessee freshman scholarships will be available each year to students entering the first year class of the College of Law. These scholarships will pay university fees for the academic year with the balance available for books. They are limited to residents of Tennessee who have attended a college in Tennessee. The awards are made to qualified and deserving applicants on the basis of scholarship, personality, and qualities of leadership. Information and application blanks may be obtained from the Secretary, College of Law.

The Chancellor Glenn W. Woodlee Scholarship fund was established by the will of the Honorable Glenn W. Woodlee, Chancellor of the Twelfth Chancery Division of Tennessee, an active and loyal alumnus of the College of Law. Income from the fund of \$20,000 will determine the number and size of the awards. Awards will be made annually to a law student or a student enter-

ing the College of Law to aid worthy law students to obtain a legal education. Awards will entitle the holder to an amount at least equal to the full resident fees for an academic year, and are made on the basis of scholarship, character, and need. Chancellor Woodlee suggested that "potential scholastic development be given consideration equally with prior scholastic attainment."

The A. J. Graves Memorial Scholarship Fund has been established by Mrs. A. J. Graves in memory of her husband, A. J. Graves, an alumnus of the College of Law, member of the Knoxville Bar, and a long time Senator in the General Assembly of Tennessee. The scholarship will be awarded by the College of Law Scholarship Committee to a law student or a student entering the College of Law on the basis of scholarship, character, and financial need. The current value of the award is \$500.

The Harry W. Brooks Endowment Fund has been established by Mr. Harry W. Brooks to provide scholarships and other financial aids to worthy and needy students of the University who have well-rounded records of achievement. A portion of the endowment has been designated for awards to law students. The number of awards and the amount of each will depend upon the income produced by the fund. Awards will be made annually by the University Financial Aids Committee to students nominated by the Dean of the College of Law.

The George S. Child, Sr., Memorial Law Scholarship has been established by his sons, Judge George S. Child, Jr., Colonel John L. Child, and Robert M. Child. Mr. Child and his three sons all graduated from U. T. College of Law. The amount of the scholarship is \$300 annually. It shall be awarded by the College of Law Scholarship Committee to a student showing potential professional ability as a lawyer and having financial need. Grade point average or academic achievement shall not necessarily constitute a condition of consideration.

The Hyman Scholarship established by Arthur B. Hyman of the New York City Bar, an alumnus of the College of Law, will be awarded annually to a law student or a student entering the College of Law. The current value of the award is \$200. The award will be made on the basis of scholarship, character, and financial need.

Under the provision of the will of Florence S. Hyman of New York City, the Arthur B. Hyman Scholarship Fund of \$5,000 has been established. This fund will

provide a second Hyman Scholarship which will be awarded annually to a law student or a student entering the College of Law. It will be made on the basis of scholarship, character, and financial need. The amount of the award will depend upon the income from the fund.

The Knoxville Auxiliary of the Tennessee Bar Association has established an endowed scholarship for the College of Law known as the Knoxville Auxiliary of the Tennessee Bar Association Scholarship. Until this fund is large enough to provide an annual scholarship from income, a part of the income will be used to provide an annual award to the law student who has the highest scholastic average on his first year of study in the College of Law. The amount of the award will be designated by the Board of the Auxiliary. The first award will be made in the spring of 1971.

The Michael F. Foley Memorial Scholarship and the James D. Hoskins Scholarship in Real Property have been established by the Kansas City Title Insurance Company, Kansas City, Missouri, and the Fast Tennessee Title Insurance Agency, Inc., Knoxville, Tennessee. Dr. Hoskins was an 1897 graduate of the College of Law. For more than a half century he served with commendable zeal The University of Tennessee as Professor, Dean, and President. Each scholarship carries an annual award of \$225. The awards are available in the fall quarter to a member of the second year class and are made upon the basis of character, scholarship, financial need, and outstanding interest in the field of Real Property Law.

The Robert L. Forrester Memorial Scholarship has been established in memory of Robert L. Forrester, a prominent attorney in Watertown, Tennessee, by his son Nelson Forrester, of the Tullahoma Bar. The amount of the scholarship is \$250 annually, and it will be awarded on the basis of character, scholarship, and financial need.

The Judge George Caldwell Taylor Memorial Scholarship has been established by the family in memory of Judge George Caldwell Taylor, Judge of the United States District Court, Eastern Division of Tennessee, member of the Board of Trustees, University of Tennessee, and an alumnus of the College of Law. The Scholarship will be awarded to a law student or a student entering the College of Law who is a citizen of the State of Tennessee. The current value of the award is \$250, and it will be made on the

basis of scholarship, character, and financial need.

The Taylor H. Cox Memorial Scholarship has been established in memory of Judge Taylor H. Cox of the Knoxville Bar by members of his firm. Judge Cox was a graduate of the College of Law and a loyal alumnus. The scholarship carries an award of \$225. It is available to a law student or a student entering the College of Law. It is awarded on the basis of scholarship, character, and financial need.

The Charles A. and Myrtle Warner Memorial Scholarship Fund has been established by Dean and Mrs. Harold C. Warner, in memory of Dean Warner's parents. The current value of the award is \$225. The award will be made annually on the basis of scholarship, character, and financial need, to law students or students entering the College of Law.

Because of the interest of the late Syllus F. Hodges of the Knoxville Bar, in the Legal Clinic program of the College of Law, the Syllus F. Hodges Memorial Scholarship Fund was established by a gift from his widow, Mrs. Irene Hayes Hodges, to be awarded to a third-year student on the basis of character, scholarship, and interest in participating in the Legal Clinic program of the College of Law. This award currently is in the amount of \$250.

The alumni of the College of Law have established the College of Law Centurion Endowment Fund. The income from this fund will be used to provide scholarships for deserving students. The awards will be made by the Scholarship Committee.

The Howard H. Baker Memorial Fund has been established by friends and relatives in memory of Howard H. Baker, Congressman from the Second Tennessee District for many years, and an alumnus of The University of Tennessee College of Law. An award will be made annually on the basis of scholarship, character, and need to a law student or a student entering the College of Law.

## PRIZE AWARDS

The Herbert L. Davis Memorial Trust Fund offers each year an award of \$100 to the law student who has the highest scholastic average on his first two years of work in the College of Law.

Mr. W. Kerby Bowling, Senior partner in the law firm of Bowling, Miller and Jackson of Memphis, offers each year an award of \$100 to the law student who shows the

greatest proficiency in the field of labor law studies.

The Bobbs-Merrill Company, of Indianapolis, offers as a prize a copy of *Jones' Legal Forms* to the student who has attained the highest average during three years of law study.

Callaghan and Company, of Chicago, offers as a prize a copy of *Brown on Personal Property* to that student who has attained the highest average during his junior year in the College of Law.

The editors of the *United States Law Week* have established an award consisting of a year's subscription to the *Law Week* for the member of the senior class who makes the most scholastic progress during his senior year.

The Nathan Burkan Memorial Competition grants a prize of \$150 to that senior who shall be judged by the faculty to have prepared the best article on copyright law. A second prize of \$50 is granted to that senior judged to have prepared the next best article.

The United States Fidelity and Guaranty Company, of Baltimore, grants a prize of \$50 to the senior preparing the best paper on a selected suretyship subject.

The Hamilton National Bank of Knoxville, in memory of the late C. M. Preston, former chairman of its board of directors, offers annually three prizes to those members of the senior class who draft the best wills based upon a hypothetical state of facts. The first prize amounts to \$125, the second \$75, and the third \$50.

In honor of its founder, Lucius Root Eastman, the Eastman Library of the American Arbitration Association, has established a \$500 annual prize for the best essay on some phase of Commercial Arbitration as it is practiced in the United States. The contest is open to any law student in a law school in the United States. The winning essay and others judged as qualifying will be published in the *Arbitration Journal*. Currently entries are due in April, and awards made in May.

The Lawyers Cooperative Publishing Company of Rochester, New York, and the Bancroft-Whitney Company of San Francisco, joint publishers of *American Jurisprudence*, offer separately bound topics from that encyclopedia to students receiving the highest grades in the respective subjects.

The West Publishing Company of St. Paul, Minnesota, offers annually a selected title from its Hornbook Series to that mem-

ber of each of the three classes who achieves the highest scholastic average in his class.

The American Law Book Company of Brooklyn, New York, offers annually a selected title of *Corpus Juris Secundum* to that member of each of the three classes who has made the most significant contribution toward overall legal scholarship.

### *Loan Funds*

Students in the College of Law are eligible to make use of the University loan funds. These funds, administered by the Board of Trustees, are available to all students of the University who have completed one quarter of satisfactory work in the University and have begun their second quarter. Fuller information will be found in the main section of the general University Catalog.

Students in the College of Law are eligible to apply for loans under the National Defense Education Acts of 1958. Applications will be accepted from incoming freshmen as well as upper class students. Information and application forms should be obtained from the Financial Aids Section of the Treasurer's Office of The University of Tennessee.

### *Placement Services*

The College of Law operates a placement service designed to assist Law College graduates in obtaining professional positions. Law firms, insurance companies, banks and trust companies, corporate legal departments, and various governmental agencies make use of our placement facilities. Graduates of the College of Law may also make use of the University Bureau of Personnel Service which will assist in placement.

Assistance is also available to students who find outside employment necessary to supplement other income while pursuing their studies in the College of Law. In addition to the facilities of the College of Law, law students are entitled to the full use of the University's employment bureau which offers assistance in finding part-time employment in the Knoxville area. There are additional opportunities for student employment within the University itself. Entering freshmen should plan to complete the first two quarters of law school without outside employment. In general, students working a substantial period each week should plan to take less than the full law school work each quarter.

### *Fees and Expenses*<sup>o</sup>

The maintenance fee in the College of Law for all students is \$105.00 per quarter. For noncitizens of Tennessee there is an extra tuition charge of \$205 per quarter. The diploma fee, payable at graduation, is \$10.

Each application must be accompanied by an application fee of \$10 before it will be processed.

In addition to maintenance and tuition fees, all students taking in excess of six quarter hours per quarter will pay a student activities and service fee of \$15 per quarter. The service fee for students taking six hours of credit or less will be \$1 per quarter hour with a minimum of \$3.

In lieu of maintenance and/or tuition fees, students may elect to pay fees computed per quarter hour of credit. For Tennessee residents the fee is \$19.00 per quarter hour with a minimum of \$57. For out-of-state students the fee is \$30 per quarter hour with a minimum of \$90.

*Deposit.* Due to the rapidly increasing number of applicants, particularly for the Fall quarter, a \$50 deposit may be required of all applicants for a particular quarter. The deposits, when required, will apply toward the first quarter's fees when the student registers in the College of Law. If the student does not register the deposit is not returnable. When an applicant is accepted he will be advised of the necessity of making a deposit, and of the deadline which must be met to save a place in the quarter for which he has been admitted.

*Delayed Registration.* Students are reminded that they should complete registration, including financial arrangements, with the Treasurer's Office within the scheduled registration days. Late registration fees, reinstatement service fees, deferred payment service fees, and other fees are set out in the appropriate section of the University catalog. Absences will be counted beginning with the first day of classes. No student will be admitted later than one week after the beginning of any quarter.

In addition to the University fees, expenses at The University of Tennessee vary greatly according to the habits of the individual student. It is estimated that the average cost of room, meals, books, and

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<sup>o</sup> The University reserves the right to make, with the approval of the proper authorities, changes in any fees at any time.

laundry will total about \$1,400 for an academic year of three quarters. This includes all necessary expenditures, but does not include clothing, travel expenses, or pocket money.

## HOUSING

The University operates modern residence halls for single students and apartments for married students. Applications may be obtained from the Housing Office, Turner House, The University of Tennessee.

### *Dates of Admission*

The College of Law will accept new students, whether advanced or beginning, at the opening of any one of the four quarters. For the academic session 1971-72, the fall quarter begins on September 20, 1971, the winter quarter on January 3, 1972, the spring quarter on March 23, 1972, and the summer quarter on June 15, 1972.

### *The Quarter System*

The College of Law is conducted under the quarter system. Four quarters of work will be offered each calendar year. Residence study for any three quarters constitutes an academic year. Thus, the residence study requirements for the J.D. degree, covering three academic years, or nine quarters, may be completed within a calendar period of two and one-quarter years. Students who begin in the fall quarter may spread their work over three calendar years by omitting each year the summer quarter or some other quarter. In order to obtain full resident credit for any one quarter, a student must carry a minimum of ten hours of work a week and pass a minimum of nine hours. For any quarter in which less than ten hours are carried, or nine hours passed, a student will receive proportional resident credit.

### *Requirements for Admission*

#### CANDIDATES FOR A DEGREE

The College of Law selects its students from applicants who present a transcript showing completion of the work requisite for a Bachelor's degree on the basis of a four-year period of study in an approved college or university with an overall average of 2.0 on a 4.0 scale, on all work undertaken, exclusive of grades in military science, physical education, and other nontheory courses, and a satisfactory score on the Law

School Admission Test. These are the minimum requirements.

At least three full years of the pre-legal work must have been taken in residence.

## LAW SCHOOL ADMISSION TEST

All applicants for admission as beginning law students must take the Law School Admission Test given by the Educational Testing Service in cooperation with leading law schools throughout the country.

The test may be taken before application is made for admission to law school. A fee of \$12 is charged by the Educational Testing Service. Applications to take the test must be sent directly to the Educational Testing Service, 20 Nassau Street, Princeton, New Jersey. Tests are normally given in October, December, February, April, and July. All except July are scheduled to be held in the Moot Courtroom of The University of Tennessee College of Law. The tests are held in many centers throughout the United States. The date for the tests will be announced later. In general, applications should be filed with the Educational Testing Service not later than three weeks prior to the examination date. Requests for the form of application should be sent to the Educational Testing Service or the College of Law five or six weeks in advance of the testing date which the candidate has chosen.

Prospective students are urged to take the test at least two quarters ahead of expected admission.

## LAW SCHOOL DATA ASSEMBLY SERVICE

Applicants for admission should register with the Law School Data Assembly Service (LSDAS) by completing and mailing the registration form, which will be supplied with each law school application blank, or may be obtained directly from the Educational Testing Service. A transcript from each college attended should then be sent, not to the law school, but directly to:

### LSDAS

Educational Testing Service

Box 944, Princeton, New Jersey 08540

The LSDAS will analyze the transcript and send a copy to this law school and others you designate on the registration form. If the transcripts do not show a degree you will be asked to submit a final transcript showing the award of a bachelor's degree directly to the law school. Before that time, additional transcripts should be submitted

only in response to a special request from the law school.

Applicants applying only to this law school who have attended The University of Tennessee as undergraduates, may in lieu of the above simply request the College of Law to secure transcripts from the Office of Dean of Admissions of The University of Tennessee.

### ADVANCED STANDING

Applicants who qualify for admission to the College of Law and who have successfully pursued the study of law in a school which is a member of the Association of American Law Schools may receive, at the discretion of the faculty, up to two academic years of credit. The last academic year of law study must be spent in this Law College. As a condition to admission, a transfer student must forward to the Dean of the College of Law a certificate of good standing from the Dean of the law school previously attended. Advanced students are accepted at the beginning of any quarter, provided their prior law work has been of good quality.

### MILITARY AND AIR SCIENCE

Law College students who are desirous of pursuing advanced work in military or air science may do so while attending the College of Law. Such courses are administered as a regular part of the ROTC program at The University of Tennessee. Students interested in this program should communicate directly with the respective Departments of Military Science or Air Science.

### *Degree of Doctor of Jurisprudence*

The degree of Doctor of Jurisprudence will be conferred upon candidates who complete, with the required average, nine quarters of resident law study and who have 129 quarter hours of credit, including all required courses, and moot court participation. The required average is 2.0 and that average must be maintained on the work of all nine quarters and also in the last three quarters. Averages are computed on weighted grades. Grades are on a numerical basis of from 0.0 to 4.0. A grade of 0.5 or below is a failure.

The satisfactory completion of trial and appellate moot court participation is re-

quired of all candidates for the degree of Doctor of Jurisprudence.

### *Maintenance of Satisfactory Record*

Students in the College of Law must maintain a satisfactory academic record.

The following rules apply to probation, exclusion, and readmission:

#### PROBATION

To remain in good standing a student must maintain a 2.0 average or better. Any student who has undertaken at least 20 hours of law college work who fails to maintain an overall average of at least 2.0 on all work undertaken in the College of Law, or who fails to receive an average of at least 2.0 on the work of any one quarter, regardless of the number of hours taken in that quarter, will be placed on probation.

A student placed on probation should withdraw from all extracurricular activity at the University, and if employed, should curtail or eliminate his employment or reduce his academic load proportionately. Students on probation may not hold office in any professional or social fraternity, in the Student Bar Association, nor in any similar organization or activity.

#### EXCLUSION

Any student in the College of Law who is placed on probation and who fails to remove that probation in the next succeeding quarter (regardless of the number of hours undertaken in that quarter) by receiving at least a 2.0 average for that quarter and raising his overall average to at least 2.0, and any student who has undertaken at least 20 hours, but not more than 30 hours of law college work, who fails to earn at least a 1.6 average on all such work, will be excluded, provided, that if the student has received at least a 2.0 average in the quarter in which he would be subject to exclusion, he may be permitted to remain in the College of Law on probation, as long as he continues to maintain at least a 2.0 average on each succeeding quarter's work, or until such probation is removed.

#### READMISSION

A student who is excluded under the above rules may be readmitted, in ex-

ceptional cases, upon written petition to the faculty of the College of Law. The faculty may impose such conditions for the readmission of a student as it deems desirable. In the event the faculty grants a student's petition, he will be readmitted on probation.

A student who has been once readmitted and is subsequently excluded is not eligible for readmission again.

These requirements shall be applicable to any student who is a candidate for the degree of Doctor of Jurisprudence, whether or not he is also a candidate for a degree from another college or university.

### *Examination Regulations*

No condition grades are given in the College of Law. When a student misses an examination for any reason, he shall not be given a re-examination until the next regular time the examination in the course is given; provided, that seniors who may be kept from graduation with their class on account of sickness at examination time may be given another examination earlier than the time when the next regular examination will be given.

### NOTICE

Applications for admission, applications for scholarships, and inquiries as to courses of study and other matters pertaining to the College of Law should be addressed to the Secretary of the College of Law, The University of Tennessee, 1505 West Cumberland, Knoxville, Tennessee 37916. When an applicant is not already a student at this University, his application must be accompanied, or followed, by an official transcript from the registrar of the college attended. The application should be accompanied by an unmounted photograph.

All applications must be accompanied by an application fee of \$10 before an application can be processed. Checks should be made payable to The University of Tennessee.

Completed admissions should be received at least six months prior to the date of expected admission. Out-of-state students particularly are urged to apply early. Though the Fall Quarter is the most critical, early application should be made for all quarters.

### *Program of Instruction*

#### PROFESSORS:

*Burk, Feerick, Gray, Lacey, Miller, Noel, Overton, Penegar, Roddy, Warner.*

#### ASSOCIATE PROFESSORS:

*Cook, D. S. Jones, J. D. Jones, Sewell.*

#### ASSISTANT PROFESSORS:

*Baier, Holmes, Le Clercq, Phillips, Rayson, Welsh, Wickham.*

#### ASSISTANTS IN LEGAL CLINIC:

*Bell, Leibowitz, Norton, Peoples, R. Ritchie.*

#### PROFESSORS OF TRIAL MOOT COURT:

*Cole, Havnes, Mahood.*

The following program is designed to give the student an adequate preparation for the practice of law. From twelve to fifteen hours of classroom work a week are required of all full-time students. The required courses will be taken as early in the law course as possible or as scheduled by the law faculty.

The schedule listed is for the academic year 1971-72 for the four quarters beginning with the fall quarter 1971. Offerings for 1972-73 will be available in the College of Law Bulletin for 1972-73.

### REQUIRED COURSES

**8010 Civil Procedure I.** Casebook to be announced. 4 hrs.

An introductory course. Jurisdiction and venue. Pleading with emphasis upon historical development, modern codes, and the Federal Rules of Civil Procedure.

**8300 Constitutional Law.** Casebook: Gunther and Dowling, *Cases on Constitutional Law*, Eighth Edition. 4 hrs.

Examination in depth of selected areas of Federal Constitutional Law. Interstate Commerce and Due Process form the basis of emphasis upon analysis and developments of techniques and methodology.

**8020-30 Contracts I & II.** Casebook: Murphy and Speidel, *Studies in Contract Law*. Contracts I, 5 hrs. Contracts II, 4 hrs.

Contracts I. The basic agreement process and legal protection afforded contracts. Problems of offer and acceptance, interpretation, illegality, and the statute of limitations.

Contracts II. Continuation of study begun in Contracts I. Concentrating on remedies, conditions, impossibility and frustration, third party beneficiaries, assignment and delegation, and discharge.

**8040-60 Criminal Law and Procedure I & II.** Casebook, Criminal Law I: Hall and Mueller, *Cases on Criminal Law and Procedure*, Second Edition. Criminal Law II, in addition: Hall, Kasimer, La Fave and Israel,



*Modern Criminal Procedure*, Third Edition. Criminal Law I. 4 hrs. Criminal Law II. 3 hrs.

Criminal Law I. A course on the substantive aspects of criminal law. General principles applicable to all criminal conduct, then specific analysis of particular crimes.

Criminal Law II. Substantive defenses to crimes, including insanity, intoxication, mistake, necessity, legal duty, self-defense, and duress. Procedural problems with emphasis upon contemporary constitutional issues, including arrest, search and seizure, wire-tapping and electronic eavesdropping, right to counsel, confessions, guilty pleas, bail, and publicity.

**8070 Introduction to Law.** Casebook: Franklin, *The Dynamics of American Law*. 3 hrs.

An introductory course on the judicial process. Brief survey of judicial organization and procedure, legal history, case analysis, significance of precedent, influence of the judge as a policy maker, the adversary system, and the role and responsibilities of the lawyer as an advocate.

**8110 Legal Bibliography.** Textbook: Price and Bitner, *Effective Legal Research*, Third Edition, and selected materials. 2 hrs.

A workshop and discussion course in the practical use of law books and other legal materials. Emphasis upon techniques and research skills.

**8120 Personal Property.** Casebook: Fraser, *Cases and Readings on Personal Property*. Third Edition by Taintor. 2 hrs.

Survey of possession and lost and abandoned property. Fuller development of gifts, accession, and confusion. Emphasis on bailments, liens, and pledges, under the common law and the Uniform Commercial Code.

**8130-40 Real Property I & II.** Casebook: Cribbet, Fritz and Johnson, *Property, Cases and Materials*. Real Property I. 4 hrs. Real Property II. 4 hrs.

Real property I. Freehold estates, future interests, concurrent ownership, leases. The real estate contract and the deed.

Real Property II. The recording system, title assurance, easements, nuisance, lateral support, water rights, zoning, and eminent domain.

**8180-90 Torts I & II.** Casebook: Seavey,

Keeton and Keeton, *Cases on Torts*, Second Edition. Torts I. 4 hrs. Torts II. 5 hrs.

Torts I. Intended interference with the person, assault and battery, false imprisonment. Negligence and standard of care, proof of negligence. Affirmative duties, immunities, actual causation, and contributory causes.

Torts II. Negligence, result within the risk, or proximate causation. Assumption of risk and contributory fault. Interference with property, trespass, conversion, privileges. Strict liability. Liability of suppliers and contractors. Misrepresentation. Defamation. Unjustifiable litigation. Privacy. Interference with contractual relations.

**8195 Appellate Moot Court.** Selected problems. 1 hr.

Experience and training in appellate argument and brief preparation. Each third-quarter first-year student as a member of a two-man team will research a stated case, prepare an appellate brief, and present an oral appellate argument before a panel of faculty and student judges.

**8600 Legal Clinic I.** Selected materials. One hour classroom work. Assigned work in Legal Clinic. 3 hrs credit.

Participation in legal clinic work supplemented by classroom discussion and exercises. Under supervision by the faculty and staff the student adapts himself to law office routines, interviews clients, negotiates settlements, prepares pleadings, files papers and motions in court. Emphasis is placed on fact gathering, effective interviewing techniques, and development of professional skills.

**8660 Legal Profession.** Casebook: Cheatham, *Cases and Material on the Legal Profession*. 3 hrs.

The role of the lawyer in society and the ethical responsibilities implied in that role. Admission to the Bar, the organized profession, solicitation, advertising, unauthorized practice, conflicts of interest, the decision to represent or withdraw as counsel; the fiduciary relationship, advocacy and its limitations, fees, and disciplinary procedures.

**8945-8950 Trial Moot Court I & II.** Selected problems. 1 hr each of two quarters.

Experience and training in the trial of law and equity cases. Third-year students will act as counsel in all aspects of trial practice. Knox County Circuit Court Judges serve as judges of the Trial Moot Court.

In addition to the required courses just listed, each student is required to elect a minimum number of hours out of various fields of law. The groups and the minimum number of hours in each group are as follows:

**Business Organizations:** A minimum of four hours out of the following ten hours: Agency and Partnership 4 hrs; Corporations I, 3 hrs; Corporations II, 3 hrs.

**Commercial Law:** A minimum of four hours out of the following twelve hours: Sales 3 hrs; Security Transactions 3 hrs; Creditors Rights 3 hrs; Bills and Notes 3 hrs.

**Procedure:** A minimum of twelve hours out of the following twenty-six hours: Evidence I 3 hrs; Evidence II 3 hrs; Legal Clinic II 4 hrs; Federal Courts 4 hrs; Tennessee Procedure I 4 hrs; Tennessee Procedure II 3 hrs; Civil Procedure II 4 hrs.

**Property and Estates:** A minimum of seven hours out of the following seventeen hours: Wills 3 hrs; Future Interests 4 hrs; Trusts 4 hrs; Estate Planning 3 hrs; Modern Land Use Law 3 hrs.

**Public Law:** A minimum of eleven hours out of the following thirty-eight hours: Administrative Law 4 hrs; Conflict of Laws 5 hrs; International Law 4 hrs; Labor Law 3 hrs; Legislation 3 hrs; Municipal Corporations 3 hrs; Securities Regulation 3 hrs; Social Legislation and Employee Benefits 3 hrs; Trade Regulations 4 hrs; Unfair Trade Practice 3 hrs; Water Law 3 hrs.

**Seminars:** A minimum of one seminar out of the following seminars: Arbitration, Constitutional Law, Criminal Law, Government Contracts, Law and Current Problems, Labor Law, and Taxation (Corporate). In addition, Jurisprudence may be taken in satisfaction of this requirement.

## ELECTIVE COURSES

**8200 Administrative Law.** Casebook: Jaffe and Nathanson, *Administrative Law*, 4 hrs.

Administrative agencies and process. Delegation and interpretation of powers. Investigatory and rule making procedures and requirements. Adjudicative procedures, evidence, findings, stare decisis, and res judicata. Exhaustion of remedies, ripeness, and standing. Review proceedings and scope of review.

**8220 Agency and Partnership.** Casebook: Seavey, Reuschlein, and Hall, *Cases on Agency and Partnership*, 4 hrs.

Principal and agent. Master and servant. Authority. unauthorized transactions, notice, ratification, restitution. Parties to transactions in individual and partnership areas. Partnership creation, dissolution, and termination. distribution and winding up. Organizational problems and devices to reduce risk. The Uniform Partnership Act.

**8240 Arbitration Seminar.** 2 hrs.

In years in which this course is not offered, law students with the consent of the law faculty may elect 4480, Settlement of Labor Disputes, offered by the Department of Economics.

**8260 Bills and Notes.** Casebook to be announced. 4 hrs.

Negotiable instruments. Negotiability, transfer. Holders in due course. Equities and defenses. Liability of parties. Discharge. Arts. 3 & 4 of Uniform Commercial Code.

**8280 Conflict of Laws.** Casebook: Cheatham, Goodrich, Griswold and Reece, *Cases on Conflicts of Laws*, Fifth Edition. 5 hrs.

Jurisdiction, foreign judgments, choice of law, constitutional limitations, renvoi, and classification.

**8320 Constitutional Law Seminar.** Selected materials. 2 hrs.

Study and discussion of current constitutional law problems. Original paper required. Constitutional Law a prerequisite.

**8340 Creditors' Rights.** Casebook to be announced. 3 hrs.

Bankruptcy, fraudulent conveyances, and enforcement of judgments against insolvents.

**8345 Criminal Law Seminar.** Selected materials. 2 hrs.

Advanced problems in Criminal Law and Administration of Justice.

**8350 Damages.** Casebook to be announced. 3 hrs.

**8360 Domestic Relations.** Casebook: Jacobs and Goebel, *Cases on Domestic Relations*, Fourth Edition, and selected materials. 3 hrs.

Legal aspects of family organization. Creation of the marital status. Actions for annulment, separation, and divorce. Problems of separation agreements and alimony; child support and custody.

**8380 Equity.** Casebook: Cook, *Cases on Equity*, Fourth Edition. 4 hrs.

Jurisdiction and power of courts of equity. Specific performance. Injunctions.

**8400 Estate Planning.** Assigned materials. 3 hrs. Prereq: 8500 Future Interest and 8840 Taxation (Estate). In addition it is recommended that the student have had as many of the following courses as possible: Wills, Private Corporations, Taxation (Income), Partnerships and Trusts.

Problems of estate planning both inter vivos and testamentary. The advantages and disadvantages of various types of ownership. The law and practice of fiduciary administration, insurance, wills, future interests, trusts, corporations, partnerships, and gifts as related to estate planning. Research on assigned topics. Drafting of an estate plan for hypothetical fact situations.

**8420-40 Evidence I & II.** Casebook to be announced. Evidence I. 3 hrs. Evidence II. 3 hrs.

The rules regulating the introduction and exclusion of oral, written, and demonstrative evidence, including relevancy, competency, impeachment, hearsay, privilege, judicial notice, presumptions, and burden of proof.

**8460 Federal Courts.** Casebook: To be announced. 4 hrs.

Jurisdiction of the federal courts, and conflicts between the federal and state judicial systems, including nature of judicial power, federal questions, diversity, removal, jurisdictional amount, choice of state or federal law, habeas corpus, abstention, enjoining state proceedings, appellate jurisdiction and joinder of parties and claims.

**8500 Future Interests.** Casebook: Leach and Logan, *Future Interests and Estate Planning*. 4 hrs.

The law of future interests, including reversions, remainders, possibilities of reverter and rights of entry, executory interests, construction of limitations, and the rule against perpetuities.

**8510 Government Contracts Seminar.** Materials to be announced. 2 hrs. Prereq: 8200 Administrative Law.

Selected topics on procurement, performance, termination and renegotiation.

**8520 Insurance.** Casebook to be announced. 3 hrs.

Types of insurance carriers and their regulation. Types of contracts and their elements. Insurable interest. Warranties and representations. Cause of loss. Cancellation and

estoppel. Principles of indemnity and subrogation.

**8525 International Business Transactions.** Casebook: Katz and Brewster, *International Transactions and Relations*. 3 hrs. Prereq: 8530 International Law.

Legal status of persons abroad, acquisition and use of property within a foreign country, doing business abroad as a foreign corporation, engaging in business within a foreign country, and expropriation or annulment of contracts or concessions.

**8530 International Law.** Casebook: Bishop, *Cases and Materials on International Law*. Second Edition. 4 hrs.

Nature, sources, and application of International Law. International agreements. Membership in the international community. Nationality and jurisdiction. Special attention to recent decisions, the United Nations, and European Communities.

**8535 Jurisprudence Seminar.** Selected materials. 3 hrs.

A comparative examination of legal theories including natural law, idealism, historical jurisprudence, utilitarianism, analytical jurisprudence, sociological jurisprudence, legal realism, and the policy science approach.

**8540 Labor Law.** Casebook: Smith, Merrifield, and St. Antoine, *Labor Relations Law: Cases and Materials*. 3 hrs.

Selected problems of labor relations under Federal legislation.

**8550 Labor Law Seminar.** Selected materials. 2 hrs.

Study and discussion of recent and pending labor law cases in the United States Supreme Court.

**8580 Law and Current Problems Seminar.** 2 hrs.

**8590 Legal Accounting.** Selected materials. 2 hrs. A course designed to familiarize law students with accounting problems and techniques, and to enable them to use and understand accounting information.

**8620-30 Legal Clinic II A & B.** Classroom work. Assigned work in Legal Clinic. IIA, 2 hrs; IIB, 2 hrs. Total 4 hrs.

Professional responsibility is discussed and analyzed in seminar-type class meetings. The student will accept indigent clients charged with crime. He will investigate and

prepare cases for trial, participate in the trial, and study the functions of the administrative agencies that come into contact with the courts in the disposition of cases and rehabilitation of offenders.

**8640 Legal Draftsmanship.** Selected material. 2 hrs.

Designed to develop effective writing skills and sound drafting technique. Class discussions and individual conferences. Limited enrollment.

**8670 Legal Writing.** Legal research and writing of papers on problems of law. With faculty permission only. Work on *Tennessee Law Review* may count toward fulfillment of requirements. One hour credit may be given for preparation of brief in National Moot Court Competition.

**8680 Legislation.** Casebook: Nutting, Elliott and Dickerson, *Cases and Materials on Legislation*. Fourth Edition, 3 hrs.

Approximately half the course is devoted to a traditional case method approach to such problems as interpretation, drafting, and enacting statutes. The remainder of the course is devoted to a class project in which the class considers a potential area for legislative reform from preliminary research, through a legislative hearing, to final drafting, parliamentary debate, and voting.

**8690 Modern Land Use Law.** Casebook: Harr, *Land-use Planning*. 3 hrs.

Land use planning, nuisance, zoning, and eminent domain.

**8700 Municipal Corporations.** Casebook to be announced. 3 hrs.

Municipal corporations: Nature, creation, powers, limitations, liabilities.

**8710 Oil and Gas Law.** Casebook to be announced. 3 hrs.

Selected materials on nature of interests, conveyancing, royalties, grants and reservations, leases, and taxation.

**8740-60 Private Corporations I & II.** Casebook to be announced. Private Corporations I, 3 hrs. Private Corporations II, 3 hrs.

Private Corporations I. History and nature of the corporation; selection of the appropriate form of business enterprise; judicial and legislative regulation; promoters and preincorporation transactions; incorporation procedures; defective incorporation; disregard of the corporate entity; rights and

management duties of shareholders, directors, and officers.

Private Corporations II. Corporate finance: rights, duties, and liabilities respecting securities; special problems of close corporations; dividends and purchase by corporation of its own shares; fundamental corporate changes (sale of assets, mergers, etc.); shareholders derivative actions.

**8770 Products Liability.** Selected materials. 2 hrs.

Negligence of manufacturer. Strict liability of manufacturer. Liability of retailer and other suppliers. Defectiveness and causation. Disclaimers and contributory fault.

**8780 Restitution.** Casebook: Wade, *Cases and Materials on Restitution*. Second Edition. 3 hrs.

Rescission, reformation, and restitution. Benefits tortiously acquired. Benefits acquired under contracts. Mistake and misrepresentation and compulsion. Benefits voluntarily conferred.

**8800 Sales.** Honnold, *Cases and Materials on the Law of Sales and Sales Financing*. 3 hrs.

Art. 2 (Sales) and Art. 7 (Documents of Title) of the Uniform Commercial Code.

**8810 Security Transactions.** Casebook: Honnold, *Cases and Materials on the Law of Sales and Sales Financing*. 3 hrs.

Brief survey of suretyship and guaranty. Art. 9 (Security Interests in Personal Property) of the Uniform Commercial Code.

**8820 Securities Regulation.** 3 hrs. Advanced problems of governmental regulation of issuance of securities.

**8830 Social Legislation and Employee Benefits.** 3 hrs.

A study of legal problems arising under such programs as workmen's compensation, wage and hour laws, unemployment compensation, public assistance, social security, and medicare.

**8840 Taxation (Estate, Gift and Inheritance).** Casebook to be announced. 3 hrs.

Federal Estate and Gift Tax laws. History and development. Relationship of the two taxes. Procedure and review before boards and courts. Preparation of a return based upon hypothetical facts, and presentation of research results on assigned topics.

Problems involving the law of the several states are assigned.

**8860 Taxation (Income) I.** Casebook to be announced. 4 hrs.

History and development. The Federal Revenue Code, and Regulations thereunder. Procedures and review before boards and the courts. Preparation of an individual return based upon hypothetical facts, and presentation of research results on assigned topics.

**8865 Taxation (Income) II.** Casebook to be announced. 3 hrs.

Corporate reorganizations; methods of corporate distributions; sale of corporate business; other income tax problems of corporations; partnerships, and other business organizations.

**8870 Tax (Corporate) Seminar.** Selected materials. 2 hrs.

Selected problems on corporate and tax aspects of business planning and transactions.

**8885 Civil Procedure III.** Casebook to be announced. 4 hrs.

Post trial motions, appellate record, appeals and relief from judgments, final process, res judicata and estoppel. Emphasis upon Tennessee and Federal practice.

**8920 Trade Regulation.** Casebook: Oppenheim and Weston, *Federal Anti-Trust Law*, Third Edition. 4 hrs.

A study of the common law and statutory regulation of trade. Monopolization and restraint of trade; mergers and acquisitions; price fixing; resale price maintenance; and other problems arising under federal anti-trust laws.

**8940 Civil Procedure II.** Casebook to be announced. 4 hrs.

Discovery, matters preliminary to trials, trials, instructions, verdicts, and judgments.

Emphasis upon Tennessee and Federal practice.

**8960 Trusts.** Casebook: Bogert, *Cases on Trusts*, Third Edition. 4 hrs.

Trusts: nature, creation, transfer, termination, modification, and administration.

**8965 Unfair Trade Practices.** Casebook: Oppenheim, *Unfair Trade Practices*, Second Edition. 3 hrs.

Business torts and unfair competition and trade practices. Trademark, trade name, and copyright protection. Prereq: Trade Regulation.

**8980 Wills.** Casebook: Leach, *Cases and Text on Wills*. 1960 Edition. 3 hrs.

Wills: validity, executions, mistake, revocation. Probate and contest of domestic and foreign wills. Construction. Devices and legacies: ademption, advancements, contribution. Tax problems and aspects of estate planning.

**8976 Water Law.** Textbook to be announced. 3 hrs. Same as 4810 offered by the Department of Water Resources Engineering.

A survey course in water law, including case studies and water law doctrines.

### *Course Offerings Subject to Change*

The necessity of adjustments to accommodate changing conditions may dictate modifications in the course offerings and other features of the program described above. Accordingly, the College of Law reserves the right to make such variation in its program as circumstances may require. Prospective students who are interested in the precise course offerings at a given time or who desire other special information should make inquiry in advance.











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