

1951

## School of Law Bulletin 1951

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Vol. LIV



1951

# SCHOOL OF LAW

*Fiftieth Year*

SAN FRANCISCO, CALIFORNIA

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# SCHOOL OF LAW

BULLETIN

1951

*Fiftieth Year*



CO-EDUCATIONAL EVENING CLASSES

# GOLDEN GATE COLLEGE

AN AFFILIATE OF THE YMCA OF SAN FRANCISCO

200 GOLDEN GATE AVENUE

SAN FRANCISCO

*Telephone* PROSPECT 5-5774

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**COLLEGE CALENDAR  
1951**

**SPRING SEMESTER**

January 8, Monday . . . . . Spring Semester Begins  
May 11, Friday . . . . . Spring Semester Ends

**SUMMER SEMESTER**

May 21, Monday . . . . . Summer Semester Begins  
July 20, Friday . . . . . Summer Semester Ends

**FALL SEMESTER**

August 20, Monday . . . . . Fall Semester Begins  
December 21, Friday . . . . . Fall Semester Ends

**COLLEGE HOLIDAYS**

February 22, 1951 . . . . . Washington's Birthday  
May 30, 1951 . . . . . Memorial Day  
July 4, 1951 . . . . . Independence Day  
September 3, 1951 . . . . . Labor Day  
November 22, 1951 . . . . . Thanksgiving Day  
December 22,-January 6, 1952, inclusive . . . . . Christmas Recess

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**GOLDEN GATE COLLEGE LAW ALUMNI ASSOCIATION  
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Assistant Commissioner, California State Corporation Commission.

SAMUEL C. SHENK, '43, *Vice-President*  
Attorney-at-Law, San Francisco

THEODORE M. MONELL, '22, *Secretary-Treasurer*

## FACULTY

PAUL S. JORDAN, *Dean*

*Domestic Relations and Community Property*

A. B., University of California 1925; J.D., 1927; admitted to practice in California State and Federal Courts, 1927; with law firms Byrne & Lamson 1927-1933; Byrne, Lamson and Jordan 1933-1946; Lamson & Jordan 1946-1948; Lamson, Jordan and Shea since 1948; member Phi Delta Phi; on Golden Gate College faculty since 1933.

JAMES J. DURYEY, *Law Librarian and Assistant to the Dean*

*Use of Law Books, Property I*

A. B., College of Pacific, 1944; LL.B., University of San Francisco, 1949; admitted to practice in California State and Federal Courts 1949; U. S. Marine Corps, 1942-1946; Teacher, San Francisco Unified School District, 1948-1949; associated in private practice of law with Remington Low since 1949; on Golden Gate College faculty since 1949.

ROBERT M. ADAMS, JR.

*Security Transactions*

A.B., Stanford University, 1937; LL.B., 1940; admitted to practice in California State and Federal Courts 1941; Lieutenant, U. S. Navy 1942-1945; Attorney with McCutchen, Thomas, Matthew, Griffiths and Greene, 1941-1942 and 1945-1947; Athearn, Chandler, Hoffman & Angell, 1947-1950; Angell, Hearn and Adams since September 1950; member Phi Beta Kappa; on Golden Gate College faculty since 1947.

ROBERT J. CORT

*Use of Law Books*

A.B., University of California, 1941; LL.B., University of San Francisco, 1945; admitted to practice in California State and Federal Courts, 1945; U. S. Army Air Corps, 1942-1944; War Trials, Philippines, 1946-1947; in private practice since 1945; Assistant District Attorney, San Francisco, since 1949; on Golden Gate College faculty since 1948.

WILKIE COURTER

*Contracts*

B.S., University of San Francisco, 1932; LL.B., 1936; admitted to practice in California State and Federal Courts, 1936; legal advisor to Wartime Civil Control Administration, 1942-1943; U. S. Army, 1943-1946; in private practice 1936-1942 and since 1946; on Golden Gate College faculty since 1946.

**JOHN A. GORFINKEL**

*Conflict of Laws; Constitutional Law; Legal Method; Taxation.*

A.B., University of California, 1926; J.D., 1929; J.S.D., 1931; admitted to practice in California State and Federal Courts, 1929, and to U. S. Board of Tax Appeals, 1932; and to U. S. Supreme Court, 1943; editorial staff of California Law Review, 1927-1929 and associate editor, 1928-1929; Deputy Corporation Commissioner, State of California, 1933; Enforcement Department, Office of Price Administration, 1942-1947; Executive Officer and Assistant Deputy Commissioner for Enforcement, 1945-1947; in private practice 1929-1942 and since 1947; author of legal articles in California Law Review; member Phi Beta Kappa and Order of the Coif; on Golden Gate College faculty 1933-1942 and since 1947.

**WALDRON A. GREGORY, JR.**

*Personal Property*

B.A., University of California, 1939; LL.B., Stanford University, 1948; admitted to practice in California State and Federal Courts, 1947; U. S. Navy, 1941-1945; Southern Pacific Company, 1935-1941 and as Attorney since 1948; member Phi Delta Phi and I.C.C. Practitioners Association; on Golden Gate College faculty since 1949.

**MAURICE HARBAND**

*Real Property II, III*

A.B., University of California, 1931; LL.B., 1934; admitted to practice in California State and Federal Courts, 1934; editorial staff of the California Law Review, 1932-1934 and student editor-in-chief, 1933-1934; Chief Price Attorney, Office of Price Administration, 1944-1945; in private practice since 1934; member Phi Beta Kappa, Order of the Coif and American Law Institute; on Golden Gate College faculty since 1935.

**EMMET B. HAYES**

*Agency, Torts*

A.B., Stanford University, 1932; LL.B., Hastings College of the Law, 1935; admitted to practice in California State and Federal Courts, 1935; Senior Attorney, Office of Alien Property Custodian, 1943-1945; Acting Chief, Estates and Trusts Section, 1945-1947; in private practice, 1935-1943; associated with Marcel E. Cerf, Robinson and Leland since 1948; on Golden Gate College faculty since 1946.

**WALLACE L. KAAPCKE**

*Contracts, Equity, Trusts*

B.S., University of Oregon, 1937; LL.B., 1939; Yale University School of Law, 1939-1940; admitted to practice in Oregon State and Federal Courts, 1939, and in California in 1941; Attorney, Bonneville Power Administration, Portland, Oregon, 1940; Hughes, Hubbard & Ewing, New York City, 1941; Pillsbury, Madison & Sutro since 1941; member Phi Delta Phi and Order of the Coif; on Golden Gate College faculty since 1947.

**GERALD S. LEVIN**

*Equity, Trusts*

A.B., University of California, 1927; LL.B., 1930; Harvard Law School, 1930-1931; admitted to practice in California State and Federal Courts, 1931 and to U. S. Supreme Court, 1936; Senior Attorney, U. S. War Department, 1943-1945; associated with Pillsbury, Madison & Sutro since 1931; Secretary, The Bar Association of San Francisco; on Golden Gate College faculty since 1944.



**LEONARD M. LEVY***Administrative Law*

B.S., University of California, 1933; LL.B., Golden Gate College, 1939; admitted to practice in California State and Federal Courts, 1939; in private practice, 1940-1942; U. S. Army, 1943-1945; Referee and Assistant Counsel, Department of Employment, Sacramento, California, 1946-1948; Associate Counsel, Industrial Accident Commission, California, since 1948; on Golden Gate College faculty since 1949.

**DAVID LUCE***Crimes*

A.B., University of California, 1936; graduate work, Bureau of Public Administration, 1937; LL.B., Hastings College of the Law, 1940; admitted to practice in California State and Federal Courts, 1940; U. S. Navy, 1942-1946; in private practice, 1947; Deputy District Attorney, Alameda County, 1941-1942, 1946, and since 1948; on Golden Gate College faculty since 1948.

**JULIAN W. MACK, II***Legal Method*

B.S., Harvard 1943; J. D. University of Chicago 1949; admitted to practice law in California State and Federal Courts 1950; Editorial Staff of University of Chicago Law Review 1947; Associated Editor 1948-1949; Lt. U. S. Army 1943-1946; in private practice since 1950; at Golden Gate College since 1950.

**MAX H. MARGOLIS***Creditors' Rights*

Pre-Legal, Columbia University; LL.B., Hastings College of the Law, 1932; admitted to practice in California State and Federal Courts, 1933; in private practice since 1933; on Golden Gate College faculty since 1945.

**ALLAN R. MOLTZEN***Personal Property*

A.B., University of California, 1939; LL.B., Harvard Law School, 1942; Associate Editor, Harvard Law Review, 1941-1942; Lieutenant Commander, U. S. Navy, 1942-1946; admitted to practice in California State and Federal Courts, 1946; associated with Pillsbury, Madison & Sutro since 1946; member Phi Beta Kappa; on Golden Gate College faculty since 1949.

**VARNUM PAUL***Torts*

A.B., University of California, 1930; LL.B., 1933; editorial staff, California Law Review, 1931-1933; admitted to practice in California State and Federal Courts, 1933, and to U. S. Supreme Court, 1945; Lieutenant Commander, U. S. Navy, 1942-1946; in private practice since 1933; on Golden Gate College faculty since 1938.

**DONALD A. PEARCE***Business Associations*

A.B., University of California, 1922; J.D., 1924; admitted to practice in California State and Federal Courts, 1924; Claims Department, Employers' Liability Insurance Corporation, 1924-1925; Claims Department, Western Pacific Railway Company, 1925; Lieutenant Commander, U. S. Navy, 1943-1945; Assistant Commissioner, Division of Corporations, State of California, since 1926; collaborated with Professor Henry Winthrop Ballantine on Corporation Law, 1931 and 1938; on Golden Gate College faculty since 1928.

**EDWARD L. PETERSON***Negotiable Instruments*

Pre-Legal, University of South Dakota; LL.B., George Washington University, 1925; admitted to practice in California State and Federal Courts, 1929; Sioux Falls National Bank, 1915-1917; California Pacific Title Insurance Company since 1926; member Phi Delta Phi; on Golden Gate College faculty since 1931.

**WARREN H. PILLSBURY***Evidence*

B.L., University of California, 1909; J.D., 1912; Harvard Law School, 1909-1910, 1912-1913; admitted to practice in California State and Federal Courts, 1912; Assistant in political science, University of California, 1913, and instructor in law, University of Illinois, 1914; Referee and Assistant Attorney, Industrial Accident Commission, 1914-1923; Attorney for the Commission, 1923-1926; in private practice, 1926-1930; Deputy Commissioner U. S. Employees' Compensation Commission for district 13, since 1927; author of legal articles in California, Harvard, and Virginia Law Reviews; on Golden Gate College faculty since 1914.

**CLINTON F. PITTMAN***Business Associations*

LL.B., University of San Francisco, 1925; admitted to practice in California State and Federal Courts, 1925; with banking institutions in exchange and trust departments, 1919-1927; Deputy Commissioner, Department of Investments, Division of Corporations, State of California since 1927; on Golden Gate College faculty since 1939.

**HERBERT POTHIER***Contracts, Wills*

Ecole Superieure de Commerce, Switzerland; LL.B., Hastings College of the Law, 1935; admitted to practice in California State and Federal Courts, 1935; Senior Attorney, War Labor Board, 1943-1945; Office of Alien Property, Department of Justice, 1945-1946; in private practice since 1937, associated with Marcel E. Cerf, Robinson & Leland since 1946; on Golden Gate College faculty since 1944.

## SCHOOL OF LAW

### JOHN W. SKINNER

#### *Torts*

A.B., Stanford University, 1932; LL.B., Harvard Law School, 1935; admitted to practice in California State and Federal Courts, 1936; in private practice since 1936, associated with Lloyd S. Ackerman since 1946; member Phi Beta Kappa; on Golden Gate College faculty since 1943.

### JAMES B. SMITH

#### *Negotiable Instruments, Sales, Security Transactions*

University of California, 1936-1939; Hastings College of the Law, 1939-1941; LL.B., University of San Francisco, 1946; admitted to practice in California State and Federal Courts, 1946; Oakland Recreation Department, 1938-1941; Captain, U. S. Army, 1941-1946; in private practice since 1947; partner, Duggan, Smith & Lawlor since 1948; on Golden Gate College faculty since 1947.

### JOHN F. WARD

#### *Business Associations, Sales*

A.B., Syracuse University, 1939; American University, 1940-1941; LL.B., (Cum Laude), Yale Law School, 1948; admitted to practice in California State and Federal Courts, 1949; Field Agent, Bureau of the Census, Washington, 1939-1941; Placement Officer, Office of Emergency Management, 1941-1942; Lieutenant Commander, U. S. Navy, 1942-1946; associated with Bronson, Bronson & McKinnon since 1948; member Phi Beta Kappa and Order of the Coif; on Golden Gate College faculty since 1949.

### CASPAR WILLARD WEINBERGER

#### *Practice and Procedure*

A.B., Harvard College, 1938; LL.B., Harvard Law School, 1941; admitted to practice in California State and Federal Courts, 1946; Captain, U. S. Army, 1941-1945; Law Clerk to Judge Orr, U. S. Circuit Court of Appeals, Ninth Circuit, 1945-1947; associate, Heller, Ehrman, White & McAuliffe since 1947; member Phi Beta Kappa; on Golden Gate College faculty since 1949.

## **GENERAL INFORMATION**

### **Purpose**

It is the primary purpose of the Law School of Golden Gate College to prepare the student for the successful practice of the legal profession in any common law jurisdiction. In furtherance of such purpose, instruction is given not only in relation to case law of the past, but with the view of familiarizing the student with the present period of transition of law as it meets the needs of a complex urban civilization.

The study of law is approached from a viewpoint of common interest secured by law and their effective protection by the courts.

Experience as well as democratic principles point the need for the maintenance of the evening law school as an important and necessary part of our system of legal education. The Law School of Golden Gate College has dedicated itself to the filling of this need by offering to ambitious men and women a high grade of instruction in the law, through a curriculum carefully prepared to equip them with the knowledge and training necessary for admission to the bar and the successful practice of the profession.

In carrying out its primary purpose, it is the policy of the law school to give particular attention to developing in its students the ability to analyze a problem in a lawyer-like manner, and the art of accurate and persuasive expression, both written and oral, upon legal matters. Due attention is also given to the economic and sociological problems of our times in their relation to the law, and to the fields of broad and varied cultural knowledge which the study of the law opens up.

### **Objectives**

The objectives of the Law School are to give students a sound foundation in the principles of law and equity and the reasons underlying the historical development of these principles; practice in thinking through concrete legal problems and in the practical application of legal principles to present-day problems and conditions; an understanding of court practice and procedure; and to stimulate and guide students in the development of legal acumen, a high sense of honor and professional duty, and a social consciousness that will enable them to be a credit both to their profession and to society.

## History

The law school of Golden Gate College was established in 1901 by the Board of Directors of the Young Men's Christian Association of San Francisco. It was the first law school in California to offer evening instruction.

Golden Gate College, an affiliate of the Y.M.C.A., is a non-profit educational institution of collegiate grade. The Law School was originally incorporated on June 1, 1910, with the right to confer degrees. Golden Gate College, including the Law School, was incorporated under its own name in 1923.

## Location

Golden Gate College is located at 200 Golden Gate Avenue, San Francisco. This central location in the downtown district of the city makes it readily accessible to anyone residing or employed in the bay region.

In the Civic Center, three blocks from the College, are conveniently located the City Law Library, to which the students have access, the State Supreme Court, the District Court of Appeals, and the Municipal and Superior Courts, which afford unusual opportunities for advanced research and observation of trial procedure.

## Law Library

The school maintains an up-to-date and adequate library for law study and student research.

Sets of books on California Law include the California Supreme Court Reports and the Appellate Courts Reports, the California Pacific Digest, McKinney's New California Digest, California Jurisprudence, Sheperd's California Citator, Bancroft's Code Practice and Remedies, California Statutes and Amendments and the California Codes and General Laws.

Books on Federal Law includes The Code of the Laws of the United States, United States Code Annotated, U. S. Supreme Court Reports, Supreme Court Reporter, U. S. Supreme Court Digest, Notes on United States Reports, Federal Reporter, Federal Supplement, Federal Digest and Federal Rules Digest.

Encyclopedias include American Jurisprudence, Corpus Juris and Corpus Juris Secundum.

Case Reports include American Decisions, American Reports, American State Reports, English and American Annotated Cases, Lawyers Reports Annotated (L.R.A.), Annotated Law Reports (A.L.R.), Northwestern Reporter, Atlantic Reporter, New York Common Law Reports, New York Reports, New York Supplement, Southwestern Reporter, Northwestern Reporter and Pacific Reporter.

Law Reviews include California, Stanford, Southern California, Oregon, Washington, Harvard, New York Tax, and Michigan, and in addition current subscriptions to Yale, Columbia and Georgetown.

Standard reference works and treatises include Words and Phrases, the American Digest System, Restatement of the Law, Sheperd's Citators, Uni-

form Laws Annotated, Wigmore and Evidence, Williston on Sales, Williston on Contracts, Tiffany's Real Property, Merten's Law of Federal Income Taxation, Burdick's Law of Crime, Fletcher's Cyclopaedia Corporations, Beale's Conflict of Laws, Remington on Bankruptcy, Pomeroy's Equity Jurisprudence, Scott on Trusts, and Powell on Real Property. In addition there are many single volume textbooks.

The extensive facilities of the Federal Court and the San Francisco City and County law libraries are conveniently available to students for use in research and brief writing.

### **Method of Instruction**

The "case" method of study is used. This method is recognized as furnishing the best training for the student in the development of legal reasoning and comprehension of the principles of law. The cases are required to be briefed and presented for discussion and criticism during class. California cases, recent decisions, code study, law review articles and legal treatises are prescribed to parallel and supplement case book assignments.

In the matter of case books used and subjects covered, the examples of the University of California, Stanford, Harvard, Yale and other leading law schools are followed.

It is the belief of the faculty that the best results can be obtained by proper combinations of general and local authorities. While all the courses are based upon case books and text books embodying material taken from many common law jurisdictions, and this general foundation always receives its due and proper emphasis, each course is supplemented with instruction in California case and statutory law.

In the classroom the student participates in discussion. Particular emphasis is laid upon careful analysis, logical reasoning and accurate expression.

### **Classes**

Classes meet three evenings each week, from 6:50 to 9:20 p.m. These classes are usually held on Monday, Wednesday and Friday evenings.

### **Length of Course**

The course in legal study leading to the LL.B. degree covers a period of approximately four school years. Classes begin in August, January and May. The College year is divided into two semesters and a summer session; a total of forty-five weeks each year.

There are three vacation periods during the year: two weeks in December, one week in May, and four weeks in July and August.

Students beginning in January are required to complete a four and a half year course for graduation.

### **Office Hours**

The College office is open from 8:00 a. m. to 9:00 p. m. on week-days, and from 10:00 a. m. to 12 Noon on Saturdays.

## ADMISSION REQUIREMENTS AND DEGREE

### Requirements for Admission

Admission to Golden Gate College is based primarily upon evidence of the student's ability to profit from its educational programs. Such evidence includes the student's record of past performance in other institutions, the breadth of his training, his maturity and his experience.

Admission requirements for the degree of Bachelor of Laws are:

1. Evidence of completion of 60 units of college work with a grade average of C+ or better. (NOTE: Students who have earned an average grade less than C+ may be admitted only upon approval of the Dean of the School of Law. The successful passing of an entrance examination is also required of these applicants.)
2. The 60 units required for admission should preferably include a number of courses in the liberal arts, with concentration particularly desired in English, economics, history, political science, psychology, and sociology.

A limited number of students who do not have the necessary college entrance requirements may be admitted as special students. The number of special students will not exceed ten per cent of the total number of students admitted in the corresponding semester of the previous year. Such students must be at least 25 years old and have had such experience as may, in the opinion of the Dean, compensate for lack of college credits. Special students must successfully complete a series of entrance examinations which include a standard psychological test, an English test, and a legal-aptitude test. Only high school graduates with grades of B or better in two-thirds of their high school subjects may apply for admission as special students.

### Advanced Standing

An applicant seeking advanced standing must present, in addition to the entrance credits of high school and college work, a record of his work in another law school, together with proof of honorable dismissal therefrom. If work has been pursued in another law school, the student will receive credit for such work only if it is equivalent in the amount and character required in this school. A minimum of two years attendance at this law school is required in all cases as a prerequisite to receiving the degree. Applicants may be required to undergo examinations in any of the subjects for which credit is sought. No student shall be considered for admission who has been dismissed from another law school because of a scholarship deficiency or other irregularities.

The granting of all advanced standing applications is within the discretion of the Dean of the School of Law.

The College reserves the right to make any changes in regulations, curricula, fees, and other published arrangements as conditions warrant.

## **Requirements for Degree**

Requirements for the Degree of Bachelor of Laws are:

1. Completion of 84 semester units of specified law subjects, including a limited number of elective subjects.
2. A cumulative average of C+ in all law subjects.

## **Requirements for Advancement of Regular and Special Students**

Students must maintain an average grade of C+ throughout the law course and must have an accumulated average of C+ in 84 units in order to qualify for graduation and the LL.B. degree. Students who fail to maintain a C+ average in any given year will be dismissed by the school for scholarship deficiency. Normally dismissal will be made at the end of the academic year, but the school reserves the right to dismiss at any time a student who fails to maintain the required standard.

## **Examinations, Attendance and Grading**

One or more preliminary examinations and a final examination are held in each semester course.

Examinations must be taken at the time scheduled. Exceptions to this rule will be made only when it is impossible for students to be present. Permission to miss an examination and to make it up subsequently must be secured from Dean Jordan in advance. A fee of \$5.00 will be charged for examinations taken at a special time.

Attendance is required in at least eighty per cent of the class periods in each course.

It is the responsibility of the student to notify the college of any anticipated circumstances which will cause him to be absent from classes for one or more consecutive weeks or for more than twenty per cent of the scheduled sessions.

Students who have been absent for two consecutive weeks from any class and who have not arranged with the Registrar for an authorized leave of absence will be automatically dropped from the course.

## **Withdrawals**

Students who find it necessary to withdraw from Golden Gate College must notify the Registrar promptly in writing or in person of their intention to discontinue classes, stating in full their reasons.

Students who are absent for two consecutive calendar weeks without being given an authorized leave of absence by the Registrar will be automatically dropped from the College rolls.

A student who, at the time of withdrawal, has not paid in full his current charges for tuition and other fees, cannot be granted an honorable dismissal or statement of work completed until all outstanding charges are paid.



## Veterans of World War II

Any man or woman who has served 90 days in the armed services on or after September 16, 1940, and prior to July 26, 1947, and has been discharged under conditions other than dishonorable, may be eligible for educational benefits under the G. I. Bill. In general, such a veteran is entitled to one calendar year of education, plus the number of months in active service. Veterans' benefits include tuition, fees, books and supplies which are required by the School.

Subsistence allowance may also be paid to veterans in training, the amount depending upon the number of hours for which enrolled, outside earnings, and number of dependents.

Golden Gate College is approved for training under the G. I. Bill. Original application for veterans' benefits under Public Law 346 may be made at either of the College offices, or at the appropriate Veterans Administration office. Veterans who have attended another training institution, or have been "On-the-Job-Training" should contact the Veterans Administration to request a Supplemental Certificate of Eligibility at least 30 days in advance of the date they intend to enter training. Veterans who wish to enter training under Public Law 16 (for disabled veterans) must apply at the nearest Veterans Administration office.

## Tuition and Fees

The tuition fee in the School of Law is \$11.50 per unit. In addition, there is an annual fee of \$5.00 for the Golden Gate Law School Association which will be added to the first payment in the fall semester. (Students beginning in January will be charged \$2.50 for the spring semester.) A graduation fee of \$7.50 to cover cost of diploma, cap and gown, etc. will be charged. This fee is payable at the beginning of the final semester.

Students will be enrolled on a semester basis. When courses extend beyond a semester, the charges will be prorated between the semesters. A 6-unit course, which extends through two semesters, will be charged at the rate of 3 units for each semester. A 4-unit course, which completes 3 units within one semester and 1 unit in the next semester, will be charged on that basis, i.e., 3 units to the first and 1 unit to the second semester. Most semester costs may be figured as follows:

<i>Fall or Spring Terms:</i> Full Course, 9 units.....	\$103.50
Law School Association Fee.....	2.50
	<hr/>
	\$106.00

(Tuition may be paid in four monthly payments. See schedule for details.)

<i>Summer Term:</i> 3 units.....	\$ 34.50
4½ units.....	51.75

(Tuition may be paid in two installments)

Tuition may be paid in full or on a deferred payment plan as indicated. Payments must be completed by the end of the thirteenth week of the fall or spring semesters or the seventh week of the summer term.

## Refunds

Although fees are not refundable, the tuition accounts of students who withdraw or are dropped will be adjusted and refunds made, if due, on the following basis:

### REGULAR SEMESTER (18 Weeks)

*If the Withdrawal or Drop occurs:	**Approximate Portion of Total Tuition to be refunded
During the first week.....	95%
Between the beginning of the 2nd and the end of the 4th week.....	75%
Between the beginning of the 5th and the end of the 8th week.....	50%
Between the beginning of the 9th and the end of the 12th week.....	25%
After the beginning of the 13th week.....	None

### SUMMER SESSION (9 Weeks)

*If the Withdrawal or Drop occurs:	**Approximate Portion of Total Tuition to be refunded
During the first week.....	90%
Between the beginning of the 2nd and the end of the 3rd week.....	66%
Between the beginning of the 4th and the end of the 6th week.....	33%
After the beginning of the 7th week.....	None

---

\*The date of drop or withdrawal will be taken as midnight of the date of last attendance.

\*\*Specific amounts are set forth in class schedules.

## Law Books

Although the college maintains an effective student law library, evening law students who are employed during the day will have very limited time for law library study and must consequently be equipped to do most of their preparation at home. The student will need a good law dictionary, the California Codes, the leading student text books required for certain courses, especially in the first year, and the casebooks on which most of the courses are based. Case-books and text books may be sold after the course or retained for future reference. If students buy used books when available and resell, the cost for books may be budgeted at \$35 during the first year and \$25 per year thereafter. If all books are purchased new and retained, the cost may run as high as \$50 or \$60 per year. (Veterans may not resell their books.)

Law books may be purchased through the College bookstore at list prices.

### **Bancroft-Whitney Prize**

The Bancroft-Whitney Law Publishing Company awards a six volume set of *Jones on Evidence* to the honor student of the graduating class.

### **Recorder Publishing Company Prize**

The Recorder Publishing Company awards a year's subscription to the advance sheets of the California Reports and Appellate Reports, to the graduate who made the most progress during his last year in the law school.

### **Golden Gate Law School Association**

Professional and social activities in the law school are arranged by the officers of a student organization, the Golden Gate Law School Association. Opportunity is thus afforded to become socially acquainted with the other men and women students and with the faculty members.

### **Kappa Tau Epsilon**

This honorary professional fraternity is open for membership, on a scholarship basis, to students in the School of Law who have been admitted to their third year.

### **Accreditation of Golden Gate College**

Golden Gate College is accredited as a degree granting institution by the Northwest Association of Secondary and Higher Schools, a regional accrediting agency. The Law School is accredited by the State Bar of California.

## DESCRIPTION OF COURSES

The curriculum consists of courses which are intended to cover the entire field of law with sufficient comprehensiveness to enable the diligent student to meet successfully the problems of bar examinations in California and elsewhere. The program of instruction is arranged, as far as possible, to present the fundamental, basic courses during the first and second years, and the more advanced and specialized courses during the third and fourth years.

### Law School Curriculum

#### FIRST YEAR

Torts (6)	*Use of Law Books (1½)
Contracts (7½)	Crimes (3)
Legal Method (3)	Property I (3)

#### SECOND YEAR

Sales (2)	*Agency (1½)
Property II, III (6)	*Creditor's Rights (1½)
Negotiable Instruments (4)	*Security Transactions (1½)
Business Associations (6)	Property IV (1½)

#### THIRD AND FOURTH YEAR

Equity (5½)	Conflict of Laws (2)
Constitutional Law (6)	Trusts (3½)
Evidence (6)	Wills and Administration (2) or (1½)
Practice and Procedure (6)	Taxation (3) or (4)
Domestic Relations and Community Property (4½)	*Labor Law (2)
	Administrative Law (1½)

84 Semester Units required for LL.B. degree, 1411 Classroom Hours.

Courses marked with an asterisk (\*) are lecture courses, all others are casebook courses. Numbers in parentheses indicate Semester Units (A Semester Unit consists of 16.8 classroom hours of 50 minutes or 840 minutes). Most classes meet once a week from 6:50 to 9:20 P. M. and are usually scheduled on Monday, Wednesday, and Friday evenings. Occasionally a fourth night is required for a short time during a semester. First year courses are given every year and approximately two-thirds of the advanced courses are offered every year; the others are given on alternate years.

**Legal Methods:**

An introductory course for beginning law students designed primarily to train them in the legal skills necessary to the proper use of legal materials, case law and statutes; courts and court organization; procedure and its importance; analysis of cases; development of case law by synthesis of decisions; interpretation of statutes.

DOWLING, MATERIALS FOR LEGAL METHODS.  
RADIN, ANGLO-AMERICAN LEGAL HISTORY.

MESSRS: E. GORFINKEL, MACK  
Credit—3 Units

**Crimes:**

Criminal procedure, nature of crime, elements of a crime, attempts, jurisdiction, modifying circumstances, culpability, privilege, parties, conspiracy, former jeopardy, homicide, rape, assault and battery, larceny, embezzlement, false pretenses, receiving stolen property, robbery, burglary, arson, and forgery.

HARNO—CASES AND MATERIALS ON CRIMINAL LAW AND PROCEDURE (2nd edition).  
MILLER ON CRIMINAL LAW.

MR. LUCE  
Credit—3 Units

**Torts:**

Nature, elements, moral quality, selection, trespass, assault and battery, false imprisonment, trespass to property, conversion, negligence, proximate cause, master and servant, seduction, malicious prosecution, deceit, defamation, and nuisance.

BOHLEN'S CASES ON TORTS (4th edition).  
PROSSER ON TORTS.

MESSRS. SKINNER, PAUL, HAYES  
Credit—6 Units

**Contracts:**

Mutual assent, consideration, third party beneficiary contracts, assignments, joint obligations, statute of frauds, performance, express conditions, implied conditions, impossibility, illegal contracts, discharge, novation, release, accord and satisfaction, arbitration and award.

WILLISTON, CASES ON CONTRACTS (4th edition).  
WILLISTON SELECTIONS ON CONTRACTS (Students option).  
RESTATEMENT OF CONTRACTS.

MESSRS. POTHIER, COURTER,  
KAAPKE  
Credit—7½ Units

**Property I:**

Introduction to the law of property in personalty and in land. Consideration of possessory interests in chattels, finding, bailment, lien, pledge, purchase, accession, confusion, gift, fixtures, emblements, feudal tenure, estates in land, seisin, future interests at common law, use and concurrent estates.

AIGLER, BIGELOW AND POWELL, CASES ON PROPERTY I.  
MOYNIHANS, SURVEY OF THE LAW OF REAL PROPERTY.

MR. JAMES J. DURYE  
Credit—3 units

**Property II:**

Adverse possession; prescription; surrender of leaseholds; execution of deeds, delivery and acceptance; descriptions; estoppel by deed; the recording acts; Title Insurance and Torrens Act.

AIGLER, BIGELOW AND POWELL, CASES ON PROPERTY, I, II.  
BURBEY ON REAL PROPERTY.

MR. HARBAND  
Credit—3 Units

**Property III:**

Easements and profits; licenses; lateral and subjacent support; creation of easements by implication; covenants for title; running of covenants, formal requirements, type of covenant, legal and equitable enforcement.

AIGLER, BIGELOW AND POWELL, CASES ON PROPERTY, I, II.  
CLARK, COVENANTS AND INTERESTS WHICH RUN WITH THE LAND.

MR. HARBAND  
Credit—3 Units

**Property IV:**

Background and classification of future interests; class gifts; gifts by implication; characteristics of future interests; rule against perpetuities; rule against restraints on alienation; effect of partial invalidity.

Credit—1½ units

**Domestic Relations and Community Property:**

*Domestic Relations:* Marriage; husband and wife; antenuptial and postnuptial agreements; annulments; divorce and separation; separate maintenance; parent and child; reciprocal rights, duties and obligations of parents and children; adoption and legitimation; minor's rights and obligations; minor and incompetency guardianships.

*Community Property:* Historical background of system; sources of community property; rights and interests therein of respective spouses; agreements relating to community property, including settlement agreements; liability for debts of spouses.

MR. JORDAN  
Credit—4½ Units

**Sales:**

Transfer of property and titles, conditional and unconditional sales; retention of possession, delivery, fraud, destruction, warranties, inspection acceptance, lien, stoppage, statute of frauds, sales act.

VOLD, CASES ON SALES.  
VOLD ON SALES.

MESSRS. SMITH, WARD  
Credit—3½ or 2 Units

**Equity:**

Historical introduction and development of equity jurisprudence, including procedural reforms, in England, Canada and the United States; specific relief against torts with particular reference to the use of injunctions and defenses thereto, injunctions in labor disputes, law enforcement by injunctions, relief against illegal governmental action; bills of peace, interpleader, quia timet, removal of clouds on title and quieting title, and declaratory judgments; specific performance of real property and chattel contracts, including examination of the following subjects: adequacy of legal remedy; uncertainty in terms of contract, mutuality and lack of mutuality, consideration in equity, misrepresentation, mistake and hardships as defenses, express and

implied conditions, laches and the statute of limitations, part performance and the statute of frauds, equitable conversion by contract and will, and equitable servitudes; restitution, reformation and rescission for mistake including misrepresentation and nondisclosure; jurisdiction powers and procedures of courts of equity.

COOK'S CASES ON EQUITY (4th edition).

MESSRS. LEVIN, KAAPCKE  
Credit—5½ Units

**Use of Law Books:**

Analysis and abstraction of cases, library facilities, training in the skillful use of statutes, codes, constitutions, state reports, digests, national reporter, citators, encyclopedias and loose leaf reports.

BRANDT, HOW TO FIND THE LAW (4th edition).

MESSRS. CORT, DURYEA  
Credit—1½ Units

**Creditors' Rights:**

Enforcement of right of creditors; receiverships; fraudulent conveyances; assignment for benefit of creditors; bankruptcy.

HANNA AND MAC LAUHLAN, BANKRUPTCY ACT (2nd edition).

MR. MARGOLIS  
Credit—1½ Units

**Evidence:**

Indicial notice; functions of judge; functions of jury; burden of proof and presumptions; other acts; remote and prejudicial evidence; examination of witnesses, refreshing recollections; impeachment; competency and privilege; illegally obtained evidence; the hearsay rule; authentications of documents; best evidence rule; parole evidence rule; adequacy of evidence; evidence in proceedings before administrative bodies.

MORGAN AND MAGUIRE'S CASES ON EVIDENCE.

MACBAINE, CALIFORNIA EVIDENCE MANUAL.

MR. PILLSBURY  
Credit—6 Units

**Agency:**

Creation and execution of the agency; duties owed by agent to principal; rights of agent against principal; claims of third persons for torts; claims of third persons arising out of contracts and fraud; ratification; undisclosed principal; termination.

MECHAM'S OUTLINE OF AGENCY.

KEEDY AND SCHILLER, CASES ON THE LAW OF AGENCY.

MR. HAYES  
Credit—1½ Units

**Business Associations:**

*A. Corporations:*

Characteristics of corporations (de facto and de jure); officers, directors and stockholders; powers and liabilities; subscriptions, promoters; assembling of funds; incorporation; management and control; capital; profits; stock transfer; merger; consolidation and reorganization; dissolution.

BALLENTINE AND LATTIN, CASES AND MATERIALS ON THE LAW OF CORPORATIONS. BALLENTINE ON CORPORATIONS.

CALIFORNIA CORPORATION CODE.

*B. Partnerships:*

Nature and formation of partnership; partnership property; power of the partner to act for the partnership; remedies of creditors for the enforcement of partnership obligations; relations of partners between themselves; dissolution and winding up.

GILMORE, CASES ON PARTNERSHIP (2nd edition).

MESSRS. PEARCE, WARD  
Credit—6 Units

***Negotiable Instruments:***

Form and interpretation; consideration; negotiation; rights of holders; liability of parties; presentation for payment; notice of dishonor; discharge; bills of exchange, promissory notes and checks. Uniform negotiable instruments act.

SMITH AND MOORE, CASES ON BILLS AND NOTES (4th edition).

BRITTON ON BILLS AND NOTES.

MR. SMITH

Credit—4 Units

***Security Transactions:***

Personal property as security; distribution of stocks and bonds; problems of collateral banking; problems of agricultural finance. Real property as security. Introduction to security in land; problems of the creation of land security devices; priorities; requirements of public recordation; assignment; enforcement of real estate security; types of mortgage foreclosure; relations of parties pending foreclosure sale; redemption; marshalling; real estate finance.

LECTURES AND ASSIGNED READING.

WALSH ON MORTGAGES.

MESSRS. ADAMS, SMITH

Credit—1½ Units

***Procedure and Practice II, III:***

The civil action; joinder of actions and parties; subject matter, form and construction of pleadings; complaint, bill of particulars, demurrer, answer, counter-claim, cross-complaint, amendments; verification; motions; provisional remedies; special proceedings; probate procedure; appeal procedure. Moot courts are organized to give practice in the conduct of civil actions, arguments and trial.

CATHCART AND HOWELL, CASES ON CODE PLEADING.

SUNDERLAND, CASES AND NOTES ON TRIAL AND APPELLATE PRACTICE (2nd edition—1941).

MCBAIN, CALIFORNIA TRIAL AND APPELLATE PRACTICE.

MR. WEINBERGER

Credit—6 Units

***Constitutional Law:***

The judicial function of interpreting and enforcing written constitutions; the nature of the Federal system, separation and delegation of powers, relations between the Federal government and the states, interstate relations, Federal legislative powers; Constitutional limitations on governmental action, due process and equal protection of the laws, privileges and immunities of citizenship, impairment of contracts, political and social rights, freedom of speech, religion and the press; State and Federal regulations of matters in or affecting interstate commerce.

MCGOVNEY'S CASES ON CONSTITUTIONAL LAW (2nd edition).

MR. GORFINKEL

Credit—6 Units



**Administrative Law:**

Delegation of "legislative power" to administrative agencies; authority to issue regulations and orders and procedure to be followed, including the requirements of notice, hearing, and findings; scope of judicial review of regulations and orders; interpretation of orders and regulations by the administrative agency and the courts; administrative enforcement, including licensing, record keeping, investigative powers, policy as to choice of sanctions; judicial aid to and review of enforcement proceedings.

GELLHORN, CASES ON ADMINISTRATIVE LAW (2nd edition).

MR. LEVY

Credit—1½ Units

**Wills:**

History and definition of wills and testaments; testamentary capacity and intent; wills distinguished from other dispositions of property; kinds of wills; execution, revocation, republication and revival of wills; descent; powers and duties of executors and administrators; distribution; legacies.

COSTIGAN, CASES ON WILLS (3rd edition, BY BINGHAM).

MESSRS. POTHIER, GORFINKEL

Credit—2 Units

**Trusts:**

Trustor, trustees, cestui que trust, creation of trusts, remedies, duties, liabilities, priorities, statute of frauds, statute of wills, constructive and resulting trusts, charitable trusts, modification, termination.

SCOTT'S CASES ON TRUSTS (3rd edition).

BOGERT ON TRUSTS.

MESSRS. LEVIN, KAAPCKE

Credit—3½ Units

**Conflict of Laws:**

Nature, source and proof of foreign law; domicile; power to adjudicate or determine rights, including jurisdiction of courts and enforcement of foreign judgments; power to create rights, including choice and application of foreign law in torts, contracts, workmen's compensation, personal status, marriage, divorce, property rights and inheritance.

CHEATHAM, DOWLING, GOODRICH AND GRISWOLD, CASES ON CONFLICT OF LAWS (2nd edition with supp).

MR. GORFINKEL

Credit—2 or 3 Units

**Taxation:**

Federal taxation of decedents' estates, income, and gifts, with close attention to the details of the Internal Revenue Code, the regulations of the Treasury Department and Tax Court and Judicial decisions; Federal tax procedure.

GRISWOLD ON FEDERAL TAXATION (3rd edition).

PRENTICE-HALL, STUDENTS TAX LAW SERVICE.

To be announced

Credit—3 or 4 Units



*Official U. S. Navy Photo*

Airplane view showing location of Golden Gate College, close to the Civic Center in downtown San Francisco. 1. Golden Gate College, Y.M.C.A., 200 Golden Gate Ave. 2.Y.M.C.A. Hotel. 3. Federal Building. 4. Public Library. 5. State Building, location of California Supreme Court. 6. City Hall, location of Municipal and Superior Courts and San Francisco Law Library. 7. Veteran's Building. 8. Opera House. 9. Civic Auditorium.

## GIFTS

Golden Gate College welcomes gifts to its Endowment, Building and Improvement Funds which will enable it to expand and improve its educational program. For those who wish to assist the College through voluntary contributions, a suggested form of bequest follows:

I hereby give, devise and bequeath to Golden Gate College, (here insert the amount of money or describe the personal property or real estate) to be used for the general purposes of the college.