1967

Student Handbook (1966-67)

Florida State University College of Law
July 29, 1966

TO: Members of the Charter Class of the new College of Law at Florida State University

Getting started in the right way in the study of law is most important to the success of law students. Some suggestions may be helpful at the beginning of your career in the study of law. You are undertaking a new discipline developed over centuries of time. It is not expected that you will obtain at once the knowledge, understanding and skills of an experienced lawyer. This is not easy and requires patience and devotion. The rewards are worth the effort and most law students become so engrossed in their work that it becomes a real pleasure. In a sense, they catch fire in their law study and experience an intellectual growth before unknown to them.

Consider the following ideas. They are designed to help you and will be enlarged upon in other parts of this bulletin.

1. Do not get overwhelmed or discouraged when you find that it is difficult to discover the real issues and to come out with the right answers in your daily preparation. Other students are facing the same problem. You must learn to read so as to understand, to analyze and to evaluate competing rationalizations. It requires persistent and thoughtful effort. Beginning law students are always confused, but after more experience all that you have studied will begin to fit into place.

2. Be prepared for each class. How long does it take? Study until you understand; that is the test. Blind reading for long periods of time is worthless. Read to see, first, what is the exact problem, then to discover the solution given and the reasons which sustain it, and finally consider ideas to test the validity of the decision. Law is not learned but is acquired through thinking out problems and understanding them.
3. Prepare careful briefs of cases and materials. Take extensive notes in class. Enlarge them after class so that they reflect the ideas about every problem considered. Soon after each class the notes should be studied and amplified so as to serve as a text for review. If working over notes is postponed, there will be nothing later to revive your dormant memory. Your notes must be meaningful if they are to be helpful in the critical days of examination time.

4. Become acquainted with members of the faculty. They will be glad to visit with you to become acquainted or to discuss problems which may trouble you. They are anxious to have you do well. A close relationship between faculty and students builds a strong law college. This friendship and association continues many years after graduation.

5. Live a day at a time, but plan the use of your time so as to include some recreation, major events in the law school and University life, some regular exercise, and some association with your fellow students. Your law school friends last a lifetime. Time used in discussing and arguing legal problems with other law students is time well spent. You must keep in condition mentally and physically to get the most of this wonderful opportunity in the Florida State University College of Law.

Be sure to read this bulletin carefully. It gives important information to a student beginning law study at Florida State University.

Mason Ladd
Dean
REGISTRATION PROCEDURE - READ CAREFULLY

Any student who has not attended Florida State University in the past will be expected to be at the University Union Ballroom at 7:45 A.M. on Thursday, September 1st, for registration. Students who have attended Florida State University previously will report to the University Union Ballroom at 8:15 A.M. on the same day, September 1st. It is important for our entering student to honor these registration times.

Every student should bring to registration the green trial schedule which is attached to this booklet and his Certificate of Admission to the College of Law. The Certificate of Admission has been forwarded to you by the Director of Admissions of Florida State University.

Detailed registration instructions will be available at the University Union Ballroom; however, the student should be cautioned to be prepared to pay his registration fees and to bring the registration certificate for his motor vehicle on September 1st. All students with automobiles must register them with the University Police. Parking stickers and a copy of the automobile regulations may be obtained at registration.

Health insurance for students and their dependents will be available at registration. This insurance program is sponsored by the Florida State University Student Government.

CASEBOOKS

The casebooks used in the law school courses are listed below and may be purchased at the University Bookstore. Ordinarily, the Bookstore will know the title, editions, and authors of the books which will be needed in the courses for which you register. The University Bookstore has used books, when available, as well as new. Law books will be re-purchased by the Bookstore if the book is to be used in the future. Notebooks and briefing paper suitable for law school use will also be available at the University Bookstore.

Off-campus bookstores will also have casebooks and notebook materials for sale and will be informed on request of the law school needs.

Supplementary books and materials for law courses are also sold at the bookstores. Many of these items are of limited value so you should not purchase these items until you can judge which are helpful. The supplementary books include what are referred to as hornbooks. Several copies of books desirable for collateral reading will be available in the law library. It is suggested that the purchase of books other than those assigned for use in a course be deferred until your needs are determined and the availability of the books in the law school library is known.
It is, however, strongly urged that the student obtain his casebooks as soon after registration as possible. All professors will require that reading be done before the first class and their assignments for the first classes are included in this bulletin.

All first year courses are required courses. The following is a list of the casebooks being used in the fall of 1966:

**Contracts**

**Torts**

**Property**

**Civil Procedure**

**Legal Method**

For the second Trimester, the following additional books will be used:

**Constitutional Law**

**Criminal Law and Procedure**
FIRST CLASS ASSIGNMENTS

<table>
<thead>
<tr>
<th>DATE</th>
<th>CLASS AND ASSIGNMENT</th>
<th>PROFESSOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sept. 5</td>
<td>Property: Cribbett, Fritz &amp; Johnson</td>
<td>Mr. Dickson</td>
</tr>
<tr>
<td>8:00-9:00 A.M.</td>
<td>Ch. 1, pp. 1-25</td>
<td></td>
</tr>
<tr>
<td>Sept. 5</td>
<td>Contracts: Fuller and Braucher</td>
<td>Mr. Millett</td>
</tr>
<tr>
<td>11:30 A.M.-12:30 P.M.</td>
<td>Ch. 1, pp. 1-30</td>
<td></td>
</tr>
<tr>
<td>Sept. 5</td>
<td>Civil Procedure: Louisell &amp; Hazard</td>
<td>Mr. Phillips</td>
</tr>
<tr>
<td>3:00-4:00 P.M.</td>
<td>Part I, Section A, pp. 1-38</td>
<td></td>
</tr>
<tr>
<td>Sept. 7</td>
<td>Legal Method: Hishkin &amp; Morris</td>
<td>Mr. Dickson</td>
</tr>
<tr>
<td>11:30 A.M.-12:30 P.M.</td>
<td>Ch. 1, pp. 1-32</td>
<td></td>
</tr>
<tr>
<td>Sept. 8</td>
<td>Torts: Prosser and Smith</td>
<td>Mr. Phillips</td>
</tr>
<tr>
<td>8:00-9:00 A.M.</td>
<td>Ch. 1, pp. 1-19</td>
<td></td>
</tr>
</tbody>
</table>

SUGGESTIONS FOR LAW STUDY

Reading and Briefing a Case

First, a case must be read carefully with the view to understanding it as a whole and in every part.

To assure complete understanding of a case, it must be briefed. The purposes of this process are three: (1) to prove that you really understand the case; (2) to serve as a refresher when the case is discussed in class; and (3) to act as a memorandum for purposes of review for examination, when a knowledge of the cases and what they stand for will be indispensable. The following are offered as suggestions:

1. Divide your brief into at least two parts, the facts and the holding. Sometimes it is preferable to divide into facts, exact issue or issues before the court, holding, rule and reasons; or some other manner of subdivision that may be more appropriate.

2. Brief the case in the chronological order of procedural events. In briefing an appellate decision note particularly the ruling or action of the trial court which is being complained of in the higher court and include the data leading up to this matter. Always state who won in the court below and who carried the case to the appellate court and how this was done.
3. Adopt a system of abbreviations. For example, "p" or "pl" for plaintiff, "d" or "def" for defendant, "dec" for declaration, "v" for verdict, "j" for judgment, "c" for contract, and so forth. Whatever system you adopt, utilize it in briefing and in taking your class notes.

4. The main thing to be winnowed from the procedural background of the case is the holding. Consider-what was before the court for decision? Then - how was this matter decided? There may be two or more holdings in the case; if so, all should be stated, perhaps numbering or setting them off separately. Remember, however, the court does not hold everything which it declares is the law. For example, if A sues B in connection with a business deal and the court says that on the facts B is not liable but that C (not a party to the case) is, the first statement is a holding, but the liability of C was not before the court so that statement is a mere dictum. The dictum may be correct but the case cannot be cited as authority for the liability of C. Note an important dictum in your brief, but indicate that it is such and not a holding.

5. State the rule of law upon which the holding is based. This is usually found in the opinion, but when it is not, one should attempt to construct the rule upon which the decision is based. Often the reason for the rule is stated and if so you should state this. If no reason is stated, it is well to include what you think the reason should be.

6. Note the final disposition of the case - thus, if the opinion is an appellate one, was the judgment below affirmed, reversed, remanded or modified?

7. While it is not a necessary part of a brief, each case should be appraised in relation to other cases you have read. How does it compare with the case before and the case following? How does it relate to cases in other courses? Are they consistent, inconsistent or distinguishable? Can you account for the differences of viewpoint and which do you prefer? How do you evaluate competing reasons influencing a decision?

Methods Of Taking Class Notes

The taking of careful notes by a law student in class and expanding them after class is a very important part of his law study. Briefs of cases and study materials made before class should be included in your notes, either by writing them as a part of your notebook or by attachment to your notes if you use the thin gummed briefing paper.

In class, the problems presented in the cases or study materials will be discussed at length with many additional associated problems. Issues will be raised by the professor conducting the class through the questioning of students, an interchange of discussion with them, or through his own analysis of the subject matter. Law is not learned
but is thought through and understood. Your class notes should reflect your understanding and constitute a textbook of your own covering each subject you take in law school. Your notebook should be so complete that you can use it alone for your final review for examinations.

Often in class you will not be able to complete your notes on every point. They should be completed shortly after class or during the same day while your memory is fresh. If you do not understand problems this is the time to clear them up and to write out the issues and possible solutions with articulate care in your notes. Working out a careful statement in writing helps you to understand and to clarify your thinking, if you cannot state a matter you do not understand it. You must learn to communicate accurately your thinking.

The working over of your notes will also help you to learn to communicate your ideas in writing. The effort to make comprehensive notes is most valuable in a sound legal education. If you take pride in your notes and make a good notebook it will be useful to refresh your recollection in reviewing for law school tests and later for your State Bar examinations, and some lawyers even keep and use their notes for reference when in law practice.

Use any type of notebook you like as long as you keep your notes in each course in a separate book. For law students who will use handwriting in all their notes, permanently bound law school notebooks with wide margins are recommended. Students who type easily or who plan to rewrite their notes may prefer looseleaf notes but should keep a final separate notebook in each course.

You may be asked to show your notebooks to your faculty adviser. This will be done to help you because good notes personally made by you are your best assurance of success in your study of law. It is also part of your experience in legal writing. Your notebook is much more than an outline and should contain completed sentences having an articulate meaning. It is not until you attempt to write what you feel you know that you discover the need for further study and more exact thinking.

In modern legal education, much emphasis is being placed upon your ability to communicate both orally and in writing. This is accomplished not only through classes devoted to research and writing but should be a part of everything you do, including the taking of careful notes and revising them after class.

It will not be infrequent that you will leave the classroom much confused over some of the more difficult problems. You will obtain a great deal of benefit from discussing these problems with your fellow students in an effort to clarify your thinking. In fact, one of the best parts of legal education is the discussion students have with each other in which they argue various points until they have ironed out the difficulties. But again, it is suggested that at sometime fairly soon
after these discussions take place you write into your notes supplemental statements of your thinking. This will help you to be articulate and also help to bring to light errors in your thinking. The effort to communicate in writing the ideas which you have may show the need for further study if the problem is not fully solved.

This rather long statement in respect to note taking is made designedly to help you to appreciate the importance of the note taking process as a part of your program of legal education. Quite apart from what is learned by the process, it helps to develop the capacity to communicate ideas which is so important in law school and in the practice of law.

ORIENTATION PROGRAM

On Friday, September 2, at 10:00 A.M., in the main classroom of the College of Law, 201 Longmire, an orientation program will be held. Members of the faculty and guests will be introduced to the students, and remarks will be made by them in respect to your commencement of the study of law.

In the orientation program, various plans in respect to the law school will be presented. The preliminary steps necessary for ultimate admission to the Bar will be explained as well as introductory matters in respect to commencing law study. The first classes will be held commencing Monday, September 5. A schedule of classes is included in this bulletin.

The College’s plan for faculty advisers will be explained and early in the following week the faculty advisers and the names of the students assigned to each adviser will be posted on the official bulletin board. The students will be assigned to members of the faculty alphabetically in equal groups.

The plan of using faculty advisers is designed to give every student a close association with the members of the faculty. There will be group meetings held by the advisers from time to time. Students also may seek counsel of their adviser individually as well as in groups in respect to any matter pertaining to their work in the law school. The offices of the Dean and the members of the faculty will be open to all law students for advice and assistance at times which can be conveniently arranged. It is hoped to encourage a close relationship between faculty and students so that students will be able to accomplish the most possible in their study of law.

LIBRARY

The College of Law Library is located in the Longmire Building. Housing 20,000 volumes in open stacks, the library and its facilities are open to all law students in conformity to a schedule which will be
posted. Tables and chairs for study are provided. The main library area is located in the basement of Longmire while additional library facilities are in the lounge adjacent to the Dean's office on the second floor.

As the library is a reference collection and laboratory, and because the books and materials must be available to all students, the library will not be a circulating library.

Since law students are in a professional school, it is expected that they will treat library materials with care, and with consideration for their fellow students. If mishandling of these materials should occur, the person responsible will be dealt with promptly.

HONOR SYSTEM

An honor system is in effect for all student academic activities of the College of Law. It is particularly relevant to examinations and use of library materials. To be administered by faculty and students, the honor system will observe those standards of professional ethics which the public expects of practicing lawyers, and which they require of each other. Since much of actual law practice is conducted through informal agreement between lawyers, students will appreciate the fact that personal honor will be an invaluable asset in future years. The personal reputation of the practitioner is clearly as important as his professional ability; indeed, the two can hardly be separated. Failure to observe the honor system will result in disciplinary action, including possible dismissal from the College of Law.

DRESS AND CONDUCT

There are no fixed standards concerning dress at the Law School. It is felt that if the student keeps in mind that he is a professional, he will make every effort to make a neat and appropriate appearance.

In the same vein, students are expected to act in a manner which is appropriate to a student of the law. Any act or omission which is dishonest or designed to gain unfair advantage of any other student is not tolerated. Obvious examples of prohibited conduct include plagiarism, cheating on an examination by giving or receiving assistance, and especially, misuse of library materials which are intended to be available to everyone in the law school.

In addition, the right is reserved to exclude at any time a student whose conduct is deemed improper or prejudicial to the interest of the College of Law or the University community.
The College of Law takes particular pride in the appearance of the building and grounds. Maintenance of this appearance is an equal responsibility of all the students, and carelessness by littering will be appropriately dealt with. As a temporary guest in the Alumni Building, the College of Law is especially aware of its responsibility for the condition of the building and grounds.

CLASS ATTENDANCE

Every student is expected to attend all class meetings and prepare assignments for the courses in which he is registered. He must also perform all other duties required of him in these courses. The faculty may impose suitable penalties, including expulsion from the law school, upon any student who does not satisfactorily discharge these obligations.

GRADES

The members of the faculty will give a numerical grade for each course in which a student has completed the required work. However, the student will receive a letter grade in each course from the Registrar's Office. The letter grade will be translated from numerical grades upon the following scale:

<table>
<thead>
<tr>
<th>Numerical Grade</th>
<th>Letter Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>100-85</td>
<td>A</td>
</tr>
<tr>
<td>84-75</td>
<td>B</td>
</tr>
<tr>
<td>74-65</td>
<td>C</td>
</tr>
<tr>
<td>64-60</td>
<td>D</td>
</tr>
<tr>
<td>60- below</td>
<td>F</td>
</tr>
</tbody>
</table>

In addition to the letter grades recorded by the Registrar's Office, the student's numerical grades will be distributed by the College of Law faculty.

Other grading symbols include:

S - Passed
U - Failed
I - Excused absence from examination - entitles the student to take the exam the next time the course is offered, or by special arrangement, without repeating the class work.
W - Withdrawn with consent of the Dean

EXAMINATIONS

If a student before or during an examination believes he is unable to take or complete the examination, he must immediately report his inability to the Dean; otherwise, permission to take a later exam will
REQUIRED AVERAGE

Any student who fails all the hours taken his first Trimester, or who fails to maintain a cumulative average of 64 after completion of 25 or more semester hours, or their equivalent, of work shall be dropped from the Law School. For the purposes of this rule:

1. Averages shall be computed at the end of every grading period.
2. Averages shall be computed on the basis of all grades received.
3. An unexcused absence from an examination in any course shall result in the assignment of a failing grade of 50 as explained above.

WITHDRAWAL

From the University:

To withdraw officially from the College of Law it is first necessary to fill out a withdrawal form and have it signed by the Dean. The student must then make arrangements with the Dean of Men or Dean of Women prior to withdrawal. If the student withdraws without making proper arrangements, grades of F and 50 will be assigned in the courses for which he is registered.

From Classes

After the period of registration, changes in courses may be made with the consent of the Dean until the 21st of October. After that date, consent of the faculty member teaching the course and the Dean will be required. Once a student is enrolled in a course, it is expected that he will complete the course and take the examination in it unless there is some justifiable reason to the contrary.

A grade of W will be assigned to any course dropped with the consents as indicated above. Courses dropped at any time without permission will be recorded as F and a grade of 50 entered on the student's record.

GRADUATION

Students who have completed 84 credit hours of work under the Trimester system with an overall grade average of at least 65 (C), and have the equivalent of seven and one-half (7-1/2) trimesters in residence at the College of Law, are eligible for the Juris Doctor.
(J.D) degree. In view of the professional responsibility of lawyers, the faculty of the College of Law will take into account character and general reliability in their determination of the right of a candidate to a degree.

Students with final grade averages of 75 or higher will be recognized by the College of Law as distinguished law graduates.

Commencing with the fall of 1967, Florida State University and the College of Law will be on the quarter system instead of the present trimester system. The credit hours and residence requirements for graduation will be adjusted at that time from the trimester system to the equivalents under the quarter system.

BULLETIN BOARDS -- NOTICES

The locked bulletin board on the second floor of Longmire Building will contain all official notices and class assignments.

The blackboard outside the Dean's office on the same floor will be used for various announcements and calls. This board should be checked regularly. If your name appears on the board, report to the Dean's office immediately.

STUDENT ACTIVITIES AND ASSOCIATIONS

At the appropriate time, probably within the first trimester, after faculty and students have settled into a routine schedule, several organizations of significant value to the students, both socially and professionally, will be organized.

Depending upon the interest and support of the student body, the following organizations, to mention a few, are being considered by the faculty: Florida State University Law Student's Association, Law Hives' Association, Bar Examination Requirements Lecture, Legal Fraternities and social functions.

All organizations or law school activities must be cleared and approved by the Dean or appointed faculty member. Students wishing to discuss ideas or suggestions relative to the law school organizations or activities are encouraged to broach the subject to any member of the faculty.

During the year there will be many events or meetings, at which there will be prominent speakers and guests from the bar and the bench, and many events in the University generally which will be of interest to law students. These will add to the cultural development of law students and to the breadth of vision expected of men in the legal profession. They all help to provide the special opportunity for
legal education provided at Florida State University through its location at the seat of government of the State of Florida. From time to time there will be important events of government, hearings in courts, and affairs of the bar associations made available to law students. These will help to enrich your experience and associations as you pursue your legal education at Florida State University. Effort will be made to inform students of these events as they arise.

At the opening of the law college the students entering the charter class may best confine their efforts, somewhat exclusively, to their day by day class preparation and study until the class gets fully oriented and started in their most important and long-lasting work of law study.

Two events are planned now which all law students will want to attend. These are: the orientation program mentioned elsewhere in this bulletin and the formal opening of the new College of Law which will be held in early October. This we hope to be an occasion fitting for the establishing of the College of Law at Florida State University. Further announcement will be made of this at a later date.
<table>
<thead>
<tr>
<th>TIME</th>
<th>MONDAY</th>
<th>TUESDAY</th>
<th>WEDNESDAY</th>
<th>THURSDAY</th>
<th>FRIDAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 A.M. to</td>
<td>Property</td>
<td>Property</td>
<td>Property</td>
<td>Torts</td>
<td>Torts</td>
</tr>
<tr>
<td>9:00 A.M.</td>
<td>Mr. Dickson</td>
<td>Mr. Dickson</td>
<td>Mr. Dickson</td>
<td>Mr. Phillips</td>
<td>Mr. Phillips</td>
</tr>
<tr>
<td>11:30 A.M.</td>
<td>Contracts</td>
<td>Contracts</td>
<td>First 6 weeks:</td>
<td>First 6 weeks:</td>
<td>Use of Library</td>
</tr>
<tr>
<td>12:30 P.M.</td>
<td>Mr. Millett</td>
<td>Mr. Millett</td>
<td>Legal Method</td>
<td>Civil Procedure</td>
<td>Mrs. Leeman</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Hessrs. Dickson</td>
<td>Mr. Phillips</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>and Millett</td>
<td>Second 6 weeks:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Second 4 weeks:</td>
<td>Contracts: Mr.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Torts</td>
<td>Millett</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Third 6 weeks:</td>
<td>Torts</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Torts</td>
<td>Mr. Phillips</td>
<td></td>
</tr>
<tr>
<td>3:00 P.M.</td>
<td>Civil Procedure</td>
<td>Civil Procedure</td>
<td>Civil Procedure</td>
<td>Legal Method</td>
<td>Legal Method</td>
</tr>
<tr>
<td>4:00 P.M.</td>
<td>Mr. Phillips</td>
<td>Mr. Phillips</td>
<td>Mr. Phillips</td>
<td>Mr. Dickson</td>
<td>Mr. Dickson</td>
</tr>
</tbody>
</table>