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# RES GESTAE

THE LAW SCHOOL  
WEEKLY  
U of MICHIGAN  
ANN ARBOR  
JUNE 28, 1973

## SUPER TORT

It looked like another typical torts class, with another bog of cases to wade through until the voice at the head of the class showed a bit more modulation than usual.

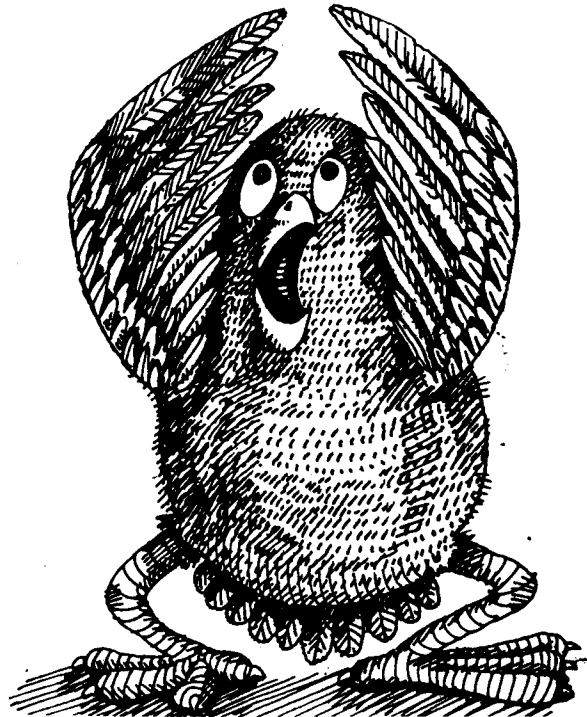
"Well, class, it's time to bring everything together today with a little hypothetical," she declared, a thin smile creeping across her face. "Ms. Jones, uh, say Betsy Barbour is climbing on the roof of a shack owned by Wiley Craft. Craft, angered by her actions, hurls a pool cue with excessive force striking her in the eye. In pain, she falls from the roof and intentionally lands on and batters six-year old Lucy Stans (who while seeing Betsy fly through the air in her direction has undoubtedly become apprehensive of a harmful and/or offensive bodily contact) who is in the process of deliberately pulling a chair out from under 122-year old Lady Whitherly. Lady Whitherly falls onto Hodgin's dog breaking its hip. The aroused animal bites Las Civious who is attempting to crawl through the window of 17-year old Virgin-i-a so he can "carnally know her". In the meantime, Schwartz--who had a multilateral contract with Hodgins to fence in his land--accidentally builds a ten foot high iron fence around Craft's, Whitherly's, Hodgin's, and Virgin-i-a's land, negligently leaving out the gate thus falsely imprisoning all the above parties. Unable to leave, Barbour, Craft, Hodgins, little Lucy, Lady Whitherly, Las Civious, and Virgin-i-a proceed to beat the hell out of Schwartz for his error (Schwartz had attempted to defend himself with a bazooka but was told he could not use such force and so submitted to the beating) aware of the presence of Schwartz's daughter--thus inflicting severe mental distress upon her (she wanted to join in on the beating too, but was not allowed!). In the meantime a corrupt attorney had proceeded to convert the above parties' automobiles (which were parked outside the fence)--locking them in a warehouse 2,000 miles from Ozark--the nearby city. Unfortunately, later

the corrupt attorney unwarily entered a hotel which was hosting a doctor's convention and while consenting (under a misapprehension, of course) to participate in a medical experiment was vaccinated to death by scores of frenzied doctors--many of whom were attempting to simultaneously operate on his left ear without permission! In the meantime, the city of Ozark had completed a new airport--the landing strip being adjacent to the land of: Craft et al. What suits, by whom and what result?"

After a few moments of silence, Ms. Jones cocked her head one way. Then she cocked her head another way and threw back her arms. "Professor, that's ludicrous. Nothing like that could ever happen!"

Whereupon one of Ms. Jones flailing arms struck a classmate's head, causing his thin skull to crack and produce an involuntary jerk of his hand propelling the pencil he held to fly up and shatter the overhead fluorescent lights, spewing poisonous mercury...

-Joe Fenech



# A MODEST PROPOSAL FOR JUNIOR LAW SCHOOLS

Each September brings thousands of new students fresh out of college into the study of law. Their recently acquired diplomas clutched in their hands, the students' legal innocence is quickly stripped away as they find themselves studying into the small hours of the night legal opinions that were handed down many years ago. Regrettably, the study which is demanded of law students begins to take its toll as many students drop out or are flunked out by the law school faculty.

The September days also include thousands of students who do not enter law school, even though a few months ago they were busy filling out law school admission forms. For every one of the law students who are presently enrolled in a law school, there are several times that many who applied to law schools but were rejected. Most likely, they were rejected because their college records, coupled with their Law School Admission Test scores, were not high enough.

In past years this situation would have been acceptable, but the present attitude of our society will no longer accept this arrangement. The number of students wanting to go to law school is increasing dramatically. More than twice as many students want to go to law school as ten years ago.

While some may argue that there are too many law students and that this country will soon face an over-abundance of lawyers, the legal profession must face up to the fact that the existing structure of legal education in the United States is not meeting the demands upon it. Whether we like it or not, the legal field is growing by leaps and bounds, and our law schools must keep up with the progress.

Students and faculty of many law schools are realizing, and some may wonder why it took them so long, that the majority of those students who are accepted into law schools are white, male, and come from above average income families. Recent articles in *Student Lawyer* and other similar publications show that many law students recognize the problems faced by the legal profession.

Law schools are at a crossroads. They can proceed along the well-worn path they are now on, discriminating against black and white, male and female, rich and poor, and creating a wall between the profession and society. Or our legal education system can start building a new road which would lead to better representation of all citizens. To help build that new road, the legal profession might borrow a concept which the college system has been using with great success: the junior college.

The establishment of junior colleges during the 1960s was perhaps one of the greatest achievements of United States college education. The junior college concept has accomplished many goals in its brief life span. Junior colleges begin a college education for those who cannot afford the costs of a four-year university. They offer different types of programs to those students who do not wish to pursue a four-year education. They relieve the over-crowded colleges and universities. By their relaxed admission standards, they allow thousands

of students the chance for a college education. And just as important, they have helped bridge the gap between the college community and the general public.

I believe that the legal profession can incorporate the junior college concept into our legal education system by the establishment of junior law schools (jls). A junior law school would only offer the first-year law school subjects such as contracts, criminal law, torts, etc. It would be approved by the American Bar Association or other accrediting agencies. Thus a student could, after successful completion of the junior law school program, transfer to a "senior" law school. The admission policy of a junior law school would be flexible, so as to let as many students as possible begin their legal training.

But while their admission policies would be relaxed, the jls education should be rigid. It serves no useful purpose to the law student or the community to graduate a student unable to grasp legal concepts. The student must demonstrate that he is capable of answering the legal problems which he will face after he leaves the confines of law school.

The junior law school would not compete with existing law schools, but would aid and supplement their existing programs. For example, a junior law school would act as a screening device for those students not suited to legal education. The senior law school could then place its emphasis on second- and third-year students.

While the primary function of a junior law school would be to prepare students to transfer to a senior law school, there are several other functions the jls could accomplish. Paralegal programs which train persons to assist lawyers are just beginning to accelerate. A junior law school would be an excellent place for the paralegal program to grow and establish itself in the legal community.

Other legal programs, such as those directed toward legal enforcement agencies, could be situated at a junior law school. The policeman could better understand legal concepts and court decisions if he had some basic legal training.

With the many community programs it could offer, the junior law school would act as a link between the public and the legal community. The lack of confidence in our legal system, which is now at an all-time high, might be changed by this link.

Specialization in juris doctor programs, which California has recently established on a trial basis, would be expanded by the junior law school concept. A law student could receive his basic first-year training at a junior law school, then transfer to a senior law school where he could specialize in a particular field of law.

The junior law school program is an answer to many problems the legal profession is facing now and will face in the future. The program is certainly not the answer to all of these problems, but it would be a step in the right direction. It is an idea which merits serious consideration.

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**BY THOMAS EDWARD WALL**