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1954

## 1954-1955 Cleveland-Marshall Law School

Cleveland-Marshall Law School

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# CLEVELAND-MARSHALL LAW SCHOOL

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*Fifty-Seventh Year*

BEGINS AUGUST 31, 1954

1954 - 1955

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1240 ONTARIO STREET

*Cleveland 13, Ohio*



# CLEVELAND-MARSHALL LAW SCHOOL

1954-1955



*Member League of Ohio Law Schools*

FALL TERM . . . AUGUST 31, 1954

1240 ONTARIO STREET  
Cleveland 13, Ohio • SUperior 1-6113



## SCHOLASTIC YEAR 1954-1955

<b>June</b> S M T W T F S .. 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 .. ..							<b>November</b> S M T W T F S .. 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 .. ..							<b>March</b> S M T W T F S .. 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 ..						
<b>July</b> S M T W T F S .. 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31							<b>December</b> S M T W T F S .. 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 ..							<b>April</b> S M T W T F S .. 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30						
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<b>September</b> S M T W T F S .. 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 ..							<b>January</b> S M T W T F S .. 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 .. ..							<b>July</b> S M T W T F S .. 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 .. ..						
<b>October</b> S M T W T F S .. 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 .. ..							<b>February</b> S M T W T F S .. 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 .. ..													

### SUMMER SESSION—1954

June 21st through July 26th

### ACADEMIC YEAR—1954-1955

*August 31*.....Orientation period begins  
*September 7*.....First and second year classes begin  
*September 8*.....Third and fourth year classes begin  
*November 24—9:10 P.M.*..Thanksgiving vacation begins  
*November 29—6:10 P.M.*..Thanksgiving vacation ends  
*December 23—9:10 P.M.*..Christmas vacation begins  
*January 3—6:10 P.M.*....Christmas vacation ends  
*June 17*.....Commencement

### SUMMER SESSION—1955

June 20 through July 25

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Ione H. Barker  
Mary T. Blazys  
Winifred R. Higgins  
Hazel C. Thorkelson

## HISTORY

IN 1897, Judge Willis Vickery, Judge Arthur Rowley, Judge Charles Bentley, Frederick Howe and Clifford Neff organized the Baldwin University Law School. Two years later the School was incorporated under the name of The Cleveland Law School as the law department of Baldwin-Wallace College. It was the first evening law school in Ohio and the first law school in the State of Ohio to open its doors to women.

The late Willis Vickery, who became Judge of the Court of Appeals of the Eighth Judicial District of Ohio, was the leading spirit in the growth and development of the School. He served as a member of the faculty, business manager and dean. Upon his death in 1932, he was succeeded by his son, the late Melville W. Vickery, who served as dean until the time of his death in 1937. Judge Lee E. Skeel of the Court of Appeals of the Eighth Judicial District of Ohio was selected to fill the vacancy. Judge Skeel became president of the School in 1945 and Wilson G. Stapleton, who was then a member of the faculty and the board of trustees, succeeded to the office of dean.

The John Marshall School of Law was established in 1916 by Alfred A. Benesch, Frank T. Cullitan and David C. Meck, Sr., and soon became an affiliate of Ohio Northern University of Ada, Ohio. In 1924, the School was authorized to confer degrees in its own name and the affiliation with Ohio Northern was terminated. David C. Meck, Sr., who later became Judge of the Municipal Court of Cleveland, was dean and active head of the School and was instrumental in its growth. The late Judge James B. Ruhl, the late Senator Cyrus Locher, the late Jesse W. Woods, Howard E. Couse, Edwin E. Miller and many other distinguished members of the legal profession also played vital roles in the School's development. Dean B. Meck served as secretary and treasurer of the School from the time of its foundation until his death in 1935, at which time he was succeeded by David C. Meck, Jr. When Judge Meck, Sr., died in 1939, David C. Meck, Jr., now Judge of the Cleveland Municipal Court, was designated dean.

On June 24, 1946, The Cleveland Law School and The John



Marshall School of Law were consolidated under the name of The Cleveland-Marshall Law School.

The Cleveland-Marshall Law School is not a commercial enterprise. It is a charter member of the League of Ohio Law Schools, the articles of association of which provide: "The member schools shall possess reasonably adequate facilities and shall be organized as non-profit corporations and conducted in accordance with the standards and practices generally recognized by member schools as essential to the maintenance of a sound educational policy."

### OBJECTIVES OF THE SCHOOL OF LAW

The purpose of the School of Law is to prepare men and women for the active practice of the profession in common-law jurisdictions, more particularly in Ohio, and to provide legal training for those who may plan to enter public service or business. It seeks further the inculcation of the spirit, the ideals and the ethical standards of the common legal heritage of English-speaking peoples. Only those persons who are seriously determined to complete the entire four-year course with creditable scholastic records are desired as students.

### LOCATION

The Cleveland-Marshall Law School occupies commodious quarters on the second and third floors of a building located at 1240 Ontario Street, Cleveland, Ohio. The School is located in the heart of the City and is readily accessible by automobile and public transportation. It is felt that no city in the country affords better facilities for legal studies than Cleveland. Within a few minutes walking distance of the School sits one of the District Courts of the United States, one of the Appellate Courts of Ohio, the Common Pleas Court of Cuyahoga County, the Probate Court of Cuyahoga County, the Juvenile Court of Cuyahoga County and the Cleveland Municipal Court.

### LAW LIBRARY

The library contains more than 18,000 volumes, is steadily growing and is kept up-to-date. Here the student has access to the complete reports of the State of Ohio and all other States, the complete National Reporter System, all reports of the United States Courts, the English reports, the American Digest System, numerous digests, statutes of other States,

encyclopedias, annotations, treatises, text books, case books, the more important law reviews, reports of all major Federal administrative tribunals and the Federal Register. Miscellaneous legal material is available on microfilm. Students may also acquire membership in the Cleveland Law Library Association in the nearby Cuyahoga County Courthouse where there is one of the largest and finest collections of law literature in America. The Librarian and staff assistants are always available to help with research problems.

### METHOD OF INSTRUCTION

The case method of instruction, as developed by the majority of law schools in the United States, is used in all courses in which its use is appropriate. This method is designed not only to fix in the student's memory the great fundamental principles of law but also to trace the reasoning behind the development of such principles, to stimulate provocative thinking, and to develop the power of analysis with respect to selected cases.

While particular trends and characteristics of Ohio law are noted, yet the courses are for the most part designed to train students in the principles of common law and equity, and to furnish them with a background for the practice of law, not only in Ohio but also in any other common-law jurisdiction. The members of the faculty are either judges or seasoned lawyers who have had extended teaching experience. The faculty brings to the student body not only the theory of the law but also its practice and everyday application.

### REQUIREMENTS FOR ADMISSION

The School is open both to men and women of good moral character.

#### *Regular Students:*

Applicants for admission as candidates for the Bachelor of Laws degree must have completed, with a "C" average, not less than 90 semester hours or 135 quarter hours of undergraduate study at an approved college, in compliance with Rule XIV of the Supreme Court of Ohio. (See Appendix "A".)

All applicants for admission must take a legal aptitude test and be approved by the Committee on Admissions.



### *Advanced Standing:*

Students in good standing from law schools approved by the American Bar Association or the League of Ohio Law Schools may be admitted to advanced standing upon evidence that they have satisfactorily pursued a course of legal study equivalent to that required in this School for the period preceding the date when such students are admitted. At least one full academic year will be required in residence at Cleveland-Marshall Law School to entitle any such student to a degree. No credit will be given for instruction received by private tuition or by correspondence.

### *The Graduate Division:*

The Graduate Division of the Cleveland-Marshall Law School offers courses leading to the degrees of Master of Laws (LL.M.) and Doctor of Juridical Science (S.J.D.). A candidate for a graduate degree must have earned the degree of Bachelor of Laws (LL.B.) or its equivalent and be accepted by the Committee on Graduate Studies.

It is the policy of the Committee on Graduate Studies to restrict enrollment of candidates for the degree of Doctor of Juridical Science to those persons who have had experience either in the practice of law or the teaching of law, or who have developed some scholarly objective.

### *Special Students:*

Certain courses, both in the undergraduate and graduate divisions of the School, are available on a non-degree basis for lawyers and other acceptable special students within the discretion of the Committee on Admissions. Any student who has not been registered as a law student with the Supreme Court of Ohio is classified as a special student. A special student who completes the full course will be entitled to a Certificate of Law Study. The Bachelor of Laws degree (LL.B.) will be conferred only on those special students who display unusual scholastic ability.

## REGISTRATION

Prescribed forms for use in applying for admission may be procured from the Registrar. Applications of candidates for the Bachelor of Laws degree must be accompanied by two transcripts of one's undergraduate record if one does not have an undergraduate degree, or by two copies of a certificate of graduation. No application will be acted upon by the Committee on Admissions unless accompanied by the matriculation

fee. Applications for admission to the Graduate Division must be accompanied by a certificate of graduation from an approved law school.

## REGISTRATION WITH THE SUPREME COURT OF OHIO

Candidates for the Bachelor of Laws degree who contemplate the practice of law in Ohio must, at the commencement of their legal studies, file with the Supreme Court of Ohio a formal declaration of their intention to begin the study of law, together with a fully executed questionnaire as required by the Court and a certified check, bank draft or money order in the amount of \$6.00, dated and delivered to the Registrar between September 1 and September 30th and made payable to the order of Seba H. Miller, Clerk. For the convenience of students, appropriate forms are available at the Registrar's office. Students are required to complete their registration with the Supreme Court of Ohio through the school office.

## REQUIREMENTS FOR DEGREES

### *For the degree of Bachelor of Laws (LL.B.):*

The course of study of a candidate for the degree of Bachelor of Laws is of four years duration. With respect to students who were in course prior to September 1952, candidates for the degree of Bachelor of Laws are required to complete a minimum of 72 semester hours of credit and attain 144 credit points.

With respect to students who commenced their studies after September 1952, the degree may be conferred only upon candidates who have completed a minimum of 78 semester hours of work and received 156 credit points.

With respect to students who commence their studies after September 1, 1954, a minimum of 84 semester hours of work and 168 credit points will be required for graduation.

All candidates for the Bachelor of Laws degree must pass a final comprehensive examination, and be recommended for graduation by the Faculty Committee.

### *For the degree of Master of Laws (LL.M.):*

Candidates for the degree of Master of Laws must successfully complete:

A. 21 semester hours in courses approved by the Committee on Graduate Studies; or



B. 15 semester hours in such courses and a legal essay in publishable form, based on original and academic research, and approved by such committee.

*For the degree of Doctor of Juridical Science (S.J.D.):*

Candidates for the degree of Doctor of Juridical Science must have achieved outstanding scholastic attainment manifested by the completion of:

A. 21 semester hours in courses approved by the Committee on Graduate Studies; and

B. A thesis based on original research and completed in such manner as to both subject matter and literary form as to be, in the opinion of the Committee, a significant and scholarly contribution to legal learning.

#### ATTENDANCE, EXAMINATIONS, GRADES AND DISMISSAL OF STUDENTS

All classes meet between the hours of 6:10 and 9:10 P.M. according to the following schedule:

Freshmen and sophomores . . . . Tuesdays and Thursdays

Juniors and seniors . . Mondays, Wednesdays and Fridays

Students are required to attend classes with substantial regularity. Attendance upon less than 80% of the total sessions of any course will be deemed cause for withholding credit for that course, except by special permission of the instructor in charge.

The following system of grading is used: A, excellent; B, good; C, fair; D, poor, but passing; F, failure.

Credit points will be awarded to each student as follows: For each hour of work in which the student receives a grade of A, 4 points; for each hour of B, 3 points; for each hour of C, 2 points; for each hour of D, 1 point.

A student's weighted average is determined by dividing the total number of credit points awarded to him by the number of hours of work taken.

A weighted average of 2 credit points (C) is required for graduation.

A student who fails to secure a weighted average during the academic year of at least 1 credit point shall be separated from the School. A student who secures a weighted average below 2 credit points shall be on probation during the following year. A student who fails to secure a weighted average of 2 credit points (C) during the year he is on probation shall be separated from the School.

The School reserves the right to change the published curriculum, schedules, grading system and degree requirements without notice.

#### RULES OF DISCIPLINE

The Law School expects of its students loyal cooperation in the development and maintenance of the highest standards of conduct as well as of scholarship. The School, therefore, reserves the right to compel the withdrawal of any student whose conduct at any time is not satisfactory, and entrance by the student is deemed to be a concession of the right.

#### UNDERGRADUATE SUBJECTS OF INSTRUCTION

	Semester Hours
<b>FIRST YEAR</b>	
Contracts .....	9
*Criminal Law or Agency .....	3
Legal Writing I .....	1
Torts .....	6
<b>SECOND YEAR</b>	
*Criminal Law or Agency .....	3
Domestic Relations .....	3
Legal Ethics .....	1
Personal Property .....	5
Real Property .....	6
<b>THIRD YEAR</b>	
Conflict of Laws .....	4
Constitutional Law .....	5
Equity .....	5
Negotiable Instruments .....	4
Trusts .....	4
*Wills .....	3
<b>FOURTH YEAR</b>	
Business Organizations .....	4
Evidence .....	5
Pleading .....	4
Three electives .....	9

\*Offered only during summer sessions.

All schedules are tentative and subject to change.

#### THE GRADUATE DIVISION

During the academic year 1953-1954, the following courses were offered by the Graduate Division: Real Estate Transactions, Labor Law and Collective Bargaining, Tax Practice, Estate Planning, Probate Practice and Procedure, Trial Practice and Procedure, and Corporate Finance.



## UNDERGRADUATE FEES AND TUITION

Matriculation Fee: (Payable only on first registration) .....	\$ 10.00
Registration Fee: (Payable thereafter each year in advance) .....	5.00
Graduation Fee: (Payable after qualifying for degree) .....	15.00
Comprehensive Examination Fees:	
None for first examination.	
Fifteen dollars for second examination.	
Twenty dollars for third examination.	
Twenty-five dollars for fourth examination.	
Special Examination Fee: (Payable for each course examination taken other than those regularly scheduled) .....	20.00
Library Fee: (Payable each year in advance) .....	10.00
Tuition per semester hour .....	16.00

## GRADUATE FEES AND TUITION

Tuition per semester hour .....	\$ 16.00
Master's essay .....	100.00
Doctor's thesis .....	125.00
Graduation fee .....	15.00

TUITION IS DUE IN ADVANCE OF EACH COURSE, BUT IN NO EVENT LATER THAN 3 DAYS AFTER COURSE BEGINS.

### DEFERRED PAYMENT PLAN FOR FRESHMEN

Freshmen who may be unable to pay all the fees and the tuition in the course in Contracts in advance may be admitted to the first class upon payment of the matriculation fee, the library fee and one-third (\$48) of the total tuition for the course in Contracts. For this service there will be a bookkeeping charge of \$1.00. The balance of the tuition (\$96) for the course in Contracts may be paid in two equal installments. The first of these two installments (\$48) is due and payable when the course is one-third completed; the second installment (\$48) is due and payable when the course is two-thirds completed.

Failure to pay an installment when due or within the three days immediately following will result in the assessment of an additional charge of \$1.00 for each late payment.

### DEFERRED PAYMENT PLAN FOR SOPHOMORES, JUNIORS AND SENIORS

Failure to pay tuition for any course in advance or within the three days after the course begins will be construed as an election to pay under the following deferred payment

plan for which there will be a \$1.00 bookkeeping charge per course:

Two payments:

1/2 of tuition for each course when course begins or within three days immediately following.

1/2 at mid-point of each course or within 3 days immediately following.

Upon failure to meet the terms of the two-payment plan, an additional bookkeeping charge of \$1.00 per course will be assessed.

In computing the 3-day grace periods above provided for, only Saturdays, Sundays and legal holidays are excluded.

ALL TUITION, FEES AND PENALTIES MUST BE PAID BEFORE A STUDENT WILL BE ADMITTED TO THE EXAMINATION IN ANY COURSE.

All students are required to inform themselves when tuition is due. The school will not assume the responsibility for further notification.

*Written notice of withdrawal* must be given to the Registrar. Tuition will be prorated only as of the date of such notice. Fees are not refundable, nor subject to proration.

## SCHOLARSHIPS AND LOAN FUNDS

*Cleveland-Marshall Alumni Association Scholarships:*

Two scholarships, each in the amount of \$150, are awarded to students on the following basis:

1. To the student with the highest average at the completion of his first-year courses, upon re-enrollment for the second year.

2. To the student with the highest cumulative average at the completion of his third year, upon re-enrollment for the fourth year.

*Judge Willis Vickery Memorial Scholarships:*

The Judge Willis Vickery Memorial Scholarships are awarded annually as follows:

1. \$100 to the first-year student who has attained the highest grade in the course in contracts.

2. \$50 to the student who has attained the second highest grade in the course in contracts.



*Judge David C. Meck, Sr., Memorial Scholarships:*

The Judge David C. Meck, Sr., Memorial Scholarships are awarded annually as follows:

1. \$100 to the student with the highest cumulative average at the completion of his second year.
2. \$50 to the student with the second highest cumulative average at the completion of his second year.

*Duffner-Kauffman Loan Fund:*

A fund made available by the class of 1952 in memory of Clifford G. Duffner and Edna G. Kauffman to be used to provide loan aid for worthy students.

*The Githa Dudnik Fund:*

A permanent fund in the initial sum of \$2500, established by Abe H. Dudnik, class of 1927, in memory of his mother, Githa Dudnik, the income from which, at the discretion of the administration, may be granted outright to any worthy student in need of funds to continue his legal education.

## AWARDS

*Judge Samuel H. Silbert Award:*

Judge Samuel H. Silbert, an alumnus and trustee of Cleveland-Marshall and a former faculty member, has established a fund from which an annual cash award of \$50 is made to the student who, in the judgment of the faculty has, by his writing, contributed most to the quality of the Law Review.

*Faculty Award:*

Throckmorton's Ohio Code is awarded annually to the graduating student who has achieved the highest cumulative weighted average.

*Banks-Baldwin Company Award:*

Borchard's Declaratory Judgments is awarded annually by the Banks-Baldwin Company to the student achieving the second highest cumulative weighted average.

*W. H. Anderson Co. Award:*

Merwine's Judicial Conveyance of Real Estate is awarded annually to the fourth-year student, who, in the judgment of the Faculty Committee on Awards, has contributed the most meritorious article to the Cleveland-Marshall Law Review.

*Student Bar Association Award:*

A plaque to be displayed bearing the name of the graduating student who has achieved the highest cumulative weighted average.

*Land Title Guarantee and Trust Company Awards:*

Two annual awards of \$50 are given to second-year students who achieve the highest grades in Real Property.

*Law Review Board Awards:*

Law Review keys are awarded each year to the Law Review Board of the Cleveland-Marshall Law Review.

*Bureau of National Affairs Award:*

The Bureau of National Affairs, Washington, D. C., awards a one-year subscription to The United States Law Week to the student who, in the judgment of the administration, has made the most satisfactory scholastic progress in the field of law during his first three years of law school.

*American Jurisprudence Awards:*

The Lawyers Cooperative Publishing Company offers separately bound topics from American Jurisprudence to the students who achieve the highest grade in various subjects throughout the four years.

*West Publishing Company Award:*

The West Publishing Company awards an annual prize to the first-year student who has achieved the highest average of scholarship. This award consists of a two-year subscription to the advance sheets of its Northeastern Reporter.

## STUDENT ORGANIZATIONS AND ACTIVITIES

*Law Review Board:* The Cleveland-Marshall Law Review Board is composed of students of superior academic standing. The Board publishes the Cleveland-Marshall Law Review, a quarterly publication, which has been recognized as a scholarly contribution to legal literature and which has an international circulation.

*Student Bar Association:* All students in attendance at the Cleveland-Marshall Law School are members of the Student Bar Association. The Association is administered by the Student Congress, members of which are elected annually by the Association. Its objectives are:



"To promote the interests of the Law School and its students; to cultivate social acquaintance and cooperation among the students, faculty and alumni; to encourage high scholastic achievement within the student body; to coordinate the activities of the Law School community; to secure the association and good will of the members of the Bar; and to foster among the student body the high standards of integrity and honor of the legal profession."

*The GAVEL:* The Gavel is a periodical published by the students, containing news of the School and members of the school community.

*Sororities and Fraternities:* The following sororities and fraternity are represented by chapters which are active at the School: Kappa Beta Pi, International Legal; Phi Delta Delta; and Ranney Senate of Delta Theta Phi.

#### CLEVELAND-MARSHALL ALUMNI ASSOCIATION

Graduates of the Cleveland-Marshall Law School have formed an alumni association which takes an active part in the academic and social activities of the School. The Association publishes its own periodical, "The ALUMNI ADVOCATE", which informs all alumni of developments at the School.

## APPENDIX "A"

### THE SUPREME COURT OF OHIO

#### RULE XIV

#### ADMISSION TO THE BAR

SECTION 1. Except as provided in Section 20 of this rule, concerning persons who have been admitted and practiced in the highest court of another state, or in the Supreme Court of the United States, for a period of five years, no person shall be admitted to the bar except upon an examination and certificate of the Bar Examining Committee.

SECTION 2. There shall be appointed, to take effect on the first day of January, 1901, ten discreet and judicious attorneys and counselors-at-law to be known as the Bar Examining Committee. Two members of the committee shall be appointed for one year, two for two years, two for three years, two for four years, and two for five years. Their successors shall be appointed for a term of five years each. (As amended April 15, 1937.)

SECTION 3. Two examinations of applicants for admission to the Bar shall be held each year in the City of Columbus, Ohio, one beginning on the first Tuesday in February, and the other beginning on the last Tuesday in June. Each examination shall continue during the total period of three days and shall be divided into six half-day sessions. No other examination will be held. Examinations must be conducted under the direction of the Committee.

*The questions submitted will not be designated or labeled as to particular subjects. Each examiner shall grade the papers of the applicants on the questions assigned to him and shall forward his report to the Chief Justice of the Supreme Court, who shall cause the grades to be tabulated. After the grades are tabulated and announced they shall be final.* (As amended January 3, 1950.)



SECTION 3a. No applicant shall be admitted unless he has sustained on his written answers to the questions of the examiners an average grade of 75 per cent on an examination embracing the following subjects:

1. *Business Associations (Including Agency, Partnership and Private Corporations)*
2. *Constitutional Law*
3. *Contracts*
4. *Criminal Law (half subject)\**
5. *Equity (Including Trusts)*
6. *Evidence*
7. *Negotiable Instruments (half subject)\**
8. *Personal Property*
9. *Pleading and Practice*
10. *Real Property*
11. *Torts*

*\*(A half subject will receive only half as much credit as other subjects.)*

*Each applicant shall be required to file a certificate from his law school that he has received instruction in Legal Ethics and has satisfactorily completed courses of study in the above eleven subjects and in Conflict of Laws, Domestic Relations, and Wills and has also satisfactorily completed courses of study in two of the following elective courses:*

- |   |                                     |
|---|-------------------------------------|
| 1. <i>Administrative Law</i>                  | 18. <i>Legal Accounting</i>         |
| 2. <i>Admiralty</i>                           | 19. <i>Legal Bibliography</i>       |
| 3. <i>Air Law</i>                             | 20. <i>Legal History</i>            |
| 4. <i>Bankruptcy</i>                          | 21. <i>Legislation</i>              |
| 5. <i>Comparative Law</i>                     | 22. <i>Military Law</i>             |
| 6. <i>Corporation Finance</i>                 | 23. <i>Mining Law</i>               |
| 7. <i>Credit Transactions</i>                 | 24. <i>Mortgages</i>                |
| 8. <i>Criminal Procedure</i>                  | 25. <i>Municipal Corporations</i>   |
| 9. <i>Damages</i>                             | 26. <i>Office Practice</i>          |
| 10. <i>Debtors' Estates</i>                   | 27. <i>Oil and Gas</i>              |
| 11. <i>Federal Jurisdiction and Procedure</i> | 28. <i>Patent Law</i>               |
| 12. <i>Fiduciary Administration</i>           | 29. <i>Public Utilities</i>         |
| 13. <i>Future Interests</i>                   | 30. <i>Quasi Contracts</i>          |
| 14. <i>Insurance</i>                          | 31. <i>Research Problems in Law</i> |
| 15. <i>International Law</i>                  | 32. <i>Restitution</i>              |
| 16. <i>Jurisprudence</i>                      | 33. <i>Roman Law</i>                |
| 17. <i>Labor Law</i>                          | 34. <i>Sales</i>                    |

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| 35. <i>Security Transactions</i> | 39. <i>Trade Regulations</i>    |
| 36. <i>Seminars in Law</i>       | 40. <i>Vendor and Purchaser</i> |
| 37. <i>Suretyship</i>            | 41. <i>Water Rights</i>         |
| 38. <i>Taxation</i>              |                                 |

*(As amended May 21, 1946—Effective as to examinations held after June 1, 1947. On October 10, 1946, the Court directed that this amendment insofar as it relates to certification of courses of study shall not apply to applicants who commenced law study prior to May 21, 1946.)*

SECTION 3b. None but citizens of the United States will be admitted to the examination and every applicant must be twenty-one years of age. The printed interrogatories and the answers of applicants thereto shall be submitted to the Court with the report of the examiners, and, together with all certificates and papers required under this rule, shall be filed with the Clerk and preserved. (As amended July 5, 1921.)

#### SECTION 4. REQUIREMENTS AS TO GENERAL LEARNING.

Each applicant for registration as a law student must present a certificate of general learning with his certificate that he has begun the study of law. Such certificate of general learning shall meet the following requirements:

- A. If filed *before the first day of January, 1954*, it shall show that the applicant has successfully completed two years of study in an approved college, to be evidenced by the signature of the proper official thereof.
- B. If filed *on or after January 1, 1954*, it shall show that the applicant has successfully completed *three* years of study in an approved college, to be evidenced by the signature of the proper official thereof. (Paragraphs A and B, as amended November 13, 1952.)
- C. It shall further show:
  - (1) That the requirements for admission to the college issuing the same are at least 15 units of high school credits and that the applicant satisfied said requirements.
  - (2) The period of the applicant's attendance.
  - (3) The number of college credits, which shall be not less than 30 semester hours, or 45 quarter hours, for each year of study in an approved college.



- D. Applicants who register or apply for examination under the provisions of Sections 7 or 8 of this rule shall be required to file certificates of general learning as provided in paragraphs "A," "B" and "C" hereof, at the time of such registration or application. (Paragraphs A to D, Inclusive, Adopted January 14, 1926.)
- E. All credentials presented under this rule must be submitted to the Court and if the Court is satisfied that the applicant has the educational qualifications required he will be admitted to registration. All credentials presented shall be filed with the Clerk.
- F. The Clerk of this Court is authorized to accept certificates which clearly meet the requirements of this section.
- G. Diplomas should not be presented. Certificates which may be retained permanently are desired. They should be upon the official stationery of the college or university in which the applicant carried on the study required. (Paragraphs E, F and G, adopted May 22, 1923.)
- H. Within the meaning of this section universities, colleges and junior colleges accredited by the following accrediting associations are approved: American Council on Education, Association of American Universities, Middle States Association of Colleges and Secondary Schools, New England Association of Colleges and Secondary Schools, North Central Association of Colleges and Secondary Schools, Northwest Association of Secondary and Higher Schools, Southern Association of Colleges and Secondary Schools. Other universities and colleges heretofore or hereafter approved by special order of Court are approved schools within the meaning of this section. (As amended January 23, 1940.)
- I. Members of the Ohio Association of Colleges are "approved colleges". A Junior College or school of full-time or part-time study, where instruction is given covering only the first two years of ordinary collegiate work, is an "approved college", if it complies with the following requirements:

- (1) It must be a non-commercial enterprise, conducted by an institution of recognized responsibility and standing.
- (2) It must offer instruction only in courses of study of collegiate grade.
- (3) It must compute the credit hours, whether semester or quarter hours, on a basis equivalent to the number of hours of classroom instruction required by the standard of the Ohio Association of Colleges, for each such hour of credit.
- (4) It must possess at least one full-time administrative officer.
- (5) Its recognition as an "approved college" shall not be made contingent upon any requirement of form of endowment, nor upon any prescribed number of full-time instructors, nor upon the circumstance that instruction be given, wholly or partly, in the evening. (Paragraph I adopted November 19, 1929.)
- J. Certificates of general learning meeting the requirements of Section 4 as the same existed immediately prior to the adoption of this amendment will be accepted for registration until October 15, 1926.
- K. Applicants who registered prior to June 7, 1923, who have not yet filed certificates of general learning, may qualify in that respect by filing a certificate meeting the requirements of Section 4, as the same existed immediately prior to the adoption of this amendment. (Paragraphs J and K, adopted January 14, 1926.)

SECTION 5. The Court will not receive applications for waiver of the requirements mentioned in Section 4. (Adopted January 14, 1926.)

#### SECTION 6. REGISTRATION REQUIREMENTS.

- A. Every resident of the state who commences the study of law on and after June 1, 1934, at a law school located in this state or elsewhere, shall file with the Clerk of the Supreme Court his application for registration as a candidate for admission to the bar. Such application shall be accompanied by a certificate of the chief officer of his law school, showing that the applicant has commenced the study of law therein;



by a certificate of general education as required by Section 4 of this rule; by answers in duplicate to a questionnaire executed by him under oath upon a form prescribed by the Court; and by the registration fee of six dollars. If such application is filed subsequent to the first term of the applicant's attendance in law school it shall also be accompanied by an affidavit giving sufficient reason for such delay. *Provided further that law students, who registered prior to June 1, 1934, and who have discontinued law study and have not taken the bar examination, shall upon entering an approved law school for the study of law file with the Clerk in duplicate the questionnaire herein required.* (As amended April 19, 1945.)

- B. Upon the filing of such application and questionnaire one copy of the questionnaire shall be referred by the Clerk to a committee to be designated by the local bar association or associations as hereinafter provided, in the county where such candidate claims permanent residence.
- C. Such committee, so designated by the local bar association or associations, shall proceed to investigate the character, reputation and moral qualifications of each candidate whose questionnaire is submitted to it and shall obtain answers to questionnaires from three citizens in the county, not related to the applicant, at least one of whom shall not be a member of the bar, and from two members of the said local bar association committee who have personally investigated the candidate's qualifications, such questionnaires from the members and citizens to be in the form prescribed by the Supreme Court of Ohio.
- D. The Supreme Court shall determine from the report of the local bar association committee and from the questionnaires filed by said committee and the candidate and from such other information as may be available, whether the candidate shall be accepted for registration, and shall notify the candidate whether his application for registration has been accepted or rejected. As to such persons as are accepted for registration the period required for the study of law by the rules of this Court shall date from the filing of the application of such candidate.

- E. The president of each local bar association, or if there be more than one, then the presidents of such local bar associations, shall appoint a Committee on Applicants for Admission to the Bar, which Committee shall consist of three or more members of each county, as the Court shall from time to time determine, and the members thereof shall serve without compensation. Upon the original appointment one-third of said members shall be appointed for one year, one-third for two years, and one-third for three years and their successors thereafter appointed for a term of three years each. Said Committee on Applicants for Admission to the Bar shall be charged with the duty of passing upon the character, reputation and moral qualifications of candidates for registration in accordance with the rules from time to time prescribed by the Supreme Court. Said Committees in their examination of the candidate shall employ the questionnaires hereinbefore prescribed and shall report to the Clerk of the Supreme Court the result of their investigation and their recommendations as to the acceptance or rejection of such candidates as registered law students. (Paragraphs B, C, D, E and F adopted March 15, 1934.)
- F. Before any application for registration shall be filed such person shall present to the Clerk of this Court satisfactory evidence of general educational attainments as required by Section 4 of this rule. (As amended May 22, 1923.)
- G. On and after September 1, 1935, no applications for registration will be received from applicants studying law under tutorage of attorneys. (As amended June 14, 1935.)

SECTION 7. Every person who shall commence the study of law while a non-resident of this state, and who has not been regularly admitted as an attorney-at-law in some court of record within the United States, shall, at least *six months* before admission to an examination, file with the Clerk, an affidavit showing that he has come into the state for the purpose of making it his permanent residence, and stating his name, age, present and former residence; the certificate of the chief officer of his law school, showing the periods of his law study;



an official transcript of his law college work; certificate of his general education as required by Section 4 of this rule; questionnaire in duplicate as required by Section 6 of this rule; and registration fee of six dollars. (As amended October 20, 1949.)

The *six months* residence in this state required of such persons shall date from the filing of such papers. (As amended October 20, 1949.)

NOTE. Section 1701 of the General Code which required one year's residence has been repealed.

SECTION 8. Any person desiring to be admitted to the examination on the ground that he has been regularly admitted as an attorney and counselor at law in some court of record within the United States, shall, not less than ninety days before the time fixed for the examination, file with the Clerk the following credentials:

a. An affidavit showing that he is a citizen of the United States and that he is a resident of this state or that he has come into the state for the purpose of making it his permanent residence, and stating his name, age and former and present residence.

b. His certificate of admission to the bar.

c. The certificate of a judge of the court of record in which he has practiced law, showing the time such judge has personally known him, the period of time he has practiced law and his moral and professional standing at such bar.

d. Certificate of his preceptor or the law school which he attended, showing the period of his study of law, which certification shall show compliance with the standard of law study prescribed in Sections 3a and 10 of this Rule.

e. Certificate of general learning as required by Section 4 of this rule.

f. Answers in duplicate to a questionnaire upon a form prescribed by this Court.

g. A registration fee of six dollars and an examination fee of twenty dollars shall accompany the application. (As amended July 3, 1951.)

SECTION 9. Repealed May 22, 1923.

SECTION 10. APPLICATION FOR EXAMINATION.

Every person who desires to have his name enrolled for examination, except as provided in Section 8 hereof, must file

application not less than ninety days before the time fixed for the examination, which application shall contain:

A. The affidavit of the applicant, stating his name, age, residence and post office address; that he is a citizen of the United States and has resided in the State of Ohio for at least six months last past, and that he has read the Canons of Professional Ethics adopted by the Ohio State Bar Association, and has faithfully endeavored to make himself acquainted with the same and will endeavor to conform his professional conduct thereto.

B. The certificate of the law school which the applicant attended or the affidavit of the preceptor under whom the applicant has studied law, as provided in either Paragraphs C, D, or E, hereof.

C. A certificate showing that the applicant has regularly and attentively studied law for the period of three school years, in a law school where instruction is given during the daytime and in which the entire time of the student is devoted to the study of legal subjects, whose standing is approved by the Court.

D. A certificate showing that the applicant has regularly and attentively studied law for the period of four school years, in a law school where the entire time of the student is not devoted to the study of legal subjects, whose standing is approved by the Court.

E. An affidavit by a practicing attorney that the applicant has regularly and attentively studied law for the period of four calendar years under the supervision of such attorney prior to September 1, 1939, during which period such attorney gave to said applicant not less than two hundred hours per year of actual legal instruction. In the case of the death of the applicant's preceptor, or if for any reason satisfactory to the Court, the affidavit of such preceptor cannot be obtained, the affidavit of the applicant and that of some other attorney-at-law who has personal knowledge of the length of time the applicant has been engaged in the study of law, may be presented. No certificate showing study of law under supervision of a preceptor subsequent to September 1, 1939, shall be accepted. (As amended January 31, 1939.)



F. The certificates and affidavits mentioned in Paragraphs C, D and E shall show that the applicant is a person of good moral character and has sufficient knowledge and ability to discharge the duties of an Attorney and Counselor at law; and as to all such applicants, \* \* \* said certificates and affidavits mentioned in Paragraphs C, D and E shall further show that the applicant has completed *the courses* of study \* \* \* required by Section 3a of this Rule. (As amended May 21, 1946—Effective as to examinations held after June 1, 1947.)

The periods of law study required by Paragraphs C, D and E shall apply to all examinations held after January 15, 1924. (As amended November 29, 1928.)

G. On and after July 1, 1939, the certificate provided for in Paragraphs C and D must be accompanied by either (a) a certificate from a law school "approved" by the American Bar Association certifying that the applicant has received the LL.B. degree granted under present requirements therefor or other degree of similar significance, of like present requirements, from said school; or (b) a certificate from an Ohio law school that meets the requirements for membership in the League of Ohio Law Schools, certifying that the applicant has received the LL.B. degree granted under present requirements therefor or such similar certificate as the law school ordinarily awards to a student who successfully completes the work in that school.

The provisions of Paragraph G shall not apply to any person who has completed his registration as a candidate for admission to the bar and began the study of law prior to September 1, 1935, and who shall apply for examination prior to September 1, 1939.

An applicant from a law school outside Ohio not on the list of law schools approved by the American Bar Association may be admitted to the bar examination on certificate of the Secretary of the League of Ohio Law Schools that such law school, from which such applicant applies, maintains standards equal to those maintained by the League of Ohio Law Schools.

The cost of investigating such a school, where that is necessary, shall be estimated by the Secretary of the League of Ohio Law Schools and be paid in advance by the applicant. (As amended June 14, 1935.)

H. Each applicant for examination shall file with his application a questionnaire, in duplicate, on a form prescribed by the Court, one copy of which questionnaire, together with the questionnaire and reports filed under the provisions of Section 6 of this Rule, shall be forwarded by the Clerk to the local Committee on Applicants for Admission to the Bar. Said Committee shall make a further investigation of the character and moral fitness of the applicant and report its finding and recommendation to the Clerk of this Court not less than two weeks prior to the date of the examination. Said Committee shall file a separate report as to each applicant, recommending that his application be accepted or rejected and the Supreme Court shall determine from said report, the questionnaires submitted and from such other information as may be available, whether the application be accepted or rejected.

When an application for examination has been rejected because of an adverse report as to character and moral fitness, any further application presented by such applicant shall be accompanied by a report from the local Bar Applicant Committee recommending the applicant as to character and moral fitness. (Paragraph H adopted April 29, 1937.)

SECTION 11. No certificate, affidavit, or other paper produced in conformity with this rule shall be deemed conclusive evidence of the facts therein stated, and in all cases the court must be satisfied of the truth thereof before the applicant shall be admitted to examination.

SECTION 12. Each application for examination shall be accompanied by an examination fee, as follows: First examination, twenty dollars; Second examination, twenty dollars; Third examination, twenty-five dollars; and Fourth examination, twenty-five dollars. Such fee will be returned to the applicant if his name is not placed on the examination roll. If an applicant, on examination, be rejected, he may apply for



admission to the next examination. An application for re-examination shall be filed ninety days prior to the date of such re-examination; and fifteen days prior to the examination the applicant shall file his affidavit showing that he has diligently pursued the study of law from the date he received notice of failure until the date of such affidavit. No one shall be admitted to more than four examinations. (As amended January 31, 1939.)

SECTION 13. After the expiration of the thirtieth day before the examination the court will examine the papers filed by the applicant, and cause him to be notified whether he will be admitted to the examination unconditionally, or subject to the production of a supplemental certificate of additional study, when that may be necessary, and if so admitted, will cause his name to be placed on the examination roll.

SECTION 14. The Bar Examining Committee may, subject to the approval of the court, make rules not inconsistent herewith, for the conduct of the examinations, which, together with this rule, shall be published in pamphlet form for distribution by the Committee. (As amended April 29, 1937.)

SECTION 15. The applicant upon receiving the oath of office, shall sign a roll showing the date of his admission and the place of his residence. The oath administered shall be as follows:

I DO SOLEMNLY SWEAR:

I will support the Constitution of the United States and the Constitution of the State of Ohio;

I will maintain the respect due to courts of justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land;

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with his business except from him or with his knowledge and approval;

I will abstain from all offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged;

I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice, SO HELP ME GOD.

(Clerk's Note: This form of oath was adopted January 25, 1910. It is the form recommended by the American Bar Association.)

SECTION 16. The Clerk shall enter the date of the filing of all papers under this rule, with a pertinent description of the same, in a record provided for that purpose, and shall enter all sums received under this rule in a cash book, showing the date, from whom and for what received, and shall pay the same out upon the order of the Chief Justice in payment of the expenses of the examination, and for no other purpose. That is to say: costs of necessary printing and stationery; necessary janitor or messenger service; necessary hall rent, postage and express charges and other necessary expenses; to each member of the Bar Examining Committee his necessary traveling expenses actually incurred in the work of the Committee and such compensation as the Court may from time to time determine; to the Clerk \$1.00 for each certificate of admission or duplicate certificate of admission issued by him and also \$1.00 for each certificate of registration filed by him under this rule. \$1.00 will be charged for each duplicate certificate.

If the funds are not sufficient, such pro rata distribution shall be made as the funds will warrant. (As amended March 15, 1934. Effective June 1, 1934.)

SECTION 16a. The Clerk is authorized to pay to the National Conference of Bar Examiners the sum of \$25.00 for each character investigation and report made by said association under the provisions of Section 20 of this rule. (Adopted April 29, 1937.)

SECTION 17. Repealed, January 31, 1939.

SECTION 18. Repealed.

SECTION 19. Certificates of study given by schools known as correspondence law schools or by lawyers without the state, certifying that the applicant has studied under their super-



vision within the state of Ohio, do not satisfy the Ohio statute and the rules respecting study ordered by the Supreme Court of Ohio, and such certificates will not be filed or in any way recognized.

#### ADMISSION WITHOUT EXAMINATION

SECTION 20. An applicant for admission to the bar of Ohio without examination must file with the Clerk the following credentials:

1. Certificate of admission as an attorney and counselor at law in the highest Court of another state, upon a regular examination, preceded by a general education equal to the requirements prescribed by this Court for registration of law students in effect at the time such applicant commenced the study of law, and by law study equal to the requirements prescribed by this Court for applicants for admission to the bar examinations in effect at the time of the applicant's admission as an attorney and counselor at law in such other state. Such general education, law study and examination must be shown by certificates of the facts. (As amended January 23, 1940.)

2. Certificate from a Judge of a Court of Record that he is of good moral character, is in good and regular standing in the courts of such state and that he has been engaged in the practice of the law for a period not less than five years immediately preceding his removal to the State of Ohio. This certificate must be authenticated by the Clerk of Courts under seal. (As amended November 15, 1940.)

3. Certificate of good moral character, and recommendation from some attorney-at-law of this state, that the applicant be admitted to the bar of Ohio.

4. The affidavit of the applicant that he is a citizen of the United States, and that he is a resident of this state, or has come into the state for the purpose of making it his permanent residence.

5. An application and questionnaire, in duplicate, for character investigation and report by the National Conference of Bar Examiners, upon a form prescribed by the Court.

6. A fee of \$75.00 must accompany the application, no part of which will be refunded if the application is rejected. (Sections 5 and 6 adopted April 29, 1937.)

#### RULE RELATING TO FOREIGN ATTORNEYS

SECTION 21. Attorneys-at-law residing without the state of Ohio, not members of the bar of this state, who have been retained in any case assigned for oral argument, may be heard therein upon being presented to the Court by a member of the Bar of Ohio.

SEBA H. MILLER,  
*Clerk, Supreme Court,*  
Columbus 15, Ohio.

November 15, 1952.



