

DALLAS DETAIL *

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I should like to submit the following report of my special detail in the United States. It deals primarily with my study of the Legal Center concept and practical observations of the operations of the Southwestern Legal Center, Southern Methodist University, Dallas, Texas, in connection with the Legal Center movement in the University of the Philippines.

I would be deficient in feeling if I should proceed any further without first expressing my appreciation for the opportunity afforded to me. I wish to thank President V. G. Sinco for his decision to send me to Southern Methodist University to study and observe the operations of the famed Legal Center there and to take some advanced courses related to my academic responsibilities in the College of Law.

The Legal Center movement in the Philippines, which the President himself began when he was still the Dean of the College of Law, appealed to Dr. Robert G. Storey very much.¹ In a letter he sent to Dr. Louis A. Pingitore, Chief of the Far East Branch, Education Training Division, International Cooperation Administration, Washington, D.C., Dr. Storey said:

"It is especially gratifying to me that the creation of the Legal Center in the Philippines, along the tentative lines that President Sinco and I have discussed, will be expedited by Professor Pascual's sojourn with us."

The leading jurists and educators who examined the opportunities and challenges that the Southwestern Legal Center faced when it was dedicated ten years ago, last month, were hopeful that Legal Centers established throughout the free world would have a major role in the task of improving the administration of justice.² They

* This report, submitted to the President of the University of the Philippines and to the Dean of the College of Law, was not originally intended for publication in the *Philippine Law Journal*. However, Dean Abad Santos feels that the Legal Center concept is an important idea that needs dissemination.

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¹ Dr. Storey, who has visited the U. P. College of Law many times, is the founder of the Southwestern Legal Center. It is the first completed and activated Legal Center in the United States. It was dedicated on April 28, 1951, although it was organized in 1947. In the spring of 1948 the Continuing Legal Education Center was created and began offering institutes and short courses for the members of the Bar. In 1949, the International Oil and Gas Educational Center was created and offered in the following year the First Annual Institute on the Law of Oil, Gas and Taxation.

² Among those who gave addresses during the dedication ceremonies were Chief Justice Arthur T. Vanderbilt, Supreme Court of New Jersey; Associate Justice Robert H. Jackson, Supreme Court of the United States; Circuit Judge Harold R. Medina, United States Court of Appeals; Dr. Umphrey Lee, President of Southern Methodist University; Dr. James P. Hart, Chancellor, University of Texas.

were also convinced that in the pursuit of certain common objectives,^{*} Legal Centers can contribute greatly in undergirding the "rule of law" which humanity seeks for its own sake.

I also wish to thank Dean Vicente Abad Santos for his interest in my work at Southern Methodist University. Dr. Storey was likewise glad to know of Dean Abad Santos' interest in the Legal Center movement. And I also wish to record here my appreciation to the University of the Philippines, the National Economic Council, and the International Cooperation Administration for their joint sponsorship of my special detail abroad.

While I studied the Legal Center concept and observed the operations of the Southwestern Legal Center, my other activities there during the spring semester of 1961, from January to May, were varied.

I participated in three graduate seminars, namely, *Law in Society II*, *Labor Law Problems*, and *Government, Labor and Business*. Dean John W. Riehm of the Southern Methodist University School of Law had me enrolled in these seminars as an auditor due to my professorial rank. In the graduate seminar in *Law in Society II*, Professor Julius Stone of the University of Sydney, an internationally recognized authority in the field of legal philosophy, took over the seminar for the last two months of the term. Dean Riehm brought him to Southern Methodist University from down under to deliver a series of lectures on sociological jurisprudence. I consider my participation and work in all these seminars to be very rewarding. Indeed many of these dividends can be put to good use in the courses that I teach in the College of Law.

Upon the recommendation of Dean Riehm, I was one of the discussants in the 4th Jno. E. Owens Memorial Foundation Conference on Contemporary International Economic Problems. This was held on April 26 under the auspices of the Department of Economics of Southern Methodist University. I participated in the topic of *Investment in Human Capital in Underdeveloped Countries*.

I should like to mention also that I was able to accomplish a considerable amount of research work in my fields of special interest, namely, Jurisprudence and Labor Law. I just had to make the most of the wide and impressive collection of books and materials in the libraries of the Southwestern Legal Center. Many of these periodicals and books are not yet available in the University of the Philippines. I propose to consolidate the products of my research work within the next few months with the view of utilizing them in

^{*} See II, 3, *infra*.

the next editions of my books in these fields. I must mention at this point that Dr. Storey and Dean Riehm provided me with an office and secretarial assistance which helped a great deal in completing my work at Southern Methodist University.

I also attended the five institutes which the Southwestern Legal Center offered during the spring semester of 1961, namely:

1. The *12th Annual Institute on the Law of Oil, Gas and Taxation*, held on February 8-10, under the auspices of the International Oil and Gas Educational Center.
2. The *Institute on Homicide Investigation*, held on February 20-22, under the auspices of the Division of Criminal Justice Administration, Continuing Legal Education Center.
3. The *3rd Annual Institute on Eminent Domain*, held on March 9-11, under the auspices of the Continuing Legal Education Center.
4. The *Institute on Economics of Petroleum Exploration, Development and Property Valuation*, held on March 16-18, under the auspices of the International Oil and Gas Educational Center.
5. The *Institute on Trial Tactics*, held on April 27-28, during Lawyers Week, under the auspices of the Continuing Legal Education Center.

Besides gaining extra knowledge in the law, my attendance in those institutes gave me additional insight into the operations of the Southwestern Legal Center. This, I'm quite sure, was Dr. Andrew R. Cecil's idea when he invited me to attend the said institutes. Dr. Cecil is the Executive Vice-President and Educational Director of the Southwestern Legal Foundation.

Upon completion of the substantive portion of my ICA-NEC program at the Southwestern Legal Center, I returned to Washington, D.C. This was necessary for the pre-departure phase of my program. It consisted of exist interviews, filing of my pre-departure report (which is different from this report), and meetings at the Washington International Center. Two important questions discussed during my exist interviews had to do with the adoption of the Legal Center concept in the Philippines and the technical difficulties in the utilization of the idea. I have summarized the discussion on these matters in this report.

The pre-departure phase of my ICA-NEC program took a few days after which I caught a plane back to the Philippines. I arrived on June 8.

The balance of this report is divided into three parts, to wit:

1. Preliminary Statements.
2. The Legal Center Concept.
3. Some Suggestions for the University of the Philippines Legal Center.

I believe this report would be most incomplete if I did not include something in the nature of suggestions. Because of its importance it is also the longest portion of this report.

I. PRELIMINARY STATEMENTS

There are many principles and methods that have been established by the Southwestern Legal Center for its own guidance. But I did not find them written down. I have, therefore, gathered as many of them as I possibly can from a number of sources, to wit:

1. Conferences, consultations, and interviews with the officers and key-men of both the Southern Methodist University School of Law and the Southwestern Legal Foundation. These are the two component institutions that go to make the Southwestern Legal Center.

2. Studies of the brochures, officers' reports, bulletins, prospectuses, and programs issued by the Southern Methodist University School of Law and the Southwestern Legal Foundation.

3. Observations of the sessions of some of the planning committees of the Southwestern Legal Center.

4. Attendance in the five institutes given by the Southwestern Legal Center during the spring semester of 1961.

In connection with the practical observations that I made of the sessions of some of the planning committees, I was quite impressed with the attention given to the next institute or conference right after the last one. This is a procedural step strictly followed in the Southwestern Legal Center. Within the week of the end of an institute or conference, questionnaires are already in the mails for every registrant in the last institute or conference. Their opinions and ideas are solicited on certain aspects of the last institute or conference which might be beneficial or useful to the planning and improvement of the next one. Inquiry is made into such matters as subjects that the registrants would like to hear in the next institute or conference, short courses they would like to take, their recommendations on a qualified speaker or lecturer on a specific topic or short course, their suggestions for the general improvement of the institute, conference, or short course, and their candid comments on the past one. A polite albeit urgent request for prompt

consideration of the questionnaire is made, for which a postpaid, business reply envelope is enclosed for the registrant's convenience. Replies to the questionnaires are then carefully sorted and analyzed. The results of the analysis are taken into account in the planning of the next institute, conference, or short course. In terms of public relations, this quick and timely approach gets results. For instance, the registrants inevitably get the feeling that their attendance has been appreciated and their ideas valued and quite welcome.

This is probably as good a place as any to mention the fact that there are now established Legal Centers in Pakistan, India, Taiwan, Korea, and Japan. The Southwestern Legal Center gave information and guidance to the establishment of the Legal Centers in Taiwan, Japan, Korea, and Pakistan. These Legal Centers are affiliated with the Southwestern Legal Center, through one of its departments—the International Comparative Law Center. The relation is more than nominal. For instance, part of the library stocks of the Legal Centers in Pakistan, Korea, and Japan were gifts from the Southwestern Legal Foundation. There are also exchanges of personnel going on between these Legal Centers and the Southwestern Legal Center. A grant by the late Fred F. Florence to the Southwestern Legal Foundation will make possible a survey of the Legal Centers in the Far East and the establishment of a pilot Legal Center in a friendly nation.

Commenting on this affiliated relationship, Whitney North Seymour, President of the American Bar Association, in saluting the Southwestern Legal Center on the tenth anniversary of its dedication, said that "it is breaking new ground in international friendship based on professional interchange and understanding."

About a month after my arrival at the Southwestern Legal Center, Professor Claudio da Silva Souto of the University of Pernambuco, in Brazil, arrived at Southern Methodist University School of Law. While he was there for some research work in Private International Law he also studied the operations of the Southwestern Legal Center.

II. THE LEGAL CENTER CONCEPT

1. Introduction.

The Legal Center movement in the United States gained momentum soon after the end of World War II.

Dedicated men of law, notably Chief Justice Arthur T. Vanderbilt of the Supreme Court of New Jersey, formerly Dean of New York University School of Law, and originator of the Legal Center

concept, sounded the challenge that "it is not enough for a law school in these days to teach law and teach it well." Soon it was recognized that "the undergraduate program offered by law schools needed expansion" in order that the legal institution as well as the law profession can keep pace with modern social and governmental changes.

The American Bar Association, the American Law Institute, and the Association of American Law Schools quickly reacted to the challenge. The American Bar Association and the American Law Institute set up a *Joint Committee on Continuing Legal Education* to "take a new look at the situation, and new plans made to improve, broaden, and deepen the educational opportunities offered to lawyers in the various states." The Association of American Law Schools, of which the University of the Philippines College of Law is an associate member, supported the movement and recommended to member schools its study and establishment.

2. Concept.

The question is properly asked, "What is the Legal Center concept?" Dr. Storey gives a comprehensive answer:

"In general terms, the Legal Center is to the broad field of law what the Medical Center is to medicine, what the great industrial laboratories are to industry, and what the scientific laboratories are to science.

"More specifically, the Legal Center aims to provide for the judiciary, for the Bar, for the legal education, and for the public a place where the administration of justice may be reevaluated, and where new ideas for the better handling of controversies and disagreements between men and institutions under just and workable rules may be tested and valued.

"Nor is this all. The Legal Center provides a convenient place of inspiration, teaching, and learning—not only for law students and law professors, but for continuing growth in knowledge and techniques by practicing lawyers, judges, public officials, and businessmen. Such a Center is a workshop for all members of the legal profession as well as laymen."

Implicit in this view are a constructive appraisal and a promising hope for legal education and the law profession. Whereas research, study, and experimentation are common in other fields of human endeavor—from agriculture, to medicine, to science—the field of law has been neglected and "we blunder along with only precedents of the past as our guide to the future." And yet it has been said that "the law cannot stand still" and that it is "the guardian of liberty and of life itself." Thus, the need for a continuing look at the law.

This activity is possible in the cultural atmosphere and environment of the Legal Center where the law faculty, the outstanding

members of the Bench and the Bar, educators, teachers, leaders in governmental and business affairs, independent thinkers, as well as those in the other professions, can jointly or severally experiment, test, assess, and plan in the broad field of law and government in order to develop and preserve the kind of social engineering that is based on reason, morality and justice. Furthermore, the establishment of Legal Centers answers the great need of raising the standards of, and eliminating substandard, legal education, and elevating the law profession back to its rightful place. This matter is reemphasized, even though it has been mentioned already, in order to point out that the "rule of law" seems to be "vanishing in most of the old world and is being assaulted in many parts of the new."

3. Objectives of the Legal Center.

There are certain purposes that are of the utmost importance in the Legal Center concept. They are the following:

1. The improvement of the administration of justice.
2. The establishment of continuing legal education for the Bench and the Bar.
3. The promotion of research and studies in the basic premises of the legal order, current legal problems of interest to all, including but not limited to the general field of law and government.
4. The improvement of modern undergraduate and graduate degree legal education and the elimination of substandard legal education.
5. The coordination of student organizations and programs in order to transform them from mere "extra-curricular" activities into useful adjuncts to undergraduate legal education, whether for credit or otherwise.
6. The cultivation of alumni interest in, support for, and loyalty to the causes of better legal education and betterment of the law profession.
7. The improvement of law publications as vehicles for disseminating invaluable legal lore, research and studies.

4. Basic Requirements of a Legal Center.

The main assets of a Legal Center are a well-established, recognized and accredited law college, and adequate financial undergirding and support.

(a) *A Good Law College.*

In one of his speeches, Dr. Storey stated that "just as a successful Medical Center is built around a recognized and accredited medi-

cal college with complete medical facilities, the Legal Center cannot exist without a good law school." In other words, the Legal Center revolves in and around a far-sighted administration, a superior faculty, an impressive library, and a competent student body.

The administration leads. It conceives plans and formulates policies; puts them into operations; continues them when they are fruitful; amends or drops them when they are barren; provides the faculty with secretarial assistance;⁴ adjusts academic load to the needs of the situation and as resources permit; attends to the physical plant and facilities, etc.

The faculty is dedicated to the pursuit of research, writing and teaching. In close cooperation with the administration it maintains a law school education in close parallel to the actual practice of law since "it had become mandatory for practicing lawyers to go back to school to keep abreast of the vast and rapidly changing laws." It also keeps revitalizing the curricular and metacurricular programs, adding and/or dropping activities and courses, to meet many new demands.

The library is the repository of legal lore. Its collections are expanded with all possible currents of ideas and methods of thought so that mature and impartial studies, investigations, and research can be possible.

The students are the potential lawyers and leaders. They seek learning and knowledge in the law. They are conscientious of their responsibilities and alive to their opportunities, not distinguishing between credit and non-credit activities but recognizing all of them as necessary adjuncts to their legal education.

(b) *Adequate Financial Undergirding.*

Dr. Storey has also emphasized that the operation of "the Legal Center is vulnerable without sound financial backing and that the regular law school budget is wholly insufficient to maintain a Legal Center."

Since the educational programs and activities of Legal Centers are not limited to the students but encompass the community and the nation, other methods of securing additional support should be tried.

5. The Departments of the Legal Center.

To accomplish the objectives and purposes of the Legal Center, a multiple series of educational activities and programs is established:

⁴ In leading law schools abroad the ratio is 1 secretary to 3 faculty members. Some law schools provide 1 secretary for every 4 members of the faculty.

from student organizations, to formal legal education, to non-degree continuing legal education, to law enforcement and criminal justice administration, to research and publications, and on to other activities amplifying and enlarging the Legal Center objectives.

This range of programs and activities requires departmentalization and subdivision to keep them from overlapping one another. There is no hard and fast rule as to how many and what types of departments, divisions, and sections a Legal Center should have to be effective. This, again, is a grassroots problem that depends for its solution on the peculiar situation and needs of each country or region. For example, the Southwestern Legal Center has a department called the International Oil and Gas Educational Center. The need for this particular department is dictated by the fact that the entire southwestern region of the United States is predominantly oil and gas country. This particular department of the Southwestern Legal Center has its own specialized library, the DeGolyer Memorial Oil and Gas Law Library. It also publishes a distinct law publication, the *Oil and Gas Reporter*, which commands international attention.

III. SOME SUGGESTIONS FOR THE UNIVERSITY OF THE PHILIPPINES LEGAL CENTER

Only the departments, divisions, and sections of the Legal Center concept which are probably unfamiliar to us will be considered. With one or two exceptions, I will not take up anymore those that are by no means unknown to us.

A. THE TYPE OF ORGANIZATION.

1. Introduction.

The type of organization for the University of the Philippines Legal Center, hereinafter referred to as the U. P. Legal Center, is largely a matter of local determination. Without stretching the point, what is effective in one country may not work out at all in another.

As a backdrop, there are three types of organization plans. A Legal Center may be established by a Bar Association. Or a non-stock, non-profit foundation may be incorporated for the purpose. In both types of organization, the project is carried on with the cooperation of a well-established and accredited law school. The third type is the University established institution.

The *Joint Committee on Continuing Legal Education* of the American Law Institute and the American Bar Association has come

out with the recommendation that "where law schools evidence the disposition, willingness and ability to spearhead the program, and there are indications that in many states this situation exists, full opportunity to do so should be accorded." A commentary on the obviousness of this suggestion is unnecessary.

A combination of any of these types is possible. For example, a Legal Center may be established under the joint sponsorship of a University and a Foundation. So far as I know, the Southwestern Legal Center is the only one of this type.

2. Type of Organization for the U. P. Legal Center.

The organizational form and methods suggested for the U.P. Legal Center does not embody a good deal of the structure and methods of the Southwestern Legal Center. Some of its departments, divisions, and sections cannot simply be used bodily in our country. Furthermore, there are ideas and methods for the U.P. Legal Center that are not found in the set-up of the Southwestern Legal Center. The need to work out a suitable plan of organization, with the organizational structure and functions of the Southwestern Legal Center as a pattern, the formulation of other techniques and the inclusion of certain methods already adopted in the College of Law are justified by the challenges that confront us and by the needs and circumstances peculiar to our situation.

B. THE SITUS OF THE U. P. LEGAL CENTER.

As stated elsewhere in this report, some of the objectives of the Legal Center are the improvement of the administration of criminal justice, the betterment of the law profession, and the elimination of substandard legal education. In this connection, the persons and institutions to which about half of the programs and activities of the Legal Center are to be beamed at are crowded in the City of Manila. On the basis of these considerations, it appears that Manila should be the site of the U. P. Legal Center.

C. THE ADMINISTRATION OF THE LEGAL CENTER.

Since the Legal Center contemplated in this report is the University type of institution, the President of the University has authority over it while its immediate administration comes under the Dean of the College of Law.

1. Office of the Dean.

The establishment and coordination of an integrated, long range educational programs and activities for the different departments of the Legal Center would require continuous attention, planning,

and execution. This would place on the Dean a very heavy workload, let alone his present administrative and academic responsibilities.

In the Legal Centers abroad, of the type of institution suggested here or nearly similar to it, there is an Associate Dean and/or Assistant Dean to share in the task. It is more complicated in the kind of institution of which the Southwestern Legal Center is the prototype. There the task is shared by the Southern Methodist University School of Law, under Dean John W. Riehm, and the Southwestern Legal Foundation, under President Robert G. Storey.

2. The Faculty of Law.

The members of the faculty will assume a far greater role in the manifold programs and activities of the Legal Center.

There are certain divisions and sections in the Legal Center set-up which involve specialties of one kind or another. As such they will require the special talents and services of the faculty members. For example, each of the sections under the Division of Professional Competence and Responsibility, Department of Continuing Legal Education, will need the leadership and services of a faculty head. There are also certain programs which will need the special attention of some of the members of the faculty. For example, the Applied Legal Training Program, which is composed of the Legal Aid Clinic and the Law Office Training, will have to come under the charge of a faculty member.

In this new dimensions of faculty activities and functions, there is at least one important matter to be considered in order to maintain the effectiveness of the faculty members in the discharge of their duties and responsibilities. It has to do with the adjustment of teaching load. While the University of the Philippines is unable to afford this for the present, a nearly similar result can be achieved by crediting the additional work of the faculty members against their present teaching load of fifteen units per semester. This is already being done in the case of the services of the faculty editor of the *Philippine Law Journal*.

3. The Office of the Secretary of the College.

There is an additional unit to this office, namely, alumni relations, placement and publicity.

This involves continuing attention and care given to alumni relations. It requires cultivation of alumni interest, loyalty, support, and dedication for the causes for which the College of Law stands for. Attention is also given to the placement of graduates, that is

to say, in directing them to suitable job opportunities. This service is available to them at all times without expense on their part. In law schools abroad with placement units this service has been a big step in overcoming the rather impersonal relation that has long characterized student-school relationship.

Another function of this unit is to keep the community and the nation aware and informed of the Legal Center in action. This will involve preparation in good taste of press releases. It will also take charge of the printing of brochures, bulletins, pamphlets, and prospectuses that the Legal Center may need, including their mailing and distribution. The emphasis of all these is on the objectives of the Legal Center. The public has a right to know what the Legal Center is doing and why it is doing it.

D. THE DEPARTMENTS OF THE U. P. LEGAL CENTER.

There are four departments to start with: (1) Department of Undergraduate and Graduate Degree Programs, (2) Department of Continuing Legal Education, (3) Department of Research and Publications, and (4) Department of Libraries.

Department of Undergraduate and Graduate Degree Programs

In so far as the Section of Student Organizations and Special Activities is concerned, only those which have to do with Esquire Week, Orientation Program, Applied Legal Training Program, Annual Moot Court Competition, U. P. Student Bar Association, and the Annual Appellate Advocacy Competition need be discussed. The rest are old hats. There is an underlying principle to these methods or techniques: all are adjuncts to undergraduate legal education.

1. Esquire Week.

This is an outstanding special event in the College of Law. At a definite period of each school year, for two or three days, the administration, the faculty, the student body, and the law alumni join together in highlighting the following:

(a) Conference.

1. Conference on Law in Society.
Conference on the Modern Judicial Process.
Conference on Law and Morals.
Conference on Legal Assistance to Members of the Armed Forces and Inmates of Prisons.⁵

2. Annual Law Symposium.

⁵ The topics are merely indicative of the tone of the Conference. And not all are intended to be given at the same time.

- (b) Alumni and Students Day.
 - 1. Alumni-Students Breakfast and Convocation.
 - 2. Annual Moot Court Competition (Finals).
 - 3. Annual Appellate Advocacy Competition (Finals).
- (c) Legal Center Recognition Day.⁶
 - 1. Special Convocation.
 - (a) Annual Special Bench and Bar Awards.
 - (1) For the outstanding and honored member of the Bench.
 - (2) For the outstanding and honored member of the Bar.
 - (b) Awarding of Certificates and Prizes:
 - (1) For the winners in the Annual Moot Court Competition.
 - (2) For the winners in the Annual Appellate Advocacy Competition.

2. Orientation Program.

The orientation phase of law study is an important undertaking of the Division of Undergraduate Program. It is given to the members of the entering class and may last for two or three days before the beginning of the new school year. It is commenced with interviews.

The members of the freshman class face different problems. The problems have to be solved before classes begin so that the students may have self-confidence. They cannot wait to get adjusted by themselves. Invariably this is too late for many of them.

To help new students in bridging over the gap between pre-law and law studies, lectures are given on the following topics prior to the start of classes:

- (a) Speed and Accuracy in Law Studies.
- (b) Study Techniques.
- (c) Improvement of Reading Efficiency in Law.
- (d) The Skill of Listening in the Classroom.
- (e) Preparation for Law Examination and Analysis of Corrected Examination Books.

3. Applied Legal Training Program.

The activities offered in this program are for credit. They are

⁶ See 5(b), *infra*.

related to, and supplement, the regular course in *Trial Technique & Practice Courts*.

This method of training in the undergraduate level appears in two forms: (a) Legal Aid Clinic, and (b) Law Office Training. Together they constitute what is called the "practice seminar and legal internship" of law students. It is designed to meet the demands of adequate preparation in the practice of law.

The senior law students are exposed to the mechanics of a lawyer's job. In this program they acquire confidence, develop poise and ability in dealing with people. They also gain some experience in actual law practice, in much the same manner as medical students work in the out-patient department as early as their sophomore year and in hospital wards during their senior year. In this program the law students learn many things that cannot be effectively taught them in the classroom. Without intending an understatement, a great deal of the success of the Applied Legal Training Program depends on the enthusiasm of the faculty member in charge. On days suitable for the occasion, the students enrolled in the program visit different trial courts and on other days they go to the appellate courts. This would make them familiar with the actualities of the judicial process. These visits would be supervised and the details worked out in advance with the presiding judges. It is just possible to get a presiding judge to greet the students. This would also make the public realize that concrete steps are being taken to enhance the training of students who will serve them later. On Saturday afternoons, the students enrolled in this training program would assemble at the Legal Center to hear special lectures by eminent judges and outstanding lawyers on various subjects connected with the practice of law that are not stressed too much in the classroom, e.g., the economics of law practice; scientific methods for ascertaining intent, motive or credibility; litigation from a trial judge's viewpoint; the art of advocacy as a justice looks at it; the psychology of testimony; motivating factors in decision making; prediction of counsel's move in a litigation; etc.⁷

(a) *The Legal Aid Clinic*. The need for legal aid—which means legal services for people who cannot afford to pay for them—is true everywhere. Turning, as so many of the citations here

⁷ If this program is adopted, there is need to transfer certain law courses, e.g., *Legal Method*, *Legal History*, *Political Law I*, *Criminal Law I*, *Political Law II*, *Jurisprudence II* to the A.B. course. This would clear the way for certain subjects in the law curriculum to be moved back across the board allowing senior law students the time necessary for this program. Besides, there is much to recommend the move to provide senior A.B. students some insight into the nature of the law. This is another step in furthering the aims of liberal education. The law students are certainly not the only ones in need of this knowledge. I wish to add that there is need for this move regardless of the adoption of the program mentioned in the text. See *Law as a Social Science in the Undergraduate Curriculum*, 10 *Journal of Legal Education*, 485 (1958).

seem to lead, to Dr. Storey, he aptly stated, in his report to the State Bar of Texas, the importance of free legal assistance to indigents:

"Socialization of the medical profession in England, the . . . State-controlled legal profession behind the iron curtain, and the enormous growth of bureaucracy in our country are all 'straws in the wind' and warnings that the legal profession must provide a plan for every worthy citizen . . . to receive necessary legal assistance. To those unable to pay, we should welcome the opportunity to serve An efficient system of free legal aid . . . will do more than any other one reform to stop the trend towards regimentation of the legal profession."

The objective of this training program is to accomplish two things for the law students: (1) such a training program affords an excellent opportunity for the students to supplement theoretical studies with some first-hand legal experience as a part of their undergraduate studies, and (2) the students come to grips even during their undergraduate legal education, with their duty to those in need of legal aid as well as their responsibilities to the law profession when they become lawyers.

The Legal Aid Clinic is to be maintained throughout the year. The students would have full responsibility in keeping records and files. Their work would come under the control and guidance of the faculty member in charge. However, students may consult with other faculty members in connection with their legal aid work.

Questions involving organization, division of senior students into groups in order to staff the year-round operation of the Legal Aid Clinic, jurisdiction, operations, eligibility rules, scope of service, accounts and records, are administrative matters which need not be taken up here. However, a word or two about eligibility rules, operations, and scope of clinical services.

Particular attention should be paid to the financial ability or inability of those seeking legal aid in order not to compete with practicing lawyers. Those who are in a position to retain the services of lawyers on a fee basis are to be rejected.

The students are to be divided so that only a few are "on morning and afternoon duty" at the same time. And those already handling cases are expected to finish them as speedily as possible. In the event that a case is not closed during the student's residence he may request to continue with it even after graduation. Otherwise, a student in the succeeding senior class may be designated by the faculty head.

In view of the fact that law students may not appear before the courts on their own, the legal aid program generally consists of con-

ducting interviews and giving advice to clients.⁷ Since fee-paying clients see their lawyers mostly for advice, *e.g.*, consultation even before the fact, lawyers are now doing more and more interviewing and counselling. Attention is thus given to the development of these skills right in the law school. But any advice a student may give must first be cleared with the faculty member in charge.

The clientele of the Legal Aid Clinic may come through various social agencies, from the armed forces, prison officials, university investigating committees, judges, legislators with indigent constituents, and from practicing lawyers. Some of the students may be assigned to assist the staff of the legal aid service of a bar association or the public defender's office.

The Legal Aid Clinic should have at least two offices, a reception room, and a conference room. The ideal location is at the bottom floor so as not to disturb other school activities. They should be arranged in such a way that they look like real law offices, not the plush type, of course, but the average, modest kind. These facilities are important if they are to fulfill the objectives of this particular program. They help so much in giving the students the sense and feeling of "law in action." At the same time it works to assure the clients of the sincerity of the services offered, which goes a long way in enhancing the reputation of the Legal Center.⁸

(b) *The Law Office Training Program.*

In this type of adjunct to undergraduate legal education, the students are afforded the unique opportunity of associating with leading lawyers and judges. That this will be invaluable to the students is obvious. This program involves actual office training in a private or public law office, or in a government or corporate legal department, or in a trial or appellate court.

A student assigned to a private law office or to a public law office, *viz.*, Department of Justice, Government Corporate Counsel, Office of the Solicitor General, Office of the Provincial or City Fiscal, may be asked to do research work, conduct interviews, draft the pleadings of cases in which he may have assisted, prepare trial or appellate briefs, draw up documents, file actions in courts, follow up papers in government offices, or assist the lawyer handling a case during the hearing. In the case last put, the lawyer should secure the permission of the court in advance. This may not be difficult

⁷ In some American states the rules of practice have been amended to accommodate this laudable purpose. They limit it however to recognized and accredited law schools. Furthermore student-practice is generally confined to the lower courts.

⁸ For an excellent article on Legal Aid Clinic, see 41 American Bar Association Journal, 425.

to arrange considering that judges are responsible too in the training of better lawyers.

If a student is assigned to a trial or appellate court, or to the legal department of a regulatory commission he generally works as a law clerk, just as a senior medical student working in the hospital wards works as a "clinical clerk." A law clerk's work does not connote taking dictation and typing. He may be asked to do research work on problems arising during the hearing of a case or a motion, to summarize pleadings and issues before a pre-trial conference or before a hearing, to review a motion docket and/or prepare a digest of prolix and extended arguments, to run down or check citations for their accuracy and relevance, to *shephardize* a case, to distill or check the correctness of a statement of the *ratio decidendi* of a cited case, to check whether a pronouncement of a court is obiter dictum or judicial dictum, to make a digest of a decision, or to prepare for the court reporter the headnotes or syllabi or reported cases.¹⁰

4. Annual Moot Court Competition.

The Student Bar Association takes charge of this event. Attention is paid to both the quality of competition and the interest of the competing classes or groups within a particular class or section. It involves selective competition in the different classes in order to choose the team to represent each class in the final round, if there are more than two classes. The final competition to determine the winning team is held during Esquire Week. In the intraclass and interclass competitions the students try some moot point in law encountered in the courses which they take. It is very interesting and advisable that a district judge who is not on the faculty be invited for the occasion.

The members of the winning team should be given appropriate certificates of recognition. Their names may also be engraved in a bronze name plate about 4½" × 2½" in size, and screwed to a handsomely designed hardwood board about 3' × 2' in dimension. On display at the lobby of Storey Hall, Southwestern Legal Center, is a bronze and hardwood plaque known as the Russell M. Baker Award. On it are three rows of bronze name plates of the size mentioned above. Some name plates are still blank reserved for the future winners of the S.M.U. Annual Moot Court Competition.¹¹

5. The U. P. Student Bar Association.

The purpose of converting the law student organization to a

¹⁰ For a statement of the objectives of such a training program as this, see 12 Journal of Legal Education, 431 (1960).

¹¹ It might be a fine thing if a similar project is done for the gold and silver medalists in the Annual Oratorical Contest as well as for the winners in the Night versus Day Debate.

student bar association is to instill in the students the sense of competency and responsibility that they will have to assume upon entering the law profession. As a corollary to this, the Student Bar Association in cooperation with the law faculty is also called upon to promote the cultural and educational interests of the student body.

Among the activities open to the U. P. Student Bar Association to implement these objectives are:

- (a) Sponsorship and management of the Annual Moot Court Competition.
- (b) Active participation in the Esquire Week. As mentioned above, one of the highlights of this event is the Legal Center Recognition Day. On this special day the students gather in a special convocation to pay their respects to the outstanding and honored (not merely conspicuous) members of the Bench and the Bar who are selected in accordance with the rules drawn by the college administration. During the convocation held for the purpose, the two honorees address the student body, after which the Annual Special Bench and Bar Awards are awarded to them. The idea is to build this Legal Center Award as a recognition of merit in our country.
- (c) In cooperation with the joint committee named by the law fraternities and law sororities, to actively support the Alumni and Students Day as well as the Annual Appellate Advocacy Competition held during Esquire Week.
- (d) To cooperate in the holding of the Annual Night Meets Day Debate, Annual Oratorical Contest, and Annual Symposium.

6. The Annual Appellate Advocacy Competition.

This activity is sponsored and managed by the law fraternities and law sororities, working through a joint committee composed of their own members in equal numbers under a faculty member.

The team representing each fraternity or sorority is selected in the intrafraternity and intrasorority competitions. The winning team is decided in the final round held during Esquire Week. In the final competition, there may be two or three students as counsels for the appellant and an equal number as counsels for the appellee. The cases used by the students must be approved by the faculty member in charge. These cases may be based upon actual transcripts and records. But the appellate briefs are not to be used. Instead the students must submit their own briefs which are to be prepared in accordance with the rules of court on the matter, with

the exception of printing of briefs. Oral arguments are then scheduled before the appellate court where the actual case was taken and decided on appeal. The appellate court is invited for this special event.¹² The members of the winning team should be given appropriate certificates and their names as well as the name of the winning fraternity or sorority may be engraved in a bronze name plate and screwed to a hardwood board. Alongside the Russell M. Baker Award in the Annual Moot Court Competition at the Southwestern Legal Center is the Arthur A. Everts Co. Award for the Annual Senior Case Club Competition.

Department of Continuing Legal Education

1. Rationale.

The principles upon which non-degree continuing legal education is based are the following:

- (a) The undergraduate program trains only potential lawyers.
- (b) Even the best undergraduate training is only a basis and not wholly sufficient to impart all the knowledge and skills of a well-rounded lawyer and to inculcate the habits of professional competence and responsibility.
- (c) The ever varying developments in the different branches of law brought about by a fast changing society, mounting volumes of court decisions, piling numbers of administrative rules and decisions, require other means of keeping abreast with the law.

But the implementation of these principles cannot be accomplished within the framework of an already overcrowded undergraduate curriculum. This is possible in the Legal Center with the establishment of the Department of Continuing Legal Education.

This department takes into serious consideration the needs of post-admission professionals. This group includes, but is not limited to judges, law teachers, legislators, government officials, lawyers, business executives, law and peace officers, management and labor leaders. While they may not be interested in, or may not have the time for, a formal law graduate degree they may, nevertheless, be anxious and eager to "go back to school" to continue their legal education and meet the demands of professional competence and re-

¹² At the Southwestern Legal Center, the Supreme Court of Texas comes up to Dallas from Austin for the final competition held during Lawyers Week. One can well imagine the atmosphere of a competition in such a setting. No wonder that the audience is not limited to the student body alone.

sponsibility. Mr. Justice Felix Frankfurter recently commended this quest for excellence when he said:

"I welcome with the greatest interest and hope the various manifestations of this process of continuous education of which three years in even the best of the law schools is but a foundation on which the structure is to be built throughout life."

The concept of non-degree continuing legal education does not discount the possibility that even busy men and women may study on their own. But the busy professionals seem to be the ones in need of "planned assistance." The Legal Center is just the institution to provide this for them, and more.

2. Divisions.

In addition to the Division of Bar Review, there are three other divisions in the Department of Continuing Legal Education, namely, Division of Professional Competence and Responsibility, Division of Law and Social Sciences, and Division of Criminal Justice Administration.

(a) *Division of Bar Review.* There is a fresh approach to bar review courses abroad. The problem though has remained the same: What does a candidate need to pass the bar examinations? The approach to bar review should do away with the line of least resistance which consists of the conventional "lecture course" technique. Instead, it should afford a comprehensive review of the fundamentals, a "depth perception" training, and an indoctrination in "current events" in the law. In other words, it is a scientific combination of text, problems, and lectures.

In so far as the text-phase is concerned, *i.e.*, the comprehensive review of the fundamentals, printed or mimeographed manuals should be prepared by the respective divisions of the law faculty condensing each subject into concise, thorough and comprehensive summaries. This has been found to be of great help during the period of intensive preparation for the bar examinations. With these manuals extensive notetaking is no longer necessary.

The manuals contain problems and questions. They are not given in anticipation of the questions the bar examiners may give. They are tools for exploration of the different aspects or angles of the law bearing on a given subject matter included in the scope of the bar examinations. In developing the answers the bar reviewers are enabled to use their thinking and analytical powers and the principles and rules become clear when applied to concrete facts. There is a demonstration literally going on in the development of the an-

swers and the application of the proper principles or rules to the facts of the problems under the same or nearly similar pressure encountered in the bar examinations. The problems and questions are so constructed or selected as to follow the general order of the textual materials. Attention is also given to the areas which have been and might be of interest to bar examiners.

Respecting the lecture part, ample time is given to the developments in the law whether by legislative, executive, or adjudicative action.

(b) *Division of Professional Competence and Responsibility.* The educational programs offered by the Department of Continuing Legal Education, through this division, is of the "grass roots" variety. This, again, would depend on local needs and conditions.

1. *Patterns of educational program.* Although there is no fixed rule on the number and types of educational programs of non-degree continuing legal education, there are three types generally offered: (i) institutes or short courses for the younger members of the Bar, (ii) institutes or short courses for the more experienced members of the Bar, (iii) institutes or short courses for specialization. Just where the line is drawn between the first two groups is not clear but most Legal Centers abroad have set it at four years following admission to the Bar. This does not mean that the older members of the Bar would be denied admission to the first group nor the junior members refused admission to the other groups.

In the United States, the institutes and short courses for the junior members of the Bar are known as the "how-to-do-it" educational programs. It is in no sense pejorative. Its purpose is to make newly admitted members of the Bar "an asset rather than a liability" to themselves, their associates, and the people they represent or deal with. In other words, this type of training is intended to teach skills which law schools are not able to give. A few are listed below:

- (a) How to Organize Corporations.
- (b) How to Handle Real Estate Transactions.
- (c) How to Organize General and Limited Partnerships.
- (d) How to Draft and Probate Wills.
- (e) How to Administer and Manage Estates.
- (f) How to Proceed in Insolvency Proceedings.

The institutes and short courses for the more experienced practitioners go beyond the "procedural blue print" stage. It is more comprehensive in scope. A subject is considered more thoroughly.

Because of the variety of educational programs falling under this type of training, the field is compartmentalized into distinct areas, to wit:

- (a) Section of Practice and Procedure.
- (b) Section of Labor Relations and the Law.
- (c) Section of Commercial Law Practice and Allied Courses.
- (d) Section of Public Law and Government.
- (e) Section of Estate Planning and Allied Courses.
- (f) Section of Patent Law and Allied Courses.
- (g) Section on Taxation Law and Allied Courses.

There are different conferences, seminars, institutes, and short courses that can be offered under each Section.

The institutes or short courses for specialized practice involve intensive study of a subject.

2. *Some problems common to all educational programs.* There is space for no more than the briefest discussion of these problems.

Planning Committees. Once an institute, short course, or conference is organized, a planning committee is constituted and a chairman is either appointed or elected. The members of the committees may be drawn from the Bench, the College of Law, and other faculties. It is very important that the planning committees be composed of men who have distinguished themselves in the area in which the institute, short course, or conference is given.

Course Offerings. Subjects for programs of the different types of continuing legal education outlined above should be on a progressive, long-range basis. Considerations for depth and breadth of the particular subject or course must be given. The so-called "hot subjects" are always brought to the attention of the practicing lawyers. An example is a new tax law or a new labor legislation.

It is axiomatic that only desirable, educational and useful institutes, conferences, seminars, and short courses are to be offered. That is to say, only those of interest and value to the legal profession and the business sector are to be preferred. And utmost care should be taken that the Legal Center does not become an arena, tool, or sounding board for any political party or sectarian group.

There are some institutes, short courses, conferences, or symposia that may require the cooperation of several departments or divisions of the Legal Center or between the Legal Center and some other public or private institution. For example, the *Conference on the Judicial Process* may be offered jointly by the Legal Center and the judicial branch of the government. Or, for another example, the

Securities and Exchange Commission and the Legal Center may present a symposium on *State Security Laws and Regulations*. And when there are two sides to a subject offered, *e.g.*, *Institute on Personal Injury Litigation*, both sides must be presented. This particular institute may also be offered by the Legal Center with the cooperation of the U.P. College of Medicine and some insurance corporation. In these institutes, short courses, or conferences the relevant decisions of the Supreme Court are scrutinized and new and important legislation analyzed.

The cultural aspects of the non-degree continuing legal education is not neglected. Through the Division of Law and Social Sciences, the Legal Center attends to this need. The methods open to the Division of Law and Social Sciences are discussed in the subsequent pages.

Lecturers and Panelists. Outstanding scholars, eminent lawyers, distinguished judges, law professors, and specialists in other fields are the resources for a panel of lecturers. Dr. Storey expressed his credo on this when he said that the Legal Center must "assemble those of the highest caliber . . . to share their special learning with others who are in need of their knowledge."

The lecturers and panelists normally serve without honorarium as a public service. But travel and maintenance expenses for the duration of an institute, short course, or conference are provided and due recognition of their services acknowledged. But as soon as a particular institute or short course has become stabilized the matter of honorarium must be considered.

Methods of Instruction. The pedagogy is different. The busy professional generally will not open a textbook but he will come to listen. Anyway, he is not taught in the same manner as the undergraduate student. A practicing lawyer, for instance, does not get his problems in "neat and classified forms" just as they are found in undergraduate courses, or presented to undergraduate students.

The lecture method, with a substantial time for a question-and-answer period, followed by group seminars under competent leaders, are more apt to draw the enthusiasm and participation of the busy professional. Lecture outlines containing citations, with ample space for note-taking, should be provided to enable the registrants to follow the lectures and the discussions. The lecture outlines should be prepared in such a way that they can be used permanently.

The panel or demonstration method is used but this lends only to a limited number of offerings, *e.g.*, how-to-do-it courses, cross-examination techniques. The panel needs preparation as a unit and

requires advance coordination. The demonstrative method, on the other hand, seems to be useful only up to a certain point beyond which it becomes mere entertainment. And just where that point is reached is not easy to determine although the professionalized level of instruction may easily slip down into a mere show.

In advanced or specialized institutes, it has been found that a return to the methods used in undergraduate courses is much better, although there is a good deal more of discussions and exchange of ideas. The reason for this approach is that the participants are more nearly specialists themselves in the subjects offered.

Duration of Institutes. How long an institute or a short course will take depends on many factors, *e.g.*, its object, probable attendance, subject-matter, needs of the people for whom the program is given. The consensus is that it should last no more than three days. On some subjects, a 1-day institute will suffice.

Meeting Days. The guiding principle is a suitable arrangement for meetings that takes into account largely the comfort and convenience of the registrants.

Conflicts with public holidays are to be avoided. Saturdays are convenient for professionals to spend at the Legal Center and for a 1-day institute or short course it is ideal. It becomes problematic when the institute offered is a 3-day program. Then such an arrangement suffers from the week-long interval between sessions.

Evening meetings lasting through the week may or may not be convenient. In any case, an institute or short course meeting in the evenings is handicapped by having tired and listless registrants who may be anxious to call it a day.

At the Southwestern Legal Center meetings are held in the daytime during weekdays. It has been found that it is easier for the registrants to arrange their social and court engagements to be free for the meetings of an institute or short course. One favorable factor in having week-day sessions in the daytime is the mental and physical preparedness of the registrants and participants.

Fees. Generally registration fees are charged for institutes. Conferences are generally for free, especially for those given under the auspices of the Division of Law and Social Sciences. There may not be very many takers of this type of offering.

Fees are charged in order to help stabilize the operations of the Legal Center. But it is also necessary for two other reasons. It is a means of securing the respect of the registrants for the pro-

grams offered by the Legal Center. It is also an incentive for genuine participation.

Publications of Proceedings. The Department of Research and Publications takes charge of this aspect of the operation of the Legal Center.

Publications are important assets of continuing legal education. They are the means of disseminating invaluable information, ideas, and methods of thinking articulated in the different programs offered by the Legal Center.

Publicity. It is necessary to get all the information to the public concerning the objectives of, and the opportunities offered by, the Legal Center. Press releases are given to build up and maintain the interest of the public for the institutes, short courses, and conferences scheduled by the Legal Center. The bulletins and prospectuses issued by the Legal Center should be handsomely prepared and well printed to attract attention and invite further reading. An ill-prepared and poorly printed material does not carry any salemanship and ends up generally unopened.

On the mailing list should be included, among others, the deans of law schools, heads of public and private law offices, lawyers, management and labor leaders, businessmen, chiefs of government offices, governors, mayors, judges.

In the bulletins and prospectuses sent out, perforated registration blanks, postage prepaid, are provided to take care of pre-registration by mail.

Accommodations. Inquiry is made as to whether a registrant would need board and lodging while attending an institute, short course, or conference. The query is included in the registration blank. The Legal Center should be able to provide accommodations and meals at reasonable rates.

(c) *Division of Law and Social Sciences.* Merely to avoid confusion, the program undertaken by this division may be subdivided into four sections:

1. Section of Law and Jurisprudence.
2. Section of Law and Behavioral Science.
3. Section of Law and Medicine.
4. Section of Law and Society.

Because law is a profession and not a trade the Legal Center does not neglect the cultural aspect of continuing legal education.

Its purpose is to provide increased intellection of the basic assumptions of the social order and the ethical bases of the law. It tries to get the members of the law profession interested and concerned in the ideals of the law, though these may be somewhat removed from the law office and the courtroom.

1. *Section of Law and Jurisprudence.* The advanced study of legal methodology, legal philosophy, and comparative law and legislation form the substratum of the functions of this section. It is a continuation of the introductory courses offered in the undergraduate and post-graduate degree levels. The line of inquiry is focused on the impact of jurisprudential ideas and methods of thinking on the social order.

This section generally participates in the program and activities offered by the Legal Center during Esquire Week.

2. *Section of Law and Behavioral Science.* The relation of psychology and psychiatry to law is the basic study pursued by this section.

Courses in *Law and Behavioral Science* are now being offered in some law schools abroad. Some have integrated behavioral science material in the relevant courses, *e.g.*, criminal law, more particularly in offenses against honor and chastity. The purpose is to bring to bear upon various important legal problems the techniques and findings of behavioral science for the benefit of lawyers. The teachings and tools available to this science are studied and applied to such areas as the decisional process, constitutional politics, psychology of testimony, lawyer-client interviewing and legal negotiations, etc. The increasing participation of psychiatrists and psychologists in criminal trials, in domestic relations courts, and in juvenile courts is unmistakable. The same is true in workmen's compensation cases, testamentary proceedings, and guardianship cases.

3. *Section of Law and Medicine.* There is a growing interest in the medico-legal field abroad, especially in the areas of physical injury litigation and medico-legal problems of the practicing lawyers. Legal Centers and Medical Centers abroad are in close cooperation in the study and treatment of detained accused persons as well as those in penitentiaries and asylums.

4. *Section of Law in Society.* The sociology of law is another growing field of study in the law schools abroad.

Since law has a social existence then it is susceptible of sociological inquiry. Hence the sociology of law. The emphasis is on law in a rapidly changing society. The function of law is studied in

the empirical dimension—the social contest. But the scrutiny is not only empirical but also evaluative and prescriptive. Thus, the inquiry is not academic merely. It considers the point and elements of contact, the interaction and interplay of law and social institutions, and the impact of legal institutions on society and vice versa. Its search is focused on how the legal order can be structured to accomplish its purposes better—as a means of social control.

The study may branch into such fields as social economic changes and legal institutions; law, society and the individual; society and state security; individual, public, and social interests.

(d) *Division of Criminal Justice Administration.*

The main objectives of the Legal Center in the establishment of this division are:

1. To improve the administration of justice.
2. To provide specialized training on the legal, psychological and sociological aspects of police administration and functions.

In both these purposes the emphasis is placed on the in-service training which is not ordinarily given to urban and rural, military and civilian law enforcement personnel.

This program answers to a great extent the urgent demand of society and modern law enforcement techniques that public prosecutors, judges, and members of police forces need to be part lawyer, part detective, part logician, part public relations man, part psychiatrist, and part psychologist. There is need for continued training in the face of the increasing rate and spiraling cost of crime. In other words, there is a demand for efficient guardians of public order.

The program offered by the Legal Center, through this division, is not designed to compete with the recruit training program of established law enforcement agencies or police departments. It is intended to supplement them by providing advanced concentrated training towards professionalized law enforcement.

The first objective may be implemented by a semi-annual or an annual 1- or 2-day conference for judges and public prosecutors. Objective number two may be implemented by a 2- or 3-day institute plus an annual short course for military and civilian law enforcement personnel on certain subjects, *e.g.*, criminal law and criminal investigation procedures, human relations and socio-legal problems of police work, legal rights of persons under investigation and confinement, or homicide and the law pertaining thereto, etc.

The Legal Center provides the necessary panel of highly qualified police officials, law professors, army officials, judges, psychologists, physicians, psychiatrists, and sociologists as lecturers.

Some of the topics and subjects that may be offered are: law enforcement as a profession; local government law; police administration and law enforcement problems; traffic and traffic functions; scientific crime detection; juvenile delinquency; burglary and narcotics; evidence used by police officers; the prosecutor, the judge and crimes against honor; the police and crime control; the police and labor disputes; etc.

Department of Research and Publications

Research is an important activity of the Legal Center. Research in law is an essential as research in agriculture, medicine, or science.

There are many areas of research and study in law. But it is not the kind of research that is limited to the ivory tower. In the Legal Center attention is focused a great deal more on the task of subjecting bills, statutes, and decisions of courts to the test of constructive service to society. This, of course, is not a new idea. Sir John Austin, founder of the analytical school of jurisprudence, suggested a long time ago that the first business of every new legislature is to revisit and re-examine the law (legislative and adjudicative) of a decade back, repealing or amending as the case may be, in order to improve and to better the positive means of balancing conflicting interests and demands. In the face of present-day conditions, perhaps the period suggested can even stand some cut. This recommendation has remained largely unheeded to the great detriment of social engineering. It is not because of lack of merit, as it is due to the fact that present-day legislators do not have the time nor the facilities for such a task, even if they could do it.

Another focus of research and study involves the basic premises of law and government. This area calls for continuing attention and revaluation if they are to withstand the challenges of modern secular philosophies that do not have any respect for the rule of law.

All these are possible in the quite and non-controversial atmosphere of the Legal Center. The facilities of the Legal Center afford the best opportunity for a continuing look at the law and the means of arriving at solutions to the pressing and non-postponable problems of social engineering and the law.

Mr. Justice Tom C. Clark of the Supreme Court of the United States, one of those who greeted the Southwestern Legal Center on

the tenth anniversary of its dedication, in touching on the importance of research and publications, said:

"[T]he potential of the program and its effectiveness does not depend solely on the choice of subject matter or the brilliance and determination of the researchers. If their findings are only filed away—even though neatly and systematically—in the archives of the [Legal Center], this program, like the desert flower, will only bloom unseen. They must be published and given wide circulation."

There is an important policy consideration laid down by the Southwestern Legal Center in voting grants for research. A proposed research project should be beyond the planning stage prior to the bid for a grant. Furthermore, a portion of the grant is withheld until completion of the research project. These rules have been designed to protect the parties and to encourage earlier completion of the research work.

Department of Libraries

Because of the increased activities of the Legal Center, the demands on the capacity of the law library will be great naturally. The collection of books and legal periodicals and other materials should be wide and impressive to be able to cope with the demand.

In closing, I should like to state that the U.P. Legal Center, when established, should seek affiliation with the Southwestern Legal Center. This would partially recognize our gratification for the professional information and guidance which it has extended to us in connection with the Legal Center movement in the University of the Philippines.