

# *Pre-Law Preparation Based Upon Business Administration*

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**MOST AMERICAN LAWYERS** will recall that their undergraduate programs were in a College of Liberal Arts or Arts and Sciences with majors probably in political science, history, or philosophy. This has been the standard program for many years. Most of those preparing for law followed it to its logical conclusion with "depth" courses in Latin American republics, Oriental politics, Old Testament religion and exotic philosophies, along with the staple courses in political theory, American government, history, and ethics.

Soon after opening an office for the general practice of law in rural, "county-seat" America, there came a real shock concerning preparation for the intricacies of the private practice. Not only was it evident that a great deal of the formal Law School training was too theory-oriented, but it was also discovered that much of the pre-law training was irrelevant. In the private practice an attorney will rarely deal with a philosopher, theologian, oriental politician, or Latin revolutionary as a client. The office will be concerned instead with an assorted collection of typical American businessmen with a myriad of problems involving such mundane things as leases, tax returns, mortgages, negotiable instruments, sales contracts, bankruptcies, and labor problems.

While the broadening aspects of the traditional pre-law training may have

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been helpful in developing an understanding counselor and a citizen with an abundant concern of civic responsibility, it left many gaps in practical knowledge. Even one course in economics, management, marketing, accounting, labor relations, finance, insurance or business law would have been helpful.

The lack of a business background required of the lawyer a great deal of self-teaching and genuine "bluffing" when he had to cover his tracks to keep the client from knowing that he hadn't the slightest idea about what a "balance sheet" was, why collective bargaining seems so one-sided toward labor, or where the Keynesian economic philosophy came from or for whom it was named. It was natural, then, that when this writer began to teach Business Law in a College of Business Administration and to counsel with a few students who had become interested in the study of law and the law as a profession, that due notice was made of the true contribution which business administration and economics could make to supplement the political science and philosophy pre-law training.

At first, this merely involved sitting with the student a time or two suggesting electives in Business Administration if he was in the College of Liberal Arts, and electives in Political Science and Philosophy if he was in the College of Business Administration. Sheets with suggested electives both ways were prepared and discussed with students who came in for advice on how the two could complement each other. Later, a formal approval was obtained for a Pre-Law program in the College of Business Administration. This program is the topic for discussion in this article.

Attached are two exhibits concerning this Business Pre-Law program. Exhibit A is excerpted from the University Catalog and indicates the material as it is seen by the student who selects it as his major. It is one of 20 options which he may select in the College of Business Administration. There is also a traditional Pre-Law program in the Political Science Department of the College of Liberal Arts. Exhibit B is designed so the reader of Exhibit A can translate the course numbers listed in it into titles which are quite generally used. Thus, studying the two exhibits together will allow the reader to get a complete view of the program. On Exhibit B, an asterisk marks those courses which are required by all students enrolled in the College of Business Administration. These courses make up what are generally called "the core requirements" of all majors. Recognizing them as such will serve to answer in advance questions as to why these courses are included. For these courses marked with an asterisk, then, there was no choice but to include them.

It will be helpful to single out a few of the courses and indicate the rationale in including them. First, note that two communications courses are included above those required of all students in the core: a fourth English composition and writing course and a second course in persuasive speaking. No practicing lawyer will quarrel with the thought that no lawyer ever got

too much training in this area. The lawyer must be able to communicate his ideas. These courses will not only prepare him for this task in the professional practice, but also they will serve to overcome the often-heard complaint of the Law School Deans that their students cannot construct a sentence, spell the vocabulary of their profession, speak coherently, or write legibly. This writer hits this point hard for all other majors in Business Administration as communication is likewise a major part of their job. Students who fail to meet desired standards in communication skills can expect their grade at the end of the term to be one letter lower than the raw scores would otherwise produce. This has been known to result in a B for the student with the highest raw score or a failure for a student who would otherwise have a passing score in the substance of a Business Law course.

Two more economics courses are required than the three provided in the core. The general faculty of the College insists that Money and Banking be the required third course in economics, and the Business Law staff feels that the pre-law student should also have a depth exposure in either labor relations or real estate. In fact, whenever possible as an elective, it is recommended that they take both labor relations and real estate. The fifth economics course has the elusive title of "Public Finance," and it is required because it contains the theory of taxation. Recognizing that the lawyer of today must understand taxation, the plan is to expose him to it in the early development stages. The Department has no business law course solely related to taxation, or it would be required. The Accounting Department has an excellent course in Introduction to Federal Income Taxation, and it used to be required. However, that Department has seen fit to insert two additional courses in managerial and intermediate accounting as a prerequisite for it, and so it was necessary to drop it as the student just does not have the time to include the added courses in the program. Thus, Public Finance in economics is the best available course for our program. Except for students majoring in insurance, this is the only curriculum in the College which requires a basic course in insurance, although it is among the most popular of the business electives.

Among elective courses (at the bottom of Exhibit A) are included a second course in American government, a beginning course in logic, and a course in the scientific method. These courses will serve to enrich the student's program and perhaps draw it back a bit toward the traditional program. Constitutional history is recommended instead of the traditional constitutional law course in response to the recommendation of the law schools that students spend their time and energy before they enter law school studying topics other than law.

In this same connection, it will be noted that while this program was developed and is supervised by the personnel of the Department of Business Law, it only includes two courses in business law—and one of those is a part

of the required college-wide core. The other is an individual studies course in which the student is required to follow a self-imposed depth study of a specific field of business law. It should be of significant assistance to him later in legal research both in law school and in his professional life. The student who arrives at law school with a good business law course taught by a lawyer (and using cases and law school techniques) is helped and not hurt thereby as he at least knows how to read cases, understand them, and prepare a brief of them. But, the Business Pre-Law major should not be saddled with the entire program—which, at this writer's university, includes twelve courses.

One other course deserves special attention, and that is the course in History of England from 55 BC to 1688. This course is the personal like work of a talented young scholar, and it is strongly suggested that if such a course is available that it be included. This allows the student to become exposed to the social, political, and historical forces that were at play in the English society at the time when so many of our basic legal concepts were developed. From the early juries and sheriff's courts, through the development of equity and the Magna Carta, to the Reformation and the freedoms sought by the early American settlers, the student is able to trace these forces and thus gains a good understanding of how our legal institutions were born of these pressures and conflicts.

In this program an attempt has been made to take the required core courses of the College of Business Administration (where the program of necessity finds itself), and supplement them with courses from all over campus which are felt to provide the undergraduate student with the training and background needed for the discipline of the Law School and for an understanding of the Law School program. It must be emphasized that this has been done without the creation of a single new course; and this is a rare thing indeed on a campus these days when the fashionable thing seems to be the creation of new courses by splintering and proliferating existing programs to please the vanity of particular professors and improve the campus image of a particular department.

A study of a number of Law School catalogs indicates that most law schools continue to recommend a rather broad and diversified background in pre-law training. They generally recommend that the students take courses of interest to them and courses which demand precise thinking and close reading, and that they avoid "memory courses." All require English composition and stress the importance of developing the communications skills leading to a high proficiency in reading, writing, and speaking.

It is pleasing to note that a large number of law schools are beginning to recognize the need and value of business courses in pre-law training. Almost all of the law schools in the Midwest recommend at least accounting and economics. Ohio State University and University of Michigan both *require* accounting, and students who arrive at these schools without it must take

principles of accounting in the College of Business Administration, along with their first year law school courses. University of Wisconsin, Ohio State University, Marquette University, and University of Michigan all list economics among the suggested fields of undergraduate study. University of Wisconsin also lists international business and Marquette lists business administration.

The program described herein is too new to be fairly evaluated. A sampling of students, professors, businessmen, lawyers, and law school deans has led to a conviction that it has merit. Their response has been good and the criticism which has been given has been constructive. Another response to it has been most gratifying—and that has been the number of students selecting it. The program has been in the Catalog but five years. The first year 11 entering students selected it, and a few upperclassmen transferred to it. The second year, 21 freshmen chose it from the Catalog; the third year, 37 entered; last year 53 began it; and this year 62. Currently, it is the fastest growing program in the College of Business Administration. The first graduate from the program was one who transferred to it from another program during his sophomore year. He graduated in January, 1967, and apparently is in the military service at this writing. The first graduates who entered as freshmen completed it last year and are now in law schools or the military service. A plan has been developed to observe these young men and women as they proceed through their legal studies as their opinions concerning it will be quite significant.

### EXHIBIT A

#### *Catalogue Curriculum of Business Pre-Law Under the Quarter System*

A curriculum to prepare the student for professional training in a law school, recognizing the business and economic emphasis of the practice of law, while providing the breadth of training and the philosophical background which is conducive to success in a law-school program.

| FIRST YEAR          |       |       |   |                       |       |       |   |                       |       |       |   |
|---------------------|-------|-------|---|-----------------------|-------|-------|---|-----------------------|-------|-------|---|
| <i>Fall Quarter</i> |       |       |   | <i>Winter Quarter</i> |       |       |   | <i>Spring Quarter</i> |       |       |   |
| Acctg. 121          | (VI)  | 5     |   | Acctg. 122            | (VI)  | 4     |   | Speech 102            | (I)   | 4     |   |
| English 111         | (I)   | 3     |   | English 112           | (I)   | 5     |   | Math                  | (II)  | 5     |   |
| Science             | (II)  | 4     |   | Math                  | (III) | 5     |   | HPE 103               |       | 1     |   |
| HPE 101             |       | 1     |   | HPE 102               |       | 1     |   | Elective              |       | 2     |   |
| Elective*           |       | 3     |   | Elective              |       | 1     |   | Science               | (II)  | 4     |   |
|                     |       | <hr/> |   |                       |       | <hr/> |   |                       |       | <hr/> |   |
|                     |       | 16    | : |                       |       | 16    | : |                       |       | 16    | : |
| SECOND YEAR         |       |       |   |                       |       |       |   |                       |       |       |   |
| <i>Fall Quarter</i> |       |       |   | <i>Winter Quarter</i> |       |       |   | <i>Spring Quarter</i> |       |       |   |
| Econ. 201           | (III) | 4     |   | Econ. 202             | (III) | 4     |   | Acctg. 230            | (II)  | 4     |   |
| English 207         | (VII) | 4     |   | Stat. 202             | (II)  | 5     |   | Acctg. 322            | (VII) | 1     |   |
| Pol. Sci. 201       | (III) | 4     |   | Elective              | (III) | 5     |   | Elective*             |       | 6     |   |
| Elective            |       | 3     |   | Elective              |       | 1     |   | Electives             | (III) | 4     |   |
|                     |       | <hr/> |   |                       |       | <hr/> |   |                       |       | <hr/> |   |
|                     |       | 15    | : |                       |       | 15    | : |                       |       | 15    | : |

THIRD YEAR

| <i>Fall Quarter</i> |         | <i>Winter Quarter</i> |         | <i>Spring Quarter</i> |         |
|---------------------|---------|-----------------------|---------|-----------------------|---------|
| Econ. 331           | (VII) 4 | B.L. 301/315          | (VI) 4  | Speech 303            | (VII) 4 |
| Fin. 341            | (VI) 5  | Ins. 361              | (VII) 4 | Econ. 311             | (III) 4 |
| Mgmt. 351           | (VI) 5  | Mktg. 300             | (VI) 5  | Electives*            | 7       |
| Elective*           | 1       | Elective*             | 2       |                       |         |
|                     | <hr/>   |                       | <hr/>   |                       | <hr/>   |
|                     | 15      |                       | 15      |                       | 15      |

FOURTH YEAR

| <i>Fall Quarter</i> |         | <i>Winter Quarter</i> |         | <i>Spring Quarter</i> |        |
|---------------------|---------|-----------------------|---------|-----------------------|--------|
| Econ. 361/321       | (VII) 4 | BA 303                | (I) 4   | BA 403/405            | (VI) 4 |
| Bus. Law 491        | (VII) 4 | Bus. Elective*        | (VII) 7 | Elective*             | 11     |
| Electives           | 7       | Electives             | 4       |                       |        |
|                     | <hr/>   |                       | <hr/>   |                       | <hr/>  |
|                     | 15      |                       | 15      |                       | 15     |

\* Electives:

| <i>Group</i>        | <i>Hours Required</i> | <i>Suggest Courses</i>   |
|---------------------|-----------------------|--------------------------|
| III Social Sciences | 9                     | Pol. Sci. 202; Hist. 458 |
| IV Humanities       | 9                     | Phil. 205, 206           |
| V Non-Business      | 13                    | Hist. 432, 433           |
| VIII Other (Free)   | 26                    |                          |

(See Exhibit B—Page 291)

*Description of Courses*

- \*Accounting 121-122—Accounting Concepts and Procedures (Principles).
- \*English 111-112—Principles of Writing.
- Speech 102—Principles of Speech.
- \*Physical Education 101-102-103—General Physical Education.
- \*Economics 201-202—Principles of Economics.
- English 207—Intermediate Writing.
- \*Political Science 201—American Government: Structures and Process.
- \*Statistics 202—Elementary Statistical Methods.
- Accounting 322—Income Taxes—Individual.
- \*Accounting 230—An Introduction to Data Handling and Computers.
- Economics 331—Public Finance.
- \*Finance 341—Business Finance.
- \*Management 351—Production and Operations Management.
- \*Business Law 301—Introductory Business Law.
- \*Business Law 315—Introductory Business Law—Contracts—Bailments.
- Insurance 361—Principles of Risk and Insurance.
- \*Marketing 300—Principles of Marketing.
- Speech 303—Persuasion.
- \*Economics 311—Money, Banking, and Public Policy.
- Economics 361—Principles of Land Economics.
- Economics 321—Labor Economics.
- Business Law 491—Studies in Business Law.
- \*Business Administration 303—Business Writing.
- \*Business Administration 403—Government and Business.
- \*Business Administration 405—Business Policy and Practices.
- Political Science 202—American Government: Functions and Policies.
- History 458—England, 55 B.C.–1688.
- Philosophy 205—Introduction to Logic.
- Philosophy 206—The Logic of Science.
- History 432-433—American Constitutional History.

\*These courses are required of all students in the College of Business Administration, in addition to the following: 10 Hours of Mathematics; 9 additional hours from the Departments of Geography, History, Political Science, Psychology, or Sociology; 9 hours in Humanities from an approved list.