The Time Necessary to Get a Legal Education

Simeon E. Baldwin
Yale Law School

Follow this and additional works at: https://digitalcommons.law.yale.edu/fss_papers

Part of the Law Commons

Recommended Citation
Baldwin, Simeon E., "The Time Necessary to Get a Legal Education" (1885). Faculty Scholarship Series. 4310.
https://digitalcommons.law.yale.edu/fss_papers/4310

This Article is brought to you for free and open access by the Yale Law School Faculty Scholarship at Yale Law School Legal Scholarship Repository. It has been accepted for inclusion in Faculty Scholarship Series by an authorized administrator of Yale Law School Legal Scholarship Repository. For more information, please contact julian.aiken@yale.edu.
The English courts lately have put a very narrow construction on the Ashburton treaty, holding that it only extends to crimes at common law known to both countries. The only crime known to the United States is piracy.

The leading works on extradition are Clark on Extradition, and Wheaton’s International Law (Lawrence’s Edition).

This course of lectures, which has been delivered by Mr. DaCosta, on practice in the federal courts, was concluded on the 19th instant. They were marked throughout by a large attendance of students and graduates, who manifested their interest in the subject by close attention to the principles laid down by the lecturer. These lectures, which were entirely voluntary on the part of Mr. DaCosta, will long be remembered by those who have had the pleasure of hearing them. This eminent lawyer has thus manifested the interest he takes in the rising generation of lawyer’s, and has won for himself the lasting gratitude of Columbia students.

At the close of the last lecture Prof. Dwight, in a few well-chosen and eloquent remarks, congratulated the class on the privilege they had enjoyed, and cordially thanked Mr. DaCosta for his kindness in this regard.

The class then held a short meeting. Mr. Kellogg was elected chairman. A motion was made and carried to appoint a committee, of which the chair was to constitute one, to draw up resolutions and have them engrossed and presented to Mr. DaCosta, testifying to the gratitude of the class. Messrs. Falk and Latham were appointed on such committee, and the resolutions are now in the hands of the engrosser.

THE TIME NECESSARY TO GET A LEGAL EDUCATION.

There are two ways of determining how long a time should be given to legal studies, before seeking to begin the practice of the profession. One is to look at the statutes and rules of Court of the State, find the shortest term allowed, and take that. Another is to ask how long a term is really necessary to make, or rather to begin to make, a well-read and well-balanced lawyer.

The American Bar Association in 1881 pronounced in favor of three years, and advised that they be spent at a law school if possible. A course of this length is now generally required at our medical colleges and theological seminaries. Why should it not be at all law schools, as it already is at some?

A large part of a law-student’s first year is spent in getting hold of the names and definitions of things. Then comes a growing familiarity with legal principles, and next, some facility in their application to particular cases. He is now beginning to be able to appreciate the co-relation of these principles; their inter-dependence; the modifications to which one may be subject when it comes into contact with another. He feels that he knows something of substantive law; but the two years, perhaps, thus spent, have taught him but little of remedies and remedial rights.

They have taught him less still of general or corporative jurisprudence. He has not had leisure to dwell upon any subject until he feels thoroughly at home in it. He has been whirled over the curriculum, as a vacation-trip may hurry us over half Europe between June and September. A traveller may “see” both Oxford and Cambridge in a day, but in five years he will hardly be able to distinguish what he observed at one place from what he observed at the other. It is of little use, for instance, for one who hardly knows how to draw a code complaint, to listen to explanations of the intricacies of practice in the courts of the United States. They will do little but confuse what before may have been clear.

I regard the second year of a legal education as much more fruitful than the first, and the third as worth more still than the second. The third year finds the student prepared to conquer. Difficulties which may before have darkened his way, now vanish at his touch. He has the conditions of intelligent acquisition.

I venture the prediction that of two students at any law school having a three years course, one of whom stops with the second year, and the other goes on to the end, the latter, if five years time, if their abilities are not too unequal, will have a place in the profession far ahead of the other. A good lawyer can only become such through a good education. He may get it for himself inside the bar; at the expense of his early clients; but the time to learn a profession is before you assume to be able to practice it.

SIMEON E. BALDWIN.

Yale Law School, March 26, 1885.

Prof. Chase’s Notes on the Code crowded out this week.