

# Legal Education and Admission to the Bar

[*Extracts from Committee Report to North Carolina Bar Association.*  
*Alexander B. Andrews, Chairman. Asheville, N. C., June, 1928*]

THE action of the American Bar Association in 1921 declaring for a standard of legal education based upon (a) a two years' college course and (b) a three years' study of the law in a full-time law school, as a minimum requirement for admission to the bar, is something towards which all members of the profession should work.

Recently there has been compiled a brief statement showing (a) the educational requirements in each of the forty-nine (District of Columbia included) law licensing jurisdictions, and (b) a similar statement of the requirements as to the length of time required for the course of law. These statements are set out in the address of Mr. Silas H. Strawn, before the Florida Bar Association, at Jacksonville, Fla., April 8, 1927.<sup>1</sup>

Could these several requirements be grouped on a basis similar to the groupings now used in appraising the values of public school teachers training, on which is based their certificate?

This idea is very clearly set forth in State School Facts (North Carolina Department of Education) dated October 15, 1927, from which we quote the following:

"In order to measure the progress of a school unit in one phase of school life or compare its standing in this phase with another unit, there must be a unit or standard for expressing this measurement. In this study of measuring the scholastic training of white teachers, a very simple device is used, which is called the scholarship index. The scholarship index indicates the average scholastic training of the teachers of a given unit for a stated year. It is calculated in the following manner: for every year's training above elementary school a score of 100 points is credited to the teacher, *e. g.*, a teacher having successfully completed one year of college is given 500 points which represents 4 years high school, 400 points, and one year college, 100 points. Four years college scores 800 points. Since all certificates are issued on the basis of scholastic credits from institutions, this calculation is made simply by tabulating the certificates held by the teachers employed, assigning the scores to each type of certificate, and for the scholarship index by dividing the total scores by the number of teachers."

Using this same method of valuation, would it be practicable to

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<sup>1</sup> Reprinted in AMERICAN BAR ASSOCIATION JOURNAL, July, 1927, page 384. They are also reprinted in the 1927 NORTH CAROLINA BAR ASSOCIATION PROCEEDINGS, pages 74 and 75.

take 100 for each year of English<sup>2</sup> training above the grammar school, that is a value of 400 for a high school graduation and 600 for the completion of two years' college course, and then allow 100 for each year of legal study minimum requirement, as 31 States have the three year course?

The several state minimum requirements, both preliminary English and legal education, have been assembled in Table I and are set forth in the second and third columns, while in the fourth and fifth columns are the comparative valuations placed on these requirements, namely, 100 for each year above the grammar grade for English education, with a maximum of 600, and 100 for each year of law school study, with a maximum of 300, making the aggregate maximum of 900 for the highest standard. However, in order to differentiate between states like Illinois, Ohio and New York, who require two years college work prior to beginning the study of law, and states like Montana and Wisconsin, which require completion of two years of college work before taking bar examination, there has been arbitrarily made a charge of 25 points deducted from those states who can complete their college education in it before taking examination. In the same way the states that require high school graduation before beginning the study of law, are given a valuation of 400, while those who provide that a high school graduation made before taking the bar examination, have 25 points deducted and are valued at 375.

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<sup>2</sup>The word "English" is used in this report to designate pre-professional training. [Ed.]

TABLE I  
Minimum Requirements by States and Territories, 1927

States	English	Law	English	Law	Total
Alabama.....	None	1½		150	150
Arizona.....	None				
Arkansas.....	None				
California.....	None	3		300	300
Colorado.....	*Coll. 2	3	575	300	875
Connecticut.....	H. S.	3	400	300	700
Delaware.....	H. S.	3	400	300	700
District of Columbia.....	*H. S.	3	375	300	675
Florida.....	None				
Georgia.....	None				
Idaho.....	*H. S.	3	375	300	675
Illinois.....	Coll. 2	3	600	300	900
Indiana.....	None				
Iowa.....	*H. S.	3	375	300	675
Kansas.....	Coll. 2	3	600	300	900
Kentucky.....	*H. S.	2	375	200	575
Louisiana.....	*H. S.	3	375	300	675
Maine.....	*H. S.	3	375	300	675
Maryland.....	H. S.	3	400	300	700
Massachusetts.....	*(H. S.) 2	3	175	300	475
Michigan.....	H. S.	3	400	300	700
Minnesota.....	H. S.	3	400	300	700
Mississippi.....	*H. S.		375		375
Missouri.....	*G. S.				
Montana.....	*Coll. 2	2	575	200	775
Nebraska.....	*(H. S.) 3	3	275	300	575
Nevada.....	None				
New Hampshire.....	None	3		300	300
New Jersey.....	H. S.	3	400	300	700
New Mexico.....	*H. S.	3	375	300	675
New York.....	Coll. 2	3	600	300	900
North Carolina.....	None	2		200	200
North Dakota.....	None	3		300	300
Ohio.....	Coll. 2	3	600	300	900
Oklahoma.....	*H. S.	2	375	200	575
Oregon.....	*H. S.	3	375	300	675
Pennsylvania.....	H. S.	3	400	300	700
Rhode Island.....	H. S.	2	400	200	600
South Carolina.....	H. S.	2	400	200	600
South Dakota.....	*H. S.	3	375	300	675
Tennessee.....	H. S.	1	400	100	500
Texas.....	None	2		200	200
Utah.....	None	3		300	300
Vermont.....	*H. S.	3	375	300	675
Virginia.....	None				
Washington.....	H. S.	3	400	300	700
West Virginia.....	Coll. 2	3	600	300	900
Wisconsin.....	*Coll. 2	3	575	300	875
Wyoming.....	None	3		300	300

\*Means "Before Examination." Others are before beginning study of law.

(H.S.) means less than high school completion.

Coll. 2 means two years of college completed.

49 states average minimum English Index 278.06.

49 states average minimum Legal Index 223.47.

By arranging the states according to their rating as set forth in column 5, we get table No. 2, which is the table of comparative values, and is as follows:

With this explanation, Table II will be found simply an easy reading:

TABLE II  
Comparative Index of Standards

Rank	States	Index	Rank	States	Index
1	Illinois.....	900	26	Rhode Island.....	600
2	Kansas.....	900	27	South Carolina.....	600
3	New York.....	900	28	Kentucky.....	575
4	Ohio.....	900	29	Nebraska.....	575
5	West Virginia.....	900	30	Oklahoma.....	575
6	Colorado.....	875	31	Tennessee.....	500
7	Wisconsin.....	875	32	Massachusetts.....	475
8	Montana.....	775	33	Mississippi.....	375
9	Connecticut.....	700	34	California.....	300
10	Delaware.....	700	35	New Hampshire.....	300
11	Maryland.....	700	36	North Dakota.....	300
12	Michigan.....	700	37	Utah.....	300
13	Minnesota.....	700	38	Wyoming.....	300
14	New Jersey.....	700	39	North Carolina.....	200
15	Pennsylvania.....	700	40	Texas.....	200
16	Washington.....	700	41	Alabama.....	150
17	Dist. of Columbia.....	675	42	Arizona.....	.....
18	Idaho.....	675	43	Arkansas.....	.....
19	Iowa.....	675	44	Florida.....	.....
20	Louisiana.....	675	45	Georgia.....	.....
21	Maine.....	675	46	Indiana.....	.....
22	New Mexico.....	675	47	Missouri.....	.....
23	Oregon.....	675	48	Nevada.....	.....
24	South Dakota.....	675	49	Virginia.....	.....
25	Vermont.....	675			

This shows that the 49 states average among themselves a standard of 511, which is three years of law work plus 2 years of high school work. Or it may be two years of law work plus 3 years of high school work.

It is noticeable that the first 30 average among themselves 720, while the last 19 average among themselves 178.

While the above tables are interesting, a more practicable way of classifying these states is by taking the nine divisions used by the U. S. Census office, which groups neighboring states of similar characteristics, and in general a similar population, and then averaging the same. This is Table III, which is as follows:

TABLE III  
States by Geographical Groups

Division	Rating	Group Rating	Division	Rating	Group Rating
New England (States 6)		570.16	West North Central (States 7)		546.43
Maine.....	675		Minnesota.....	700	
New Hampshire.....	300		Iowa.....	675	
Vermont.....	675		Missouri.....	.....	
Massachusetts.....	475		North Dakota.....	300	
Rhode Island.....	600		South Dakota.....	675	
Connecticut.....	700		Nebraska.....	575	
	3,075		Kansas.....	900	
Middle Atlantic (States 3)		766.66	South Atlantic (States 9)	3,825	352.77
New York.....	900		Delaware.....	700	
New Jersey.....	700		Maryland.....	700	
Pennsylvania.....	700		Dist. of Columbia.....	675	
	2,300		Virginia.....	.....	
East North Central (States 5)		675.00	West Virginia.....	900	
Ohio.....	900		North Carolina.....	200	
Indiana.....	.....		South Carolina.....	600	
Illinois.....	900		Georgia.....	.....	
Michigan.....	700		Florida.....	.....	
Wisconsin.....	875			3,175	
	3,375		Mountain (States 8)		450.00
East So. Central (States 4)		406.25	Montana.....	775	
Kentucky.....	575		Idaho.....	675	
Tennessee.....	500		Wyoming.....	300	
Alabama.....	150		Colorado.....	875	
Mississippi.....	400		New Mexico.....	675	
	1,626		Arizona.....	.....	
West So. Central (States 4)		337.50	Utah.....	300	
Arkansas.....	.....		Nevada.....	.....	
Louisiana.....	675			3,500	
Oklahoma.....	575		Pacific (States 3)		558.33
Texas.....	200		Washington.....	700	
	1,350		Oregon.....	675	
			California.....	300	
				1,675	

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It is interesting to contrast the present requirements of English and legal education as compared with various other professions and occupations to which admission is regulated by statute or by governing board of state examiners.

These may be given as follows:

(1) Doctors (C. S. 6613, page 611) English education required is for college entrance at the University of North Carolina, and medical

education required of four years of college followed by one and one-half years service as interne in a recognized hospital. All medical colleges now restrict admission to two years college completion before entering the study of medicine.

(2) Civil Engineering (C. S. 6055-J, page 487). Four years of college work in a recognized college of engineering.

(3) Dentist (C. S. 6631, page 617). English education standard determined by board of examiners and three years course in dental college. As dental colleges only admit those who have completed two years of college work, this is practically two years college required.

(4) Public Accountants (C. S. 7015, page 718). Must be graduate of a high school and work three years under a public accountant.

(5) Osteopaths (C. S. 6702, page 641). High school graduate followed by three years college of Osteopathy.

(6) Chiropractors (C. S. 6715, page 644). High school education followed by three years college of Chiropractic.

(7) Trained Nurses (C. S. 6731, page 648). One year of high school followed by three years professional training at hospital. As standards of nursing in other states require high school graduation before entering on study of nursing, most hospitals in North Carolina accept only high school graduates for training.

(8) Optometrists (C. S. 6691, page 637). High school graduation plus two years in school of Optometry.

(9) Chiropodists (C. S. 6766, page 655). Four years of high school training plus graduation from "legally incorporated school of Chiropody (podiatry) acceptable to the board."

(10) Pharmacist (C. S. 6658, page 523). English education not specified but four years training in Pharmacy including two years attendance in college of Pharmacy.

(11) Public School Teachers. To obtain an Elementary certificate one must now be a high school graduate and have taken two years course in teachers' training.

When we consider the plan used by the State Department of Education in comparing the educational training of teachers which is by allowing 100 for each year above the grammar grade, that is, 400 for a high school graduate, and 600 for two years of college work, it is entertaining to take count of how these various professions and occupations, admission to which is regulated by statute or by board, class and grade themselves, which is Table XII and is as follows:

TABLE XII  
Other Requirements in North Carolina

Professions	English	Professional	Post Graduate
Medicine.....	Col. 2	4 years	18 months
Engineering.....	H. S.	4 years	
Dentists.....	Col. 2	3 years	
Public Accountants.....	H. S.	3 years	
Osteopathy.....	H. S.	3 years	
Chiropractic.....	H. S.	3 years	
Trained Nurses.....	H. S. 1	3 years	
Optometrists.....	H. S.	2 years	
Chiropodists.....	H. S.	2 years	
Pharmacists.....	.....	4 years	
Elementary School Teacher.....	H. S.	2 years	
Attorneys at Law.....	.....	2 years	

By grading these on a basis of 100 for each year of English or professional training required above the grammar school, we get the following gradations, which is Table XIII and is as follows:

TABLE XIII  
Index Comparison of North Carolina

Rank	Profession	English	Professional	Post Graduate	Total
1	Doctors.....	600	400	150	1150
2	Dentists.....	600	300	.....	900
3	Civil Engineers.....	400	400	.....	800
4	Public Accountants.....	400	300	.....	700
5	Osteopaths.....	400	300	.....	700
6	Chiropractors.....	400	300	.....	700
7	Elementary School Teachers.....	400	200	.....	600
8	Optometrists.....	400	200	.....	600
9	Chiropodists.....	400	200	.....	600
10	Pharmacists.....	.....	400	.....	400
11	Trained Nurses.....	100	300	.....	400
12	Attorneys at Law.....	.....	200	.....	200

*Alexander B. Andrews, Chairman.*