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### Course Catalogue 2013-2014

Mercer University School of Law

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**COURSE CATALOGUE**  
**ACADEMIC YEAR 2013-2014**

**LAW 431                      Accounting for Lawyers                      2 hrs**

This graded course will provide students with an understanding of basic accounting principles and their practical applications to the practice of law. This course is designed to be accessible to everyone and will focus on the mechanics of accounting, the analysis of financial statements, the role of Certified Public Accountants and Auditors, and emerging issues for the accounting field. The purpose of this course is to help students learn to spot financial related problems for their clients and understand basic accounting principles. Performance will be evaluated based on class participation, completion of assignments, and a final exam. Open to 2L and 3L students. This course satisfies 2 credits of the Experiential Learning requirement.

**LAW 406                      Administrative Law                      3 hrs**

This course will examine the largest branch of government administrative agencies. It will discuss agencies' legal authority to act and the limitations on that authority, including constitutional and statutory constraints. It will also examine administrative procedure. Students will learn administrative law through a practice orientated approach that will require them to apply their knowledge throughout the semester to various hypothetical fact scenarios.

**LAW 1004                      Advanced Civil Procedure                      3 hrs**

This course will cover important aspects of advanced civil procedure including the study of the theory and practice of class action litigation; multi-district procedures; removal and remand (forum choices); issues regarding traditional discovery practices as well as the use of electronic discovery; proper methods to get information before the trier of fact; and protecting the record for appeal. Numerically graded.

**LAW 436                      Advanced Criminal Trial Techniques                      2 hrs**

This course focuses on the strategy and tactics employed by trial lawyers in criminal cases. Topics include analysis of evidence, developing a theory of the case, plea negotiations, guilty pleas, witness interviews and preparation, jury selection, sentencing, and post-conviction remedies. The course will also address preparation of pre-trial motions, objections at trial, direct and cross-examination techniques, opening statements and closing arguments. Students will participate in exercises designed to strengthen their trial skills in these areas. Evidence and Trial Practice are prerequisites. Enrollment limited to 24. Not offered spring 2014.

**LAW 711                      Advanced Federal Criminal Trial Advocacy                      3 hrs**

This course combines in-depth study of advanced issues in federal evidence law and trial practice with simulation exercises concerning advanced problems in federal criminal trial advocacy. Topics will include development of trial strategy, jury selection, expert testimony, recent developments concerning the Confrontation Clause and hearsay, and direct and cross-examination of cooperating witnesses and law enforcement agents. Open to J.D. students with prerequisites Evidence and Trial Practice.

**LAW 469                      Advanced Income Tax                      2 hrs**

A more detailed study of areas which were touched upon, or not covered at all, in Income Tax, such as nonrecognition provisions, net operating losses, limitations on loss deductions (at-risk rules, passive activity losses, etc.), original issue discount, and advanced capital gains. Income Tax is a prerequisite.

**LAW 713                      Advanced Law of Federal Criminal Investigations                      2 hrs**

This course complements the students' prior study of the basic constitutional principles governing criminal investigations, including the law of search and seizure, and the law of interrogations. The course will explore an array of cutting edge topics concerning federal criminal investigations, including computer searches, undercover operations,

identification procedures, and the federal statutory provisions that control substantial areas of search and seizure activities, such as the federal electronic surveillance statutes. This course also addresses aspects of grand jury investigations, such as grand jury procedure under the federal rules, abuses of the grand jury process, challenges to grand jury subpoenas, grants of immunity, issues arising in corporate investigations (such as the scope of attorney-client privilege), and problems confronting lawyers in cases involving potential federal and state prosecution as well as parallel criminal/civil investigations. Open to J.D. students with prerequisite of Criminal Procedure: Constitutional Dimensions.

**LAW 643                      Advanced Legal Research                      2 hrs**

The purpose of the course is to develop research skills in both print and electronic legal research resources. Through exercises and projects, which may include class presentations, students have the opportunity to select, use, and evaluate a wide range of legal and law-related resources. The course covers state and federal judicial, legislative and administrative materials as well as the use of finding tools, legal commentary, forms and trial preparation resources. Research strategies and efficient and cost-effective use of online legal research sources, including free and low-cost resources as well as Lexis, Westlaw and other subscription online services, are emphasized. Enrollment limited to 15. Offered during Fall and Spring Semesters. Open to 3Ls only during Fall Semester; open to 2Ls only during Spring Semester.

**LAW 534                      Advanced Litigation Drafting                      2 hrs**

This course will explore technical and strategic issues in the drafting of litigation documents such as briefs, complaints, answers, written discovery, affidavits, discovery schedules, pretrial orders, jury charges, releases and correspondence. The course will discuss the use and misuse of form books, and the viability of the “plain English” movement. The course will review some basic rhetorical strategies for maximizing the effect of favorable law and facts, or for minimizing the import of adverse law and facts. The course will examine good legal writing from the perspective of the Bench, and the

Bar. In the context of litigation drafting, the course will offer students practical instruction about a litigation practice in general. The course will provide students with form litigation documents for their future use. Enrollment limited to 24. The course will satisfy the Advanced Writing requirement.

**LAW 536                      Advanced Trial Practice                      2 hrs**

A continuation of the skills addressed in the basic Trial Practice course using the same methods. Evidence and Trial Practice are prerequisites. Enrollment limited to 24.

**LAW 661                      Advanced Writing Group                      1 hr**

Sections of this course consist of approximately 5 students and meet one hour a week. Most weeks the group will respond to a piece of writing, sometimes a piece written by a group member and sometimes a piece written by a lawyer or other author. The group will read examples of good writing; read and edit examples of weak writing; work on selected topics of grammar and style; and study advanced writing techniques. The course is graded and carries one credit per semester. Enrollment is limited to students enrolled in the Advanced Legal Writing Certificate Program.

**LAW 150                      American Constitutional System                      4 hrs**

This course focuses on significant cases interpreting the Constitution of the United States. The course examines the way in which the Constitution has been interpreted to distribute the power of decision-making in our governmental system among the branches of our federal government, the state governments, and individuals.

**LAW 429                      American Indian Law Seminar                      2 hrs**

This seminar will examine the body of law dealing with the status of American Indian tribes, their special relationship to the federal government, and the governmental policies underlying that relationship. It will focus on the major questions in Indian law today, including the legal interrelationships among tribal, state, and federal governments; tribal gaming and economic development; claims of tribal membership and identity; and tribal rights to natural resources. Each student will prepare a research

paper on a current topic, chosen with the approval of the instructor, and will present the results of her or his research to the class. Grading will be based on the quality of the research paper, an oral presentation of that paper, and class participation. Limit: 15 students. Numerically graded. Open to 2L and 3L students. Not offered fall 2014.

**LAW 509**                                      **American Legal History**                                      **3 hrs**

We will examine issues and themes of American law from the 18<sup>th</sup> Century to the present. We will look at the development of some areas of “traditionally” substantive law, such as Torts and Contracts, as well as other areas of substantive law, such as Slavery and Labor. We will explore the relationship between law and society in a number of areas, including race and gender, with attention to how law shapes society and how society shapes law. We will also consider the meaning of American law in the context of American democracy. The course will have a final examination and students may have written assignments at the professor’s discretion.

**LAW 496**                                      **Animal Law Seminar**                                      **2 hrs**

This seminar will examine the growing number of cases and statutes addressing the legal protections accorded to non-human animals. The subject of animal law is not synonymous with the animal rights movement, nor with any particular political, moral, or ethical agenda. Recent activism in this field, however, has raised a number of interesting questions about the status of animals in the law. Attention will be given to statutory protections for chimpanzees, porpoises, and the great apes, regulatory restrictions on the uses of laboratory animals, lawsuits seeking compensation for the loss of companionship of pets, wills, creating trusts for the non-human beneficiaries, and animal cruelty and neglect statutes and their potential application to domestic livestock, veterinary practice, the entertainment industry, and hunting, horseracing and other sports. The course will consist of assigned readings of cases and secondary material and the supervised preparation of a research paper on a topic of each student’s choosing. Graded. Enrollment limited to 15. Third-years only.

**LAW 457                      Appellate Practice & Procedure                      2 hrs**

This course will cover topics of appellate procedure, including standards of review, timeliness, ripeness, harmless error, writs, preservation of error, preparation of the record, and court rules. Using a simulated Georgia record, students will draft the procedural documents relevant to an appeal, such as a Notice of Appeal, a Designation of Record, a Request for Oral Argument, an Enumeration of Errors, opening, responsive and reply briefs. Students will make at least one oral argument. The course will be graded. Enrollment limit of 16.

**LAW 440                      Bankruptcy                      3 hrs**

This course is an overview of debtor-creditor relations. While issues under state law will be considered, the overwhelming emphasis of the course will be on federal bankruptcy law. The rights and obligations of both debtors and creditors under bankruptcy law will be examined, with particular focus on the strategic decision-making process of parties involved in a bankruptcy proceeding. (Previously Debtor/Creditor)

**LAW 673                      Bar Preparation Course                      2 hrs**

The course will build on what students have learned about multistate bar subjects and test taking throughout law school. The focus will be on knowledge, skills, and attitudes that have been shown to be helpful in passing the multistate multiple choice exam (MBE) and essay exam. Included will be practice in writing bar essay exams using some of the six multistate topics, insights into how bar exam essays are graded, and practice on MBE type exams. The course is intended to supplement and not replace the commercial review courses. The course will be a one-unit course that is graded pass/fail, has no prerequisites, and has no enrollment limit. 3Ls only.

**LAW 655                      Bioethics & the Law                      3 hrs**

This course examines the interaction of ethics, medicine and law. Topics vary from year to year, but may include: defining death; "the right to die"; doctor-assisted suicide; informed consent; defining life; human reproduction, including abortion, sterilization,

artificial insemination, in vitro fertilization, surrogacy and genetic screening; and access to advanced technology. The focus is on an examination of the law covering these issues and the relationship of various ethical framework for analyzing these issues to this law. Examination.

**LAW 412                      Business Associations                      3 hrs**

This course focuses on the law of agency, general partnerships and corporations with some attention to limited partnerships and limited liability companies. Coverage includes the choice of business form and the formation, management and dissolution of each of the principal business forms. Also introduced is federal securities law as it pertains to shareholder suffrage, proxy contests, hostile takeovers and secondary securities transactions.

**LAW 659                      Business Drafting                      2 hrs**

This course will explore issues surrounding the drafting of business-related documents. During the course students will draft a number of different documents including corporate formation documents, documents used in the sale of a business, employment agreements, deeds, loan documents and general business contracts. The course will explore the use and misuse of form books, the importance of language in this type of drafting, the role of the business attorney, and the viability of the "plain English" movement. The course will offer students practical instruction about various areas of a general business practice. Business Associations is a co-requisite or pre-requisite. Enrollment limited to 24. (Previously titled Advanced Transactional Drafting.) This course will satisfy the Advanced Writing requirement.

**LAW 411                      Business Reorganization                      2 hrs**

This course will include a consideration of reorganizations for corporations under Chapter 11 of the Bankruptcy Code (the subject of the entire former course), and will also include Chapter 11 reorganizations of partnerships and other business entities and



consideration of alternative reorganization procedures outside the scope of Chapter 11 procedures. Debtor/Creditor Relations is recommended. Enrollment limited to 24.

**LAW 305**                              **Capital Punishment Law**                              **3 hrs**

The course offers an overview of the law governing the death penalty. After an initial look at the history of capital punishment, the bulk of the course will focus on constitutional issues under the Eighth and Fourteenth Amendments to the United States Constitution. In addition, the course will examine various statutory procedures for capital trials and emphasize practical aspects of prosecuting and defending capital cases. Finally, we will explore political, sociological, moral, and religious arguments for and against the death penalty. Numerically graded course – grade based upon final exam and class participation. Open to second- and third-year students. Not offered fall 2012.

**LAW 717**                              **Capstone Writing Project**                              **2 hrs**

Students enrolled will complete a substantial writing project that is either (1) a research paper analyzing a major issue in federal criminal law and procedure or (2) a trial or appellate brief. Projects will be approved in advance by the LL.M. directors. A faculty advisor will be appointed to provide counsel and grade to writing project. Open only to LLM students.

**LAW 632**                              **Case Settlement Negotiation**                              **2 hrs**

Students will evaluate the strengths and weaknesses of their hypothetical clients' cases and attempt to negotiate a favorable settlement with the opposing party. May not be taken simultaneously with Negotiations. Enrollment limited to 16.

**LAW 203**                              **Civil Lawsuits**                              **3 hrs**

This course focuses on the procedural outline and strategic nature of the civil action. Specific sub-topics include case theory and management, remedies, pleading, the

obligations of advocates, dispositive pretrial motions (including motions for summary judgment and legal insufficiency.) Joinder of parties and claims, discovery, voluntary and involuntary dismissal, default, settlement, the nature and scope of jury trial, trial and post-trial motions, and appeal. The course includes exposure to litigation documents, and an examination of the extent to which judgments preclude the relitigation of claims and issues.

**LAW 415                      Client Counseling Competition                      1 hr**

During the Spring Semester, Mercer Law students compete for the honor of representing the school in the National Client Counseling Competition sponsored by the American Bar Association. The students selected are given intensive training by one of our faculty members using the school's video systems for observations and evaluation of counseling techniques. The team competes against other law schools regionally for the opportunity to compete for the national championship. Mercer's teams have won the ABA's Southeast Regional Competition in 1989, 1996, 1997 and 2001.

**LAW 420                      Comparative Law                      3 hrs**

This Perspectives Block course provides an introduction to other legal systems and legal orders in the world (not only in the West but also elsewhere, including the Far East and the Islamic world) and explores appropriate ways of relating to those who inhabit these other legal systems. Such knowledge is of great value to U.S. lawyers, both in their roles as legal practitioners and in their roles as leaders in society. Learning to "think like a comparativist" produces a breadth of outlook and habits of mind that enhance the general quality of lawyers' professional work and professional lives in both types of roles. It is also central to helping lawyers in both types of roles meet the mounting challenges posed by growing U.S. involvement in an increasingly interdependent world, including challenges posed, for example, by expanding economic relations with other countries, expanding immigration from countries with radically different cultures, and expanding national security concerns. With these considerations in mind, we will cover the following topics: (1) Introductory Perspectives (including an

introduction to basic concepts and classification within different civilizations and legal traditions); (2) Uses and Misuses of Comparative Law; (3) The Comparative Method, Tools, and Techniques, and the Importance of Context: General Considerations; (4) The Comparative Method, Tools, and Techniques, and the Importance of Context: Particular Considerations – History, Sources of Law and Their Generating Legal Structures, Legal Actors, and Legal Processes. The course is graded. There is a take-home exam, the logistics of which will be determined in consultation with the members of the class.

**LAW 422                      Conflict of Laws                      2 hrs**

The principal focus of the course is "choice of law" -- the methods used by courts in the United States to decide the applicable law in cases that, in their parties or events, involve more than one state or country. The course also briefly examines the respect owed a judgment of a court of another state or country. The course meets for two hours each week, and students ordinarily earn 2 credit hours for completing it. However, a student may earn a third credit hour if, in addition to fulfilling the usual course requirements (including an end-of-semester exam), the student writes a research paper on an approved topic. Anyone who wishes to write such a paper should register for both Conflict of Laws and one credit hour of Independent Research and Writing with Dean Simson.

**LAW 423                      Constitutional Law Seminar                      2 hrs**

The course permits in-depth analysis of major problems in Constitutional Law. Active participation by all students is emphasized. Enrollment limit of 15.

**LAW 568                      Consumer Bankruptcy Practice                      2 hrs**

Students will be presented with hypothetical fact situations. Students will write short papers in which they will explain, based on the facts presented, what advice they would give to a client, what additional information they require to provide proper advice, what they need to do to satisfy their professional and statutory duties as attorneys, and other

such issues. Students also will prepare and file various documents as attorneys for debtors (e.g., initial petition, schedules, a statement of financial affairs and a plan) and as attorneys for creditors (e.g., an objection to confirmation, a motion for relief from the stay). Time permitting, hearings may be scheduled in the law school courtroom, or possibly in the courtroom of a local bankruptcy judge, where students will appear and present their arguments. Classroom work would include presentation of material related to the papers and documents prior to their preparation and then follow-up discussion and critique of the students' work after submission. Debtor/Creditor is a prerequisite. Enrollment limited to 24.

**LAW 2001 Contemporary Topics in Health Law Seminar 2 hrs**

This seminar serves as an opportunity for students to study the recent, unprecedented changes to law and policy that affect the delivery of American health care spurred by the Affordable Care Act (ACA). Issues to be examined include those that have caught nationwide headlines, including the creation of state-run insurance exchanges, the so-called "Medicaid expansion," and the quite-public failure of the "public option." In addition to learning about the key components of the law, students will have an opportunity to read about the ACA from many perspectives using various lenses – including examining the intended health policy effects of the law, exploring the deeper implications of the law toward improving public health and alleviating racial disparities and poverty, and learning about the law's critiques – specifically that the law unconstitutionally impinges on the rights of states and individuals. In addition to studying the ACA, the course will also cover a survey of related but separate contemporary health law topics – including the growing cost of healthcare, the renewed focus on fraud and abuse, and challenges related to quality. In the early part of the semester, the seminar will meet to discuss assigned readings, which will include the key U.S. Supreme Court case from 2012, *NFIB vs. Sebelius*, as well as health policy briefs, law review articles, and newspaper articles. The class meetings in the latter part of the semester are devoted to discussions of each student's seminar paper. Each student is

required to submit a substantial paper on an approved topic, which may include topics not specifically covered in the assigned readings.

**LAW 519                      Contract Drafting                      2 hrs**

The purpose of the course is to present students with a real-world approach to drafting contracts. Students will develop an understanding of the fundamental working parts of a contract and how the basic principles of contract law are memorialized in various types of agreements. The course will provide an overview of the issues and processes involved in drafting contracts and transactional instruments. It will enable students to analyze the basic structure of contracts and other deal documents and to develop techniques used to efficiently create instruments with precision and clarity. Students will explore principles for understanding the common structures of transactional documents and their provisions, including their applicability to specific transactions. Contracts drafting will combine lectures with drafting exercises and two to four graded drafting assignments. The course will introduce the students to foundational concepts, including representations and warranties, covenants, rights, conditions, discretionary authority and declarations. Students will be exposed to how and why a drafter chooses a specific contract concept in terms of translating the business deal into the four corners of the agreement. The course will address the framework of an agreement and its various provisions, from the recitals to the signature lines, in each instance examining the business, legal and drafting issues that may arise. Students will learn approaches to good drafting and techniques to enhance clarity and avoid ambiguity in the context of the business deal. Students will also learn how to look at a deal from the client's perspective and how to add value to a transaction by identifying business issues. In addition, the course will address ethical issues unique to contract drafting. Numerically graded. Limit 24 students.

**LAW 107                      Contracts    3 hrs**

This course addresses the basic principles and significance of making, interpreting and enforcing contracts and gives attention to related theories of obligation, such as promissory estoppel and quasi-contract.

**LAW 108                      Contracts II    3 hrs**

This course follows Contracts I and addresses principles of express and implied warranties, damages, conditions, good faith, sales, performance and related issues under the common law and Uniform Commercial Code.

**LAW 521                      Corporate Issues Seminar    2 hrs**

The seminar focuses on the theoretical and practical nature of the corporate entity, with some attention given to its historical development, sociological and political influence, and social responsibility. Students will complete a research paper on a topic of their choice and present it orally to the seminar. Pre-requisite: Business Associations. Enrollment limited to 15. Graded. Seniors only.

**LAW 424                      Corporate Tax    3 hrs**

An in-depth analysis of Internal Revenue code sections dealing with income taxation of corporations and their shareholders. Particular emphasis is given to such areas as transfers to controlled corporations, dividends, redemptions, liquidations, and Subchapter S corporations. Income Tax is a pre-requisite.

**LAW 110                      Criminal Law    3 hrs**

This first-semester course examines major criminal law concepts, including intent, criminal act, and justification and excuse for crimes, as well as exploring the historical and philosophical underpinnings of the criminal justice system.

**LAW 671                      Criminal Procedure--Constitutional Dimensions    3 hrs**

This course focuses on the constitutional provisions that govern the conduct of criminal investigations, particularly the Fourth, Fifth, Sixth, and Fourteenth Amendments. The

principal topics include the law of search and seizure, the law of interrogation, and the exclusionary rule. The coverage of this course complements the course entitled "Criminal Procedure: The Litigation Process," but both courses are independent and neither course is a prerequisite of the other.

**LAW 670                      Criminal Procedure: The Litigation Process                      3 hrs**

This course focuses on the law governing the various steps in the process of litigating a criminal case, including pre-trial, trial, and post-trial phases. Topics include bail, prosecutorial discretion, preliminary hearings, grand jury review, the drafting of charges, discovery, plea negotiations, speedy trial, double jeopardy, pre-trial publicity, jury selection, joinder of charges and defendants, various aspects of trial procedure, and general principles of appellate review. The coverage of this course complements the course entitled "Criminal Procedure: Constitutional Dimensions," but both courses are independent and neither course is a prerequisite of the other.

**LAW 1005    Critical Race Theory/Critical Race Feminism                      3 hrs**

This course introduces students to Critical Race Theory and Critical Race Feminism. The class will explore three major questions during the semester: What comprises Critical Race Theory and Critical Race Feminism? Do these areas of study remain relevant? If so, what can legal scholars, educators, and practitioners draw from them to effect social justice through legal institutions? Each student is required to complete 3 short papers, including a formal written critique of a scholarly article. All paper topics are subject to professor approval. Additionally, each student must facilitate a class discussion on required readings and keep a journal reflecting their reactions to readings and class discussions. This course is graded. Grading will be based on the quality of the papers, class facilitation and participation, and the completion of regular journal entries. No prerequisite.

**LAW 518****Current Criminal Law Issues Seminar****2 hrs**

This course is designed to provide students with a more in-depth analysis of some current and controversial issues being adjudicated in the criminal law field. We will discuss, among other things, the Federal Sentencing Guidelines, Ineffective Assistance of Counsel, the Fourth Amendment, the Insanity Defense, the Eighth Amendment, the Right to Assisted Suicide, the Death Penalty, and the impact of brain injury on mens rea and culpability. The primary goal is to examine each topic from a variety of perspectives (legal, constitutional, moral, socio-economic, theoretical), and discuss whether, and to what extent, certain behaviors or punishments do or do not constitute good policy in our jurisprudence. While each discussion may begin from a theoretical perspective, it will, in more important respects, examine how a particular law or policy impacts the individual, and whether such law/policy is consistent with principles of fairness and equality. Part of this discussion, therefore, will include an examination of specific constitutional provisions that may constrain a Court of legislature's ability to prohibit certain conduct or provide for particular criminal penalties. Ultimately, the goal of this course is to have students think about criminal law issues from a variety of perspectives, and to form their own ideas about how they can contribute to the discourse in this area. Numerically graded. Not offered spring 2014.

**LAW 650****Divorce Mediation****2 hrs**

The course is designed to enable students to develop skills needed by attorneys or mediators in mediations of divorce issues, including child custody, visitation, property division, and alimony. The course will consider, in addition to the skills of mediation, distinctions between mediation and other forms of settling disputes and substantive law issues relevant to mediation, such as confidentiality of the process and product of mediation. For students who do not meet the attendance requirement, a research paper is required. Domestic Relations is a prerequisite. Enrollment limited to 24. Seniors only. Pass/Fail



**LAW 444****Domestic Relations Seminar****2 hrs**

This course will focus on issues in the areas of family law that are not covered in Domestic Relations or that are worthy of more in-depth study than is possible in the basic course. The specific areas of focus may differ from year to year. One substantial research paper will be required in lieu of an examination. Domestic Relations is a prerequisite or corequisite. Enrollment limited to 15. Seniors only. S/U

**LAW 516****Education Law and Policy Seminar****2 hrs**

This course offers an introduction and overview of the laws relating to public schools, teachers and students, as well as the role of law regarding higher education institutions. The course covers a variety of important topics, such as legal issues that impact instructional programs, the rights and liabilities of teacher and students, and issues related to curriculum control, academic freedom, and institutional compliance and regulatory matters. In addition, the course examines federal and state law regarding student privacy concerns, gender equity, as well as constitutional protections of due process, equal protection and search and seizure. A seminar paper and a presentation of the paper will be required. Enrollment limited to 15. This course will satisfy the Advanced Writing requirement and will also satisfy the Seminar requirement of the Advanced Legal Writing Certificate Program.

**LAW 574****Effective & Affective Lawyering****2 hrs**

The course covers the psychology of lawyering as it relates to the effective practice of law. This course includes an in-depth study of the science and theory of personality and affective assessments used by mental health professionals. The student will be able to apply these theories and techniques to all areas of "lawyering," including selecting juries, developing and maintaining relationships with clients, witnesses, and other lawyers, as well as making persuasive arguments to judges. Enrollment limited to 24.

**LAW 1000                      Elder Law                      2 hrs**

This course will highlight the social and legal issues associated with an aging society, the distinct legal problems faced by elderly individuals, and government programs established for the benefit of elderly individuals. Examples of topics that will be covered include: ethical issues and counseling elderly clients, capacity and consent, guardianship and protective services, planning for healthcare and financial decisions, elder abuse, long-term care, housing issues, and government programs relevant to elderly individuals such as Medicare, Medicaid, and Social Security. Grading will be based primarily on a writing assignment addressing an elder law topic chosen by the student.

**LAW 448                      Employment Discrimination                      3 hrs**

A study of contemporary and Reconstruction federal legislation prohibiting discrimination in private and public employment on the basis of race, sex, religion, national origin, age and disability. Particular attention is given to interactions among Congress, the courts, and administrative agencies. Emphasis is on the actual practice of lawyers in this field, including such issues as pre-filing administrative agency proceedings, pleading, summary judgment, post-trial motions, remedies, and court-awarded attorneys' fees. The course is open to 2Ls and 3Ls. No prerequisites.

**LAW 664                      Employment Law                      3 hrs**

This course will survey common-law and federal and state statutes regulating the relationship between an employer and an employee. Topics to be covered will include employment at will, terms and conditions of employment, public employment, employment discrimination, wages and hours, employee benefits, occupational safety, workers' compensation, and termination of the employment relationship. The course will not include coverage of 42 U.S.C. 1981, 42 U.S.C. 1983, or the National Labor Relations Act. (Courses on those statutes are discussed elsewhere. See Civil Rights, Employment Discrimination, and Labor Law.) Not offered Fall of 2013.

**LAW 451                      Environmental Law                      3 hrs**

A survey of statutory regulations applicable to the protection of the environment. Attention is directed to the role of the EPA and other administrative agencies in the development and implementation of environmental policy.

**LAW 669                      Environmental Law Practice                      2 hrs**

The course is designed to enable students to develop skills needed by attorneys that practice environmental law or that encounter environmental law in their general practice of law. Skills will include client and witness interviewing and counseling, researching and finding the law, drafting and reviewing environmental documents or environmental provisions in business or real estate documents, working with administrative agencies on policy development (e.g., commenting on rulemakings) or in an adjudicatory setting (e.g., applying for a permit, negotiating with an agency in an enforcement proceeding, or participating in mediation or similar dispute resolution processes), and trial advocacy. The course will be taught through a combination of lecture, simulations, and written assignments. Pre-req Environmental Law or permission of instructor. Limited to 16 students.

**LAW 455                      Estate Planning                      2 hrs**

This class is intended to serve as an introduction to basic estate planning techniques. Both tax and non-tax aspects will be considered from the perspectives of the drafting attorney, the settlor/testator, and beneficiaries. Emphasis will be placed on the fact gathering process, drafting, and using the marital deduction, tax credits, gifts, dynasty trusts, insurance trusts, family limited partnerships, charitable split-interest trusts, GRATS, QPRTS, sales to intentionally defective grantor trusts and other estate planning techniques to solve estate planning problems. Prerequisite: Federal Taxation of Wealth Transfers or permission of instructor.

**LAW 709                      Ethical Issues in Federal Criminal Cases                      2 hrs**

Consistent with the need for emphasis on ethics and professionalism, the LL.M. in Federal Criminal Practice and Procedure not only highlights ethical issues throughout the curriculum, but this course focuses exclusively on those issues. The range of ethical and professionalism issues in federal criminal practice is extensive, including the prosecutor's Brady obligations, the limits of appropriate witness preparation, the line between proper and improper closing argument, the handling of possible conflicts of interest by defense counsel, and appropriate bases for a prosecutor's charging decisions. Open to J.D. students with prerequisite Law of Lawyering.

**LAW 1006                      Ethics, Law, and Armed Conflict                      3 hrs**

This course will critically examine selected legal doctrines and related moral precepts of the contemporary law of war, including both the law on resort to force (*jus ad bellum*) and the law governing the conduct of hostilities (*jus in bello*). Participants will consider the relationship of legal rules to just war ethics and how normative expectations shape the conduct and critique of modern war. Topics may include, among others, the nature and scope of legitimate, proportional self-defense; humanitarian intervention; the propriety of the law governing resort to force against contemporary terrorist networks; the justification for non-combatant immunity and the converse combatant's privilege; proportionality in the conduct of war; drone warfare; and other contemporary controversies that characterize warfare in the early twenty-first century. The class will also be open to undergraduate students from CLA. This course will be graded according to normal Law School and University policies.

**LAW 418                                      European Union Law                                      3 hrs**

This Perspectives Block course examines the phenomenon of ever-increasing international economic interdependence and integration, with a particular focus on the legal system of the European Union (EU) from the perspective of the United States and U.S. business. In an era of increasing globalization the European Union represents a fascinating case study for the comparativist as well as a challenge and an opportunity for those engaged in international business transactions and their legal advisors.

Topics covered include: (1) Historical Development of the European Community and the European Union; (2) Structure of the EU Legal System: sources of law and lawmaking institutions; judicial remedies in the EU Court of Justice; protection of human rights; relationship between EU Law and national laws of the Member States (direct effect and supremacy of EU Law, references by national courts to the EU Court of Justice); and (3) Selected substantive coverage from the following: development of the Community's internal market; the framework of anti-trust regulation; and external relations. The course is graded on the basis of a final examination.

**LAW 206                      Evidence                      3 hrs**

This is a problems-based course designed to teach basic trial evidence using the Federal Rules of Evidence. The primary topics are relevance; opinion evidence; expert testimony; relevant, but inadmissible evidence; introducing real and documentary evidence, character evidence, impeachment, and hearsay.

**LAW 443                      Family Law                      3 hrs**

This course offers an introduction to family law in the United States today. Examples of topics covered include: marriage, non-marital relationships, parent-child relationships, divorce, custody, support, and the law's treatment of nontraditional families.

**LAW 461                      Federal Courts                      3 hrs**

An in-depth survey of the powers of federal courts under Article III of the United States Constitution. The course highlights and integrates constitutional topics of fundamental importance to any American lawyer: the respective powers of the three branches of the U.S. government; the function of federal courts within the constitutional system of checks and balances; the relationships between state and federal courts in civil and criminal litigation in a federalist republic; and state sovereignty and immunity under the Tenth and Eleventh Amendments. The course also provides an overview of common legal issues in federal courts, including: justiciability and standing; federal court subject matter jurisdiction; "Section 1983" claims alleging that agents of state or local

government have violated federal constitutional or statutory rights; and federal habeas corpus actions. Graded 3-hour exam or graded paper option. About 1/3 of final grade turns on class participation, including the student's work as a leader of one of our classes during the semester. 3L students only.

**LAW 714                      Federal Criminal Case Studies                      2 hrs**

In this course, each student will select a notable federal criminal case and study the case in-depth, including review of court documents. Each student will make a presentation to the seminar concerning the chosen trial. The presentations will highlight and discuss interesting aspects of the trial, such as substantive and procedural legal issues, evidentiary issues, strategic decisions and trial techniques of the lawyers, and ethical issues.

**LAW 715                      Federal Criminal Field Placement                      5 hrs**

In the spring semester, each student will earn 5 hours in a field placement with a Federal Defender Office, U.S. Attorney's Office, or other criminal practice office. The requirements for the field placement would include a classroom component under the direction of a faculty member. There will be two sections of the classroom component – one for students in defense offices and one for students in prosecution offices.

**LAW 462                      Federal Criminal Law                      2 hrs**

This course will focus on the prosecution and defense of federal crimes including, but not limited to fraud, bribery, obstruction of justice, conspiracy, drug offenses, and RICO. We will also discuss the federal sentencing guidelines. Speakers from various professions within the federal system will join us. The course will also include observation of portions of trials and hearings in federal court. Enrollment limited to 16.

**LAW 716                      Federal Criminal Litigation Skills Workshop                      3 hrs**

This course focuses on the skills employed in prosecuting and defending federal criminal cases. The course will combine classroom discussion of advanced readings with simulation exercises concerning the following skills: (1) Investigating criminal

cases, including interviewing techniques; (2) Counseling, including defense attorney counseling of clients and the prosecutors role in advising law enforcement agents and other prosecutors; (3) Negotiating guilty pleas; (4) Oral and written advocacy in the trial and appellate courts; (5) Trial strategy and techniques; (JD prerequisites: 3L students who have completed Trial Practice only.)

**LAW 712                      Federal Crim Post-Conviction Prac & Proc                      3 hrs**

This course focuses on practice and procedure in federal trial and appellate courts after a guilty verdict. Post-conviction motion practice will be covered. Substantial attention will be devoted to federal sentencing practice and procedure, including a detailed examination of practice under the now-advisory Federal Sentencing Guidelines. This course also will cover basic federal criminal appellate practice, including practice under the Federal Rules of Appellate Procedure, and the basic principles of federal appeals, such as the final order doctrine, preservation of issues for appeal, plain error, harmless error, and standard of review. The Supreme Court's procedures for certiorari review and the statutory framework for collateral attacks also will be covered. Students will participate in a simulation exercise based on an actual federal criminal appeal, writing a brief and presenting oral argument. Open to J.D. students.

**LAW 710                      Federal Criminal Pre-Trial Practice                      3 hrs**

This canvasses the rules, statutes, and constitutional provisions that govern the litigation of federal criminal cases in the pre-trial stage of litigation, from preliminary proceedings and bail, through discovery and motion practice. Besides the law, this course will focus on preparation, investigation, and strategy for each part of the process. Topics include preliminary proceedings, procedures for removal to another district, practice under the Bail Reform Act, practice under the federal discovery rules and statutes, the prosecutor's duty to disclose evidence favorable to the accessed, and pre-trial motion practice, including strategies for litigating pre-trial motions and a survey of possible motions (such as motions to suppress evidence, motions to dismiss, motions for severance, and motions under the Speedy Trial Act). Aspects of the right to

counsel, such as choice of counsel and conflicts of interest will be addressed. The process of negotiating and entering guilty pleas will receive significant attention, including the requirements for entry of a valid guilty plea and special considerations for non-citizen defendants. Simulations exercises and writing assignments will be employed.

**LAW 454                      Federal Taxation of Wealth Transfers                      3 hrs**

A study of the statutes, regulations, and decided cases relating to the federal estate, gift, and generation-skipping transfer taxes and to the income taxation of trusts and estates. Formerly entitled Taxation of Estates, Gifts and Trusts.

**LAW 475                      First Amendment Law                      3 credits**

A study of freedom of speech and press under the First Amendment. The course is taught through in-depth discussion of cases, role plays of counseling clients with speech or press issues, rhetorical analysis of the opinions of particular Justices, analysis of a case file, and occasional lectures. Grades are awarded on the basis of an essay exam. The course is open to second- and third-year students. 3 credit hours. (Course was entitled, "Individual Rights." Renamed 10/15/03.)

**LAW 549                      Fourteenth Amendment Seminar                      2 hrs**

An examination of various issues arising under the Equal Protection and Due Process Clauses of the Fourteenth Amendment. In the early part of the semester, the seminar meets to discuss assigned readings on selected issues typically not covered in detail in first-year Constitutional Law. The class meetings in the latter part of the semester are devoted to discussions of each student's seminar paper. Each student is required to submit a substantial paper on an approved topic, which may include topics not covered in the assigned readings. In addition, each student is assigned to write brief written critiques of two other students' papers and to lead, with one other student, the class discussion of those papers. Numerically graded. This seminar satisfies the upperclass writing requirement. Open to 2L and 3L students.



**LAW 434****Gender and the Law****3 hrs**

During the past century, government in the U.S. has taken many steps to reduce inequalities between the sexes. Nevertheless, we still live in a society in which men and women tend to be differently situated. To give just a few examples: women who are employed full-time still earn considerably less, on average, than men who are employed full-time; after divorce, women's standards of living typically decline whereas men's generally improve; women, far more than men, are victims of sexual harassment, domestic violence, and rape. The disadvantages, furthermore, are not solely women's. For example, men, more often than women, lose child custody disputes. This course will critically examine the ways in which law in the U.S. treats sex and gender in a variety of contexts, most notably, the workplace, the family, the reproductive sphere, and in various areas of sexual exploitation. Among the topics discussed will be workplace equity, marriage, parenthood, abortion, sexual harassment, pornography, prostitution, and rape. Moreover, the course will explore various, often competing, theories about how law should approach issues of these sorts. For example, should it focus primarily on notions of equality, autonomy, or non-subordination? Included among the issues addressed will be problems raised by the intersection of gender with race, class, ethnicity, and sexual orientation. A short paper is required with a take-home exam.

**LAW 467****Georgia Civil Practice & Procedure****2 hrs**

This course is a detailed examination of Georgia civil practice. It is intended to prepare civil litigators for issues they will face from the day they start their practice. The course "walks" through a lawsuit, covering forum selection and venue requirements, drafting and filing of pleadings, discovery, pretrial issues, statutes of limitations and repose, and procedural aspects of trials and appeals. The focus is on practical issues, particularly tactical advantages that can be realized with a thorough knowledge of Georgia procedural law. Limit 30 students.

**LAW 466**                      **Georgia Criminal Practice & Procedure**                      **2 hrs**

This course is a detailed examination of Georgia criminal practice with a focus on trial and pre-trial procedure. It is designed to be a hands-on, relevant exploration of Georgia-specific criminal law and procedure (including both prosecution and defense). Students are evaluated through in-class exercises and a final examination.

**LAW 675**                      **Great Trials Seminar**                      **2 hrs**

This seminar serves as a capstone course for students interested in becoming trial lawyers. Through in-depth study of famous trials and the lawyers who tried them, students will draw out the lessons that can be learned about trial practice and procedure, trial techniques, the law of evidence and ethical issues. The seminar also will expose students to some of the history of the trial process and the legal profession. With the advice and consent of the instructor, each student will select a significant criminal, civil, foreign or international trial to study. Each student will write a paper about the trial and make a presentation to the seminar class. Enrollment limited to 15. S/U (Pass/Fail). Seniors only.

**LAW 306**                      **Habeas Project**                      **4 hrs**

This is a clinical course, and it is the only effort in Georgia to provide pro bono representation in non-capital state post-conviction matters (in Georgia, there is no right to counsel beyond one direct appeal). The Project provides client-centered representation (each student will handle 1-2 cases per semester), and the cases selected by the faculty supervisor allow students to grapple with important questions of constitutional criminal law. Under close faculty supervision, students will meet their clients; research potential issues; prepare an appellate theory; and write and ultimately file a brief or petition. In addition to working on cases, Project students will draft sections of a Pro Se Habeas Corpus Manual; will respond to legal questions from Georgia prisoners; and, on occasion, will offer amici curiae briefs in important cases before the Georgia Supreme Court. Qualified law students may sign briefs. The Project includes all procedural and substantive training necessary; the only pre-requisites are Criminal Law

and Constitutional Law. Enrollment limit: 8. Enrollment is by application and permission of the faculty supervisor. Graded. May be taken up to two times. This course satisfies the drafting requirement for the writing certificate and will satisfy the Advanced Skills requirement when taken in the sixth semester. This course will satisfy the Advanced Writing requirement and the drafting course requirement for the Certificate in Legal Writing. This course will satisfy the Advanced Skills requirement when taken in the sixth semester.

**LAW 468**                                      **Health Care Law**                                      **3 hrs**

This course examines problems in health care delivery from the perspectives of consumers and providers. The major issues explored are: (1) quality of care including licensing and malpractice; (2) organization of the health care system including professional relationships and new organizational structures; (3) financing of medical care through private insurance and public programs and; (4) access to care including legal obligations to provide care. We will explore the traditional common-law response to these issues and contrast it with statutory and regulatory reforms as well as proposals advocating free market reforms.

**LAW 472**                                      **Immigration Law**                                      **3 hrs**

Designed as an introduction to the area of immigration law, the course will cover the following core topics: constitutional, historical, and moral dimensions of United States immigration policy; the structure of relevant administrative agencies; admission and exclusion of aliens (immigrants and non-immigrants); deportation and relief from deportation; and immigration reform. Possible additional topics include: judicial review of agency determinations; special problems relating to refugees; illegal/undocumented aliens (including employer sanctions and legalization programs); and/or acquisition and loss of citizenship. This course is graded. There will be a final in-school exam.

**LAW 3001**                                      **Immigration Practice**                                      **3 hrs**

This course will provide a simulated immigration practice experience to students, who have already learned the basics of U.S. immigration law. The primary focus of the

course will be business- and family-based immigration practice and procedures, but it will also reinforce student issue spotting and analysis with regard to admissibility, removal and consular processing issues. After creating and editing client questionnaires, students will be required to address detailed factual scenarios. They will be expected to develop options for achieving the specific immigration goals of clients while spotting red flags and questions they must resolve along the way. They should come to each class armed with alternative strategies for proceeding, depending on the various possible responses to questions they have identified. These strategies may be tested through client consultation role-play as well as more traditional interaction with the professor and other students. Students will also be required to complete forms and draft documents for submission to government officials as well as to evaluate and revise forms and documents prepared by their classmates.

Prerequisite: Immigration Law I or equivalent experience with permission of instructor.

Enrollment limited to 24. Not offered fall 2016.

**LAW 202                      Income Tax                      3 hrs**

This course is a study of the fundamental principles of the Federal income tax system as applied to individuals, including the concepts of income, allowable deductions and limitations on deductions, and the characterization of gains and losses. The course stresses reading and applying the Internal Revenue Code. Other course materials include Treasury regulations, administrative pronouncements, and decided cases.

**LAW 474                      Independent Research & Writing                      1- 3 hrs**

With the approval of a full-time faculty member, a student may register for independent research and writing after completing the first year. An independent research and writing project is normally undertaken for two hours credit, but in appropriate cases the supervising faculty member may approve registration for one or three hours credit. A student may register for only one independent research and writing project per semester and no more than two projects will be approved for any student. Credit will be awarded, in the discretion of the supervising faculty member, on either a graded or

pass/fail basis, upon the completion of a written product suitable for submission for publication. 1-3 Credit Hours

**LAW 486                      Intellectual Property                      3 hrs**

An overview of laws that secure rights in, and provide for the marketing of, patents, copyrights, trademarks, trade secrets, publicity rights, and personal data. Open to all upper-class students.

**LAW 480                      International Business Transactions                      3 hrs**

This course will examine selected legal issues associated with private business transactions across national boundaries, focusing on international sales agreements and financing, import/export restrictions, other forms of transnational business activity, and related risks. The course will explore relevant US laws and regulations, regional trade regimes such as those of NAFTA and the EU, and broader international agreements and institutions, including the WTO. The course will also address relevant comparative legal, business and cultural issues.

**LAW 481                      International Law                      3 hrs**

An introduction to public international law. The substantive coverage of the course includes peaceful settlements of disputes, international agreements in international and domestic law, the evolving law of the sea, human rights, and international attempts at controlling the use of armed force. Particular attention is paid to the differences in the evolution and enforcement of rules in decentralized systems.

**LAW 483                      International Law Seminar                      2 hrs**

The purpose of the seminar is to explore at a general and theoretical level the recurring problems of international law. In particular, attention will be given to the nature of the state and of sovereignty, the relationship between international law and internal legal systems, and the extent to which international law can be normative. Consideration also will be given to the implications for international law of the various schools of

jurisprudence, most notably positivism, empiricism, and natural law. Enrollment Limit: 15 (Prerequisite: International Law)

**LAW 200                      Introduction to Counseling                      1 hr**

This one-week workshop focuses on how lawyers interview, counsel and otherwise assist clients to identify and solve problems. Pass/fail grade is based upon full attendance, participation and completion of simulations. S/U (Pass/Fail). This course satisfies 1 credit of the Experiential Learning requirement.

**LAW 300                      Introduction to Dispute Resolution                      1 hr**

This one-week workshop explores the many alternative ways of resolving disputes, particularly negotiation. S/U (Pass/Fail). This course satisfies 1 credit of the Experiential Learning requirement.

**LAW 100                      Introduction to Law                      1 hr**

This one-week course presents each incoming student with an initial understanding of the methods and goals of the law school classroom. The course simulates and examines the typical first-year classroom experience, including an exam, to prepare each student to get the maximum benefit from the “real courses” that begin the second week. The grade recorded for this course is either the actual grade received on the Introduction to Law exam or a “Pass” if the actual grade is less than the student’s GPA for the first semester.

**LAW 103                      Introduction to Legal Research                      1 hr**

A one-credit, graded legal research course that meets in the early weeks of the fall semester and the spring semester. The classes are taught by the professional librarians and cover print and electronic formats used for researching state and federal judicial, administrative, statutory and secondary sources. The course requires assignments, class attendance, and an exam to be given in late February.

**LAW 1002****Islamic Law in Comparative Perspective****3 hrs**

This course explores a major historical civilization and its legal tradition and their manifestations in the contemporary world. Muslims make up almost one quarter of the world's population. They are the majority in approximately one quarter of the countries of the world (i.e., nearly 50 countries across Asia and Africa) and a significant minority in many other countries, including the United States. Study of Islamic Law, then, invites comparisons with the other monotheistic religious faiths (Judaism and Christianity) and with other legal traditions (including the treatment of thorny "church-state" issues); contributes to a more informed and constructive relationship between actors in the United States, including U.S. lawyers and their clients, and actors in the increasingly volatile Islamic world; and promotes awareness of the heterogeneity across the contemporary Islamic world and the dissolution of simplistic stereotypes about Islam, Islamic Law, and Muslims. The course is divided into three main parts (1) Islamic History and Islamic Civilization (including the Sunni-Shi'ite Schism); (2) Foundations of Classical Islamic Law (Sources of Law; The Four Sunnite Schools of Law); (3) Substantive Law (The Five Pillars of Islam, and a selection from the following: Family Law and Women; Family law and Children; Inheritance Law; Criminal Law; Commercial Law, Capitalism, and Global Trade; Banking Law, Capitalism, and Global Finance; International law). There will be a final take-home examination, subject to a 15-page limit to be returned within a specified time. The exact timing will be determined following class discussion. The take-home exam and the course will be graded on a numeric basis. As part of the course, students are also asked to prepare a 10 page country report on one of the 50 or so majority Muslim countries. Students will research the history of that country and the extent to which Islamic Law, in one of its classical forms or in a modified form, is applied in that country, including recognition by the official state legal system. These reports will be shared with the rest of the class, and this component of the course will be graded on a Pass/Fail basis.

**LAW 442                      Judicial Field Placement                      3 – 4 hrs**

One section of Public Interest Practicum I each semester will be comprised of the students who are working for judges. These students will perform research and writing assignments for their judges and are expected to attend hearings, trials, and other proceedings. In addition to field work, the course meets for two hours per week in a classroom. The course includes readings, reflective journals, and class discussion, all of which are designed to help students learn from their fieldwork experience. Students must work in their field placement at least 86 hours for 3 hours of credit or at least 126 hours for 4 hours of credit. The hours are exclusive of class time and travel time. Students arrange a regular work schedule with their judges and submit weekly time sheets and reflective journal entries to their faculty supervisor. Enrollment is by application and permission of the faculty supervisor. Preference will be given to students who register for 4 credits.

**LAW 151                      Jurisdiction & Judgments                      3 hrs**

This course treats subject matter jurisdiction, personal jurisdiction, venue, transfer, notice, opportunity to be heard and the Erie problem. In addition, it introduces enforcement of judgments and res judicata and collateral estoppel. The course provides some continuity for first-year students by presenting extended common-law case sequences that develop case analysis skills through the second semester. It also presents opportunities for careful parsing of statutory text.

**LAW 492                      Jurisprudence                      3 hrs**

An overview of the major concerns of legal theory, the validity of law and the legitimacy of legal systems, and the relative merits of hierarchical legal structures as opposed to decentralized, customary systems. The topics that are usually covered include: natural law, positivism, American and Scandinavian realism, Marxism, and the historical and anthropological schools of jurisprudence. Second-year students only. (Not offered Spring 2012)



**LAW 660    Jurisprudence of Legal Practice & Legal Ed Seminar    2 hrs**

In this seminar we shall study various jurisprudential ideas and various ideals that have shaped the development of U.S. legal practice and legal education since the founding of the Republic until the present day. Our purpose is to help us become more reflective legal professionals who understand the power of ideas and ideals in shaping our social and professional realities, so that we can choose more consciously, and commit more resolutely to, those ideals of professional excellence we want to guide us in our professional lives. Such ideals of professional excellence are at the heart of the concept of professionalism. The seminar, then, builds upon the foundation provided in the first year Legal Profession course by continuing to explore the question what it means to become a lawyer/person of good judgment and how the answer to that particular question relates to the overall question, "What kind of person/lawyer (who) do I want to be?" Part One of the seminar (7 weeks) will address the jurisprudence of legal practice. We will read and seek to evaluate Anthony Kronman's book "The Lost Lawyer: Failing Ideals of the Legal Profession" (1993). In his book, Kronman analyzes and celebrates the classic professional ideal of the lawyer-statesman, possessing the virtues of practical wisdom and civic-mindedness, which was highly influential during the early part of the nineteenth-century and which has continued to be influential since that time. Kronman also examines various institutional forces in law firms, court and law schools that have put pressure on the lawyer-statesman ideal and that have generated various competing professional ideals. Part Two of the seminar (3 weeks) addresses the jurisprudence of legal education. We will study a succession of jurisprudential ideas, as well as their impact upon the lawyer-statesman ideal (thereby also continuing a theme of Part One of the seminar). These ideas include: classical common law and natural law theory, Langdellian legal science, sociological jurisprudence, American legal realism, legal process, jurisprudence, fundamental rights jurisprudence, law and economics, critical legal studies, feminist jurisprudence, the law and literature movement, and postmodern jurisprudence. In Part Three of the seminar (3 weeks), participants will present a paper on a topic related to the subject matter of the seminar.

Participants will also make presentations based on the assigned readings during the meetings in Parts One and Two of the seminar. Enrollment limited to 15. Open to 2L and 3L students. S/U. Not offered fall 2013 semester.

**LAW 494                      Juvenile Court Practice & Procedure                      2 hrs**

Delinquency, deprivation, status offenses, and dependency in Juvenile Court. History of Juvenile Court, evolution of children's rights, and trends in juvenile justice. Seminar format with special emphasis on practical aspects of litigation. Enrollment limited to 20. S/U

**LAW 499                      Labor Arbitration                      2 hrs**

This course will consider labor arbitration. Topics covered are judicial review of arbitration awards, ethics and professional responsibility of arbitrators, arbitration awards and public policy, arbitration and individual rights. Each student will be required to author two arbitration awards. Enrollment limited to 16. Seniors only. (Not offered spring 2013)

**LAW 501                      Labor Law                      3 hrs**

A survey of key issues in labor relations law, with emphasis on the factors catalyzing the genesis of the National Labor Relations Act; the right to organize; recognition; protected activities; the representation process; and the obligation to bargain for a collective agreement; National Labor Relations Board procedure, the nature of judicial review for an administrative agency and remedies are discussed as well.

**LAW 1001                      Law & Cinema                      3 hrs**

Law and Cinema focuses on the representations of law and the legal system as they appear in popular cinema. The class will explore several film genres (e.g., film noir, science fiction, and westerns) and discuss the way in which the popular cultural

representatives of law both reflect and re-inscribe certain presumptions about law and its role as a social system. Students will watch between 8 to 10 films throughout the term and will read and discuss the academic literature on cinema as a narrative vehicle. Each student will be required to write several short papers on films that they watch, and will be required to give a short in-class presentation of their work. Please Note: Several of the movies we will see throughout the semester contain strong language and/or adult situations. This content is not meant to shock or offend anyone in the class. If you are shocked or offended by this sort of content, please see me so we can discuss the situation.

**LAW 498**

**Law & Economics**

**3 hrs**

This course explores current issues in the interplay between law and economics. For example, who “owns” wildlife, natural resources, pollution, DNA, body parts, fetuses, art, trademarks, discoveries and ideas? Are contract, tort and criminal law principles efficient? Should government regulate sports leagues, banking, cable t.v., and the professions? No economics background required.

**LAW 497**

**Law & Literature Seminar**

**2 hrs**

This course will examine the links between two bodies of discourse: law and literature. Law and literature are intimately related in two essential operations: interpretation and composition. Generally, law school courses in law and literature have explored these two operations by using one of two approaches: "Law as Literature," or "Law in Literature." Both methods draw on literary criticism and theory to gain new perspective and insight into the law. The "Law as Literature" school applies literary theory to legal texts. The "Law in Literature" school reads literary works dealing with legal themes or issues to help us understand the law and our role as lawyers in new ways. This course explores both of these approaches, with the goal of increasing student capabilities in both interpretation and composition. Enrollment limit of 15.

**LAW 215****Law and Religion****3 hrs**

A study of the interaction of government and religion focusing upon the religion clauses (Free Exercise and Establishment) of the First Amendment. After an historical introduction to the subject, the course addresses issues of free exercise, accommodation of religion, religious discrimination, cultural establishment, government funding of religion, public education, and the regulation of religious speech. The course is taught primarily through in depth discussion of cases and problems, role plays of counseling clients with concerns related to the interaction of government and religion, and occasional lectures. Grades are awarded on the basis of an essay exam. Not offered spring 2014.

**LAW 302****Law of Lawyering****3 hrs**

Law of Lawyering is primarily concerned with the ethical and legal regulation of the legal profession covering such topics as conflicts of interests, confidentiality, attorney-client privilege, malpractice, lawyer-client decision-making, and other similar issues. The various rules studied are the rules most frequently encountered by all practitioners. In addition to studying ethical and legal regulation, this course also addresses the ethics of our practice more generally and, most especially, the question of what we mean when we say that someone is a good lawyer. This course is required by the Law School, by the Georgia Supreme Court, and by the American Bar Association.

**LAW 253****Law of Trusts****2 hrs**

The basic law of trusts, including creation and termination, the rights and interests of beneficiaries, the powers of trustees, and fiduciary responsibilities and problems of administration; resulting trusts and constructive trusts; charitable trusts; and powers of appointment. Pre-requisite/co-requisites: Successful completion of The Law of Wills and Intestate Succession or concurrent enrollment in The Law of Wills and Intestate Succession. Not offered spring 2014.

**LAW 251      Law of Wills and Intestate Succession      3 hrs**

This course covers the basic concepts of the gratuitous transfer of wealth, including intestate succession; the general law of wills, including the formalities of execution, testamentary capacity, grounds for challenge, revocation, and revival; will substitutes, including gifts and joint tenancies; health care planning; miscellaneous issues concerning the administration of estates; and basic tax issues.

**LAW 433                      Law, Theology and Public Policy                      3 hrs**

This course will explore issues at the Intersection of law, faith, ethics, and public policy. A key purpose of the course is to offer an interdisciplinary understanding of issues of law and public policy. Students will do comparative and careful reading of texts from both law and theology. Readings will include basic legal materials on these issues, including court decisions, statutes, treaties, and executive orders. They will also read primary biblical texts, along with secondary works on theological ethics and public policy. To aid in the cross-disciplinary understanding of these issues, the course is taught simultaneously with a comparable course offered through Mercer's McAfee School of Theology. The two courses meet concurrently and together, at least as much as we can make the Law School calendar and the McAfee calendar overlap. To that end, this course meets on Mercer's Henry County Campus (roughly halfway between the Atlanta and Macon campuses). Major areas of ethics and public policy that are also legal issues will be treated, such as: Fundamental Human Rights, including genocide, torture, and slavery/human trafficking; War and Peace, including just war theory, pacifism, and just peacemaking practices; Beginning of Life, including abortion, stem cell research, and surrogacy; End of Life, including euthanasia, assisted suicide, and availability of health care; Marriage and Family, including divorce policy and same sex marriage; Environment and Creation Care, including climate change; Economic Justice, including inequality of wealth, the role of markets, and income redistribution; Criminal Justice, including incarceration policy and capital punishment; Immigration, including care for the alien and stranger; Freedom of Expression, including religious freedom and

freedom of conscience. Each student will write a paper or papers on topics of his or her choosing. The course will be graded and will also satisfy the advanced writing requirement.

**LAW 513                      Law Review**

Members of the Mercer Law Review staff and Editorial Board earn academic credit for each year served on the Review. Upon satisfactory completion of the writing, editing, and other work required for each category of Law Review membership, credit will be awarded in the Spring Semester by the faculty advisor upon recommendation of the Editor-in-Chief. Credit hours vary.

**LAW 308                      Law, Genetics & Neuroscience                      3 hrs**

The course will explore the four major areas in which law and genetics now intersect: (1) prediction, the ability to anticipate or forecast human disease and behavior based on powerful new techniques in neuroimaging; (2) litigation, which includes DNA testing, lie detecting, evaluating memory, and so on; (3) confidentiality and privacy, which includes but is not limited to the use of genetic data by insurers and others; and (4) patents—specifically, patenting biological findings related to genetic materials. Other topics that will be reached include reproductive technologies and behavioral genetics.

**LAW 511                                      Legal Ethics Seminar                                      2 hrs**

This seminar explores a wide variety of issues in legal ethics selected, in consultation with the professor, by each enrolled student to respond to his or her anticipated future employment situations or own personal questions about the role of the lawyer. The issues explored in these research projects can vary from philosophical or theological matters to very specific ethical regulatory questions and all areas in between. A general theme, attempting to unite these research projects, will be offered by the professor through lectures, in class exercises, and round table discussions. Attendance is required. The class is pass/fail with this decision being made on the basis of the quality of the student's participation in discussions, several required work-in-progress

presentations of the projects, weekly or bi-weekly journaling with the professor regarding the student's project, and one paper or formal presentation of the project to the class.

**LAW 118                      Legal Process                      1 hr**

This course covers formulating a rule of law from one or more legal authorities, placing the rule in a rule-structure, analyzing the application of that rule to a set of facts and organizing a written legal discussion of that analysis. It requires completion of weekly exercises and attendance at all classes (or make-up of any absences). Pass/fail.

**LAW 152                      Legal Writing I                      3 hrs**

Legal Writing I covers research strategy, forms of legal reasoning, professionalism, and predictive legal writing. The course teaches writing as a constructive process and requires completion of at least two major writing assignments and a final examination consistent with the goals of the course.

**LAW 207                      Legal Writing II                      3 hrs**

Legal Writing II continues coverage of research strategy, forms of legal reasoning, and professionalism, but now in the context of a new form of discourse--persuasion. Course requirements include completion of at least two major persuasive writing assignments. Pre-requisite Legal Writing I.

**LAW 1003                      Legislative Field Placement                      3-4 hrs**

The course is designed to offer students practical work experience in government and public service offices while providing faculty supervision and guided reflection. In addition to field work, the course meets for two hours per week in the classroom. The course work includes readings, reflective journals, memos, and class discussion, all of which are designed to help students learn from their fieldwork experience. Throughout the course, students explore issues related to the role of lawyers in the legislative and administrative processes. Students work in an approved legislative governmental or a lobbying office; faculty for the course maintain a list of approved placements, but

students may petition for a placement to be added. Students must work in their field placement at least 86 hours for 3 hours of credit or at least 126 hours for 4 hours of credit. Students arrange a regular work schedule with their field supervisor and submit weekly time sheets and reflective journal entries to their faculty supervisor. Enrollment is by application and permission of the faculty supervisor. Limit 8. Not offered spring 2014.

**LAW 522                      Local Government Law                      2 hrs**

The nature, powers and liabilities of cities, counties and other units of local government and their relationship to state and federal governments. Specific attention is given to liability of local governments and officers, public land acquisition, local government contracts, government financing, limitations and restrictions on powers.

**LAW 629                      Managing Law Practice                      2 hrs**

This course explores the organizational setting of law practice through student simulations and guest appearances by practicing lawyers. Special attention is given to the management of law firms with fewer than ten lawyers. Subjects include partnership structure, client relations, malpractice insurance, computer applications, billing, financial planning, marketing, specialization, compensation, and the hiring process. One session is devoted to solo practice. Enrollment limited to 24.

**LAW 546                      Medical Malpractice                      2 hrs**

This course will survey the law of medical malpractice. Topics to be covered include the standard of care, causes of action, the physician/patient relationship, defenses, consent to treatment, statutes of limitation, fraud and misrepresentation, the complaint, summary judgment and trial issues, discovery, directed verdict, hospital-setting liability, and trial practice. Seniors only. Pass/Fail



**LAW 307****Military Law****2 hrs**

This course explores the constitutional framework and historical basis for American military law and contrasting examples from other nations. The course uses the construct “Law of War, Law of War Powers, and Law of the Warrior” to analyze questions facing political leaders, combat commanders, and soldiers, sailors, airmen, and Marines. Military Law draws from first-year courses, America’s founding documents, and current events to build a working vocabulary of military law terms. Military Law is also a platform for developing legal presentation skills, as students select topics for research and presentation to the class. These presentations are a primary means of teaching and learning relevant material on the law of armed conflict. Previous topics have included such matters as prisoners of war, rules of engagement, the Geneva Conventions, suspension of habeas corpus and martial law, civilian casualties, insurrection, media coverage and classified material, robots and drones in combat, bars to military service, chain of command, courts martial, and many more. The course typically includes a field trip to Andersonville National Monument and POW Museum. Graded pass/fail.

**LAW 520****Moot Court Competition****3 hrs**

All second-year students are eligible for membership on the Moot Court Board. Students are selected to membership each year based primarily on their performance in Legal Writing II. Board members, in both their second and third years, represent the Law School in various state, regional, and national moot court competitions. The Law School has been quite successful with its competition teams, having won at the state, regional and national levels. Students on competition teams receive invaluable training and experience. In addition, each member of a competition team receives three hours of pass/fail academic credit in the semester in which the competition takes place.

**LAW 654****Patent Drafting & Prosecution****2 hrs**

This class will provide lecture and drafting exercises in drafting specifications, claims, and responses to office actions in patent prosecution practice. It will be a two hour graded course, taught once a week for two hours by synchronous video conferencing. Limit 20. Prerequisite: Patent Law and Litigation.

**LAW 210                      Patent Law & Litigation                      3 hrs**

This course will explore patent prosecution and the subsequent litigation of issued patents. We will learn patentable subject matter, utility, the conditions of patentability, unenforceability, infringement, and remedies. Along the way we will examine how complex issues of case law, regulation, statutes, and technology arise and are resolved by the courts. The final grade will be based on class participation and a final exam.

**LAW 427                      Payment Systems                      3 hrs**

This course examines the law of commercial payment systems. Articles 3 and 4 of the Uniform Commercial Code will be considered, as well as applicable federal law. Coverage includes the concept of negotiability, the liability of parties and the rights of holders of checks and notes. The law of bank deposits and collections, and the legal relationship between banks and their customers will be discussed. The law of credit cards and electronic funds transfer systems also will be considered.

**LAW 529                      Pensions/Profit Sharing/Deferred Compensation                      2 hrs**

A study of statutory provisions and regulations affecting qualified plans under Section 401 of the Internal Revenue Code. Discussion will focus on the necessary eligibility provisions, vesting provisions, contribution provisions, allocation provisions and other requirements mandated by the Internal Revenue Code. Discussion will also focus on the distribution of assets from qualified plans and the income tax ramifications with respect to such distributions. No prerequisites are required but Corporate Tax is encouraged.

**LAW 523                                      Poverty Law                                      2 hrs**

This course will examine the current reality of poverty in our society, as well as how the legal system has responded to the poor both through governmental programs and the civil and criminal justice system. This course will touch upon several areas of substantive law that affect the poor every day, such as housing law, the law regarding various governmental benefits, not-for-profit law, and landlord-tenant law. The course will also address issues regarding access to justice in both the criminal and civil arena. Last, it will address the evolution of legal services to the poor, as well as the role that lawyers for the poor should play in the future. No prerequisite. Numerically graded.

**LAW 563                      Pre-Trial Advocacy                      2 hrs**

This course is concerned with the planning and preparation of a case for trial including the preparation of a complete trial notebook. The focus is on the construction and execution of a theory of the case. In examining the execution of a theory of the case, students will be asked to participate in demonstrations of certain major components of a trial. Enrollment limit 30. Seniors only.

**LAW 567                      Pre-Trial Practice                      2 hrs**

Students will examine and use the tools of civil discovery. Working in teams, you will plan and implement a discovery program. Most of your work will focus on drafting discovery documents, including interrogatories, document requests, requests for admission, a request for sanctions, objections to discovery requests and the like. You will also be responsible for preparing and arguing one major pretrial motion, including a short brief. If time permits, you will also take a deposition. Although the class is scheduled for three hours, no one meets for more than two hours, except when it comes to depositions and settlements negotiations. Otherwise, frankly, most of your work is done outside of class time. Enrollment limited to 16. Not offered spring 2013.

**LAW 642                      Problems in Georgia Tort Law                      2 hrs**

To gain a unique perspective on torts through the analysis of the law of a specific jurisdiction, students will research principles of Georgia tort law and procedure directly



Students will assist in the defense of felony cases under the joint supervision of staff attorneys at the Public Defender's Office in Macon, Georgia, and a professor responsible for the quality of the educational experience. The Clinic includes a classroom component as well as a requirement of team meetings with other students, individual conferences with the professor, and a written product from all students. Students will work primarily out of the Public Defender's Office in downtown Macon. Students will be sworn in under the Third-Year Practice Act, and will be able to appear in court under the supervision of an attorney. Training will be provided by the staff attorneys in local office, by attorneys in the Georgia Public Defenders Standards Council in Atlanta, and by professors at the law school. The Clinic will be offered in the fall and spring semesters, and will require an average of twelve hours of work per week for three hours of pass/fail credit each semester. Students will be expected to make a commitment to enroll for both the fall and spring semesters. Enrollment is limited to 10 third-year students. Permission of the professor is required to enroll. Students who are taking, or have taken, this clinic will not be eligible to enroll in the Death Penalty Clinic. This clinic will not count toward practicum limits, but students may not enroll in a practicum while enrolled in the clinic. S/U

**LAW 544                      Public Health Law                      2 hrs**

A study of the law governing the practice of public health by state, local, and federal agencies, as well as health care professionals and institutions. Current issues and their effect on public health law, including AIDS, bioterrorism and privacy legislation, will be discussed.

**LAW 634                      Public Interest Practicum I                      3 - 4hrs**

This course is designed to offer students practical work experience in public service offices while providing faculty supervision and guided reflection. In addition to field work, the course meets for two hours per week in a classroom. The course includes readings, reflective journals, and class discussion, all of which are designed to help students learn from their fieldwork experience. Throughout the course, students explore fundamental

questions of meaning and purpose in living a life of service in the law. Students work in an approved non-profit public interest or governmental office; faculty for the course maintain a list of approved placements, but students may petition for a placement to be added. Students must work in their field placement at least 86 hours for 3 hours of credit or at least 126 hours for 4 hours of credit. Students arrange a regular work schedule with their field supervisor and submit weekly time sheets and reflective journal entries to their faculty supervisor. Enrollment is by application and permission of the faculty supervisor. Limit of 30 total students; and a limit of 15 students per section. This course provides required hours for the Experiential Learning requirement.

**LAW 635                      Public Interest Practicum II                      2 - 3 hrs**

This course is open to students who have completed Public Interest Practicum. As in Public Interest Practicum, students must work in an approved non-profit public interest or governmental office; public interest faculty will maintain a list of approved placements, but students may petition for a placement to be added. Students must work at least 100 hours for 2 hours of credit or at least 140 hours for 3 hours of credit. Students must arrange a regular work schedule with their field supervisor and submit weekly time sheets and reflective journal entries to their faculty supervisor. Although there is not a weekly classroom component similar to that in Public Interest Practicum, students will attend regular meetings with faculty supervisor. In addition, students are responsible for completing a research project in an area related to their work in the field placement. Enrollment is by application and permission of the faculty supervisor. Permission to enroll in Public Interest Practicum II will only be granted if the faculty supervisor is satisfied that the student will have significant learning opportunities in the field placement and in the research project beyond those available in Public Interest Practicum. Enrollment limit: 8. The course is graded S/U.

**LAW 640                      Problems in Trial Evidence                      2 hrs**

Students will research, brief and orally present courtroom arguments of relatively to highly complex evidentiary issues as they might arise in the pre-trial and mid-trial stages

of civil and criminal cases. Limited enrollment of 16. Evidence and Trial Practice are pre-requisites. Computer skills advised.

**LAW 667**                      **Race, Racism & American Law**                      **3 hrs**

This course explores the way in which law is used both to combat and to legitimate racism in American society. It will trace the relationship between racism and American law from the colonial period to the beginning of the 20th century. It will cover the Houston/Marshall legal strategy to dismantle separate but equal as an equal protection standard, and focus on current racism issues in the contexts of the criminal justice system, voting, education, housing, employment and domestic relations. There will be special attention to the theory of affirmative action and related remedial concepts. Reading will consist of three chapters from Higginbotham's, *In the Matter of Color*, selected court opinions, Professor Derrick Bell's treatise, *Race, Racism and American Law*, and selected articles. Each week of the semester, the last class hour will be devoted to a Race, Racism and the American Law hypothetical. Each hypothetical will highlight the topic discussion for that week through the vehicle of a lawsuit, an administrative hearing, or some other forum where at least two sides will be heard. For that hour, students will be assigned to prepare for the hypothetical. Preparation and presentation for the hypotheticals will count for 1/3 of the course grade. A paper for the course will count the other 2/3 of the grade.

**LAW 540**                      **Real Estate Transactions**                      **3 hrs**

A study of the basic elements of a real estate transaction, the methods of financing the purchase of residential property, priority of claims at common law and under the recording system and other methods of title assurance, transfers of interests in encumbered real property, and mortgage foreclosures, concluding with a study of the elements of a commercial real estate transaction.

**LAW 542**                      **Remedies**                      **3 hrs**

A survey of remedies available through the avenues of equity, restitution, and damages. Emphasis is accorded to the relationships among these areas, and to the difficulties involved in applying "established" rules to actual situations. Seniors only.

**LAW 428                      Secured Transactions                      3 hrs**

This is a course on secured transactions and commercial lawyering. Emphasis will be on the creation, perfection, and maintenance of security interests under Article 9 of the Uniform Commercial Code. We will also address in depth issues of priority which result from the creation of security interests. (Formerly Commercial Transactions)

**LAW 552                      Securities Regulation                      3 hrs**

This course covers both primary and secondary transactions involving securities. Included are materials addressing the definition of a security; public offerings; exempt transactions; insider transactions; tender offers for corporate control; and antifraud provisions. Business Associations is a pre-requisite/co-requisite. There will be a one-hour mid-term examination and a one-hour end-term examination in lieu of an examination during finals period.

**LAW 500                      Selected Topics in Modern Family Law Seminar                      2 hrs**

This seminar will provide an in-depth examination of a number of today's most salient family law issues. Early in the semester, each student, after consulting with the professor, will select a modern family law issue about which he or she will become the "class expert." Each student will then prepare materials for and lead a one-hour class session on the legal issue he or she has chosen. In addition, students will write a substantial paper on a topic that falls within his or her chosen modern family law issue. A wide variety of topics are available to students, including marriage and alternative relationships, intra-family violence and abuse, assisted reproduction, parental rights and duties, how family law addresses issues related to gender, race, class, and sexual orientation, and more. The course will be numerically graded. Enrollment limit of 15.



**LAW 397****Sexuality and the Law Seminar****2 hrs**

The class will examine laws and regulations relating to sexual orientation and gender identity, and the effects of other laws on sexual minorities. We will review the history of persecution of lesbian, gay, bisexual and transgender (LGBT) people; the legal and social struggle for recognition of LGBT rights; and social phenomena such as "passing" and gender and sexual identity as reflected or constructed by laws and legal doctrine (e.g., constitutional and statutory protection or denial of rights, familial recognition, and comparative legal treatment of sexual minorities.) In the process, the course will examine how social movements are reflected in legal development and vice versa. Ideally, this will provide students with a model for achieving social or legal change in this and other contexts. This course will also provide some practical guidance to future attorneys who may represent members of sexual minorities after graduation, by offering creative approaches to couples and individuals whose needs are not recognized under current legal paradigms. (Entitled Sexual Orientation and the Law through spring 2010.) This course will satisfy the Advanced Writing requirement, and will also satisfy the Seminar requirement of the Advanced Legal Writing Certificate Program. Limit 15.

**LAW 2000****Social Justice Lawyering Seminar****2 hrs**

The poet, feminist scholar, and activist Audre Lorde stated “. . . the master’s tools will never dismantle the master’s house.” But what of the master’s tools? How were they fashioned and how were they structured? For the litigator, the master’s tools are those of judicial narrative and interpretation. Lawyers use these tools to develop strategies and arguments that seek to maintain existing power structures or, if not to dismantle the master’s house, rearrange the furniture a bit to suit their client’s tastes. Teaching the effective wielding of these tools for the purpose of social justice lawyering is the goal of this course. Each student is required to complete a legal memo and a motion brief on a contemporary legal issue of their choosing and a reflection essay about their class experience. Grading will be based on the quality of the papers, class participation, and the completion of the reflection essay. No prerequisite. Numerically graded. Enrollment

limited to 15. If they choose, students may opt to have this course satisfy the Experiential Learning requirement rather than the Advanced Writing requirement. This course will also satisfy the seminar requirement for the Advanced Writing Certificate Program.

**LAW 553                                      Sports Law Seminar                                      2 hrs**

Weekly discussion topics include Agent Representation of the Professional and College Athletes, the Professional Team Sports Player in Contract, Anti-Trust and Collective Bargaining, Professional Sports Franchises, Sports Broadcasting, Merchandising and Intellectual Property Law, Commissioners and “the best interests of the game,” Intercollegiate Sports and NCAA Regulation, Gender Equity, Individual Sports, and Disability and the Right to Play. Weiler and Roberts, *SPORTS AND THE LAW*, 3<sup>rd</sup> ed., and handouts serve as background for the weekly discussions. There will be at least one guest who will address one or more of the seminar topics. A seminar paper is required. Prerequisite: Labor Law. Limit: 15 (3L’s only).

**LAW 154                                      Statutory Law & Analysis                                      2 hrs**

This course will cover the fundamental skills involved in reading, understanding, and applying statutory language to the resolution of a legal issue. The students will learn about methods of statutory interpretation and will be required to apply these skills throughout the semester to various hypothetical fact scenarios. The course will cover the parts of a statute, the interrelationship between statutes and other sources of law, and the methods of reading and interpreting statutes.

**LAW 216                                      Summary Judgment Practice                                      2 hrs**

Designed for students with an interest in litigation, this course builds upon legal writing skills developed through the core curriculum. Working with documents from an actual court case, students will read pleadings and depositions to identify relevant issues of fact useful in analyzing a contract and/or tort dispute. Using the identified facts, and working as advocates, participants in the class will then draft a brief in support of a

motion for summary judgment, a brief in opposition to the motion, and orally argue the motion. The goal of the course is to familiarize students with litigation practice while simultaneously enhancing written advocacy skills. Students selected for law review and/or participating in a moot court competition are cautioned that this class contains written assignments with several deadlines that fall early in the semester. These deadlines may conflict with other responsibilities. The course will be numerically graded. This course will satisfy either the Advanced Writing requirement, or 2 credits of the Experiential Learning requirement. This course also satisfies the drafting requirement of the Advanced Legal Writing Certificate Program. Enrollment is limited to 14.

**LAW 602                      Summer Externship                      2 - 3 hrs**

Students work in an approved public interest or governmental law office under the supervision of a practicing attorney and the general supervision of a faculty member. In addition to the work in the public interest law office, students are required to participate in two two-hour class sessions: the first takes place at the end of the Spring semester and prepares students for their field placement experience; the second takes place at the beginning of the Fall semester and gives students the opportunity to reflect on the experiences together. Students also participate in a web-based, faculty-led guided discussion board concerning issues common to all field placements. Students also turn in regular reflective journals and weekly timesheets to the faculty supervisor. Students must work at least 120 hours for 2 hours of credit or at least 180 hours for 3 hours of credit. Students may not earn more than 3 credit hours in one summer, but the course may be repeated for credit one time, for a maximum total credit over two summers of six hours. Enrollment is by application and permission of the faculty member in charge of the course. The public interest faculty will maintain a list of approved placements, but students may petition for a placement to be added. The course is graded S/U. This course provides required hours for the Experiential Learning requirement.

**LAW 708                      Survey of Substantive Federal Criminal Law                      4 hrs**

This course surveys the major statutory vehicles of federal prosecution, along with defenses to crimes under federal law. The course integrates the study of substantive federal criminal law with an examination of the principles of drafting criminal charges. The course will address various statutes often classified as White Collar Crimes, including the mail/wire fraud statutes, money laundering laws, the RICO statute, securities fraud laws, the Foreign Corrupt Practices Act, and statutes utilized in public corruption prosecutions. The course also will cover other major bases of federal prosecution, including the federal narcotics, terrorism, immigration, tax, and firearms laws, as well as the crimes of obstruction of justice, perjury, and false statement. This course includes materials on the scope of federal criminal jurisdiction, trends in federal prosecution priorities, corporate and individual liability, conspiracy liability, and related topics.

**LAW 488                      Taxation of Pass-Through Entities                      2 hrs**

This course is an introduction to the taxation of pass-through entities, including partnerships, limited partnerships, limited liability companies, and S corporations. Emphasis will be placed on problem solving. Income Tax is a pre-requisite.

**LAW 149                      The Legal Profession                      3 hrs**

The Legal Profession course is an exploration of lawyer professionalism. Students learn about what "professionalism" means for lawyers and why it matters. They see what pressures the practice of law places on professionalism in different settings. The students explore the many ways in which the legal profession seeks, imperfectly, to create and perpetuate the conditions that promote professionalism. This course also examines the extraordinary challenges and opportunities that come with a life in the law, and the students study ways in which professionalism contributes to the satisfaction that lawyers find in their calling. In addition, to class readings, discussions, guest speakers, and an exam, the students write two papers reflecting on their career goals. They also visit in small groups with experienced lawyers to discuss life in the legal profession, and

they read a biography of a famous lawyer or judge and discuss it in a small group setting. This course is graded on a satisfactory/unsatisfactory basis.

**LAW 2002      The Religion Causes of the First Amendment Seminar      2 hrs**

This seminar provides both an introduction to, and a detailed examination of, the First Amendment's Establishment and Free Exercise Clauses. The issues that arise under the Religion Clauses—prayer in public schools, state aid to parochial schools, religious displays on public property, religious claims for individual exemptions from generally applicable laws, and more—have been among the most heavily litigated and hotly contested constitutional issues of the past fifty years. In the early part of the semester, the seminar meets to discuss assigned readings, which primarily include the key U.S. Supreme Court cases in the area. The class meetings in the latter part of the semester are devoted to discussions of each student's seminar paper. Each student is required to submit a substantial paper on an approved topic, which may include topics not specifically covered in the assigned readings. In addition, each student is assigned to write brief written critiques of two other students' papers and to lead, with one other student, the class discussion of those papers. Enrollment limited to 15.

**LAW 398                      Therapeutic Jurisprudence                      3 hrs**

The course covers the psychology of law and includes readings and discussions of the law as an open system affecting the emotional and psychological well-being of all who practice law, all who serve as judges, and all who have contact with the legal system, whether as a client, party, or witness. The course includes the areas of collaborative, preventive, and holistic law. It also incorporates therapeutic and psychological tenets and concepts as they apply to all aspects of the practice of law.

**LAW 489                      Topics in the Jurisprudence of Crimes Seminar      2 hrs**

In general, the course addresses basic issues relating to the substance of crime and punishment: reasons for punishment; the appropriateness of incarceration rather than other forms of deterrence; the nature of criminal harm; the moral significance of harm;

the role of causation in determining culpability; consent to crimes; objective and subjective views of criminality; the development of particular crimes and modes of criminality, e.g., conspiracy, accomplice liability, and so on. We will read material that sets out and reflects upon some of the primary philosophical foundations for our conceptions of freedom and responsibility. Will require a major paper and journal. Although the amount of reading is manageable, the content is not for wimps. This spring, we will consider issues related to excuses and justifications in criminal jurisprudence. In the spring semester, we will be examining philosophical texts on the nature of freedom and responsibility. In the Spring, 2012, the seminar will focus on the potential role of neuroscience on criminal law. Numerical grade. Enrollment limited to 15.

**LAW 656                      Tort Law Seminar                      2 hrs**

The seminar will focus on selected current issues in the law of torts in the context of the classical principles of civil liability. Reading assignments will include in-depth analytical treatments of landmark judicial decisions in the law of torts, as well as contemporary cases and statutes. Students will prepare individual research papers on topics chosen with the approval of the instructor and will present the results of their research to the class in the latter weeks of the course. Grading will be based on the quality of the research paper, the oral presentation of that paper, and class participation. Graded. Enrollment limited to 15. Seniors only.

**LAW 119                      Torts                      4 hrs**

This course examines the principles underlying the law of civil wrongs to persons and property. Studying common law cases on liability for negligent conduct, students in this course explore principles of compensation, deterrence, and risk allocation. The course begins with a consideration of intentional torts and ends with an introduction to the concepts of liability for abnormally dangerous activities and defective products.

**LAW 560                      Torts II                      3 hrs**

This course addresses selected topics in the law of civil liability that are not covered in depth in the first-year Torts course. Torts II addresses products liability, defamation, nuisance, damages, and business torts (including fraud, misrepresentation and interference with contractual relationships), and includes common defenses and immunities.

**LAW 527                      Transportation Law & Politics Seminar                      2 hrs**

This course explores how transportation laws tend to structure road wars, sprawl fights, pork-barrel politics, and community planning. The course highlights the real people who help make hard transportation decisions about such things as where the rubber meets the road. Open to second-and third-year students. Numeric grading. Not offered fall 2013.

**LAW 564                      Trial Practice                      3 hrs**

The course is designed to develop trial skills through the preparation and role-playing of various trial tasks using simulated cases and simulated trial situations. Each performing student is given an intensive critique of the performance and reviews a tape of his or her performance with a member of the faculty. After ten weeks of preparation on specific trial tasks, the students participate in a mock trial before a trial judge. Pre-requisite: Evidence. Enrollment is limited to 20 per section. S/U (Pass/Fail)

**LAW 421                      Trusts and Estates Drafting                      2 hrs**

This course focuses on the design and drafting of estate planning documents. Substantive discussions are integrated into exercises in drafting documents used by estate and trust practitioners. These documents will include wills, trusts, and advance directives. Numerically graded. Limit 24. Prerequisite: Law of Wills and Intestate Succession. This course will satisfy the Advanced Writing requirement.

**LAW 571                      Worker's Compensation                      2 hrs**

This course will review compensation systems for industrial injuries and occupational diseases within the United States. Assigned cases, however, will be from the Georgia workers' compensation statute. In deference to the economic situation, no text will be used, and all assigned cases may be accessed via laptops. The course instructor is a current, long-time administrative law judge. Instruction will be augmented with guest speakers who are practitioners from the claimants' and insurance defense bar as well as a former legislator who will address political and legislative factors affecting workers' compensation policy. Segments on medical aspects of injuries and treatments to be researched when undertaking representation and preparing for litigation in this area of law will also be included. Cases to be briefed in class will be individually assigned in advance, and the final will be a practicum to be done with a "law partner" classmate during a class period for oral presentation to the class (i.e., no advance preparation involved).