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### Course Catalogue 2018-2019

Mercer University School of Law

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**COURSE CATALOGUE**  
**ACADEMIC YEAR 2018-2019**

**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 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 1016                      Advanced Trial Advocacy                      2 hrs**

The course focuses on advanced instruction on the planning, preparation and execution of a case at trial by instruction on the significant components of a trial and preparation and use of a Trial Notebook. A course problem allows students to construct and execute a case theory by creating Witness Lists, Exhibits Lists, Opening Statements, Direct and Cross Examinations, Closing Arguments, as well as other components of a trial and Trial Notebook. Students will be asked to participate in demonstrations of major components of a trial. Enrollment Limit 30. 3L’s only. This course satisfies 2 credits of the Experiential Learning requirement. (Formerly titled Pre-Trial Advocacy--Law 563)

**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 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. This course may satisfy either the Advanced Writing Requirement, or 2 credits of the Experiential Learning requirement.

**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. This course will satisfy the Advanced Writing requirement.

**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 covers the process of civil litigation, from the filing a lawsuit, to entry of final judgment, through appeal. It covers the rules regulating pre-pleading investigation, pleadings, discovery, pretrial motions including those under Rule 12 and dispositive motions, trial, post-trial motions, and appeals. In addition, the course introduces alternatives to litigation, including arbitration, mediation, and settlement. The course includes examination of litigation documents, including pleadings, motions, and discovery materials.

**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 observation and evaluation of counseling techniques. The team competes against other law schools regionally for the opportunity to compete for the national championship.

**LAW 3002                      Client Counseling II                      2 hrs**

In the mandatory Introduction to Client Counseling course, second year students learn the most basic counseling skills: active listening, initial client interview techniques, and helping a client make a decision. In Client Counseling II, students will learn more

advanced client counseling skills and techniques. Using a similar model to the Introductory course (lecture, small group discussion, and simulated client interactions), students will learn and practice more advanced (yet still inevitable) counseling circumstances: bringing a client bad news; counseling clients in complex litigation; engaging the client who becomes frustrated or disappointed during the course of the representation; and similar topics. This course will also delve deeper into ethical considerations in client counseling, including discussions of privilege, confidentiality, and perjury. Prerequisite: Intro to Client Counseling. Pass/Fail Enrollment limited to 20 students. This course satisfies 2 credits of the Experiential Learning requirement.

**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 the professor.

**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. Bankruptcy is a prerequisite. Enrollment limited to 16.

**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 occasional attention to other business forms), its historical development, sociological and political influence, and social responsibility. In spring 2019, the seminar will focus on selected cases of corporate wrongdoing, such as the massive accounting and securities fraud perpetrated by Enron. This will require some attention to federal securities law. Students will write and present a research paper on a related topic of their own choosing. (Note: This material is not just for those contemplating a career in transactional law. It is also pertinent for future litigators. A very high percentage of cases filed in Georgia's courts involve a corporate or business party.) Pre-requisite: Business Associations. Enrollment limited to 15. Graded. This course will satisfy the Advanced Writing requirement, and will also satisfy the Seminar requirement of the Advanced Legal Writing Certificate Program.



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 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 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. This course can satisfy either the Advanced Writing requirement, or the Advanced Skills requirement. Limit 18.

**LAW 3004                      Election Law                      2 hrs**

This course provides students with an overview of state and federal election laws, and an understanding of voting rights, voting systems and the manner in which elections are conducted in the state of Georgia. This knowledge will be helpful to practitioners who may advise political candidates, political parties, or other political entities like PACS; for lawyers who may run for office themselves; for those who will serve as city/county attorneys who otherwise desire a deeper understanding of the laws and regulations governing elections in the United States. This is a 2-hour course, graded numerically.

**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.)

**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. Limited to 16 students.

**LAW 649                      Environmental Law Seminar                      2 hrs**

This course will supplement the introductory environmental law course and will provide an opportunity for students who have an interest in environmental law to develop a

broader understanding of issues that are either not addressed in the introductory course, or are not addressed at the level of detail that is possible in a seminar setting. Topics will vary from year to year and may include: public resource management, natural resource management, toxic torts, pollution, prevention, environmental justice, international environmental law, regulation of hazardous waste and toxic substances, and regulation of air and water pollution. Research paper 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 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 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 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 634                      Externship 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.

**LAW 1010 & 1009                      Externship I & II (Atlanta)                      4 – 12 hrs**

The centerpiece of the Atlanta program is an expanded Externship course. For purposes of the Atlanta program, we have increased the number of credits that may be earned in Externship in a single semester, from the maximum of 4 to a maximum of 12 credit hours. Students may take from 4 to 12 credit hours of Externship during the

Atlanta semester; additional credit hours are allocated based upon additional field work hours. All students in Externship I, no matter how many hours credit they are taking, will take the same two hour per week Externship seminar (taught one evening per week on the Atlanta campus) and have the same requirements as to journals and online discussion. Students who take Externship II (that is, those students who have already completed Externship I) will have the same requirements as the current course requirements, including individual meetings with the professor and completion of a paper or a project relating to the fieldwork.

**LAW 635                      Externship II                      2 - 3 hrs**

This course is open to students who have completed Externship I. As in Externship I, students must work in an approved non-profit public interest or governmental office. The Director of Experiential Education 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 as in Externship I, students will attend meetings every two weeks with other students in the class and the teacher of the course. Enrollment is by application and permission of the Director of Experiential Education. Permission to enroll in Externship II will only be granted if the student will have significant learning opportunities in the field placement beyond those available in Externship I. Enrollment limit: 8. The course is graded S/U.

**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 2003                      Federal Tax Policy Seminar                      2 hrs**

This course examines the effects of tax law on the public. It looks at tax treatment, such as the preference for capital gain income and the use of deductions to encourage certain preferred behaviors. In addition, the course will consider the enactment and regulation of tax laws. The course will culminate with student presentations and papers. This course will satisfy the Advanced Writing requirement and will also satisfy the Seminar requirement of the Advanced Legal Writing Certificate Program.

**LAW 653                      Federal Tax Procedure              2 hrs**

Federal Tax Procedure covers the chronology of tax litigation, from assessment by the IRS to final disposition of the case by settlement or court decision. The course will cover tax disputes, including IRS assessment authority, statutes of limitation on assessment, choice of forum, Tax Court jurisdiction, overpayments and refund procedures.

Preparation of a short tax protest and Tax Court petition will be required. The course will be graded, with the grade based on an examination towards the end of the course that

will be worth 60% of the final grade, and on evaluation of the writing projects.  
Enrollment limited to 25. Prerequisite: Income Tax.

**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 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, pleadings, dismissals and renewals, 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. There is a midterm examination and a final examination. The format of the examinations is that used by the Georgia Bar Examiners on the Georgia part of the bar examination. The instructor intends the course to be a primer for the bar examination. Limited to third-year 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 675.01                      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). 3Ls only. This course will satisfy the Advanced Writing requirement, and will also satisfy the Seminar requirement of the Advanced Legal Writing Certificate Program.

**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 will satisfy the Advanced Writing requirement and the drafting course requirement for the Certificate in Legal Writing in the fifth semester and will satisfy the Advanced Skills requirement when taken in the sixth semester.

**LAW 1015****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 468****Health Care Law: Finance & Organization****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 1007****Health Law: Regulation and Quality****3 hrs**

This course gives students an understanding of the extensive regulatory framework that ensures the quality of American health care. This framework primarily governs the standards of care of both physicians and organizations. Topics of coverage will likely include EMTALA and other legal obligations to provide care, privacy regulations and HIPAA, physician licensing, discipline, and malpractice, informed consent, hospital and managed care liability, other state efforts to regulate health care entities and providers, and rules governing pharmaceutical and device companies.

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

This course, which is part of the Administrative Law block, complements the advanced Immigration Law II course (which examines the law and procedures related to immigration enforcement and also covers various other topics) and the advanced Immigration Practice course (which applies the law and procedures for obtaining immigration benefits in a simulated clinical experience working with case files drawn from practice). The Immigration Law I course or its equivalent is a prerequisite for Immigration Practice and is strongly recommended for Immigration Law II (please see the Immigration Law II course description regarding the additional requirements for students who have not taken Immigration Law I or obtained its equivalent). The course provides foundational knowledge in the field of immigration and nationality law and examines the law and procedures for obtaining immigration benefits under the regime for “legal immigration.” In addition to providing foundational knowledge, then, the central focus of the course is on representing clients who seek to become properly documented and on developing and implementing strategies necessary to achieve the client’s objectives within the framework of the law by getting things to “go right” as far as possible. The course will cover the following topics: a brief, introductory overview of the area of U.S. immigration and nationality law; constitutional, historical, moral, and policy dimensions of U.S. immigration law; the structure of relevant administrative agencies; immigrant and nonimmigrant admission categories; inadmissibility grounds; admission procedures; and a brief overview of immigration crimes. The course provides students with essential knowledge of the field of immigration and nationality law and develops knowledge, skills, and dispositions necessary for “thinking like an immigration lawyer.” This course is numerically graded.

**LAW 2004****Immigration Law II****3 hrs**

Immigration Law II. This course, which is part of the Administrative Law block, compliments and builds on the Immigration Law I course (which provides foundational knowledge in the field of immigration and nationality law and examines the law and

procedures for obtaining immigration benefits). The course examines the law and procedures addressing immigration enforcement and also covers various other topics. The central focus, then, is on representing clients in enforcement proceedings and on developing and implementing strategies necessary to defend the client when things have “gone wrong” or, perhaps more accurately, “seriously wrong,” such as where the client is undocumented or, although documented, becomes deportable. The course will cover the following core topics: criminal convictions and other grounds for removal, relief from removal, and removal proceedings. Certain related or additional topics will also be covered, although the precise topics covered will depend on legal developments. These topics include: refugees, asylum, and relief for other vulnerable groups; undocumented immigrants (aka “illegal immigration”); immigration offences and employer’s sanctions; legalization/comprehensive immigration reform; and citizenship. The course expands students’ knowledge of the field of immigration and nationality law and further develops knowledge, skills, and dispositions necessary for “thinking like an immigration lawyer.” It is strongly recommended that students take Immigration Law I before taking Immigration Law II. However, students who have not yet taken Immigration Law I or obtained its equivalent in experience or in coursework elsewhere will be asked to complete three or four additional reading assignments during the course addressing various foundational matters covered in Immigration Law I. The course is numerically graded.

**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 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.

**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. At the discretion of the supervising faculty member, credit may be awarded to the fulfillment of the Advanced Writing requirement. 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 652                      Intellectual Property Licensing                      2 hrs**

This is a practical course designed to introduce upper class law students to the realities of licensing intellectual property. This course focuses on intellectual property licensing, which is the primary wealth generation and maximization tool available to the owner of an intellectual property. Through theoretical discussions and practical exercises, we will examine the many facets of the licensing process, including basic to advanced licensing concepts and strategies for various types of intellectual properties; royalty analysis and audits; negotiating strategies; and policing and enforcement. The course will be taught by synchronous video conferencing. The final grade will be based on class participation, periodic written assignments, and a final exam. Limit 20.

**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 481      International Law - Distance Format      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. This course is taught in synchronous video format. Students may not take this course if they have previously taken International Law.

**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) This course will satisfy the Advanced Writing requirement, and will also satisfy the Seminar requirement of the Advanced Legal Writing Certificate Program.

**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 courses that begin the second week. The Pass/Fail grade is based upon attendance, participation in class meetings, and completion of the final exam.

**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. This course provides required hours for the Experiential Learning requirement.

**LAW 151****Jurisdiction & Judgments****3 hrs**

This course covers the key requirements for the exercise of federal judicial power: subject matter jurisdiction, including both original and supplemental subject matter jurisdiction, personal jurisdiction, notice and the opportunity to be heard, and proper venue. In addition, the course explores the procedures to remove cases from state to federal court, to transfer of venue, and to bring a declaratory judgment. The course will also address the Erie doctrine, and it will fully explore the rules governing joinder of claims and parties to pleadings. Finally, the course examines the law governing whether an earlier judgment can preclude the relitigation of claims and issues.

**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.

**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. Prerequisite: Intro to Dispute Resolution. 3Ls only.

**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 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 tv, 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 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 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 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 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 3003                      Legal Letters                      2 hrs**

This course focuses on the drafting of legal letters. The audience, purpose, content, organizational structure, role of authorities, role of facts, voice, and style of a variety of legal letters will be examined. Students will analyze and write a variety of legal letters consistent with the nature of the letters and his or her professional responsibility. The

writing assignments will include, but are not limited to, a client advice letter, a demand letter, an engagement letter, a letter of intent, a transmittal letter, and a withdrawal letter. Prerequisite: Legal Writing II. Numerically graded. Limit 24.

**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 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 2005                      Migration Problems and Policy Seminar                      2 hrs**

This course will explore historical and current issues in international migration. It will focus on select issues in immigration and citizenship policy and law in the US and other countries. The class will start with a brief overview of migration history. Then it will examine particular problems, studying and evaluating previously proposed and implemented solutions as well as contemporary proposals. The course will culminate in student group presentations on reform proposals and in individual student papers on select migration topics. This course will satisfy the Advanced Writing requirement and will also satisfy the Seminar requirement of the Advanced Legal Writing Certificate Program.

**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 1013                      Oxford Human Rights Program                      3 hrs**

This class is an exploration of contemporary international conflicts. Areas of study include human rights in and after conflict, humanitarian action, conflict trends, human rights law, and peacemaking with a focus on recent armed conflicts. Students meet weekly from the beginning of the Spring semester until March, at which time they will attend an intensive week-long workshop at Oxford University (accompanied by the course instructor). The workshop in Oxford is a mix of seminars, working groups, and student presentations. The workshop is convened by members of the Institute for Ethics, Law and Armed Conflict at Oxford University. After returning from the workshop students will complete a substantial paper on an issue related to the program. The course satisfies the Advanced Writing Requirement. Enrollment requires permission of the instructor.

**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 484                      Problems in Insurance Litigation                      2 hrs**

The identification and correlation of the various types of insurance benefits found in personal injury and wrongful death actions, to include automobile no-fault, uninsured motorists, collision, medical payment, liability (public liability and private automobile, homeowners, and business premises liability), hospitalization, and workers compensation. Emphasis on Georgia law. Enrollment limited to 20.

**LAW 3000      Process & Procedure in State Debtor-Creditor Remedies      2 hrs**

This is a practical, hands-on course in giving students the opportunity to prosecute and defend against creditor and other contract claims through demand, litigation, and post-judgment recovery. The course emphasizes strategy directed to contract litigation and related debtor/creditor law but typically applicable to civil litigation in general. In includes the proper use of civil procedure, competent drafting and oral advocacy, and a general appreciation of remedies and defenses under substantive state law. Topics and related assignments involve proper and improper demand letters, pursuing the correct persons and entities, planning lawsuits, asserting effective and timely defenses, the value and purposes of summary judgment, motions to strike, default motions, meaningful discovery, garnishment, traverse, and the do's and don'ts of every day stipulations, filings, and court and counsel interactions. Enrollment limit 16.

**LAW 116                      Property    4 hrs**

This course examines the history and development of the Anglo-American system of real property rights, estates in land, possessory and non-possessory interests and assorted legal doctrines, both ancient and modern, involving real and personal property interests.

**LAW 548                      Public Defender Externship    4 hrs**

Students will assist in the defense of felony cases under the joint supervision of staff attorneys in local public defender offices and a professor responsible for the quality of the educational experience. The Clinic includes a mandatory seminar component. Students will be sworn in under the Supreme Court of Georgia Student Practice Rule

and will be able to appear in court under the supervision of an attorney. Training will be provided by the staff attorneys in local offices, by professors at the law school, and by other experts as available. The Clinic will be offered in the fall and spring semesters and requires an average of fourteen hours of fieldwork per week, in addition to outside classroom preparation and reflective journaling. Enrollment is limited to 15 third-year students. Permission of the professor is required to enroll. S/U. This course provides required hours for the Experiential Learning requirement.

**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 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 396                      Rhetorical Aspects of the "War on Terror" Seminar                      2 hrs**

This course will explore persuasive methods used in statements of U.S. government counter-terrorism policy. Examples may be drawn from Presidential statements, Congressional declarations, statutory statements of purpose, and similar sources. Examination of rhetorical methods will include-but not be limited to-word choice, allusion, alliteration, and metrical arrangement. The course will thus cultivate students' skill in identifying the interplay of form (persuasive methods) and substance (counter-terrorism policy). A seminar paper and an oral presentation of the paper's topic will be required. This would be a 2 credit, numerically graded course, open to all second and third year students. This course will satisfy the Advanced Writing requirement, and will also satisfy the Seminar requirement of the Advanced Legal Writing Certificate Program.

**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 1011**

**Sports Law**

**3 hrs**

This course is an introduction to the laws and issues that frame the sports industry and amateur athletics. Contracts, Labor Law, Constitutional Law (1st and 14th

amendments), Copyright, the Lanham Act and Collective Bargaining., the ADA, Title IX and an introduction to Antitrust are among the law topics covered during the semester. Weekly topic discussions will include agent representation of professional athletes, the roles of a Commissioner and owners of leagues franchise owners, professional team and league broadcast/social media platform issues, the NCAA and its regulation of college athletics, the student/athlete and 1) eligibility (for admission to college and for matriculating), 2) scholarships, 3) health 4) the Title IX and 5) the ADA. If time permits, some class hours will cover issues in both individual sports and the Olympics.

Simulated exercises will be part of the course and course grade, and a graded semester paper will be a primary basis for the course grade. Prerequisite: Labor Law

**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 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 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 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 again consider issues of criminal law and neuroscience. 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. 3 L students 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. Enrollment limit of 15.

**LAW 640**                      **Trial Evidence**                      **2 hrs**

Trial Evidence will use Fundamentals of Trial Advocacy and Case Materials by Charles Rose. The course is designed to be an experiential learning opportunity. A typical four-hour session will consist of one hour of lecture on a particular topic, such as direct examination, or cross-examination, and then one hour of demonstration and then student drills. During the drill, a student will conduct the skill exercise and be critiqued in front of the other class members. After a short break, we will move to a new lecture topic and a new demonstration project. In this way, over half of the classroom time will be spent on student demonstration and critique skills. Substantively, the course will focus, primarily, upon evidentiary issues which arise in a trial setting. For example, students will learn to introduce documents, identify and avoid hearsay issues, and address expert witness issues. Additionally, students will be critiqued on fundamental public speaking techniques and trial techniques.

**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. The class sessions consists of one hour of lecture and demonstration and two hours of small section meetings in which each student will practice a particular skill. Each performing student is given an intensive critique by a member of the faculty. After ten weeks of preparation on specific trial tasks, the students participate in both a bench trial and a jury trial. Pre-requisite: Evidence. Enrollment limited to 18 per section. S/U (Pass/Fail). This course satisfies 3 credits of the Experiential Learning requirement.

**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 254                      Wills, Trusts & Estates                      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; the general law of trusts, including creation, management, modification, and termination; health care planning; and miscellaneous issues concerning the administration of estates.

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

This course reviews the compensation systems for industrial injuries and occupational diseases. Assigned reading will be from the Georgia courts and workers' compensation statute. No textbook is required. Emphasis will be on the practice of workers' compensation law, including student participation in witness examination exercises and case strategy. The course will also look at the medical aspect of injuries when evaluating and preparing for litigation in this area. Assigned cases will be briefed in class as called on by the instructor.