

Revised October 2019

ST. MARY'S UNIVERSITY

SCHOOL OF LAW

Course Descriptions

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This document lists classes that have been offered in the last two academic years.
Additional classes may be added based on scheduling needs.

FIRST-YEAR COURSES

The number of credit hours required for graduation is 90.

The required first-year curriculum consists of:

Constitutional Law (4 credit hours)

This course introduces students to the United States Constitution. Topics include: the power of courts to interpret and apply the Constitution; the distribution of powers in the federal system, including the division of power among the three federal branches (separation of powers), and the division of power between the federal and state governments (federalism); and the protection of an individual's liberties from governmental interference. The individual liberty topic includes a discussion of the concept of state action and congressional enforcement of civil rights; substantive rights emanating from specific provisions of the Constitution, including the freedom of speech, religion and association; the right to equal protection of the laws; and those rights that are protected by, though not expressly mentioned in, the Constitution.

Contracts (4 credit hours)

Contracts is the foundation commercial law course that examines the law of voluntary exchange. Major themes include enforceable and unenforceable promises, remedies for broken promises, and interpretation of agreements. Topics include: consideration; contract formation; capacity; duress; unconscionability and illegality; damages; conditions; mistake; impracticability and frustration; third party beneficiaries; assignment and delegation; the Parole Evidence Rule; and the Statute of Frauds. Attention is devoted to Article II of the Uniform Commercial Code.

Criminal Law (3 credit hours)

Criminal Law is the basic course on public offenses. Students study the requisites of criminal responsibility, defenses to liability, and inchoate and group crimes.

Federal Civil Procedure (4 credit hours)

This course introduces students to constitutional limits on judicial power and to the theory and practice of civil procedure under the Federal Rules of Civil Procedure. Topics include jurisdiction to adjudicate the liabilities of nonresident defendants; the structure and limited power of federal courts; and the stages of

litigation (including pleadings; motion practice, and the pretrial disposition of cases; formal discovery; and the trial process).

LCAP I (3 credit hours) Legal Communication, Analysis, and Professionalism

Students will build skills in the areas of case analysis, legal research, legal writing, and professionalism. Written exercises, including the drafting of client letters and legal memoranda, are required. Students will also learn the basics of client communication and client interviewing.

LCAP II (3 credit hours) Legal Communication, Analysis, and Professionalism

Students will continue to build legal writing, communication, and professionalisms skills. Students will learn various aspects of intra-office communication, including professional emails and meeting with attorneys to present findings and analysis. The course will culminate in the drafting of an appellate brief that requires complex legal analysis, and a subsequent mock oral argument

Property (4 credit hours)

Property I and II introduce students to the legal concept of property. Basic concepts of entitlement and transfer of rights are explored in detail. Topics include: possession; estates and future interests; landlord and tenant; public regulation of land use and ownership (as in zoning and eminent domain); non-possessory interests in and regulation of land (including easements, real covenants and servitudes); and transfer of property by gift or sale.

Torts (4 credit hours)

Torts I and II focus on the legal principles and public policies governing compensation for personal injuries, property damage, emotional distress, and other forms of serious harm. Topics include: the concepts of intent, negligence, and strict liability; defenses based on the plaintiff's conduct; causation and damages; vicarious liability; privileges; immunities; and statutes of limitations.

SECOND-AND THIRD-YEAR COURSES

First year courses are prerequisites for all of the following courses that have been recently offered to second- and third-year students. Additional prerequisites and recommendations are included for some of the courses. The courses are listed here in alphabetical order. Please note that not all courses and seminars are offered every year. Also, many courses can be offered for 2 or 3 credits, even if not explicitly indicated here.

Administrative Law (3 credit hours)

This course explores problems raised by the functioning of administrative tribunals in governmental rule-making, adjudication, investigation, and enforcement. There is a special emphasis upon procedure and the relationship between administrative agencies and the judicial system.

Advanced Constitutional Law: Free Speech, Press, and Association (3 credit hours)

The focus of this course is the history and doctrine of the First Amendment, excluding the religion clauses. Topics include the history and philosophy of the free speech clause; regulations of political speech; overbreadth, vagueness, and prior restraint doctrines; content-based restrictions on such speech as false statements of fact, group defamation, commercial speech, offensive speech, fighting words, and obscene speech; time, place, and manner restrictions on speech; symbolic speech; the right not to speak; the right of association; and freedom of the press.

Advanced Constitutional Law: 1st Amendment Religion, and the Law (2 credit hours)

The focus of this course is the history and doctrine of the First Amendment's free exercise clause. Topics include the history of the free exercise clause, how it has been interpreted throughout the nation's history, and recent legal decisions on the scope of the clause. Who and what does the free exercise clause currently protect? How do those protections intersect with civil rights protections? And, how is the free exercise clause likely to be addressed in the coming years?

Advanced Criminal Law (2 credit hours)

Prerequisites: first-year Criminal Law and Constitutional Criminal Procedure. This course addresses the defense of complex criminal law cases in federal courts. Topics covered include: grand jury practice, bail and preventive detention, discovery, suppression motions and trial techniques such as cross-examination and closing arguments.

Advanced Legal Research (1 or 2 credit hours)

This course teaches in-depth legal research skills based on the principles for legal research competency developed by the American Association of Law Libraries. The course covers a bibliographic review of fundamental primary and secondary federal, state and local sources, with an emphasis on Texas state and local legal materials. Also included is an introduction to international law as integrated into US domestic law under well accepted constitutional principles. Students will learn and gain an extensive knowledge on a broad range of traditional legal research tools and bibliographic sources on specific subject areas; master online and legal databases and tools beyond Lexis and Westlaw; be able to articulate principles and best practices for cost-effective legal research; and demonstrate the ability to develop a sound research plan to solve a particular legal problem

Advanced Legal Writing (2 credit hours)

Students will refine their legal writing skills in the context of real-life federal civil motion practice. The focus of the course will be on writing, editing, and collaborative document preparation. Students will be given short weekly drafting and editing assignments of the sort they could expect in actual federal practice in the United States District Court for the Western District of Texas.

Advanced Torts (2 credit hours)

This course focuses on five advanced tort causes of action which often redress purely economic losses (rather than personal injury and property damages). Those actions deal with: misrepresentation (fraud and negligent misrepresentation); defamation (libel and slander); invasion of privacy (appropriation of name or likeness, public disclosure of private facts, intrusion upon seclusion, and false light); tortious interference with contract or prospective advantage; and injurious falsehood (trade libel and slander of title). These five areas of tortliability are of particular interest to business entities (such as media defendants) and frequently raise First Amendment issues.

American Legal History (3 credit hours)

This course traces the changes in American law from the colonial era to the 1970's, and includes an examination of the historical development of the Supreme Court, the law of slavery, and the rise of the administrative state. Also explored are the history and evolution of contract, tort, and property doctrine; the history of the legal profession and legal education in America; and the transformation of American legal thought, including explanation and critique of formalism, realism, reasoned elaboration, law and economics, critical legal studies, and feminist legal thought.

Animal Law (2 credit hours)

This course is designed to familiarize you with the abundance of topics and legal issues within the field of animal law. In addition to relevant statutes and case law, we will examine the extent to which jurisprudence, legal systems, litigation, legislation, and societal values impact how practitioners, lawmakers, the judiciary, law students, legal scholars, and lay people perceive animals. In doing so, this course will not only facilitate learning substantive law in the field, but also help you understand the framework of claims and assumptions (both explicit and implicit) against which animal law legislation, litigation, and decisions are made.

Antitrust (2 credit hours)

This course is an introduction to basic US antitrust law and policy. It examines the relevant statutory, judicial, and regulatory authority promulgated by the government in an effort to regulate our economy and protect consumers from anticompetitive practices and unfair competition.

Arbitration (3 credit hours)

This course examines the theory and application of arbitration in the resolution of public and private disputes, in both the international and domestic settings. Role plays will be utilized, and issues of ethics, policy and law will be explored.

Appellate Courts (2 credit hours)

This course examines the role and operation of appellate courts, both state and federal, in the judicial system. Topics to be covered include: appeals as of right and by permission; the scope of appellate review; and the standards of appellate review.

Asset Protection Planning (2 credit hours)

Course to examine the techniques and legal strategies available to maximize wealth protection, including entity formation, insurance, property exemption planning, traditional domestic asset protection trusts, self-settled trusts, and offshore planning. Course to examine income, estate, and gift tax consequences of utilizing such strategies, and will place heavy emphasis on voidable transfer principles under the newly revised voidable transfer acts.

Bar Preparation Class (2 credit hours)

The Bar Skills Preparation Class familiarizes students with the components of the Texas Bar Exam, instructs them in study and test-taking techniques, and introduces them to ways that they can start preparing early for the Exam. The course is offered for two hours of pass/fail credit.

The Fall component of the course is targeted towards students taking the February Bar Exam and serves roughly 20 students who register on a first-come, first-served basis. The Spring course is targeted toward students who are taking the July Exam but who have been identified by virtue of their standing in the class as being most at risk of failing that Exam. As a result, for the Spring course, the administration will automatically enroll a bottom percentage of students who have earned at least 60 hours; a student may only withdraw from the class with the permission of the Associate Dean for Academic and Student Affairs or that person's delegate. A student who does not complete the class or obtain permission to withdraw from the class will not graduate until this omission is resolved.

Blockchain, Cryptocurrencies Technologies and the Law (2 credit hours)

This course covers the legal and policy issues associated with cryptocurrencies and blockchain technologies. The course will open with an introduction to cryptocurrencies (like Bitcoin) to provide a basic technical and social understanding of these systems and the people participating in them. We will then explore the emerging legal landscape around cryptocurrencies, looking at Bitcoin's use in crime (e.g., Silk Road and money laundering); the application of money transmission laws; the SEC's treatment of Bitcoin, the Initial Coin Offering phenomenon, and proposed Bitcoin-based investment products; the CFTC's classification of Bitcoin as a commodity, enforcement over fraud, and oversight over Bitcoin-based derivatives like futures contracts; taxation of cryptocurrencies; governance and accountability challenges for decentralized systems like cryptocurrencies; and other emerging legal issues. The course will consider the regulatory challenges in dealing with cross-border, decentralized systems like cryptocurrencies, including the need for regulators to become educated about complex technological innovations, jurisdictional issues, regulatory competition and forum shopping, enforcement issues, balancing regulatory mandates with the desire to allow innovation, and the development of new regulatory approaches such as regulatory sandboxes, among others.

Finally, the course will explore blockchain technology, which has emerged as an outgrowth from cryptocurrencies, and has raised legal and policy issues of its own. After an overview of the technical and social phenomenon of blockchain technologies, we will explore the novel topics blockchain technologies raise for law and lawyers, including smart contracts, distributed autonomous organizations, automated dispute resolution, and other emerging questions. The goal of this course is to give students a general understanding of cryptocurrencies and blockchain technology and the legal and policy issues they raise. Students should leave the course with a basic level of fluency with the vocabulary and concepts in this nascent field

Business Associations (3 or 4 credit hours)

This survey course studies issues relating to the selection of an appropriate business form (partnership, limited partnership, or corporation), as well as to the formation, financing, operation, and control of business associations. The course examines issues that can arise in associations of any size and character, and the topics considered include duties and potential liabilities of owners and managers, problems in the issuance of shares of stock and other securities, proxy regulation, insider trading, derivative litigation, and the role of corporations in society. Students may choose the standard four-credit hour Business Associations course, the five-credit hour Business Associations I and II courses, or the three-credit hour Business Associations I course. The five-credit hour Business Associations I and II courses will cover in depth material covered in the standard four-hour Business Associations course.

Business Torts (2 or 3 credit hours)

Business Torts exposes students to the class of torts that are most commonly litigated between businesses. These can be classified into two general categories: the economic torts and unfair competition torts. In the area of economic torts, students will learn the basics of the economic loss rule, misrepresentation, civil RICO, fiduciary duties, insurance torts, and tortious interference with contract. In the portion covering unfair competition, students will learn the basics of deceptive marketing, business disparagement, misappropriation in general, and specifically misappropriation of trade secrets and trademarks, and finally will get an overview of antitrust law. While this class's coverage will inevitably have some overlap with an Advanced Torts course, the focus of the course is very different and most of the course coverage includes topics not normally found in an Advanced Torts course (such as civil RICO, insurance torts and the entire portion on unfair competition).

Business Transactions in Europe (2 credits)

The course deals with some of the main private law aspects for business transactions within the European Union. It concentrates on the commercial transfer of goods and services as well as on common rules in all Member States. At the beginning it provides for a basic knowledge of the core principles and structures constituting the EU economic policy, which are determining the operations of business actors in Europe. The second part focuses on European laws and regulations relevant to concluding and enforcing contractual arrangements in Europe, whereas operations by intermediaries like agents, franchisees or licensed dealers, and EU rules governing contractual content, particularly in the area of consumer protection, are emphasized. In addition, there will be some information on product liability. The final part is dedicated to the resolution of disputes, above all for cross-border cases: EU provisions on jurisdiction, the identification of the applicable law and the enforcement of foreign judgements, with a side glance on commercial arbitration.

Civil Justice Clinic I (6 credit hours)

Clinic introduces you to the practice of law in a carefully structured and supervised practice environment. You will be an attorney for real clients with real legal problems, under the supervision of a clinical professor who is a licensed attorney. Like other law school courses, clinic includes a seminar component which teaches doctrine and lawyering skills. Unlike other law school courses, the majority of your time and work is devoted to client representation. Client representation teaches you to understand the client's unique story and perspective, to evaluate and make choices in accordance with a case plan, to partner with other students to promote client goals, and to become a reflective practitioner of the law. The Civil Justice Clinic Family Law section offers representation to clients with legal problems that for many are inextricably emotional, whether it is a divorce, a child custody dispute, change of name or in drafting wills and probate matters. Students may have a mix of litigation and transactional cases; for example, you may be required to draft a will (transactional) and obtain a divorce for another client (litigation).

Civil Justice Clinic II (3 credit hours)

The Civil Justice Clinic is designed to introduce students to the actual practice of law, and to the skills and responsibilities of lawyering, through the supervised representation of low-income clients in civil cases. Student's interview and counsel clients, interact with opposing counsel and administrative agencies, draft legal documents, investigate facts to obtain and organize evidence, and try actual cases. The Clinic's caseload consists of cases in the following subject areas: simple and complex divorce; domestic violence, protective orders; child custody, visitation, and foster care; social security administrative hearings and federal court appeals; housing; probate; wills; real estate transfers, consumer protection, and landlord-tenant disputes. The Clinic handles trial and appellate litigation in state and federal courts.

Civil Restitution in Texas (3 credit hours)

Restitution refers to one of the three major areas of judicially created causes of action. The other two are torts and contracts. In a narrow sense, restitution denotes the special remedies available in this area of law, and unjust enrichment is the label for the cause of action that makes one liable for restitution. The unjust retention of one party's property by another provides the factual base for a suit seeking restitution – that is, return of that property to its proper owner. In Texas, a plaintiff can assert a cause of action to prevent the defendant's unjust enrichment, and can plead that as an alternative to a tort or contract cause of action. A plaintiff can also assert an unjust-enrichment cause when the defendant did not wrongfully obtain the benefit. In other words, the plaintiff can recover even if the benefit was transferred because of a mistake that would not support either a tort or contract claim.

Chinese Law, Introduction (2 credit hours)

Introduces students to the history and institutions of the Chinese legal system, including the governmental structure, legislative process, court system, sources of law and enforcement mechanisms. It also explores the important substantive areas of the law, such as the rules governing property ownership.

Commercial Paper (3 credit hours) (online course approved)

One of the Uniform Commercial Code (UCC) courses, Commercial Paper is the study of written instruments which represent money, such as promissory notes (representing promises to pay) and drafts (e.g., checks, representing orders to pay). Topics covered include requirements for negotiability and the manner of negotiation; holder in due course, the bona fide purchaser of commercial paper; liability that may arise with commercial paper, based on contract, warranty, and conversion; checking accounts; the bank collection process; and rights and liabilities of various parties when commercial paper contains forgeries or alterations.

Community Property (3 credit hours)

Community Property deals with the effect of marriage on property rights in states, such as Texas, with a "marital community" regime of marital property rights. Explored in the course are the nature of title to marital property; the effect of marriage on the management of marital property; the liability of spouses and their property for contractual undertakings and tortious acts; the disposition of marital property in the event of death, divorce, or annulment; and issues relating to "homesteads" under Texas law.

Comparative Law (3 credit hours)

This course dissects the dominant features of the civil and common law systems. It focuses on the history, legal structures, legal actors, procedure, sources of law, and legal reasoning of the West European and Latin American countries and contrasts them with the legal culture of the United Kingdom and the United States. In addition, the course provides an overview of the European Community and the European Human Rights System. It also addresses the legal changes in Central Europe and the newly independent states.

Comparative Criminal Procedure (3 credit hours)

Comparative Criminal Procedure explores the methods by which those accused of crime are investigated, prosecuted, and adjudicated in the world's major legal systems. Students will examine the characteristics of adversarial and non-adversarial approaches by considering several countries using each of these approaches, as well as examining the hybrid processes used by international tribunals, including the International Criminal

Tribunal for the Former Yugoslavia and the International Criminal Court.

Conflict of Laws (3 credit hours)

The Conflict of Laws course addresses the special problems that arise when disputes have a connection with more than one jurisdiction -- problems usually classified under the headings "choice of law," "jurisdiction," and "enforcement of judgments." These issues are encountered in almost every area of practice and have constitutional, as well as legislative and judicial, dimensions. The course thus raises provocative questions regarding the nature of "law" and its role in society.

Computer Law and the Internet (2 credit hours)

The course starts from the premise that it is not simply a set of legal rules governing online interaction, but a lens through which to re-examine general problems of policy, jurisprudence, and culture. Conceptual issues are emphasized that extend across the spectrum of cyberspace legal dilemmas. Traditional subject matter areas of Computer Law and the Internet are addressed and how traditional legal doctrines can be applied to cyberspace conduct and the special problems encountered in the course of that application and traditional legal doctrines. The who, how, and what of governance/regulation are addressed including fundamental questions that pertain to any legal system, in cyberspace or elsewhere. Studies on governance of the domain name system, efforts to control the exchange of counterfeit goods in the online marketplace, and the Google Books Settlement, as well as peer-to-peer file sharing, online behavioral advertising, regulation of sexually explicit speech, and ownership of user-generated content are also addressed.

Constitutional Criminal Procedure *see* Criminal Procedure

Contract Drafting (2 or 3 credit hours)

The Contract Drafting course will teach students the principles of contemporary commercial drafting and introduce them to documents typically used in a variety of transactions. The skills students will gain will be applicable to any transactional practice and will even be useful to litigators. On finishing the course, students should know: the business purpose of each of the contract concepts; how to translate the business deal into contract concepts; how to draft each of a contract's parts; how to draft with clarity and without ambiguity; how to add value to a deal; how to work through the drafting process; and how to

review and comment on a contract. Students will perform drafting and contract negotiation exercises throughout the semester, and course grades will be based on several drafting exercises and class participation.

Copyright Law (2 credit hours)

This course provides a detailed study of federal copyright law and the legal protection it affords for literary, musical, and artistic works.

Criminal Justice Clinic I (6 hour hours)

Criminal Justice Clinic I introduces you to the basic tenets of criminal defense practice. You will be the attorney and point of contact for actual clients charged with criminal offenses. The clinic gives you experience in client-centered representation. You will have the opportunity to work with your client's unique circumstances and legal needs, and make case strategy decisions accordingly. Most of your cases will be misdemeanors such as DWI, theft, assault, possession of marijuana, etc. It is also possible that you will have an opportunity to work on an appeal or a post-conviction writ of habeas corpus. We want you to have as much diversified criminal defense experience as possible.

Criminal Justice Clinic II (3 credit hours)

The Criminal Justice Clinic provides legal services to indigents of all ages who are charged with crimes ranging from misdemeanors to capital offenses. A student enrolled in the Clinic may expect to handle five cases during a semester. In order to enroll, a student must be eligible to obtain a State Bar practice card.

Criminal Procedure (3 credit hours)

Criminal Procedure is a constitutional law course, with an emphasis on the 4th, 5th, 6th and 14th amendments of the United States Constitution. Topics include arrest; search and seizure; investigative detentions; warrant requirements; confessions and other incriminating statements; and the right to counsel.

Deposition Skills (2 credit hours)

Deposition Skills is an intensive and interactive skills course. Students will assume roles as plaintiff or defense counsel in a simulated case, using a fact pattern from the Civil Justice Clinic. Both parties will prepare witnesses, prepare deposition outlines, and take and defend depositions (including information gathering, obtaining admissions, and using exhibits.)

Debtor/Creditor and Business Bankruptcy (3 credit hours)
**(Prerequisite: Secured Transactions or Mortgages and Real Estate Financing
Or Sales/Secured Transactions)**

This course is designed not only for those interested in general bankruptcy practice, but also for those who anticipate that their practice will involve structuring commercial transactions or litigating business disputes. This is a basic course in debtor/creditor law, but with an emphasis on business bankruptcy. The course includes an overview of the general principles and forms of relief offered by the federal Bankruptcy Code, focusing especially on the legal and financial aspects of business bankruptcy and the process of reorganizations. The areas of emphasis will include the automatic stay; debtor-in-possession financing; operating and administering debtors' estates; treatment of executory contracts and leases; the avoiding powers of the trustee in bankruptcy; and the formulation and confirmation of plans of reorganization.

Deceptive Trade Practices (2 credit hours)

This course provides an overview of federal and state legislation and case law designed to protect consumers and others from deceptive practices in trade and commerce. The Texas Deceptive Trade Practices Act is emphasized.

Doing Business with Mexico (3 credit hours) (in Spanish)

The purpose of this course is to acquaint the student with the legal framework business transactions in Mexico and Latin America. The course will include an analysis of historical, cultural, political, social and economic aspects of Mexico, as they relate to the legal system.

Education Law (2 credit hours)

This course focuses on the leading legal precedents directly related to the responsibilities and rights of schools, students and teachers. The course considers the realities of providing high quality schools in an educational environment with very limited budgets and public support. For each separate issue, the course introduces the history of the law, educational theory, and recent and projected developments. Among other topics the course considers school finance, alternative methods of providing education, civil rights issues and the multiple levels of control and input into the education environment.

Elder Law (2 credit hours)

One of the fastest growing areas of law, this course assesses the myriad of legal concerns of the elderly, including health care decision-making; living wills and

surrogate decision-making for the incapacitated person; issues regarding Medicare and Medicaid; long-term care insurance; social security benefits and supplemental security income eligibility; veterans' benefits; tax issues; pension plans; the Age Discrimination in Employment Act (ADEA); and elder abuse and neglect.

Electronic Discovery (2 credit hours)

This course is designed to address discovery and evidentiary issues pertaining to electronically stored information (ESI). The course will address “meet and confer” conferences and what electronic discovery issues must be addressed between opposing counsel. Other topics include: production, mediating electronic discovery disputes, spoliation, sanctions, and privilege issues. Ethical considerations will be addressed throughout the course. Visiting attorneys will provide practical considerations, tips and recommended practices.

Employment Discrimination: Title VII (3 credit hours)

Employment discrimination law is an important body of civil rights law and is also the fastest growing area of labor law. This course will address methods of proving a case of discrimination under Title VII of the 1964 Civil Rights Act, which forbids employment discrimination based on race, color, religion, sex or national origin. Issues covered may include sexual harassment, affirmative action, pay equity, and retaliation against employees who file charges of discrimination. The course will also cover procedural issues concerning enforcement, as well as the types of relief available. Other statutes, such as the Age Discrimination in Employment Act, Family and Medical Leave Act, and the employment discrimination provision of the Americans with Disabilities Act, may be covered.

Employment Law: Discrimination Laws (3 credits hours)

This course focuses on the major federal employment discrimination laws exclusive of Title VII, including the Employee Polygraph Protection Act, the Genetic Information Non-discrimination Act, the Civil Rights Acts of 1866 et. al., the Equal Pay Act, the Americans with Disabilities Act, The Rehabilitation Act of 1973, and the Family and Medical Leave Act, as well as their definitions, burdens of proof, damages, and administrative prerequisites

Entertainment Law (2 credit hours)

This is a survey course which focuses on the legal issues and practices common

to all areas of the entertainment industry. Practice issues are emphasized, as well as new developments in relevant intellectual property law, and significant business law issues.

Environmental Law (2 or 3 credit hours)

This course will address environmental problems and legal efforts to respond to those problems, including legislation and environmental litigation. In addition to surveys of state and federal controls concerning air, water, solid and toxic waste, other selected problems areas will be explored in detailed.

Estate Planning ((2 or 3 credits) (Prerequisite: Wills & Estates or Wills, Estates, and Trusts. Trusts is also highly recommended.)

Estate Planning focuses on the process by which individuals make comprehensive arrangements for their property and personal needs, which remain in effect during disability and after death. Topics covered in this course include disability planning for property and health care needs; planning for the physical aspects of death; the use of non-probate techniques; the preparation and execution of wills, trusts, and other documents; and the fundamentals of federal gift and estate taxation.

Estate and Gift Tax *see* **Federal Estate and Gift Tax**

European Union Law (2 or 3 credit hours)

This course examines the law of the European Union (EU), now the world's largest trading block. The focus is on (1) the EU as customs union with a common commercial and trade policy towards outsiders; (2) the free movement within the EU of goods, or workers, services and capital; (3) the legal structure of the EU; (4) the competition (antitrust) laws of the EU affecting US companies doing business in Europe or with Europe; and (5) intellectual property rulings of the European Commission and the European Court of Justice.

Evidence (3 or 4 credit hours) (Required)

The Evidence course explores the process of preparing and presenting evidence in trials. Topics covered may include examination of witnesses; competency of witnesses; privileges; relevancy; demonstrative evidence; the burden of producing evidence; presumptions and the burden of persuasion; judicial notice; the hearsay rule; and proof of documents, recordings, and writings.

Evidence I and II cover the same topics as the four-hour Evidence course, but permit students to enroll in two 2-hour segments each semester. The Evidence

requirement is satisfied through successful completion of the four-hour Evidence course, *or* of both Evidence I and Evidence II.

Evidence in Practice (2 credits) Prerequisite is Evidence.

This two-hour course will provide students with experiential learning opportunities in evidence. It will cover advanced doctrinal review, written work, and oral presentations on evidence and related litigation topics, such as character evidence, witness's competency, credibility evidence, privileges, relevancy, hearsay, experts, and authentication of evidence. Students will prepare documents such as motions, jury instructions, and bench memos on selected evidence topics throughout the course and will present oral arguments on those documents. The goal of the course is to prepare students for the practice of law in commonly encountered evidence issues in a trial court by honing their legal writing and oral advocacy skills. The students' grades will be based on their performance on the written and oral assignments. The course will provide credit for the experiential learning requirement.

Experiential Legal Analysis with MPT (1 credit hour)

The overall goal of the MPT course is to teach students how to identify, annotate, and extract relevant information from each type of MPT document (task memo, library and file) so they are able to write substantially above passing answers. During the course, students will practice through drills and workbook activities. **Methodology & Learning Objectives:** The goal of the class is to ingrain strong MPT problem-solving skills. First, students will have the opportunity, after only a brief introduction to the MPT, to try and fail. Specifically, they will receive minimal instruction and then be required to tackle an MPT. They will then be asked to reflect on how they tackled each MPT document (beginning with the task memo, then the library, and finally the file). Following their attempt, the professor will deconstruct what students did (or attempted to do) through a series of questions and answers. Afterward, the professor will review and expand on a basic approach that students should follow when they work with each type of document. Finally, students will continue to develop their technique by working on the same skills using another MPT.

Family Law (2 or 3 credit hours)

This course is a survey of a wide variety of legal issues concerning the family unit, with an emphasis on the policies and changing nature of family law. Topics explored may include marriage requirements and consequences, divorce grounds, property division at divorce, child support, custody, non-marital children, domestic violence, parental rights, adoption, and non-traditional families.

Family Law Mediation (2 credit hours) Pre-requisite = Negotiations

Family Law Mediation is an expansion of the Mediation Course. Students will enhance their Mediation Skills by continuing development using the three different types of mediation: Transformative Mediation, Evaluative Mediation, and Cooperative Mediation. The class will address issues of particular concern in Family Law Mediation cases, including the maintenance of continued relationships, property division settlements, an introduction to family dynamics, basic child development, and finally advanced topics, such as domestic abuse and protective orders. Students will be asked to focus on these issues while further developing their mediation abilities, such as questioning techniques, venting and listening skills, and option generating. Students will also learn to recognize tactics used by parties and attorneys to forestall the mediation process, and work on developing ways to approach these "stonewalling" tactics. Mediation is a prerequisite for Family Law Mediation. This course is intended to provide the additional training for appointment as a family law mediator under §154.052(b) Texas CPRC.

Federal Criminal Procedure (2 credit hours)

This is a survey course of the procedure used in the federal criminal justice system from arrest and indictment (or information) through trial and sentencing. Topics covered include: grand jury practice, bail and pretrial release, pretrial motions, discovery, joinder and severance, guilty plea procedures, and trial.

Federal Courts (3 credit hours)

This course builds on the first-year Procedure course and provides a more detailed exposure to the limited judicial power of the federal courts. Topics may include the distribution of judicial power among federal and state courts, the original jurisdiction of the federal district courts (including cases arising under the United States Constitution and statutes, and jurisdiction based on "diversity of citizenship"), federal litigation, and emerging legislative proposals concerning jurisdiction of the federal courts.

Federal Estate and Gift Taxation (2 or 3 credit hours)
(Prerequisite: Federal Income Taxation)

This course is closely related to Estate Planning and is essential for those who will help clients plan the transmission of wealth from one generation to another through wills and related legal arrangements. Topics studied include the concepts of gross estate and valuation of property; exemptions, deductions and credits allowed under federal law; and problems of payment, collection, and

apportionment of taxes.

Federal Income Taxation (3 credit hours)

The Federal Income Taxation course, a prerequisite for all other tax courses, provides an introduction to the basic policies and principles of federal income taxation, which are encountered in many areas of practice, including real estate, bankruptcy, family law, and personal injury. It provides a vehicle for learning to work with statutes and regulations, and does not require a business or accounting background.

Global and National Security Law (3 credit hours)

This survey course addresses the definition of domestic and international conflict; its modalities (e.g., armed conflict, terrorism, economic coercion, and environmental degradation); types of threats (e.g., nuclear, biological, and chemical); the public law of conflict management; and the U.S. response to external conflict within the confines of domestic and international legal principles recognized by the United States (including constitutional issues). The course has an interdisciplinary character but is ultimately guided by the international and domestic rule of law.

Health Law (2 or 3 credit hours)

This survey course covers the major legal issues involved in health care in the United States. The course gives students an introduction to the various state and national administrative rules and regulations regarding quality controls, licensing of health care professionals, and ethical /legal concerns involving physician/patient relationships. With the advent of new HIPAA privacy regulations and tort reform impacting medical liability issues, students will have the opportunity to obtain a working knowledge of the law. The course will survey contemporary policy issues in health law.

Human Trafficking (2 or 3 credit hours)

This course will cover the domestic and international attempts to restrict the horrors of human trafficking. The first topic will include an introduction to the phenomenon of human trafficking, including an explanation of both labor trafficking and sex trafficking. Next the course will examine the domestic efforts seeking to eradicate trafficking. Third, the course will address questions surrounding how the United States Department of State addresses human trafficking on an international level. Fourth, the course will consider what is being done to address immigration concerns related to human trafficking. Fifth, the

course examines whether prostitution should be decriminalized, detailing the experiments and the shortcomings of this approach. The chapter concerns the relatively new, so-called “Nordic approach,” which criminalizes the purchase of sex but avoids criminalizing the behavior of the person who is being prostituted. Finally, the course concludes with an examination of what else can be done to limit the spread of trafficking, providing information on resources available to those who would seek to minimize the damage to human trafficking victims.

Immigration and Human Rights Clinic I (6 credit hours)

- Understand techniques for effective client interviews and counseling.
- Understand rules of professional conduct and apply them to real-life contexts.
- Learn and apply relevant immigration and nationality laws and regulations to real cases.
- Understand the structure and procedures involved in immigration court and administrative applications with USCIS.
- Improve legal writing skills by producing different types of legal writing.
- Improve oral advocacy skills by engaging through court hearings and simulation exercises.
- Understand your role and responsibility for your own learning, to become a reflective practitioner in your legal career.

Immigration and Human Rights Clinic II (3 credit hours)

The Immigration and Human Rights Clinic introduces students to the practice of law through the supervised representation of low-income immigrants and refugees in proceedings before Immigration Courts, the Board of Immigration Appeals, the Department of Homeland Security (DHS) and federal courts. The Clinic is open to second and third year students who interview and counsel clients, develop case strategy, organize evidence, draft motions and briefs, and appear on behalf of their clients before the agency and courts. The Clinic caseload includes a variety of immigration and nationality issues, including the defense of immigrants in removal proceedings, applications for asylum and benefits under the Violence Against Women Act (VAWA), and claims to U.S. citizenship. Students who are enrolled in the Clinic during the fall/spring terms must have completed or be concurrently taking the Immigration Law course or an international law course.

Immigration Law (3 credit hours)

This survey course covers the source of immigration power and constitutional protections for aliens. It addresses the admission of aliens as immigrants and non-immigrants; grounds of removal and waivers as well as removal procedure; refugees; and asylum. To complete the overview, it also addresses issues

pertaining to citizenship, its loss and its acquisition. The course must be taken either prior to or concurrent with the Immigration Clinic.

Independent Study (1, 2 or 3 credit hours)

Students are permitted, with the approval and under the supervision of a member of the faculty, to engage in a course of independent study on a subject determined by the student and supervising faculty member. No student may receive credit toward graduation for more than three (3) hours of independent study, and the course may be taken on either a graded or pass/fail basis, subject to the approval of the supervising faculty member.

Insurance Law (3 credit hours)

The Insurance Law course focuses on the special nature of insurance contracts and the insurance industry. Included is coverage of governmental supervision and control of the industry; organization and agents; making of the contract, including insurable interest and binders; construction of insurance contracts, including coverage provisions, exclusions, and other conditions; parties with interests in the contract; the company's rights and duties upon the happening of the insured event; and rights at variance with the contract.

Intellectual Property Law (2 credit hours)

A survey courses that covers the American intellectual property tradition, including trade secret, copyright, patent, and trademark law. The course covers the nature of these property rights and the contours of the protections (and exceptions to protections) afford by the law.

International ADR and Tribunals (2 credit hours)

First addresses the theory (with examples) of negotiation, mediation, conciliation, inquiry and good offices as the methods of peaceful non-binding dispute resolution. Thereafter, it addresses the theory (with examples) of arbitration and standing courts as methods of peaceful binding dispute resolution.

International ADR (3 credit hours)

International Alternative Dispute Resolution (ADR) is a course that combines the (1) study of the nature, specific features, and operational functions of the different methods that encompass ADR in public and private international law, namely, negotiation, mediation, fact-finding, conciliation and arbitration, and (2) application of those methods in practice. The course addresses both the doctrinal and the practical dimensions of international ADR. Students will be provided with the basic but comprehensive foundational information related to the way in which

ADR processes are defined and work in practice. Also, students will be engaged in mock setting disputes to strength their legal skills in using international ADR methods.

International Business Transactions: Investment and Finance (2 or 3 credit hours)

This course focuses on international investment and financing issues. The topics covered include (1) the use of letters of credit in international business transactions; (2) the use of foreign distributors and agents; (3) investment vehicles and investment in Europe; (4) foreign investment in NAFTA; (5) United States regulation of foreign investment; (6) economic boycotts; (7) issues confronting established investments; (8) taking an investment; (9) project financing; and (10) Third World debt, the IMF and the international monetary system. It is recommended, but not necessary that *International Business Transactions–Sales and Trade* and *International Business Transactions–Investment and Finance* (the companion course) be taken sequentially. Each course is designed to stand on its own.

International Business Transactions: Sales and Trade (2 or 3 credit hours)

This course focuses on the international sale of goods, including the Convention on the International Sale of Goods, regulation of international trade, and the resolution of international trade disputes. The topics covered include: (1) international documentary sales, bills of lading and other commercial forms; (2) tariff and nontariff barriers to trade; (3) the World Trade Organization, GATT, and TRIPS; (4) free trade areas and customs unions; (5) international transfers of technology; (6) protection and licensing of intellectual property; (7) resolution of international disputes; and (8) contractual choice of law and forum selection clauses. This course satisfies the IBT course requirement in the “Public & International Law” category of the core curriculum. It is recommended, but not necessary that *International Business Transactions–Sales and Trade* and *International Business Transactions–Investment and Finance* (the companion course) be taken sequentially.

International Commercial Arbitration (2 credit hours)

Investigates – with particular reference to international problems – the history of commercial arbitration, the arbitrability of commercial subject matters, arbitration agreements and their characteristics, applicable rules and procedures, along with enforcement and judicial review of awards.

International Cybercrime Seminar (2 credit hours)

This course is designed to be an introduction to International Cybercrime, which is only a subset of a much broader trend in the criminal area; the use of digital evidence in many criminal cases. Cybercrime is a true international crime. It links victims to criminals as they travel and within their home countries. Often it is a crime with criminals in one country (which may have civil law) using servers in others which may have religious law) to commit crimes in yet another country (which may be a common law system). The course will look at the intersection of these historically diverse systems as part of this ultra modern crime. Likewise the systems we use to secure our computers are developed by companies based in other countries, some of which may not be friendly to the US, for example one of the world's biggest anti-virus companies is owned by a Russian friend of President Putin. The international law relating to computers, the crimes associated with them and the way in which lawyers use computers and the evidence which they hold will be the focus of this course.

International Economics Law (2 credit hours)

This course focuses on the principles, rules, agreements, linkage and policies within The World Trade Organization (WTO); international investment law and bilateral investment treaties; international monetary law; and international development assistance lead by the World Bank. This course also addresses the topics of international economic sanctions, the mechanisms of dispute settlement available in the field of international economic law as well as the mixed private and public international law solutions that occasionally appear in international economic disputes.

International Organizations (2 credit hours)

International Organizations is open to qualified J.D. and LL.M. students. The course is a practical application of fundamental knowledge and expertise expected of an entry level legal advisor representing a public intergovernmental organization (IGO), its organs or subsidiary bodies, including true judicial organs proper. Some limited discussion concerns the non-governmental international organization (NGO). The comparative method is used to identify general principles of international law, customary international law, international organization practice, organization internal law, and conventional law, all of which govern IGOs. The development of critical thinking skills is integrated with doctrinal material. Required reading includes comparative analysis of constituent instruments and decisional instruments, including, but not limited to adopted resolution analysis. Application of knowledge will be evaluated through class participation, student preparation of a legal memorandum advising an IGO or a

principal organ on a legal issue concerning interpretation of disputed constitutional text using Articles 31 and 32 of the Vienna Convention of the Law of Treaties (1969), student presentations which compare and contrast universal and regional IGOs, and by final examination.

International Problems in Stolen Art and Artifacts (1 credit hour)

The course will discuss the common and civil law of lost, found, and abandoned property. Students will study the problems of national sovereignty in cultural property and the law and the various fora for seeking the return of such property, including international conventions. Additionally, the course will cover the manner in which different nations and supra-national conventions define and interpret the rights of artists in their creations, including investigation of the myriad legal issues concerning the defenses of limitations, laches and bona fide purchasers.

International White Collar Crime (2 credit hours)

This course examines both the substantive and procedural law concerning various white-collar crimes that occur transnationally. Areas of criminal law include money laundering, tax evasion and corruption among others. Procedural issues such as prisoner transfer, evidence gathering and extraditions are also addressed.

Internships/Externships (maximum of 5 credits, 2 internships or externships allowed)

Credits for Internships or Externships are available. See faculty supervisors of the Practice Credit Program.

Jessup Seminar (2 credit hours)

This seminar addresses the annual Phillip C. Jessup Moot Court problem concerning public international law issues. The seminar requires the completion of a hypothetical memorial for submission to the International Court of Justice in the Hague plus the advocacy of issues contained in the Jessup problem. This writing project satisfied the Law School's writing requirement for graduation.

Jurisprudence (3 credit hours)

The term "jurisprudence" is defined in a broad and all-inclusive manner as "the science or philosophy of law." Jurisprudence has sometimes been used as a label

for several course offerings that vary somewhat from one semester to another, depending on the instructor. In general, the Jurisprudence course introduces students to important schools of thought about the origins, purposes, and workings of law through the reading and discussion of edited works of legal philosophers. It focuses on the development of ideas about the nature of law and the judicial process, and the relationship between those ideas and the working of law; in other words, students will see how philosophies of law inform the practice of law, or Jurisprudence: Law & Literature. Sections of the Jurisprudence course may focus on particular aspects of jurisprudence. Examples include Jurisprudence: Critical Lawyering Theory and Jurisprudence: Gender and the Law.

Labor Law (3 credit hours)

Labor Law is the basic course focusing on the relationship between employers and an organized labor force and on the federal law governing that relationship. Topics explored include union organization and recognition; collective bargaining; arbitration of grievances; unfair labor practice; the National Labor Relations Board; strikes, pickets, and boycotts; and lockouts, black listing, and Ayellowdog@ contracts.

Land Use (3 credit hours) Prerequisites: Property I and Property II.

A study of private and public means of controlling uses of private property. Emphasis is placed on municipal planning and zoning, fifth amendment regulatory takings and eminent domain. Further discussion topics include subdivision controls, first amendment land use limitations, sprawl and urban revitalization, and low incoming housing.

Law and Economics (3 credit hours)

This course offers a study and critique of the use of economics analysis for clarifying legal policy and for the appraisal of court decisions. The course will focus on the extent to which virtually all areas of the law can be understood as the institutional embodiment of the principle of economic efficiency. Prior knowledge of economics is not essential, and the course will include a brief overview of basic economic theory.

Law and Philosophy (3 credit hours)

This three-hour course involves the survey and study of basic philosophic principles that have formed the law as it studied, used and practiced today, beginning with Aristotle and concluding with "Law in Other Voices" (Critical Legal Studies, Feminism, Critical Race Theory and Law and Economics). This is a seminar in which students may satisfy their writing requirement or take an exam.

Each student will make three presentations to the class, and there will be general discussion of “what is law”, what are the sources of law, is law a form of political action, and how should courts decide cases.

Law of Financial Institutions (2 or 3 credit hours)

This is an introductory course in the law of financial institutions. The primary focus of the course is on federal regulation of banks and bank holding companies with some emphasis on insurance companies that are engaged in the business of banking. In this course, the student will acquire an understanding of the financial crisis of 2008, the changes that were made in response to that crisis under the Dodd-Frank Wall Street Reform and Consumer Protection Act, and various legal issues relating to financial institutions with emphasis on regulation of banking, safety and soundness safeguards, geographic limitations, affiliations between banks and other companies, examination and enforcement, and bank failures. The legal principles involved will be learned and reinforced through class discussion, individual presentations, and assignments requiring critical analytical thinking.

Law Practice Management (2 credit hours)

Law Practice Management (LPM) focuses on preparing students to open and operate a solo or small practice law firm. The skills learned are applicable to a large firm environment as well. Students are expected to “organize” into firms with other class members (e.g. 2 to 5 students per firm, depending on class size). The “firms” then engage in a series of task assignments over the course of the semester such as (1) producing organizational documents (e.g. an Operating Agreement, etc.); (2) developing a marketing plan; (3) drafting a client engagement letter/agreement suitable to one of the firm’s areas of practice; (4) developing a space/utilization plan; (5) developing a financial plan; and, (6) developing a practice system checklist for one of the firm’s areas of practice. Faculty presentations are complemented by a series of guest speakers to expose students to diverse opinions on the challenges and best practices associated with “the business of law.” Among the guest speakers have been former LPM students who, as practicing attorneys, implemented concepts learned and plans developed in class within their successful solo and small firm practices. Ideally, the serious student will complete the class with a framework “business plan” for starting a solo or small firm practice after graduation and licensure.

Law Practice Technology - Solo and Small-Firm Practitioners (3 credit hours)

Technology is rapidly changing the practice of law -- in all fields, jurisdictions

and venues. Therefore, proficient technical skills are essential for solo and small-firm practitioners – those who intend to open a “traditional” small firm or a “high-tech, almost-paperless” solo practice. This course provides practical as well as theoretical information to help students understand and employ efficient and powerful technological tools – both hardware and software. To achieve these ends, the following technologies, software and hardware systems are covered in the course: cloud-based systems, software and computing; website-development technologies; outsourcing and virtual assistant services; social media and blogging services; case-management, practice-management planning-and-calendaring software; document automation, assembly and management programs; billing, invoicing and accounting programs; privacy-and-security software; mobile devices and software applications; data transfer and compatibility programs; electronic discovery software and hardware; information and research software; and presentation technologies.

Lawyer Formation: Leadership and Professionalism in Practice of Law (2 credit hours)

This course examines the role of the lawyer as leader, in the practice of law, in government, in business, and in social communities. Students will learn general leadership traits and values, and specific approaches to leadership, including servant leadership, transformational leadership, and ethical leadership. In addition, the student will learn how professionalism, the commitment of the lawyer to the client, to the legal system, to the courts, to other lawyers, and to third parties, embraces the concept of the lawyer as an ethical and professional leader.

Legal Counseling (2 credit hours)

Legal Counseling is a course in client interviewing, preparation and advocacy, designed to acquaint the student with the processes and theories surrounding legal counseling relationship. The concepts and processes of legal counseling are explored, as are the interpersonal skills, including communication skills that will aid the student in better satisfying their clients’ interests in negotiation, mediation and litigation settings. The ethics of the attorney-client relationship are emphasized, along with the need for a mature approach to client counseling and advocacy.

Legal Malpractice (2 credit hours)

This course will examine the basis for legal malpractice and will explore the basic elements of the tort of legal malpractice, the creation of the attorney-client relationship, and applicable defenses. A major emphasis of the course will be on the prevention of malpractice, and will examine common mistakes made by

practicing attorneys which give rise to malpractice claims. Overall, the course will seek to instill a commitment to achieve the highest ideals of the legal profession.

Legal Practice Technology (3 credit hours)

Technology is rapidly changing the practice of law -- in all fields, jurisdictions and venues. Therefore, proficient technical skills are essential for solo and small-firm practitioners – those who intend to open a “traditional” small firm or a “high-tech, almost-paperless” solo practice. This course provides practical as well as theoretical information to help students understand and employ efficient and powerful technological tools – both hardware and software. To achieve these ends, the following technologies, software and hardware systems are covered in the course: cloud-based systems, software and computing; website-development technologies; outsourcing and virtual assistant services; social media and blogging services; case-management, practice-management planning-and-calendaring software; document automation, assembly and management programs; billing, invoicing and accounting programs; privacy-and-security software; mobile devices and software applications; data transfer and compatibility programs; electronic discovery software and hardware; information and research software; and presentation technologies.

Legal Spanish and Mexican Legal Systems (3 credit hours) (in Spanish)

This course provides a foundation in legal terminology and proper usage in the different areas of Mexican law. Students are exposed to the nuances associated with the Mexican legal system, fundamental legal concepts, key Latin phrases, and to the teaching techniques that characterize legal instruction at Mexican law schools.

Legislation & Statutory Interpretation (2 credit hours) No prerequisites

Today, most of our law is derived not from judicial opinions, but from statutes. This is true at both the state and federal levels. Thus, mastering statutory interpretation is important for every lawyer, no matter their practice area. This course will focus on interpreting statutes, primarily through the lens of the federal system, but will also explore issues of statutory interpretation at the state level in Texas, particularly when it deviates from the approach in the federal system. 2. The primary book would be: Hillel Y. Levin, STATUTORY INTERPRETATION: A PRACTICAL LAWYERING COURSE, West 2014. In addition to the readings from this book, some law review articles and Texas judicial opinions would be assigned as

reading, as indicated on the syllabus. 3. The course would be graded based on two criteria: an exam and in-class participation. The exam would be a traditional law school exam based on a fact pattern, as well as short essay questions. The in-class participation will stem from students' engagement with the readings and, in particular, their participation in in class exercises. 4. By the end of this course, students will be able to do the following: read statutes proficiently and understand the difficulties in doing so; understand the theoretical approaches to interpreting statutes; understand the practical tools of statutory interpretation; and, apply all of these skills in practice.

Marketing and Business Development for Lawyers (2 credit hours)

This course teaches students how to develop a business marketing plan, including how to identify and serve markets for clients with legal needs, how to develop appropriate and ethical marketing techniques, and how to build and maintain a clientele that is served well.

Mediation (3 credit hours) Prerequisite: Negotiation

Mediation explores those situations in which an impartial person, the mediator, facilitates communication among parties to promote reconciliation, settlement, or understanding among them. The course will explore all forms of mediation, whether conducted by consent or court order (court annexed mediation), and will include extensive training in mediation and negotiation. Issues concerning qualifications, confidentiality, liability, and ethics will be covered.

Medical Malpractice Litigation (2 credit hours)

Medical Malpractice Litigation, a study of the law and procedure governing medical malpractice actions in Texas, will prepare students to evaluate properly and manage effectively a medical malpractice lawsuit. Practical applications of the course include deposing medical witnesses, motions for summary judgment, and effective use of medical resources.

Mergers & Acquisitions (3 credit hours)

This course takes an in-depth look at common business and legal topics and issues that arise in the acquisition or sale of privately held companies, focusing on small and medium size entrepreneurial or family-owned enterprises. Areas covered will include the steps in the acquisition process, structuring the acquisition, elements of the acquisition agreement and negotiation issues and strategies. Students will be expected to participate actively in class discussions of weekly reading materials.

Military Law (2 credit hours)

The course will concentrate on the present system of military justice in the United States. It will look at the sources of military law, including the Constitution, the Uniform Code of Military Justice (UCMJ), and the Manual for Courts-Martial (MCM). In addition to evaluating the UCMJ since its enactment by Congress in 1951, the course will also address the history of military justice, the scope of military jurisdiction, different types of crimes established in the UCMJ, military practice and procedure before, during and after trial, including a comparison between the evidentiary and procedural rules under the UCMJ/MCM and the federal courts, appellate court jurisdiction and role under the UCMJ, the role of the military lawyer as both advocate and counselor, and the ethics of the military lawyer, the role of the military commander under the UCMJ, significant military law cases decided by Supreme Court and other courts, a comparative analysis of military justice systems of other nations, and the trial of enemy combatants.

Modern Litigation Practice (3 credit hours) formerly Complex Litigation

This is an advanced course in federal civil procedure in complex cases involving multiple parties (class actions, mass disasters), multiple claims, duplicative or multi-forum litigation and complex tort cases. Topics to be covered may include the roles of judges (judicial control of the litigation process), magistrates and counsel (ethical considerations), personal jurisdiction and due process concerns (notice), joinder, discovery, settlement, finality, and recovery of attorney's fees.

Mortgages and Real Estate Financing (3 credit hours)

This "real property" course covers the rights and interests of the parties to mortgages and other security devices, as well as those of transferees and of innocent third parties. Topics covered include the deed of trust; the vendor's lien and superior title; mechanic's and materialman's liens, both constitutional and statutory; and remedies such as foreclosure, redemption, and marshaling of assets.

Negotiation (3 credit hours)

Negotiation is a course in conflict prevention and resolution, designed to acquaint the student with the processes, and theories, surrounding conflicting human interactions, particularly in the legal world. The theories of integrative and distributive bargaining are explored, as are the interpersonal skills, including communication skills, that will aid the student in better satisfying their interests in any negotiation setting, whether interpersonal, legal or otherwise. Gender and cultural differences are reviewed, as are the dynamics of large group

conflict resolution and the use of agents and intermediaries in negotiations. The ethics of negotiation are emphasized, along with the need for a mature approach to conflict resolution.

Oil and Gas (3 or 2 credit hours)

This course is the study of the law governing interests in oil and gas, with an emphasis on Texas law. Topics explored include the nature of interests in oil and gas; oil and gas leases; lease covenants, express and implied; title and conveyancing problems; transfers; and pooling and unitization.

Patent Law (2 credit hours)

This course examines the nature of patent protection. Circumstances under which this method of protecting inventions and other original works is appropriate, and the steps necessary to secure, maintain, and enforce the protection, are emphasized.

Practice In Child Protective Services Courts (2 credits)

This two credit class will introduce the students to the law and skills unique to practice before the Texas Child Welfare Courts. The class is intended to allow students to complete the writing requirement; it is requested that it also be considered as an approved course for the following required core curriculum subjects: Persons and Property, Public and Private Law, and Experiential Learning. The course requires substantial writing including drafting of the following: an answer with counter petition, Special Exceptions, objections to the admission of the Service Plan, a proposed or amended service plan to be presented to the court, portions of a Case Planning/Trial Notebook, memos to the file and/or to counsel for other parties, various fact specific motions, proposed (substantive) orders, and possibly a Rule 11 agreement.* The minimum number of words for meeting the writing requirement in this class is 7,000 (determined by considering non-original language contained in some of the documents). In the Fall 2017 students submitted written material ranging from just over 7,000 to 24,759 words. * MJur students and JD students who have already met the writing requirement have a somewhat reduced list of writing assignments.

Products Liability (2 or 3 credit hours)

This course focuses on the need for, philosophy of, and historical development of modern products liability law. Emphasis is placed on the causes of action available to a person injured by a defective product, defenses available to responsible parties, damages sustained as a result of the defect, and the various situations in which litigation of this type arises.

Professional Responsibility (3 credit hours) (Required)

Professional Responsibility explores the legal, ethical and moral responsibilities of lawyers to clients, courts, the community and the legal profession. The current professional rules of professional conduct and the policies underlying them, are examined. However, consistent with ABA standards, students should be aware that the course in Professional Responsibility does *not* prepare students for the Multistate Professional Responsibility Examination (MPRE). As with all other bar examinations, students intending to take the MPRE should plan to take a commercial bar preparation course prior to taking the MPRE. Information on such courses will be provided to all students enrolled in the Professional Responsibility course.

Prosecution Law and Ethics (2 credit hours) Prere: Con Crim Procedure & TX Crim Procedure

Prosecution Law and Ethics explores the unique and critical role of the prosecutor in the American criminal justice system. As administrators, decision-makers, and advocates, prosecutors have vast discretionary authority and correspondingly broad ethical obligations that extend beyond the guidelines of professional conduct applicable to other lawyers. Focusing on state and federal constitutional and statutory constraints, the course will address such topics as the prosecutor's: role in criminal investigations, relationship to the grand jury, broad authority to determine criminal charges and negotiate plea agreements, obligation to provide fair discovery and notice of exculpatory evidence, responsibility to maintain fair process while acting as an advocate in criminal adjudication, role in sentencing determinations, and duty to seek correction of wrongful convictions. In addition, students will consider ethical conflicts within the prosecutor's own office or between the prosecutor and defense counsel that can make ethical compliance difficult.

This course is open only to students who have taken and passed Constitutional Criminal Procedure or Texas Criminal Procedure. It is also a prerequisite, starting in the 2019/2020 academic year for students who wish to participate in the four-credit intensive internship at the Bexar County District Attorney's Office.

Public Law International Law (2 or 3 credit hours)

This basic International Law course is a survey of the law of nations and includes the nature, history, and philosophies of public international law; sources of public international law, including treaties, custom, general principles of law, adjudication, and doctrinal writings; international legal personality and recognition; territory; jurisdiction and jurisdictional immunities; state responsibility and state succession; peaceful dispute resolution; use of force; and

international organizations.

Race and Racism in American Law (3 credit hours)

This course is a policy course—it is not a Title VII or employment discrimination course. Rather, this course addresses the many and various ways in which the issue of race and the American legal system interact. As a survey course, the class will deal with various topics ranging from affirmative action, the criminal justice system, and racist/hate speech to interracial adoption, issues of minority women, and housing discrimination. There is no course book for the course. Instead, the course materials are both traditional (law review articles, cases, and statutes) and non-traditional (*Ebony*, *Hispanic*, and various videos). While not a basis for grading, the format of the class nevertheless anticipates and necessitates the full participation of each class member. The class will offer invigorating and lively (if not heated) discussion and analysis of historical and contemporary issues of race and the law.

Remedies (3 credit hours)

In Remedies students explore the various types of judicial relief, equitable and "at law," available to people who have suffered or might suffer a substantive wrong, such as a tort or breach of contract. Students examine the maxims of equity and equitable remedies, including an in-depth study of injunctions; substitutionary money damages, including compensatory and punitive damages in contract and tort cases; and restitution-based causes of action such as "quasi-contract," subrogation, and constructive and resulting trusts. The course presumes the violation of a substantive right and attempts to answer the question, "What relief should the injured party seek from the court?"

Sales: UCC Article 2 (2 or 3 credit hours) (online course approved)

Sales is a Uniform Commercial Code (UCC) course. Article 2 of the UCC is explored, including the creation of sales contracts, the relationships between buyers and sellers, the rights and obligations of the parties, and the remedies available for breach of the contract. Other areas explored include risk of loss on shipment or storage, commercial impracticality, letters of credit, and documents of title. A student who takes this course may not also take the combined course on Sales and Secured Transactions.

Sales and Secured Transactions (4 credit hours)

This course will focus on Articles 1, 2, and 9 of the Uniform Commercial Code, the provisions governing the sale of goods and security interests involving or

related to goods. Because the course combines topics covered in the Sales and the Secured Transaction courses, students who have completed either Sales or Secured Transactions are not be permitted to enroll in this course.

Secured Transactions: UCC Article 9 (2 or 3 credit hours) (online course approved)

One of the UCC (Uniform Commercial Code) courses, Secured Transactions is the study of using personal property as collateral for a loan or grant of credit. Topics considered include methods of creating and perfecting security interests; issues of priority; interrelationships between federal bankruptcy law and the UCC; and creditors' rights and obligations after debtors' default. A student who takes this course may not also take the combined course on Sales and Secured Transactions.

Sports Law (3 credit hours)

This course covers various amateur sports law issues and focuses on legal regulation of interscholastic, intercollegiate, and Olympic sports. This course also covers the legal framework governing the relationship between an agent and a professional athlete and analyzes ethical issues relating thereto. Topics covered may include constitutional law, tort law, contract law, Title IX gender discrimination, federal disability discrimination laws, the legal relationship between a university and its student athletes, regulatory authority of the National Collegiate Athletic Association, United States Olympic Committee, and high school athletic associations, antitrust law, resolution of disputes affecting Olympic sports (including the jurisdiction and operation of the Court of Arbitration for Sport), and regulation of private educational institutions and sports associations.

State Pretrial Practice (2 credit hours)

Texas civil pretrial procedure, law and practice, from client engagement to trial. It is highly recommended that students have a working knowledge of the civil rules of evidence before taking this class.

Taxation of Business Entities (4 credit hours) Prerequisite: Federal Income Taxation

This course covers major issues relating to the taxation of corporations, partnerships, limited liability companies, and other types of business entities. Topics to be considered include entity formation, capital structure, operating distributions, sale of interests, mergers and other reorganizations, and liquidations. Subchapters C, K, and S of the Internal Revenue Code will be explored.

Texas Civil Procedure I (3 credit hours)

This course offers a detailed examination of pre-trial procedure, using the Texas Rules of Civil Procedure as a model, with comparisons to the Federal Rules of Civil Procedure. Topics covered may include preservation of error; the Texas court system; impleader; intervention; suits on a sworn account; parties; and discovery. Students who plan to practice in Texas are required to take Texas Civil Procedure I.

Texas Civil Procedure II (3 credit hours) Prerequisite: Texas Civil Procedure I

This course offers a detail examination of trial, post-verdict, and appellate procedure, using the Texas rules of Civil Procedure as a model, with

comparisons to the Federal Rules of Civil Procedure. Topics covered include continuances; recusal; summary judgments; jury selection; directed verdict; jury argument; jury change and verdict; post-verdict motions; findings of fact and conclusions of law; jury misconduct; res judicata and collateral estoppel; and introduction to appellate procedure.

Texas Criminal Procedure (2 or 3 credit hours)

Pre-requisite: Constitution Criminal Procedure

This course focuses on the Texas Code of Criminal Procedure and the cases interpreting the Code. Students analyze the various provisions of the Code as it relates to the prosecution and defense of criminal defendants from arrest through conviction. No pre-requisite when the course is offered in the Evening Program.

Texas Land Titles (3 credit hours)

Texas Land Titles builds upon the first-year property course, and explores in more detail the basic tools and steps necessary to examination of title to real property, as well as the procedural and substantive methods of clearing or eliminating title defects. Also included in the course are methods of title assurance, mineral title, and the Texas adverse possession statutes.

Texas Water Law (2 credit hours)

This course will consider rights and interests in water, emphasizing the unique law of Texas. Topics will include interstate allocations of water affecting Texas, public rights in water, private rights in surface water and private rights in groundwater.

Trademark and Unfair Competition (2 credit hours)

This intellectual property and business course examines the nature of the legal protection afforded to those who use trademarks. Also included are problems relating to trade secrets, franchising, false advertising, commercial bribery, and unfair trade practices and competition.

Trial Advocacy (3 credit hours) (Prerequisite: Evidence)

Trial Advocacy classes are designed to give students an introduction to specific trial advocacy techniques such as *voir dire* examination of jury panels, opening statements, and direct examination of witnesses. The techniques are demonstrated by instructors and students are given opportunities to perform, and receive instruction concerning, exercises in many aspects of the trial of civil and criminal cases. (Prerequisite: Evidence)

Trusts (3 credit hours)

Trusts are one of the most frequently used and beneficial of the tools available to the modern estate planner. A trust is a special type of property transfer which separates the equitable interest in property from the legal interest. The holder of the legal interest, the trustee, manages the property according to the directions contained in the trust instrument and state law for the benefit of the beneficiaries who own the equitable title. The trustee is a fiduciary and must deal with the property exercising a high standard of care and with the utmost degree of loyalty. This course deals with the creation, administration, and enforcement of private and charitable trusts under the Texas Trust Code. Coverage of resulting trusts and constructive trusts is also included.

Water Law (3 credit hours)

Water Law surveys the subject of rights and interests in water. The topics covered include the common law development of the two major methods of determining water rights in surface water in the United States ("riparian rights" and "prior appropriation"), issues concerning ground water allocation, modern statutory administration of water, public trust doctrine, transboundary water issues, and federal and state authority in water management.

Whistleblower Law (2 credit hours)

This course is designed to give students the knowledge and practical skills needed to navigate complex fraud prevention laws. Students will examine both federal and state laws used to combat fraud against the government, including *qui tam* actions brought pursuant to the False Claims Act. These laws encourage and

protect private citizens (whistleblowers) who bring claims against companies that are allegedly engaged in defrauding the government. Students will examine these laws and their application from the perspective of the whistleblower, the government, and the defense. Through an in-depth review of statutory law, case law, administrative history, and government memos on fraud prevention, students will gain an understanding of the significant role *qui tam* cases play in preventing fraud on the government. Moreover, students will take a hands-on approach to learning, including a practical assignment that involves preparing for and conducting either a whistleblower client interview or a deposition. With a rise in federal and state legislation related to whistleblower claims – and with the government’s use of such laws increasing – it is important for any student interested in pursuing a career in white collar law to have a solid foundational understanding of this area of law.

Wills, Trusts and Estates (4 credit hours)

Wills & Estates is the study of the disposition of property at death, whether by non-probate transfers, intestate succession, or will. The course examines the different types of inter vivos transfers that have testamentary effect, such as multiple-party bank accounts and life insurance; analyzes how property passes if a person does not have a will; and details various aspects of wills including validity, revocation, interpretation, and construction. The estate administration process consisting of collecting the decedent's property, paying debts, and distributing property to heirs or beneficiaries, is also studied. The course also provides brief coverage of other estate planning issues such as professional responsibility, planning for incompetency and death, and the drafting of wills.

Wills and Trusts (3 credit hours)

Covers the materials in Wills & Estates and Trusts in a more condensed format.

Wrongful Convictions (2 or 3 credit hours)

This course examines the American criminal justice system through an unusual prism: that of cases in which innocent people have been convicted. The course covers the principle causes of wrongful convictions as well as various reform efforts.

Inter-session Courses

Appellate Courts (1 credit hour)

This course examines the role and operation of appellate courts, both state and federal, in the judicial system. Topics to be covered include: appeals as of right and by permission; the scope of appellate review; and the standards of appellate review.

Appellate Practice in Texas Civil Cases (1 credit hour)

Appealable judgments and orders, evaluating a case before deciding to appeal (including preservation of error and determination of potential cost and potential success), perfecting appeal (students to prepare notice of appeal), record on appeal (students to prepare request for clerk's record and court reporter's record), preparing the appellate brief (reviewing the record and preparation of brief, including evaluation of precedent), jurisdiction of appellate court, oral arguments (students to present oral argument).

Appellate Skills (1 credit hour)

The Appellate Skills course is an introduction to fundamental appellate principles and skills. This one-hour, graded course will cover the basic advocacy skills and techniques that students would be expected to use in writing and orally presenting an appellate argument – how to identify, analyze and prioritize issues on appeal, writing persuasive briefs, developing cogent legal arguments and responses to an opponent's arguments, and effectively fielding questions from appellate judges.

Avoiding Ethical Complaints I (1 credit hour) No pre-requisites

We will establish processes for client intake and drafting of acceptance/rejection letters, create a "conflicts" file in order to avoid representing or advising potential clients whose interests conflict with existing or prior clients, and examine the establishment and maintenance of trust account records. Grades will be based upon written assignments

Avoiding Ethical Complaints II (1 credit hour) No pre-requisites

We will create a "tickler" system for case management, determine how to maintain client confidences in the storage and transmission of electronic data, and discuss implementation of personnel manuals and supervisory matters. Grades will be based upon written assignments.

Civil Actions: Forms, Depositions, & Interrogatories (1 credit hour)

The course is designed to provide practical hands on application regarding how to draft a variety of the most common forms associated with a civil action in the federal court system. In addition, the course will engage students in the process of how to take depositions and draft interrogatories from the perspective of both parties.

Client Interviewing (1 credit hour)

This course will train students in basic communication skills that they will use throughout their careers. The course will focus on client interviewing and counseling and practicing the skills needed to successfully conduct those activities. These are basic skills that can be transferred to use in different contexts. They are foundation skills for lawyers, but have practical applications regardless of the career path chosen. Students will have multiple opportunities to practice interviewing and counseling skills in small groups and receive feedback from faculty and guest practitioners. Students will also be asked to contemplate how professional they believe their personal presentation is.

Commercial Law/Secured Transaction: Drafting (1 credit hour)

This course provides the basics in how to read and draft commercial documents. Students will work in teams to negotiate and draft the documents in a typical financed transaction, including a Negotiable Promissory Note, Security Agreement, Financing Statement, and client memo. Each assignment will include substantial feedback on the basics of contract drafting, compliance with legal doctrine, and other practical considerations, such as the specific contract provisions important to both borrowers and lenders.

Commercial Real Estate Transactions (1 credit hour)

This course seeks to teach students the basics regarding how to draft a commercial purchase agreement and a basic trust deed / mortgage document, focusing on a number of basic provisions that are often heavily negotiated in practice. Students will review the relevant law, review similar provisions, review a form document, and heavily edit and modify it to include the appropriate provisions. Grading: Students are graded on two drafting projects, due 2 weeks after the class ends.

Deposition Skills (1 credit hour)

This course will teach law students how to take and defend a deposition in a civil litigation case. Deposition Skills is an intensive and interactive skills course. Students will assume roles as plaintiff or defense counsel in a simulated case, either from the files of the National Institute of Trial Advocacy, or a fact

pattern from the Civil Justice Clinic. Both parties will prepare witnesses, prepare deposition outlines, and take and defend depositions (including information gathering, obtaining admissions, and using exhibits.) Two classes of 6 persons each will be talk simultaneously, with some concurrent sessions.

E-Discovery Practice (1 credit hour)

This mini-course will examine the discovery, management, and practical issues relating to electronic discovery. The course will address the requirements for preliminary case management with respect to e-discovery in federal and state court and analyze pertinent case law, including the *Zubulake* and *Morgan-Stanley* lines of cases. From a practical perspective, the course will address how to investigate your client's electronic discovery issues at the outset of a dispute; drafting a litigation preservation notice; drafting an e-discovery plan as required by FRCP 26(f), or for use in state court; managing e-discovery document review; issues that one should consider in hiring an electronic document management vendor; and avoiding e-discovery sanctions.

Essential Aspects of the Written Appellate Brief (1 credit hour)

This skills course is designed to give students an intensive look at the appellate brief writing process. It will begin with a review of the Texas Rules of Appellate Procedure and the Texas Code of Criminal Procedure. Students will then learn how to organize an appellate brief, including how to frame appellate issues and understand standards of appellate review. Students will examine how to write clearly and persuasively, using portions of appellate briefs as positive and negative examples, and will undertake to write clearly and persuasively.

Incorporating a Business Corporation (1 credit)

This course focuses on how to incorporate a business and the legal issues involved in counseling small businesses. At the end of the course, students should have the necessary knowledge to perform a complete incorporation for a business organization in Texas. Students will draft certificates of formation, bylaws, organizational minutes including meeting notices and property transfer documents, stock certificates including voting agreements and stock purchase agreements, applications for an Employer Identification Number from the IRS and for Subchapter S status, etc. The course requires completion of a drafting project within 28 days after the four days of class lecture. Pre-requisite: NONE. While Business Associations might be helpful, this skills course also serves as an introduction to Business Associations by providing tangible examples of concepts discussed in Business Associations.

Law Practice Management Technology (1 credit hour)

Understanding software used in running a law practice is essential for new lawyers who must either integrate into a law office environment or who must select tools for running a business as a solo practitioner. This course will cover common technology tools for managing a law practice including forms preparation software, time and billing software, and case management software. The course will also cover principles for maintaining a records system over time for conflict checks and other purposes. The ultimate goal is to know what tools are available and to have a context for selecting and using tools later in law practice.

Jury Selection in Criminal Cases (1 credit hour)

This course will provide a basic knowledge of the procedure and law governing jury selection. Additionally, it provides practical tips for the topics covered and the most persuasive way in which to present them.

Obtaining, Contesting, and Defending Search Warrants in Texas (1 credit hour)

Students in this course will draft an affidavit for a search or arrest warrant, as well as the warrant, based on facts supplied from an arrest report filed by the police. Acting as attorneys for the accused, students then will move to suppress evidence found during the search conducted pursuant to that warrant, drafting both a motion to suppress and a memorandum in support of defendant's motion to suppress. The culmination of the course is argument in a suppression hearing on matters of law raised by the motion with students taking the roles of prosecutor and defense attorney.

Planning & Drafting Wills and Trusts (1 credit)

This course will cover the planning and drafting of basic wills and trusts. The students will conduct mock client interviews, critique and revise existing wills and trusts, and draft original wills and trust documents. In addition, the course will cover client counseling, dealing with grief, family dispute resolution, and ethics in a probate practice. The students will use materials from a variety of sources, compiled by the Professor. The grade will be based on the assignments and exercises; there will not be a final exam. While the courses in Wills, Estates and Trusts are not required, they would be helpful for this course.

Probate Techniques (1 credit hour)

This course will cover 4 different methods of probating an estate; specifically, Probating a Will, Probating a Will as a Muniment of Title, Determination of Heirship and the transfer of title through Affidavits of Heirship. Students will draft applications for probate, orders probating estate, affidavits and direct examination questions. Students will also conduct a direct examination of their client for the probate hearing. Students will be graded on class participation and on the documents they create.

Public Interest Lawyering (1 credit hour)

The course will examine how private pro bono, governmental, and non-profit practices all play a role in carrying out the profession's commitment to public service. As such, this course seeks students who wish to practice in a variety of settings upon graduation, for the expectation of public interest lawyering are not limited only to the legal services or government lawyer. Ideally, practitioners from practice – across all areas – will be brought in to speak to the class about their experiences in this field. Students will be strongly encouraged to engage in pro interest work during the course and to reflect upon their experience.

Trial Advocacy – Using Courtroom Technology (1 credit hour)

This course is designed to familiarize students with emerging technology and how it can be used, and not used, in trial presentations. Students will learn how to use effectively equipment and software such as document cameras, DVD's, VCR's, digital cameras, "white boards", PowerPoint, and trial presentation software. The course will also address the strategy and tactics of using, or not using, technology in the courtroom. The student's grade will be based upon the student's performance in using the technology while presenting portions of a case. Enrollment is limited to 8 students.

Texas Legislation (1 credit hour)

This one hour course is designed to enable law students better to understand the Texas Legislature. The course will enable the student to determine and communicate legislative history and legislative intent, and learn from experts and materials how to develop, pass and/or defeat proposed legislation of interest to the lawyer or a client. The course focuses on the legislative process in Texas and uses that process as an example of the legislative process in other legislative bodies.

LLM Courses

American Legal System, Introduction to the (2, 3, or 4 credit hours)

This course introduces foreign LL.M. students to the key features of the American Legal System.

Legal Writing and Research for LLM (2 credit hours)

Designed for foreign-trained LL.M. students, this course provides an introduction to basic principles of American legal research and Writing. Students review American research techniques and prepare documents such as memoranda, contracts, and client letters. This two credit-hour course is required for Foreign-trained students who intent to take the New York bar exam.

China Study Abroad

International Business Transactions and China (2 credits hours)

This course explores the Convention on the International Sale of Goods and other Chinese and international laws relevant to business relationships between American and Chinese entities. Topics include franchising arrangements, the payment of money across international borders, direct foreign investment and transactions with the Chinese government.

International Intellectual Property Law (2 credits hours)

This course discusses the licensing and protection of intellectual property against the larger backdrop of international trade and commerce, with particular reference to intellectual property rules applicable in the United States and China.

Introduction to Chinese Law (2 credits hours)

This course introduces students to the history and institutions of the Chinese legal system, including the governmental structure, legislative process, and court system, sources of law and enforcement mechanisms. It also explores the important substantive areas of the law, such as the rules governing property ownership.

Comparative Tort Law (1 credit hour)

This course explores the key similarities and differences between the Chinese and American tort law. It will discuss, among other things, basic principles (e.g., liability based on fault, strict liability, vicarious liability, defenses based on the plaintiff's conduct), topics of particular concern to businesses (e.g., products liability, respondent superior), and enforcement-related issues (e.g., insurance, contingent fees, open courts.)

United States Enforcement of International Business Crimes (1 credit hour)

This course explores the enforcement of United States criminal law for potential crimes committed by individuals and organizations conducting business abroad. It will focus on the perspective of corporate counsel in identifying strategies to avoid potential criminal liability and in responding to a government investigation.

Innsbruck Study Abroad

Class Actions in a Global Context (1 credit hour)

For more than seventy years, the United States has been in the forefront of developing means for resolving injuries to large numbers of people on an aggregate basis. This course examines the problems related to redress for mass harms in a comparative context. After examining American approaches to mass aggregate claim resolution, the course surveys the similarities and differences between civil law and common law systems and considers the ways in which complex tort litigation and other kinds of complex dispute resolution techniques have developed.

International Insolvency (1 credit hour)

A large number of international insolvencies in recent years have brought to the forefront the importance of developing an understanding of international bankruptcy. This course deals with transnational and cross-border insolvencies and the legal regime that governs the resolution of these controversies. After briefly examining the basic bankruptcy laws of the United States, the bulk of the class will be spent considering the legal structures for addressing international bankruptcy and its associated problems, including an overview of Chapter 15 of the United States Bankruptcy Code.

Equal Protection in the U.S. and Europe (1 credit)

Students will explore the doctrine and application of equal protection law and principles in the United States and selected European countries. Select issues that will receive special attention include affirmative action, same-sex marriage, and issues related to minority rights and the analytical constructs employed by the U.S. Supreme Court and other courts in the deciding these cases.

European Dispute Resolution (1 credit hour)

As more and more domestic commercial and consumer disputes turn toward alternative resolution, so too do such international disputes. This course examines this trend, providing a brief overview of relevant European Union law, comparing that to domestic law, and then turning to a more detailed overview of EU dispute resolution. This focus on international dispute resolution includes an examination of commercial disputes, a comparison of U.S. and EU-member states litigation procedure, and study of the new EU directives driving parties toward low-cost consumer dispute resolution. (1 credit – taught by Prof. Ramona Lampley, St. Mary's)

International Business Transactions (2 credits hours)

This course explores national and international private law relating to the movement of goods and payment of money across national borders; licensing and franchising; direct foreign investment; and dispute resolution in international transactions. (2 credits – taught by Prof. Richard Flint, St. Mary’s)

International Child Abduction (1 credit hour)

International Child Abduction issues arise when one parent moves a child to a foreign country without approval of the other parent or a court. The Hague Convention on the Civil Aspects of International Child Abduction determines which country has jurisdiction over the child’s welfare and custody. If the nation hosting the child decides that another country has jurisdiction based on the Hague Convention, it has a duty to return the child to the country possessing jurisdiction. Students will learn the principles and mechanics of the Hague Convention, examine U.S. legal interpretations, and prepare a simulated Hague Petition to a U.S. federal court.

Issues in International Sports Law (1 credit hour)

The course introduces students to basic principles of sports law and their application to international sports organizations and athletes. Among the topics to be covered are dispute resolution; models of sports organization and governance; competition law and labor markets; media rights; and image rights.

Lawyering Abroad: Basic Concepts of European Legal Systems (1 credit hour)

Students in this course will be introduced to the core elements of European legal systems and to their structural dissimilarities with American legal systems. Emphasis will be placed on major differences between common law and civil law approaches, and examples will be drawn from the laws of Germany, France, and other countries. Particular attention will be given to the practical aspects of lawyering, such as finding the law and communicating with foreign counsel.