

## 2016-2017 Course Listing & Descriptions

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### 4.9 Course Listing and Descriptions

Following is an alphabetical listing of courses currently offered at the Law School preceded by course numbers. A brief description of the course follows in Part II.

#### **PART I -- Course Listing (Alpha Order)**

800	Administrative Law
825	Adoption Law
946	Advanced Bar Studies
791	Advanced Criminal Procedure
860	Advanced Individual Income Tax Problems
923	Advanced Trial Advocacy Practicum
779	Air Pollution Law and Policy
836	Amateur Sports, Law of
924	Appellate Advocacy Practicum
709	Banking Law
820	Bioethics and the Law
927	Business & Finance Concepts for Lawyers
700	Business Associations I
701	Business Associations II
716	Business Bankruptcy
903	Business Negotiation
930	Business Planning Practicum
756	Children Family and the State
919	Civil Pretrial Proceedings
661	Civil Procedure: Jurisdiction
661P	Civil Procedure: Jurisdiction Plus
660	Civil Procedure Rules
815	Civil Rights
706	Comparative Corporate Law
721	Computer Law
842	Conflicts of Law
650	Constitutional Law I
651	Constitutional Law II
845	Constitutional Litigation
714	Consumer Bankruptcy
715	Consumer Law
600	Contracts I
601	Contracts II
774	Copyright Law
945	Core Bar Studies
722	Corporate Acquisitions and Reorganizations
703	Corporate Counsel
705	Corporate Finance
855	Corporate Taxation
640	Criminal Law

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790	Criminal Procedure
750	Decedent's Estates
914	Depositions
902	Dispute Resolution
911	Divorce Mediation
928	Drafting for Estate Planning
833	Election Law
849	E-Discovery
900	E-Legal Research
817	Employment Discrimination
811	Employment Law
783	Energy Law
780	Environmental Law
938	Environmental Law Practicum
850	Estate and Gift Taxation
752	Estates and Trusts
670	Evidence
879	Executive Compensation
944	Externship
755	Family Law
851	Family Law & Tax Law
840	Federal Courts
680	Federal Personal Income Tax
858	Federal Tax Procedure
942	Foster Youth Advocacy Center
841	Forensic Evidence
905	General Arbitration
940	General Litigation Clinic
926	General Practice Practicum
781	Hazardous Waste Law and Policy
913	Health Care and Dispute Resolution
822	Health Law
830	Immigration and Naturalization
872	Income Taxation of Trusts and Estates
982	Independent Research Project
727	Information Privacy Law
720	Insurance Law
898	Insurance Taxation
770	Intellectual Property
823	Interdisciplinary Child Welfare
965	International Law
920	International Business Transactions
880	International Taxation I
881	International Taxation II
908	Interviewing and Counseling
994	Jessup International Law Moot Court
843	Judging and the Nature of Justice
950	Jurisprudence

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921	Jury Instructions
795	Juvenile Law
813	Labor Arbitration
810	Labor Law
760	Land Use Controls
834	Law and Economics
956	Law and American History
952	Law and Literature
829	Law and Social Science
986	Law Review I
987	Law Review II
633	Legal Drafting Practicum
955	Legal History
630	Legal Analysis Research and Writing I
631	Legal Analysis Research and Writing II
632	Legal Analysis Research and Writing III
802	Legislation
868	Limited Liability Companies
804	Local Government Law
925	Managing Your Law Practice
935	Marshall-Brennan Constitutional Literacy Seminar and Practicum
910	Mediation
941	Mediation Clinic
912	Mediation of Workplace Disputes
730	Medical Liability
996	Mock Trial Team, Client Counseling Team, Negotiation Team
990	National Moot Court Team
904	Negotiation
847	Ohio Civil Rules Practice
784	Oil and Gas Law
785	Oil and Gas Contracts
958	Origins of Western Law: Greece and Rome
856	Partnership Tax
772	Patent Law
711	Payment Systems
732	Products Liability
690	Professional Responsibility
835	Professional Sports, Law of
620	Property I
621	Property II
821	Public Health Law
762	Real Estate Finance
896	Real Estate Taxation
844	Remedies
980	Research Seminar
806	School Law
710	Secured Transactions
704	Securities Regulation

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980	Seminars
981	Seminars
826	Sexual Orientation and the Law
967	Special Topics
853	State and Local Taxation
805	State Constitutional Law
865	Subchapter S Corporations and Advance Pass-Through Entities
876	Tax and Professional Responsibility
878	Tax Deferred Qualified Compensation Plans
890	Tax Exempt Organizations
862	Tax Research and Communication I
863	Tax Research and Communication II
854	Taxation of Business Entities
610	Torts I
611	Torts II
922	Trial Advocacy Practicum
776	Unfair Trade Practices
778	Water Pollution Law and Policy
951	Women and the Law
734	Workers' and Unemployment Compensation

### PART II - Descriptions

#### A. REQUIRED COURSES

600 AND 601 **CONTRACTS I AND II** (3 credits each): The enforceability of agreements and promises under the common law and applicable statutes with an emphasis on Article 2 of the Uniform Commercial Code regarding contracts for the sale of goods. Specific topics include consideration and promissory estoppel, formation of agreements, the Statute of Frauds, policing agreements, remedies for breach, performance and conditions, excuse, rights of third parties, assignment and delegation.

610 AND 611 **TORTS I AND II** (3 credits fall, 2 credits spring): Intentional torts to persons and property, and defenses; negligence and defenses; traditional strict liability; products liability and defenses.

620 AND 621 **PROPERTY I AND II** (3 credits fall, 2 credits spring): Concept of possession and remedies of a possessor, gifts, good faith purchasers, estates in land, co-ownership, basic future interests, landlord-tenant problems, conveyancing, recording acts, covenants, and easements.

630, 631, AND 632 **Legal Analysis Research and Writing I, II and III:** (4 credits total): Instruction in legal analysis, research tools, and writing techniques. Students are required to write predictive and persuasive documents typically encountered in the profession. Day students enroll for 2 credit hours in both the fall and spring semesters, and evening students enroll for 1 credit hour in the fall, 2 credit hours in the spring, and 1 credit hour in the summer. Students must complete all 4 credits before receiving credit.

633 **LEGAL DRAFTING PRACTICUM** (2 credits): Legal Drafting is a requirement for graduation and is

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designed to give students practical experience drafting documents that they did not draft in the first-year Legal Analysis Research and Writing course and that they likely will encounter in the practice of law. As described below, each section of Legal Drafting has a different focus and the assignments are tailored to the focus. All sections of Legal Drafting include instruction on the Multistate Performance Test portion of the Bar exam, and in all sections students work individually and in small groups to enhance their writing skills. Enrollment is limited to 25 students in each section of this two-credit course. Limited to students in their final year of law school.

*Transactional* will focus on transactional drafting. Students will be engaged in the process of negotiating and drafting contracts.

*Criminal* will teach students legal drafting in the criminal context. Students will draft an indictment, a bill of particulars, a motion to suppress evidence, and a guilty plea.

*General* will teach legal drafting in the civil litigation context. Students will draft a complaint and answer, a discovery document, and a will, among other documents.

**640 CRIMINAL LAW (3 credits):** Nature and sources of criminal liability; mental conditions requisite to criminal responsibility; specific crimes and defenses under both the common law and modern statutes.

**650 AND 651 CONSTITUTIONAL LAW I AND II (3 credits each):** First semester: Constitutional Law I discusses the structure of the legal system including separation of powers and federalism issues. Topics include, but are not limited to, the powers of Congress, the powers of the federal judiciary, the powers of the President, and the powers reserved to the states. Second semester: Constitutional Law II discusses various individual rights. Topics include, but are not limited to, equal protection, freedom of expression, and freedom of religion.

**660 CIVIL PROCEDURE: RULES: (3 credits):** Federal Rules of Civil Procedure, including pleading, motions to dismiss, sanctions, discovery, motions for summary judgment, joinder of claims and parties, judgment as a matter of law during and after trial, dismissals, relief from judgment, res judicata and collateral estoppel, and appeals.

**661 CIVIL PROCEDURE: JURISDICTION (3 credits):** Personal jurisdiction, subject matter jurisdiction, venue, service of process, removal to federal court and choice of law in federal courts.

**661P CIVIL PROCEDURE: JURISDICTION PLUS (4 Credits):** Satisfies the requirement to take civil procedure: jurisdiction. The Plus class meets for two one-hour day sessions and one two-hour evening session per week. The Plus class covers the normal components of the course: subject-matter jurisdiction, personal jurisdiction, adequate notice, venue, and vertical choice of law class. Additionally, it includes practice-oriented class coverage. The course will incorporate fully the insights of and instruction from a full-time law teacher and a full-time federal judicial officer.

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670 **EVIDENCE** (4 credits): Major topics in the law of evidence, including competency of witnesses, credibility and impeachment, opinion evidence, character and reputation, evidence of other crimes, hearsay evidence, the Best Evidence Rule, and authentication of evidence. Prerequisites: 600, 601, 610, 611, 620, 621, 630, 631, 632 (evening students only), 640

680 **FEDERAL PERSONAL INCOME TAX** (3 credits): Taxation of income; realization; recognition; timing; sales; dispositions of property and capital gains; personal and business-related deductions; exemptions; credits; and tax procedure. Prerequisites: 600, 601, 610, 611, 620, 621, 630, 631, 632 (evening students only), 640

690 **PROFESSIONAL RESPONSIBILITY** (2 credits): The legal profession as an institution; the development of a sense of professional responsibility; an introduction to lawyer disciplinary rules and procedures; the acquaintance of the young lawyer with the privileges and responsibilities of a member of the profession.

### B. ELECTIVE COURSES

All elective courses require the completion of first-year day courses for full-time students and part-time day students and first and second year evening courses for evening students. Additional prerequisites are listed with the course description.

700 and 701 **BUSINESS ASSOCIATIONS I AND II** (3 credits each): Principles relating to the formation, governance, and dissolution of unincorporated (partnerships, limited partnerships, limited liability companies, etc.) and incorporated (closely and publicly held) associations, including the allocation of risk and liability, control, fiduciary obligations, and distribution of profits. Agency relationships (employer/employee, master/servant, principal/agent, and independent contractors) and principles of vicarious liability. Issues relating to the anti-fraud provisions of the Securities Exchange Act of 1934 (insider and short-swing trading in securities). Business Associations I is a pre-requisite for Business Associations II. These are considered 2<sup>nd</sup> year day and 3<sup>rd</sup> year evening courses. Preference in registration will be given to those students respectively.

703 **CORPORATE COUNSEL** (3 credits) This course will identify the multiple roles that often comprise the position of corporate counsel, thus distinguishing it from others in the legal profession. The course focuses mostly on problem solving from within the corporate counsel's multiple roles. Students will consider the role of corporate counsel in implementing, guiding and overseeing the many issues covered in substantive law areas, including a look at ethics and professionalism. Prerequisites: 700, 701 Co-requisites; 670.

704 **SECURITIES REGULATION** (3 credits): A survey of basic principles of federal and state securities laws with primary emphasis on federal securities laws, including registration requirements for public offerings and exemptions from registration under the Securities Act of 1933, civil and criminal liabilities, registration and reporting under the Securities Exchange Act of 1934, Sarbanes-Oxley Act of 2002, proxy regulation, tender offer regulation, insider trading, fraud and related issues under Rule 10b-5 and the role of securities Prerequisite: 700; Co-requisite: 701.

705 **CORPORATE FINANCE** (3 credits): A survey of issues and principles relating to the acquisition,

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accumulation and distribution of capital resources. Examination of concepts of valuation and capital structure, legal capital, classes of securities, corporate distributions, mergers, purchases of assets or stock, recapitalizations, and applicability of Federal securities and tax laws. Considerations of economic, social and political thought as they relate to corporate finance. Prerequisites: 700, 701.

**706 COMPARATIVE CORPORATE LAW** (3 credits): Students will consider corporate governance issues in the United States, European Union, China and Japan. Students will be asked to evaluate different approaches to issues involving formation, operation and dissolution of business entities within the general political, cultural and historical context of the country or countries being considered. The student should come to appreciate in particular the complexities of American corporate entities organized and/or operating in foreign countries.

**709 BANKING LAW** (3 credits): An examination of the American Banking System, its main institutions, and the laws governing it. The course explores the Federal Reserve System, Bank Holding Company Act, Federal Deposit Insurance Corporation and the structure of regulations of banking institutions, and includes analysis of commercial banks, savings banks, and credit unions, along with branch banking and bank mergers and acquisitions. The course emphasizes the business of commercial banking and includes study of business lending, lending limits, letters of credit, bankers acceptances, real estate lending and bank ownership, asset-based lending, and nonperforming loans. The course includes a discussion of troubled banks, focusing on the Financial Institution Reform Recovery and Enforcement Act, creditors and debtors of failed institutions, and FDIC assistance to failed banks. Prerequisites: 700, 710

**710 SECURED TRANSACTIONS** (3 credits): Regulation of secured and unsecured credit transactions, with emphasis on Article 9 of the Uniform Commercial Code.

**711 PAYMENT SYSTEMS** (3 credits): The law of negotiable instruments, commercial paper and electronic fund transfers, including bank relations. Emphasis on Articles 3, 4 and 4A of the Uniform Commercial Code together with appropriate federal statutes and regulations.

**714 CONSUMER BANKRUPTCY** (3 credits): State collection law and bankruptcy law in cases involving consumer debtors. Prerequisite: 710.

**715 CONSUMER LAW** (2 credits): Legislatures' efforts to protect individuals when in the marketplace for goods and services that are primarily for personal, family, or household use. An examination of federal and Ohio statutes.

**716 BUSINESS BANKRUPTCY** (3 credits): Deals primarily with the reorganization of financially distressed businesses under Chapter 11 of the United States Bankruptcy Code. Includes eligibility for bankruptcy relief, involuntary bankruptcy, the scope of the debtor's bankruptcy estate; the automatic stay, control and operation of the debtor while the case is pending, avoiding powers (preferences, fraudulent conveyances, executory contracts, statutory liens), reorganization plans and post-confirmation issues. May include material on rehabilitation of individual business debtors and Family Farmers under Chapters 13 and 12 and state law receiverships. Prerequisite: 710

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**720 INSURANCE LAW (2-3 credits):** Insurance protects individuals and all types of entities against uncertainty and risk. This course will provide students with a practical legal understanding of insurance law which can be used in the course of personal or business dealings or to advise clients on insurance related issues. This course will cover insurance legal fundamentals, the insurance contract, the use of insurance to manage risk, insurance regulation and insurance related litigation.

**721 COMPUTER LAW (2 credits):** A study of law as it pertains to computers and information technology, including issues in torts (computer fraud), contracts and commercial law (licensing and other agreements), criminal law (computer viruses, theft, and other forms of computer crime), civil procedure and evidence (use of computers during discovery and at trial), intellectual property (protection through copyright, patent, trade secret, and trademark), and international transactions.

**722 CORPORATE ACQUISITIONS AND REORGANIZATIONS (3 Credits):** This course focuses on state and federal laws related to corporate mergers and acquisitions. Topics covered include why mergers and acquisitions might occur, deal flow, methods for and mechanics of structuring corporate acquisitions and combinations, negotiating and documenting the transactions, disclosure requirements, successor liability, federal regulation, fiduciary duties of corporate managers and the proper role for the target's management, and appraisal rights. Prerequisites: 700 and 701.

**727 INFORMATION PRIVACY LAW (2 CREDITS):** This course will examine the laws that govern: (1) the collection, use and disclosure of personal information; and (2) the damage to personal privacy that results from these activities. Recent developments have increased the importance of this field of law. First, the Information Revolution has dramatically expanded commercial collection and use of personal information. This has led to issues concerning data security breaches, identity theft, online privacy, spyware and spam. Second, the War on Terror has increased governmental collection and use of personal information for security purposes. This has generated concerns about wiretapping, national ID cards, encryption and government data mining operations. The course will explore these and other information privacy issues. It will examine how the law handles the competing demands for personal information, and for personal privacy, in an information-rich world. It will cover tort law, constitutional law, statutory law, regulatory law, evidentiary privileges, property law, contract law and criminal law related to information privacy.

### TORTS

**730 MEDICAL LIABILITY (3 credits):** Comprehensive examination of various causes of action against individual health care providers, hospitals and managed care organizations resulting in personal injury. Emphasis is on tort based negligence with additional coverage of actions premised on contractual or statutory violations. Also includes sections on professional liability insurance and tort reform. Prerequisites: 610, 611.

**732 PRODUCTS LIABILITY (2 or 3 credits):** Course contains an overview of the concept of defectiveness in products; relationship of courses of action, parties, and choice of remedies; problems of proof and defenses; policy implications, controversies, and trends in products liability law.



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734 **WORKERS' AND UNEMPLOYMENT COMPENSATION** (2 credits): Study of the prevention and compensation of workers' disability and unemployment.

### PROPERTY

750 **DECEDENTS' ESTATES** (2 credits): Issues relevant to transfers through a probate estate, both testate and intestate. Advancements, assignments of expectancies, disclaimers, protection of spouse from disinheritance, execution and revocation of wills, will contests, contracts to make wills, changes in property between execution of will and death of testator, lapse, and overview of estate administration. Not open to students who have taken 752.

752 **ESTATES AND TRUSTS** (4 credits): A survey of the law relevant to the transfer of property from one generation to another, both inside and outside the probate system. This course will integrate much of the material covered separately in 750 and 751. See those course descriptions. Not open to students who have taken 750 or 751.

755 **FAMILY LAW** (3 credits): Marriage; divorce; annulments; related problems of jurisdiction and conflicts of law; alimony; custody; antenuptial and separation agreements; tort and contract problems of the family; adoption; paternity; divorce reform legislation.

756 **CHILDREN, FAMILIES AND THE STATE** (2 or 3 credits): This course examines the legal relationships among children, parents, and the State, primarily in the context of the issue of child abuse and neglect. The course content will include the historical background of child welfare law, the allocation of power between parents and the State, parental discipline and corporal punishment, reporting of abuse and the historical development of reporting laws, the abuse and neglect legal system and the decision-making process involved in removing a child from their parent's custody, and the foster care system. In examining these issues, this course will address various theoretical perspectives, including feminist legal theories and critical race theory. .

760 **LAND USE CONTROLS** (3 credits): Analysis of the legal and administrative aspects of the regulation of land use and development; constitutional limitations on government regulation of land uses; problems and techniques of land use planning at the local, regional, state, and national levels. Particular attention is given to zoning, subdivision controls, public acquisition of land, housing and urban renewal, aesthetic regulations, environmental issues, and historic preservation.

762 **REAL ESTATE FINANCE** (3 credits): Mortgages; deeds of trust; land contracts; sale and leasebacks; joint ventures; Federal aid to housing and other topics viewed in transactional settings; financing of residences, condominiums, cooperatives, office structures, shopping centers, subdivisions, and farms; introduction to interstate land sales, zoning, and title issues. Co-requisite: 700.

770 **INTELLECTUAL PROPERTY** (3 credits): Introduction to intellectual property; background for general practice and a foundation for specialization in patents, trademarks, and copyrights; principles applicable to inventions and discoveries; secrecy as a means of protection; industrial espionage; the nature of the patent right, its acquisition, and enforcement; property and contract interests; basic requirements for

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trademark registration; relation of copyright to patents; trademarks. Prerequisites: first-year day courses. Not open to students who have completed more than one of the following: 772, 774, 776.

**772 PATENT LAW** (3 credits): Conditions for a valid patent, subject matter of a patent, patent office procedures, amendment and correction of patents, patent infringement, property and contract interests in patents, and patent litigation.

**774 COPYRIGHT LAW** (3 credits): A study of intellectual property rights in literary, musical, and artistic works and other "original works of authorship" under the federal law of copyright, primarily the Copyright Act of 1976, as amended.

**776 UNFAIR TRADE PRACTICES** (2 credits): Unfair Trade Practices covers various areas of the law dealing with so-called "business torts," including: federal trademark law (the Lanham Act), trade secrets, unfair competition, false and deceptive advertising, Federal Trade Commission regulation of advertising, state "consumer protection" laws, business defamation and predatory practices (including interference with contractual relationships), and celebrities' right of publicity. Some attention also will be given to the ethics of business competition (What is "unfair"?). It is a useful course for students concentrating in business law, for students interested in general law practice involving business entities (particularly small businesses) as clients, as well as for students interested in Intellectual Property (for this course complements courses in Copyright and Patent Law by covering trademarks and trade secret law). It is also a useful course for all law students because it covers the interplay of "common law" and statutory law (including statutory interpretation) and the interplay of state law and federal law (including constitutional issues involving federal preemption of state law).

**778 WATER POLLUTION LAW AND POLICY** (2 credits): This course will begin by exploring the problem of water pollution in the United States including a survey of the various water pollutants and their harmful effects on human health and the environment. It will then look at the scope of the federal government's authority to regulate in this area as it has been interpreted by Congress, the courts and federal agencies. The course will then turn to an in-depth examination of the federal Clean Water Act and of the various regulatory programs established under it. The focus will be on the National Pollutant Discharge Elimination System (NPDES), permitting program, pursuant to which many industrial facilities are regulated. The course will also consider the Dredge and Fill program and associated wetlands protection issues, as well as current efforts to increase the regulation of Non-point sources. Prerequisite: 780.

**779 AIR POLLUTION LAW AND POLICY** (2 credits): The Clean Air Act is one of the most significant areas of environmental law; it is also one of the most complex. This course will offer students a comprehensive introduction to the Act and to the legal and policy issues that arise under the Act. It will begin with an introduction to the National Ambient Air Quality Standards and State Implementation Plans, the building blocks of the Clean Air Act. It will then examine in some detail the Act's major regulatory programs (the Prevention of Significant Deterioration program, the Non-attainment New Source Review program, the New source Performance Standard program, and the Hazardous Air Pollutants program), as well as the Act's enforcement and judicial review provisions. In this context, issues of federalism, market-based approaches to regulation and environmental justice will be

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addressed. The course will conclude with an introduction to international air pollution issues, with a focus on global warming. Prerequisites: 780

**780 ENVIRONMENTAL LAW** (3 credits): Environmental issues have great importance for American society today. From climate change, to renewable energy, to air or water pollution, to "green" products or businesses, environmental issues are profoundly affecting our health, our natural environment and our economy. Environmental lawyers will play a major role in addressing these issues. They will interpret existing statutes and inform policymakers and businesses of their legal options and obligations. They will draft the legislation that shapes the environmental outcomes of the future, and the contracts that allow the new environmental technologies to emerge. They will bring the lawsuits that enforce the environmental laws on the books. This course will introduce students to the exciting world of environmental law and will prepare them to participate in it. It will provide students with a solid grounding in the major federal environmental statutes – The Clean Air Act, The Clean Water Act, the Superfund Law, the Endangered Species Act, and others – and will expose them to the most significant cases interpreting these statutes. In addition, the course will introduce students to the regulatory approaches -- such as market-based trading, technology-based "command-and-control," or planning-based strategies -- that underlie these statutes, and will thereby give them a deeper understanding of the statutes they are reading. The course will include regular exercises so that students can build their environmental law practice skills. It will close with a section on climate change law and policy, an area of increasing importance to the next generation of environmental lawyers.

**781 HAZARDOUS WASTE LAW AND POLICY** (2 credits) This course will focus on two major federal environmental statutes: the Comprehensive Environmental Response, Compensation and Liability Act (otherwise known as the Superfund Law), and the Resource Conservation and Recovery Act. CERCLA establishes liability for past disposal of hazardous substances, while RCP A regulates the present and future handling of hazardous wastes. The course will begin with an introduction to the problem of hazardous waste, including a discussion of its effects on human health and the environment. It will then examine RCRA's cradle-to-grave regulation of hazardous waste, from its generation, to its transportation, to its eventual disposal. Related issues of administrative process, judicial review of agency action, government enforcement and citizen suits will also be addressed. The course will next explore in detail CERCLA cleanup process, liability scheme, including such contemporary issues as the liability of successor and parent corporations, lenders, and individual corporate officers and shareholders. Finally, the course will address defenses to CERCLA liability and the settlement of CERCLA liability suits. Prerequisite: 780.

**783 ENERGY LAW** (2 credits): An overview of the basic principles governing the production, sale, and use of coal, oil, natural gas, and electricity. Equal focus on the environmental and business laws that affect producers and consumers of energy.

**784 OIL AND GAS LAW** (2 credits): This course explores the fundamentals of oil and gas law, while also exposing students to the practical skills needed to be successful oil and gas attorneys. This course will provide a mixture of traditional doctrinal instruction, skills and experiential opportunities. Course

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activities may include a visit to a “fracking” site, a visit to a County Recorder’s Office to conduct a simulated title search, and an in-class simulated negotiation exercise in groups.

**785 OIL AND GAS CONTRACTS** (2 credits): Will provide essential knowledge as to the operation of several oil and gas contracts that are central to the work of oil and gas lawyers. In particular, the topics of this course include: Farmout Agreements, Pooling Agreements, Royalty Agreements, Operating Agreements, Fiduciary Duties, Right for First Refusal, Assignments, and the Regulation of Unconventional Resources. In addition to offering an understanding of the main contractual clauses and general operations of the above listed agreements, this course will offer students an opportunity to draft a Farmout Agreement. Oil and Gas Law is recommended but not required.

### **CRIMINAL LAW AND PROCEDURE**

**790 CRIMINAL PROCEDURE** (3 credits): Criminal process and enforcement; jurisdiction and venue; limits on investigation and prosecution; rules of arrest, search, interrogation, wiretapping, and eavesdropping; prosecution and defense of criminal trials; rights of defendants; sentencing; post-conviction remedies.

**791 ADVANCED CRIMINAL PROCEDURE** (3 credits): Focuses on trial and appeal: severance, speedy, trial, discovery, guilty pleas, jury selection, pretrial publicity, double jeopardy, appeals, and habeas corpus. Prerequisite: 790.

**795 JUVENILE LAW** (2 credits): This course examines the legal relationships among children, family and the state, primarily in the context of issues over which juvenile courts traditionally have jurisdiction. The subject matter is divided into two sections, the first dealing with the constitutional and statutory rights of juveniles, [focusing on those rights which are] involved in the criminal justice system and the second focusing on civil matters including neglect, abuse, termination of parental rights, adoption, and children's right to treatment issues.

### **797 SELECTED ISSUES**

**CAPITAL PUNISHMENT** (2 credits) An overview of federal constitutional law governing the death penalty. This class will explore the following topics: the initial successful challenge to the constitutionality of the death penalty; later state attempts to enact a constitutionally compliant death penalty; categorical exceptions to eligibility for the death penalty; jury selection in capital cases; penalty phase jury instructions and issues; constitutional prescriptions on trial counsel, the prosecutor, and the judge; the minimum requirements and the procedures necessary for capital sentencing; federal habeas corpus review of capital sentences; clemency proceedings; execution; Ohio’s capital punishment scheme; and international perspectives on capital punishment.

### **PUBLIC LAW**

**800 ADMINISTRATIVE LAW** (3 credits): Delegation of powers; statutory and constitutional controls in administrative proceedings; right to notice and hearing; adequacy of findings; procedure for obtaining judicial review; extent of judicial review.

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802 **LEGISLATION** (3 credits): Consideration of how legislatures are formed and legislators elected; the making of statutory law; how statutes are drafted, enacted, applied, and interpreted.

804 **LOCAL GOVERNMENT LAW** (3 credits): The relationship of local governmental entities to other communities, to the state government, and to the federal government. The source of power for local governmental units, the reasons and legal bases for including and excluding citizens from the community, and how conflicts are resolved. Various theories of local government law such as public choice and communitarianism.

805 **STATE CONSTITUTIONAL LAW** (2 credits): This course will explore the nature and significance of state constitutional law. It will consider the interpretation and application of state constitutional law by courts. It will also examine the rights protected by state constitutions such as due process, equal protection, education, freedom of speech and religion, and criminal procedure. It will compare state-guaranteed rights with their federal constitutional counterparts. The course will consider the constitutional structures of the state governments, and will also look at the means of amending and revising state constitutions. Pre-requisite: 650

806 **SCHOOL LAW** (2 credits): Rights and liabilities of school board, administrators, teachers, and students; emphasis on public primary and secondary education. Prerequisite: 651.

810 **LABOR LAW** (3 credits): Analysis of the relationship between employers, employees and unions in the private sector under the National Labor Relations Act and other federal statutes. Topics include union organizing, employer and employee bargaining relations, representation procedures, strikes and picketing, unfair labor practices, the duty of fair representation, internal union affairs, and the enforcement of collective bargaining agreements.

811 **EMPLOYMENT LAW** (3 credits): Focuses on employment relationships between employers and employees. Examines the common law principles of employment-at-will, legal regulations on hiring and terminating employees, and conditions of employment. Specific topics include polygraph testing, nepotism, violence in the workplace, covenants not to compete, reference checks, and off-work behavior. Also covers the Family Medical Leave Act, Fair Labor Standards Act, Occupational Health and Safety Act, and various state laws.

813 **LABOR ARBITRATION** (2 credits): The origin and development of labor arbitration. Examines state and federal labor arbitration laws, arbitration rules, and major arbitration decisions. Also includes the mechanics of the arbitration process and evidential and due process issues. This course usually concludes with a mock arbitration hearing, including the writing of a brief for arbitration and an arbitration opinion.

815 **CIVIL RIGHTS** (3 credits): A survey of federal legislative protection of individual rights regarding discrimination in education, housing, public accommodations, voting, and contractual relations. Primary attention will be given to civil remedies provided by 42 U.S.C. sec. 1981 and 1983 and other federal laws and regulations. Specific topics include judicial and prosecutorial immunity, affirmative action in the public sector, the Fair Housing Act, Voting Rights Act, and discrimination in federally-assisted programs.

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Prerequisite: 651.

**817 EMPLOYMENT DISCRIMINATION (3 credits):** A survey of federal laws prohibiting discrimination in employment on the basis of race, national origin, sex, age, religion, and disability. Focuses on Title VII of the Civil Rights Act of 1964, Americans with Disabilities Act, Age Discrimination in Employment Act, Equal Pay Act, and reconstruction era civil rights statutes. Prerequisite: 651.

**820 BIOETHICS AND LAW (3 credits):** Analysis of legal, ethical, and economic problems generated by current and projected advances in biomedical technologies; mind/behavior control by psychotropic intervention with organic therapies; genetic control through molecular biology and reproductive technology; life prolongation; reconstructive medicine and termination of life; regulation and support of biomedical research and experimentation. Co-requisite: 651.

**821 PUBLIC HEALTH LAW (2 credits):** This course will focus on efforts to use regulation, litigation and taxation to improve public health, with a particular focus on the tension between public health promotion and individual rights. It will survey the legal framework in which the government may regulate for the public health, focusing on the inherent tension between public health regulation and individual rights. The course will touch briefly on a wide range of constitutional limitations on government power (including 1st, 2nd, 4th, and 5th/14th Amendment issues) as well as the broader debate over whether government power should be used for "paternalistic" regulation. It will review litigation in the public health arena, including a discussion of whether courts are an appropriate and effective forum for addressing public health concerns. Finally, the course will touch on taxation for the public health, addressing the impact of "sin" taxes and the debate about whether the government's taxation power should be used to influence behavior.

**822 HEALTH LAW (3 credits):** An analysis of the health care industry, its financing and cost problems, its mix of public and private decision-making, and the various mechanisms by which resources are or might be allocated to health care uses. Specific topics include: 1) tensions of health policy--the health care sector and its special problems; access to health care--legal entitlements and obligations; professionalism; 2) mechanisms of quality assurance--credentialing and regulation of health care personnel; the quality of care in institutions; 3) controlling health care costs--regulatory approaches to cost containment; cost controls in government programs; privately initiated reforms.

**823 INTERDISCIPLINARY CHILD WELFARE (ICW) (2 credits):** The Interdisciplinary Child Welfare course will provide law students and graduate level social work students with a foundation of mutual understanding of legal and sociological principles in child welfare work and strategies for effective multidisciplinary practice among child-serving professionals. Students in the ICW course will gain a basic understanding of the legal concepts related to children and families, child development theory, family dynamics, ethical considerations of interdisciplinary practice, and practical, interdisciplinary exercises and problem-solving opportunities. This course is open to law students and graduate social work students.

**825 ADOPTION LAW (2 credits):** This course will explore issues relating to adoption law. The course content will include the historical background of the American law of adoption, adoption procedure,

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parental consent to adoption, termination of parental rights, choosing an adoptive family, the Indian Child Welfare Act, race and sexual orientation issues in adoption, interstate dimensions of adoption, and wrongful adoption.

**826 SEXUAL ORIENTATION AND THE LAW (2 Credits):** An examination of a variety of areas in which the law distinguishes on the basis of sexual orientation including criminal law, family law, employment law and constitutional law. The jurisprudence in a variety of areas of law will be examined to see how that jurisprudence has or has not been modified in light of sexual orientation. Co-requisite: 651.

**829 LAW AND SOCIAL SCIENCE (2 credits):** This course introduces students to the use of social science evidence by legal practitioners and courts at all levels. Such evidence is used, for example, in cases involving issues of trademark infringement, obscenity, discrimination, identification of criminal offenders, potential jury prejudice, eyewitness reliability, sexual assault, self-defense, dangerousness, and the fashioning of remedies. Despite its now common use, scientific evidence poses fundamental issues and recurring challenges for the law. In this course, students examine the methodology of social science research and various uses and challenges of using such research in the law. This course provides a foundation for law students to become sophisticated consumers and critics of social science evidence, equipping them to recognize issues raised by the use of social science in the law, and providing a foundation in empirical analysis that assists in using social science in legal forums. *This course fulfills the Perspective Requirement for graduation.*

**830 IMMIGRATION AND NATURALIZATION (2 credits):** A basic introduction to immigration law and procedure. The course traces major legislative history and immigration policy.

**833 ELECTION LAW (3 credits):** History and contemporary issues growing out of the regulation of elections and campaigns, including campaign finance laws. Topics include reapportionment, Voting Rights Act, rights of minor parties and candidates, campaign finance reform, etc. Co-requisite: 651.

**834 LAW AND ECONOMICS (3 credits):** The Law & Economics movement has influenced how judges decide cases in every area of law. This introductory exploration of the application of economic analysis to legal problems will outline the basic theory of voluntary exchange and examine the conditions necessary to maximize societal welfare. This structure will then be applied to various types of legal problems to gauge the extent to which legal rules contribute to or hinder the maximization of social welfare. No particular background in economics is required. Prerequisites: All first-year day classes.

**835 PROFESSIONAL SPORTS, LAW OF (2 credits):** Labor and antitrust issues in professional sports; ethical issues related to the representation of professional athletes; and negotiations in the professional sports context.

**836 AMATEUR SPORTS, LAW OF (2 credits):** The philosophy of sport; tort, criminal and constitutional issues in amateur athletics; and the regulation of intercollegiate athletics, with a focus on the operation of the National Collegiate Athletic Association. Co-requisite: 651.

### LITIGATION AND PROCEDURE

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840 **FEDERAL COURTS** (2 credits): Original and appellate jurisdiction of federal courts; Constitutional and legislative limitations on federal courts; concurrent jurisdiction with state courts; section 1983 litigation and writs of habeas corpus. Prerequisite: 661.

841 **FORENSIC EVIDENCE** (3 credits): An advanced evidence course focusing on expert issues or various forensic disciplines, crime scenes and incident investigations as evidence in civil and criminal litigation. Prerequisite: 670.

842 **CONFLICTS OF LAW** (3 credits): The various ways courts decide which law will control when litigation is based on contacts with two or more states; the effect of the Constitutional on the choice; the full faith and credit clause; and the relationship of Indian tribes with the state and federal government.

843 **JUDGING AND THE NATURE OF JUSTICE** (2 Credits): This course will examine the ethical and legal responsibilities of the neutral arbiter of disputes and debate the appropriate role of judges in making, interpreting and applying law. It will include analysis of various judicial philosophies and the contemporary theories of law which influence their development. Through readings and excerpts from film, it will trace notions and concepts of justice through time with an emphasis on the evolution of the administration of justice in contemporary U.S. society. Discussion will focus on topics such as methods of factual decision-making, judicial ethics, judicial writing and the characteristics intrinsic to those who are perceived as “good” and “bad” judges. Lastly, the course will provide an opportunity to compare the practical realities of the profession of judging with aspirational notions of “justice”. Prerequisite: 661

844 **REMEDIES** (3 credits): Compensatory damages (measuring value, consequential losses, limits on damages); injunctions (uses of injunctions, permanent injunctions, TRO's); declaratory judgments, restitution; punitive damages; contempt; collecting money judgments; litigation expenses; remedial defenses. Limited to students in their final year of law school.

845 **CONSTITUTIONAL LITIGATION** (3 credits): This course studies the statutory and constitutional provisions that authorize civil rights suits aimed at redressing violations of federal constitutional rights. Specific topics include the nature of rights that can be enforced through civil rights litigation; the type of governmental conduct that gives rise to liability under the civil rights statutes; the responsibility of governmental units for the acts of their employees; the availability of damages and injunctions; the defenses and immunities available to individual and governmental defendants, including individual immunity and sovereign immunity; the doctrines that govern the relationship between state and federal courts in civil rights actions, including exhaustion of state remedies, res judicata and collateral estoppels and the abstention doctrines; and the availability of relief against private persons. Prerequisite: 651.

847 **OHIO CIVIL RULES PRACTICE** (2 Credits): Study of the Ohio Rules of Civil Procedure designed for students who plan to practice in Ohio and who have taken Civil Procedure: Jurisdiction and Civil Procedure: Rules. Topics include the unusual constitutional authority underlying the Civil Rules; the exquisitely-complex issues posed by application of the Civil Rules to civil actions and to “special statutory proceedings” under Civil Rules 1, 73, 75, and 82; commencement of actions; venue of actions; service of process; pleadings and motions; joinder; summary judgment; discovery; jury trial; dismissal of



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actions; JNOV and directed verdict; jury instructions; trial court findings of fact and conclusions of law; and relief from judgment under Civil Rule 60 (B). Course reading will include text of most Civil Rules and leading Ohio Supreme Court decisions interpreting the Rules, including many of the decisions listed in the Civil Procedure section of the Outline of Subjects Tested on Essay Portion of Ohio Bar Examination as last revised and promulgated by the Supreme Court of Ohio in November 2002. Prerequisites – all first-year day courses.

**849 E-DISCOVERY** (2 credits): This course covers legal issues pertaining to discovery of electronically stored evidence (ESI) in civil litigation. The course will provide traditional doctrinal instruction about the Federal Rules of Civil Procedure and the Federal Rules of Evidence pertaining to the discovery of ESI and case law interpreting these provisions. Additionally, the course will provide instruction on and opportunities to practice skills essential to managing the production and review of ESI. Finally, the course will provide a basic introduction to the technology most commonly used in the production and review of ESI. The course will explore issues surrounding ESI throughout the entire course of civil litigation from the duty to preserve to the eventual admissibility at trial of ESI. Prerequisites: 660, 661 or 661P

### **TAXATION**

**850 ESTATE AND GIFT TAXATION** (3 credits): Substantive provisions of federal estate and gift tax laws and the generation skipping transfer provisions, including transfer with retention of interest or power, joint interests, life insurance proceeds, property subject to powers of appointment, marital deduction, and split gifts. Co-requisite: 680.

**851 FAMILY LAW AND TAX LAW** (2 Credits): Every family lawyer needs to know a little tax law and every tax lawyer needs to know a little family law. This course will be organized around family law principles and will teach students to recognize and resolve important tax issues that accompany common family law problems. The course will be taught using statutes, regulations, case law and problems. Prerequisite: 680.

**853 STATE AND LOCAL TAXATION** (2 credits): An examination of the fundamental principles applicable to state and local taxes including a review of various types of taxes, (property, income, and sales and use taxes) used by the states and localities. We also look at federal constitutional limitations upon the states' ability to tax, including Commerce Clause, Due Process, and Equal Protection considerations. Ohio tax law is not the focus of the class and is used only as a means to address the principal national issues. Prerequisites: 651.

**854 TAXATION OF BUSINESS ENTITIES** (3 Credits): This survey course will cover the basics of taxation of business entities. It will include an introduction to Federal taxation of C Corporations, Partnership, LLCs, and S Corporations. This course is designed primarily for students interested in business and will focus on identification and resolution of tax issues in common business transactions. Prerequisite: 680 This course may not be taken if the student is enrolled in the LL.M. in Taxation or M.T. programs, nor may they be used to replace the Corporation and Partnership tax courses required in those programs. The

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course may be taken by a student enrolled in the LL.M. in Business.

**855 CORPORATE TAXATION** (3 credits): Tax consideration in corporate formation, distributions, redemption and liquidation, including tax consequences of corporate reorganizations, mergers and acquisitions, consolidations, and divisions. Prerequisite: 680.

**856 PARTNERSHIP TAX** (3 credits): The meaning of partnership taxation including formation, transactions between partner and partnership, determination and treatment of partnership income and losses, sale or exchange of partnership interest, distributions, retirement, death of partner, and drafting the tax provisions of a partnership agreement. Prerequisite: 680.

**858 FEDERAL TAX PROCEDURE** (2 credits): The focus of this course is on federal tax procedure. Areas covered include: organization and operation of the Internal Revenue Service (IRS), audits, administrative appeals, deficiency procedures and litigation, refund claims and suits for refund, summons and other investigative authority of the IRS, access to IRS information, assessments, collections, private letter rulings, penalties and interest, and an introduction to criminal tax procedure. Co-requisite: 680.

**860 ADVANCED INDIVIDUAL INCOME TAX PROBLEMS** (2 credits): The course will utilize selected problems to cover the major income tax issues for individuals. Topics covered will include definitions of gross income, business deductions, income splitting, sales and other dispositions of property, gains and losses, and timing issues. Prerequisite: 680.

**862 TAX RESEARCH and COMMUNICATION I** (2 credits): An introduction to tax research and communication. The student will be responsible for completing certain exercises and drafting tax documents utilizing tax research techniques. Prerequisite: 680.

**863 TAX RESEARCH and COMMUNICATION II** (2 credits): Preparation of a comprehensive research paper. Prerequisite: 680, 862.

**865 SUBCHAPTER S CORPORATIONS AND ADVANCED PASS-THROUGH ENTITIES** (2 credits): Advanced corporate tax problems including taxation of Subchapter S corporations, professional corporations, personal holding companies and punitive taxes on earnings accumulations, and collapsible corporations. Prerequisite: 680.

**868 LIMITED LIABILITY COMPANIES** (1 or 2 credits): An examination of the 1994 legislation regarding limited liability companies. Other forms of business entities such as C-corporations, S-corporations and various forms of partnerships are explored for purposes of comparing and contrasting these entities to limited liability companies. Prerequisites: 680, 700.

**872 INCOME TAXATION OF TRUSTS and ESTATES** (2 credits): Taxation of income of simple trusts, complex trusts, and grantor trusts; discussion of rules unique to trusts and estates, including distributable net income, charitable deduction, distribution deduction, and income in respect of decedents. Prerequisite: 680.

**876 TAX AND PROFESSIONAL RESPONSIBILITY** (2 credits): Examination of the ethical problems that

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confront the tax practitioner, including problems of return preparation, flagging weakness, review of returns, post-return developments, audits, and disclosure of adverse facts and law. Prerequisite: 680.

**878 TAX DEFERRED QUALIFIED COMPENSATION PLANS** (2 credits): This course will cover tax code principles of tax deferral, various non-qualified plan options and other tax qualified arrangements such as IRAS and SEPS, 403(b) and 457(b) and (f) plans. Coverage will focus on the core Internal Revenue Code sections relating to various qualified plan options, coverage and participation alternatives, contribution and benefit limits, vesting and benefit protection rules, discrimination rules, salary deferral opportunities under 401(k), merger and acquisition rules, control group and affiliated service group rules, fiduciary and investment management oversight, reporting and disclosure rules, and certain health and welfare benefit rules. The course culminates with a practicum-style case study which simulates the experience of a law firm associate working in a tax/benefits department. During the case study, students will be required to design compensation plans that achieve the management and financial goals of a simulated client. This interactive process will help the focused and prepared student develop the critical thinking and problem solving skills necessary to succeed in practice and will demonstrate how a skilled attorney uses the tax code, regulations and related authorities to meet the business and financial concerns of clients. In short, the exercise demonstrates the importance of integrating theory and practice skills to successfully serve the needs of clients. Prerequisite: 680.

**879 EXECUTIVE COMPENSATION** (2 credits): A review of executive compensation practices of public, private and tax-exempt employers. The course will examine the elements and structure of executive compensation as well as the limitations imposed on executive compensation by the Internal Revenue Code and the Employee Retirement Income Security Act. The class will explore the use of executive employment agreements, and life insurance, nonqualified deferred compensation and equity plans. In addition, the class will examine the limitations imposed on executive compensation under Sections 162 (m), 280G, 409A and 4958 of the Internal Revenue Code. Familiarity with basic federal income tax principles is a must.

**880 INTERNATIONAL TAXATION I** (2 credits): Students will learn and discuss U.S. tax laws related to international operations including U.S. entities earning foreign source income and foreign entities generating U.S. income. Tax laws related to jurisdiction to tax, tax rules applicable to different types of legal entities; sourcing of income, and foreign tax credits will be reviewed. Tax systems of several major foreign countries will also be discussed. This course is designed to give the student a solid base in the tax laws applicable to foreign operations and the implications for evaluating various forms in which to conduct business. Prerequisite: 680

**881 INTERNATIONAL TAXATION II** (2 credits): Students will review and discuss case studies and advanced problems dealing with tax and business considerations in establishing business operations in the U.S. and in foreign jurisdictions. Tax treaties, foreign reorganizations, utilization of hybrid entities and instruments will be discussed as well. This course expands upon the foundation and knowledge gained from International Taxation I and is designed to make the student a valuable contributor and advisor to business management. Prerequisites: 680, 880

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890 **TAX EXEMPT ORGANIZATIONS** (2 credits): Organizational, operational, and dissolution tax problems of federally tax-exempt entities including '501(c)(3) charities, trade associations, clubs, and voluntary employee benefits associations. Prerequisite: 680.

896 **REAL ESTATE TAXATION** (2 credits): Effect of income taxes on real estate and real estate transactions, sales and exchanges of real estate interests, various entities for the ownership and development of real estate, real estate syndications, problems of the investor and the developer, basis and basis adjustments, and choices of financing techniques such as the sale-leaseback, depreciation, amortization, and obsolescence. Prerequisite: 680.

898 **INSURANCE TAXATION** (2 credits): Explores the tax implications of owning life insurance policies and annuity contracts, and transactions (e.g., exchanges, distribution) involving those contract, as well as the definitional requirements imposed by the Internal Revenue Code. Course in estate taxation and/or estate planning is helpful but not mandatory. Prerequisite: 680.

### **LAWYERING SKILLS AND PROFESSIONALISM**

900 **ELECTRONIC LEGAL RESEARCH** (1 credit): The Electronic Legal Research is an intensive course that meets on a Saturday and Sunday early in the semester. This course will discuss and evaluate methods of electronic legal research. Internet legal resources, including Westlaw and Lexis, will be reviewed. Student will learn to evaluate electronic research tools and sources. A major course objective is to help students develop cost-effective and efficient research strategies. This course has limited enrollment. Attendance at every class for both days is mandatory. A research guide will be due at the end of the semester. The last day to drop Electronic Legal Research and receive a refund is the Friday before the course is scheduled to meet. No exceptions to this policy!

902 **DISPUTE RESOLUTION** (2 credits): Study of the major alternatives to litigation for the resolution of disputes including negotiation, mediation, arbitration, and court-annexed procedures. Theoretical materials applied in simulated exercises. **NOTE:** Students enrolling in the summer intensive format version of this course are not to work during the course. Classes run from 8:00 AM to 12:00 PM everyday from Monday through Saturday. A final exam is given the following Tuesday.

903 **BUSINESS NEGOTIATION** (2 credits) This course is designed for students who have taken the Negotiation course and wish to learn about the use of negotiation in the business environment. A student who completes this course will acquire: a comprehensive and well-founded knowledge of business negotiation necessary for successful negotiation in business; the skills and abilities necessary to engage successfully in negotiation in various business and organization settings; an understanding of how the discipline of law relates to business negotiation; the ability to identify problems, create solutions, innovate, and improve current practices in business negotiations; and the ability to think creatively to reach mutually satisfactory negotiated outcomes in business. Prerequisites: 904.

904 **NEGOTIATION** (2 or 3 Credits): Selected materials in negotiation, the process by which lawyers resolve 90% of their clients' legal problems. Topics include selecting appropriate strategies for a particular negotiation, planning for a negotiation, and implementing strategy, selecting tactics and

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considering ethical issues of misrepresentation and zealous advocacy. **NOTE:** Students enrolling in the summer intensive format version of this course are not to work during the course.

**905 GENERAL ARBITRATION** (2 credits): An examination of the use of arbitration as an alternate adjudicative process. The course will discuss all aspects of arbitration, including compulsory arbitration, arbitration clauses, the Federal Arbitration Act, post-hearing processes for formal arbitration, and public policy issues.

**908 INTERVIEWING and COUNSELING PRACTICUM** (2 credits): Selected materials in the lawyering process including development of the skills necessary for successful client interviewing and counseling, extensive use of role playing, and actual client interviews. This course primarily is for students who wish to enroll in the General Litigation Clinic (940).

**910 MEDIATION** (2 credits): This course approaches mediation from the advocate's perspective. Students will develop a sophisticated understanding of mediation and will learn when to use mediation as a settlement process. Learning objectives will be met through in class role-plays, reading assignments, written analysis of mediation role-plays, and a final examination. **NOTE:** Students enrolling in the summer intensive format version of this course are not to work during the course. Classes run from 8:00 AM to 12:00 PM every day from Monday through Saturday. A final exam is given the following Tuesday.

**911 DIVORCE MEDIATION** (3 credits) Mediation in the domestic/divorce arena combines a thorough understanding of the basic skills of mediation with the substantive knowledge of the relevant issues on divorce such as custody, visitation, support and property division. The student will receive education and training that will explore these areas as well as provide the necessary educational requirements to comply with the standard divorce/domestic mediation certification. This course is well suited for those future attorneys who wish to mediate divorce cases or to represent clients in divorce mediations. A final exam is given. This course has been approved by the Ohio Supreme Court to meet the requirement of Rule 16 of the Ohio Rules of Superintendence for a 40-hour course in specialized family or divorce mediation. Students interested in practicing in Ohio and being included on any list of court-approved family mediators should refer to Rule 16 for other Ohio Supreme Court requirements.

**NOTE:** In the one week summer intensive format, the 5 day class runs Monday through Friday (8:00 am to 5:00 pm). In the regular semester format, the class is taught over 5 weekend days (8:00 am to 5:00 pm each day).

**Prerequisite:** 910 Mediation. Students may seek permission from the Associate Dean to take 910 Mediation concurrently with 911 Divorce Mediation or to waive 910 Mediation. Permission to take the courses concurrently will be granted when attendance in regularly scheduled 910 Mediation classes will ensure that a student receives at least 12 hours of instruction in basic mediation before beginning 911 Divorce Mediation. Permission to waive 910 Mediation will be granted when a student has previously completed a basic 12 hour mediation course or has equivalent mediation experience.

**912 MEDIATION OF WORKPLACE DISPUTES** (2 cr) This course will expose students to various theoretical and practical approaches to mediating workplace disputes. Students will explore how the use

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and application of the mediation process can be used as a tool to resolve workplace disputes in lieu of protracted litigation. Through demonstration, structured exercises, simulations, role-play and group discussion, student will explore how to effectively represent clients during mediation. Students will also draft legal settlement agreements, prepare demand letters, and case evaluations for mediation. JD students and attorneys who have completed an extensive mediation training program may request that the prerequisite be waived. Prerequisite: 910.

**913 HEALTH CARE & DISPUTE RESOLUTION** (2 credits) This course seeks to offer a framework for understanding dispute resolution in healthcare by providing a historical perspective on American healthcare's evolution to its present structure. It identifies major players interacting in the current American healthcare setting, highlights key components in healthcare dispute resolution, underscores ethical considerations endemic to healthcare, and anticipates future evolution in health care and dispute resolution. An examination of the use of dispute resolution in the health care industry with emphasis on issues of mediating bioethical disputes such as how much care to provide, the allocation of scarce resources, death and dying, the suspension of care, the interaction of the family and the health care provider, medical ethics, including a review of case studies of different existing models of dispute resolution currently being used and an examination of emerging and future issues affecting dispute resolution in the health care industry.

**914 DEPOSITIONS** (2 credits) This course provides students with a developed knowledge and understanding of deposition strategies, as well as with the opportunity for hands-on application of the substantive and procedural law surrounding lay and expert depositions. Each student will be required to take and defend a lay and an expert deposition, prepare a deposition outline for those depositions they take, and prepare a deposition summary for all their deposition simulations. In conjunction with Grant Hospital's Medical Program, the final videotaped class will consist of expert depositions (taking and defending) employing Grant Medical Residents as deponents and expert witnesses. This course is intended to compliment both Trial Advocacy and Civil Pre-Trial Proceedings. Prerequisite: 660.

**919 CIVIL PRETRIAL PROCEEDINGS** (3 credits): As a litigation attorney you will conduct most of your activity before trial in pleading, discovery and dispositive motion practice. This includes meeting with your client, independently investigating the facts, preparing a Complaint or Answer, Interrogatories, Requests for Production of Documents, Requests for Admissions, Notice of Deposition, Subpoenas and gathering information on your client, the opposing party, and sometimes Co-Defendants. Once you have gathered this information, you will typically be taking multiple depositions and defending your client's deposition as well as your witnesses' depositions. You may also be preparing or defending against a motion for summary judgment. This class will introduce you to the basics of pleadings, discovery and motion practice. You will explore strategies for framing and drafting pleadings. You will explore strategies for effective use of each discovery tool. You will prepare written discovery, prepare answers to discovery, and take mock depositions. Ultimately, the class seeks to help you learn to formulate a litigation plan and use each stage of the pretrial process to effectively develop the evidence needed to achieve your desired litigation outcome. By the end of this class, you should see how a litigator effectively employs pleadings and discovery to frame the factual issues in a way that allows for favorable disposition at trial or on summary judgment. Your final grade will be based on the pleadings

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you draft, the discovery submitted to opposing counsel, your responses on behalf of your client, including all appropriate objections, a final deposition and a motion for summary judgment. Prerequisite: 660, 661 or 661P

**920 INTERNATIONAL BUSINESS TRANSACTIONS** (3 credit): This course discusses patterns of transnational law practice and the regulation of that practice by nations. The course will compare how the conduct of lawyers is governed by other countries and compare rules of professional ethics around the world, with a special emphasis on Europe. The students will study several hypothetical international business transactions, discussing the role of the U.S. lawyer and the ethical problems U.S. lawyers experience in international commercial transactions.

**921 JURY INSTRUCTIONS** (1 credit): This skill-based course will introduce students to the theoretical considerations involved in drafting jury instructions, as well as provide them with hands-on training in the research and writing of instructions. Students will learn a step-by-step approach to the drafting of instructions for use prior to trial, during trial and at the end of trial. Students will also learn how to prepare jury interrogatories and additional findings, how to prepare verdict forms, how to participate in a charging conference and preserve perceived error, and how to address jury questions and the issue of inconsistent verdicts. Throughout the course there will be continuing discussion on the role of counsel as an advocate and an officer of the Court, including ethical considerations and balancing advocacy with presenting correct statements of the law.

**922 TRIAL ADVOCACY PRACTICUM** (3 credits): Trial tactics and strategy; preparation for trial; procedure during trial; conduct of counsel; mock trial of a case. Prerequisites: 660, 661, 670.

**923 ADVANCED TRIAL ADVOCACY PRACTICUM** (3 credits): Examination of advanced trial techniques including unique evidentiary problems, trial motions, and other special problem. This course will allow the student to build upon the trial techniques learned in **Trial Advocacy Practicum**. Prerequisites: 661, 670, 922.

**924 APPELLATE ADVOCACY PRACTICUM** (2 credits): Course focuses on writing appellate briefs and preparing oral arguments in defense of the brief. Advanced writing, analysis, and persuasion skills are emphasized. Additional topics include appellate jurisdiction, the standard of review, and appealable orders.

**925 MANAGING YOUR LAW PRACTICE:** (2 credits ) This course is designed to provide a basic overview of the business and professional issues facing the new law graduate who intend to practice as a solo practitioner or in a small law office. Most of the topics covered also will be relevant for students who intend to practice with larger law firms, government agencies, or corporate law departments. The course is open to students who have completed their first year. Enrollment is limited to 25 students. Prerequisite: 700

**926 GENERAL PRACTICE PRACTICUM** (3 credits): Application of legal theory to solving concrete problems encountered in general practice: planning and drafting techniques in selected areas of administrative, trial, and appellate practice. Limited to students in the last year of law school.

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**927 BUSINESS & FINANCE CONCEPTS FOR LAWYERS** (2 credits): This course is designed to provide a basic understanding of the key financial issues that directly impact the performance of legal duties. This course will impart knowledge of financial concepts that practicing lawyers need for successful and informed representation of clients. Lawyers directly representing business firms will benefit from a better understanding of the drivers impacting these companies, as will lawyers serving in government agencies that regulate these firms. In addition, students planning careers in litigation or family practice will gain tools to better assess the other side's financial resources and to improve their evaluation of settlement offers. Students will learn to read and analyze the basic financial documents that form the backbone of business practice.

**928 DRAFTING FOR ESTATE PLANNING** (2 credits): Prototype dispositive schemes for the married couple; the use of inter vivos trusts in estate planning including the minor's trust, insurance trust, and charitable trust; tax planning for the executive including year of termination tax accounting problems, business valuation freeze techniques, sale of a business, and selection of deferred compensation profits. Prerequisites: 680, 850, and either 750 and 751 or 752.

**930 BUSINESS PLANNING PRACTICUM** (2 credits): Integrated study of corporate, financial, tax, accounting, and securities aspects of: organization of a small corporation, organization of a public corporation, stock dividends, recapitalization and stock redemption in the context of stockholder conflict, corporate liquidations, corporate mergers and acquisitions. 680, 700, and either 854, 855 or 856; Co-requisite: 701.

**935 Marshall-Brennan Constitutional Literacy Seminar and Practicum** (3 credits): Students will participate in the Marshall-Brennan Constitutional Literacy Project. Students will be required to complete both components of the course. The first component will be a two-hour seminar in Advanced Constitutional Law, exploring how Constitutional Law affects the lives of high school students and the intersection between Constitutional Law and Education Law. The seminar will be conducted in the same manner as a traditional law school seminar. The seminar will meet once a week for two hours each week during the entire semester. Students will be expected to complete substantial reading assignments and participate in classroom discussion. The second component of the course will be a field placement. Students will be placed in teaching pairs and assigned to teach a Constitutional Law class in an area high school. Students will be expected to complete at least 30 hours of teaching at the high school during the course of the semester.

**938 ENVIRONMENTAL LAW PRACTICUM** (2 credits): This course uses problems and simulation exercises to teach students lawyering skills necessary for the practice of environmental law. It is divided into four sections -- compliance counseling, enforcement, litigation and policy -- which correspond to four of the main areas of environmental law practice. Each section commences with an introduction to the area of practice being covered. Following the introduction, students complete short problems designed to expand and deepen their understanding of the area. At the conclusion of each section, students engage in realistic cases that simulate the practice of environmental law. The course requires students to produce a variety of written work during the semester, such as memorandums, complaints, and summary briefs.



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Students will be graded on these written assignments as well as on the quality of their performance in the simulations. There is no final exam or paper requirement. Prerequisite: 780.

**940 GENERAL LITIGATION CLINIC** (2 or 3 credits): Law students who have received a limited license to practice law from the Ohio Supreme Court represent clients who are charged with misdemeanor offenses or who have civil legal problems in areas such as domestic relations, probate, bankruptcy, landlord-tenant, consumer, and wills. Prerequisite: This course available only to students who have completed two-thirds of the credit hours needed to graduate. Enrollment priority will be given to students who have taken 908.

**941 MEDIATION CLINIC** (3 credits): A clinical experience for students who have already completed the Mediation course as a prerequisite. Students will complete “some” classroom work, but they will spend the majority of time mediating disputes in a variety of settings. Students will conduct and/or observe pre-scheduled mediation sessions at the Franklin County Municipal Court, the City Prosecutor’s Office, and The Supreme Court of Ohio. Mediations may be scheduled during the day time or evening hours and may require attendance at different locations. The classroom work involves general skills training in the techniques needed to conduct a mediation. Additional training and classroom work will focus on subject areas that will assist the student in performing his/her role as a mediator. There is “no” regular class time set for this course. “Classroom” sessions will be scheduled based on student availability. NOTE: Each student will have a different “mediation” schedule that she/he will specifically coordinate with the professor. This schedule can be a set time for the entire semester, or it can change from week to week as the professor and student determine. There is a lot of flexibility in determining this schedule. After completing the Mediation Clinic for 3 credit hours, students may petition to take an additional semester of Mediation Clinic for 1, 2, or 3 credit hours. Prerequisite: 910.

**942 FOSTER YOUTH ADVOCACY CENTER** (2 credits): This course offers substantive instruction and an opportunity for experiential learning in child law and advocacy. Students will receive substantive instruction in areas that affect foster youth, such as public benefits, credit checks, expungements, and housing in a traditional classroom setting. Students will also provide direct representation and counseling to clients who are youth transitioning out of foster placements. Students will spend up to seven hours per week representing a minimum of four clients per semester, developing legal skills that include interviewing, drafting pleadings, and witness preparation. Students will also make at least two presentations per semester to community-based organizations and will represent a Franklin County family during National Adoption Day to finalize an adoption. FYAC will be offered only fall semester. However, students enrolled in the fall semester may have the option to earn additional credit in the spring where necessary to continue their representation of existing clients. FYAC is a 2-credit-hour course but can be taken for 3 credits with prior approval from the NCALP Director or FYAC professor. Prerequisite: This course is available only to students who have completed two-thirds of the credit hours needed to graduate (eligible for Supreme Court of Ohio’s legal intern license). Course capacity is 10 students.

**944 EXTERNSHIP** (2 or 3 credits): Selected students are placed with a court, governmental or not-for-profit agency to provide them with the opportunity to apply the substantive law and lawyering skills

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learned in the traditional curriculum. A faculty monitor closely supervises the student, under the coordination of the Faculty Externship Committee. Course credit is predicated on 55 working hours for each one-semester hour of credit. Grading is on a satisfactory/unsatisfactory basis. Prerequisites, Co-requisites, and other limitations on enrollment are announced in advance. Students may take the externship program more than once, for a total of no more than 6 credit hours. See Section 4.11

**945 CORE BAR STUDIES** (1 credit): Core Bar Studies (CBS) provides a substantive review of the core doctrinal material tested on bar exams and relevant to law practice. The course features a comprehensive faculty-led lecture series on the frequently-tested topics such as Torts, Contracts, Property, Constitutional Law, Evidence and Criminal Law. CBS is modeled on active learning principles and methodologies. As such, students will be required to engage with the substantive material through a variety of hands-on methods, including: interactive online lectures, online assessment software, live classroom discussion, written assessment exercises, and individual consultation with the course instructor. Students are expected to commit themselves to the learning process and to the ultimate goals of bar passage and excellence as attorneys. Core Bar Studies is intended exclusively for students whose academic record and/or experiential profile suggests that they would benefit from an earlier start to their bar examination preparation. Enrollment in the course is strictly limited and will be open by invitation only to third-year day or fourth-year evening students

**946 ADVANCED BAR STUDIES** (3 Credits) The Advanced Bar Studies course, graded on a satisfactory/unsatisfactory basis, is designed to assist students in the preparation for the Bar Examination. The course will focus on test-taking techniques, a familiarization with the multiple choice test, Ohio essay questions, and multi-state performance test questions. Advanced Bar Studies is not a substitute for commercial Bar Review courses. It is not a review of the substantive topics tested on the bar exam. ABS must be taken in the final semester of law school.

### PERSPECTIVE

**950 JURISPRUDENCE** (3 credits): A systematic examination of ways of thinking about law; analysis of several contemporary theories of law (such as critical legal studies, critical race theory, and feminist legal theory) and application of their methods to concrete problems.

**935 MARSHALL-BRENNAN CONSTITUTIONAL LITERACY SEMINAR AND PRACTICUM** (3 credits): Students will participate in the Marshall-Brennan Constitutional Literacy Project. Students will be required to complete both components of the course. The first component will be a two-hour seminar in Advanced Constitutional Law, exploring how Constitutional Law affects the lives of high school students and the intersection between Constitutional Law and Education Law. The seminar will be conducted in the same manner as a traditional law school seminar. The seminar will meet once a week for two hours each week during the entire semester. Students will be expected to complete substantial reading assignments and participate in classroom discussion. The second component of the course will be a field placement. Students will be placed in teaching pairs and assigned to teach a Constitutional Law class in an area high school. Students will be expected to complete at least 30 hours of teaching at the high school during the course of the semester.

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**951 WOMEN AND THE LAW** (3 credits): This course examines topics in law relating to the law's treatment of and impact on women through a series of different theoretical perspectives that produce alternative understandings of the relationships between gender and law. Theoretical perspectives include formal equality, substantive equality, dominance theory, different voice theory, autonomy, and antiessentialism. Substantive topics include employment, the family, domestic violence, school sports, sexual harassment, pornography, rape, insurance, affirmative action; women in legal practice, the regulation of pregnancy, sexual orientation discrimination, and the intersection of race, gender and culture in the law. The course emphasizes relationships between theory and practice.

**952 LAW AND LITERATURE** (2 credits): We explore law's many meanings and values through stories. What is justice? Is our legal system just? How should we judge? What are law's foundations? Must law be moral? Why obey law? How do we interpret the law? What kind of lawyer should I aspire to become? What values are most important to a meaningful life in the law? Literature helps answer these vital questions. It likewise teaches us new ways to critique our fickle justice system, to grasp law's distinctive discourse, and to become better legal writers. Narrative structure, character development, and theme building, among other storytelling techniques, enhance our repertoire of writing and persuasion skills. Those skills also share center stage with our professional values, as we confront the many moral-legal dilemmas in a thoughtful lawyer's life.

**955 LEGAL HISTORY** (3 credits): A survey of the English origins and development of the Anglo-American legal and constitutional system, from the Anglo-Saxon period to the 20th century.

**956 LAW AND AMERICAN HISTORY** (3 credits): A survey of the history of the American legal and constitutional system, emphasizing how political, economic, social, and ideological changes have affected the structure, function, and content of American law.

**958 ORIGINS OF WESTERN LAW: GREECE AND ROME** (3 credits): An examination of Greek and Roman law and procedure, which greatly influenced Western law, including the birth and development of law and constitutional forms from the earliest beginnings in Greece through the codifications in Roman Emperor Justinian's reign.

**965 INTERNATIONAL LAW** (3 credits): An introduction to International Law as applied between independent nations and in American courts; selected problems dealing with the sources, development authority, and application of International Law; the making, interpretation, enforcement, and termination of treaties; states; recognition; territory; nationality; jurisdiction and immunities; the United Nations and other international organizations in which the United States holds membership; State responsibility; and International claims for wrongs to citizens abroad.

### **967 SPECIAL TOPICS**

**INTERNATIONAL ORGANIZATIONS** (2 credits): This course will cover fundamental aspects pertaining to the formation, structure, and functions of international organizations (IOs). Aside from offering a theoretical underpinning of their existence, the course also aims to promote the understanding of the practical significance of IOs in the context of contemporary world affairs. In addition, it will offer a

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critical assessment of the role of the United States in shaping the policies of various international organizations, as well as encourage class debate on the extent to which IOs are indeed capable of addressing major problems, such as terrorism, the proliferation of nuclear weapons, or major economic crises. Part of the class will be devoted to the scrutiny of specific organizations, including – but not limited to – the United Nations, the European Union, the North Atlantic Treaty Organization, and the World Trade Organization.

**968 INTERNATIONAL HUMAN RIGHTS** (3 credits) International Human rights in nations' constitutional law. Universal enforcement (United Nations). Regional enforcement (the African, European, and Inter-American systems in operation). Human rights litigation in U.S. courts. How the U.S. can influence human rights in other countries.

### **OTHER**

**980 RESEARCH SEMINAR** (2 credits): Every year the Law School offers several research seminars, most of which satisfy the upper-class writing requirement. Topics of seminars vary from year to year. Prerequisites, Co-requisites, and other limitations on enrollment are announced in advance.

The following seminars are currently offered:

**African American Males & the Law** From Dred Scott to the Scottsboro Boys, to Rodney King to possibly Trayvon Martin, African-American males are negatively impacted by the American Justice system. African-American males are disproportionately represented in every aspect of the criminal justice system, from being racially profiled, stopped, arrested, prosecuted, sentenced, incarcerated, and placed on death row. Indeed, the overrepresentation of African-American males in the criminal justice system negatively impacts their ability to gain meaningful employment, health care, the ability to vote, and to obtain a quality education, if any education at all. The purpose of this seminar is to identify, explore and determine the impact of the criminal justice system, court decisions, federal and state legislation, federal regulations, and the Constitution on the social and economic status of black males. Students will address issues related to black males in the areas of employment discrimination, the death penalty, the constitutionality of separate schools, Federal sentencing guidelines, AIDS, arrests and police brutality, NCAA's Rules and Propositions, incarceration, education, exclusion as jurors in jury trials, harassment, and stereotypes. Other faculty members and members of the legal community may be invited to share their expertise on some of the topics covered. Students will be required to prepare an extensive research paper. This paper may be used to fulfill the Upper-class Writing Requirement. The seminar is also approved to meet perspective requirements.

**Antitrust / Health Care** The seminar will cover in-depth the role of the antitrust laws and the resulting antitrust issues that arise in the ever-changing health care field. Students will participate in discussion and prepare a paper on an approved topic on a current antitrust issue in health care. The paper in its final form is due on the last day of class.

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**Criminal Responsibility** The typical sanction for breaking a criminal law is punishment. But because punishment may be considered a social evil, the institution of punishment must itself be justified. In this course, we will consider the retributive and utilitarian justifications for punishment, both in execution and amount. We will then apply those theories to types of cases in which punishment seems unjustified, including cases of involuntary acts, insane actors, mentally retarded murderers, and battered spouses. The question in all of these cases is: Why—and to what extent—should such actors avoid punishment for the social harm they have caused? Students will read and discuss dense philosophical and legal texts on these and other related issues. Each student will be required to submit a 20-page publishable paper on a relevant (and approved) topic of her choosing. This course fulfills the perspectives requirement.

**Crimmigration: The Intersection of Criminal Law and Immigration Law:** (2 credits) This seminar addresses the interaction of criminal law and immigration law. Participants study the increased use of criminal policing techniques in the immigration context, including mass imprisonment and mandatory detention. The course also considers the rights and obligations of immigrant criminal defendants and their attorneys. Special emphasis is given to sections of the Immigration and Nationality Act relating to criminal conduct, including the policy motivations and implications of linking two disparate areas of law. Students will engage in a sustained research project.

**Current Topics in Corporate Governance** “Corporate Governance” is a broad term meaning the system by which corporations are managed and controlled. During the 2007 fall semester, the seminar will examine a wide variety of legal and policy issues raised by Enron, WorldCom, Hewlett-Packard and other companies involved in the recent series of corporate misdeeds and/or accounting meltdowns. We will investigate the extent to which the board of directors and their committees can realistically address the problems raised by the recent scandals.

The seminar will begin with a review of the basics of corporate governance and the roles of the board of directors, including various board committees, and of executive officers. We also will look closely at the causes of the corporate scandals from business, financial, ethical, political and legal perspectives. We will examine provisions of the Sarbanes-Oxley Act and new listing standards in detail, and assess whether regulatory reforms will remedy the practical problems identified as a result of the recent scandals. Thereafter, the seminar will consider when the board of directors and board committees can prevent corporate fraud, and when they cannot. We will analyze the role of standards of director and executive officer conduct in the new environment. We also will consider the role shareholders can play in corporate governance, and the role, if any, for employees in corporate governance. Finally, we will explore how auditors, lawyers, financial institutions and investment banks, investment analysts, financial journalists, credit rating agencies, and other key participants in the post-Enron world of public companies fit into the emerging picture.

**Election Law** This seminar will deal with historical and contemporary issues growing out of the regulation of elections and campaigns, including campaign finance laws. Topics include reapportionment, voting rights, rights of minor parties and candidates, campaign finance reform, etc.

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**Federal Criminal Law** This seminar will highlight the issues of law, theory, jurisdiction, and policy involved in the federal law enforcement system. We will examine various crimes that are unique to the federal criminal justice system, such as the Hobbs Act, bribery and illegal gratuities, currency reporting and money laundering offenses and obstruction of justice. We will also survey issues of criminal procedure that are not covered in criminal procedure and advanced criminal procedure, such as the attorney-client privilege and the work product doctrine, joint defense confidentiality agreements, and plea bargaining and cooperation agreements under the United States Sentencing Guidelines.

**Media Law** Building upon issues raised in torts, contracts, property and constitutional law, this course will examine the liability of the media. It will also examine First Amendment theory as it relates to the media. When is the media liable for invasions of privacy or for libel? Can the media be sued for products liability? When, if ever, should an injunction issue against the media?

There will be extensive reading every week and every student will be expected to actively participate in class, including making several presentations to the class. A student's grade will be based on class participation and on the student's paper. Every student will be required to submit an outline, a draft of the paper, and the final paper must be of superior quality.

**981 RESEARCH SEMINAR (2 Credits)** Every year the Law School offers several research seminars, most of which satisfy the upper-class writing requirement. This seminar also satisfies the perspective requirement. Topics of seminars vary from year to year. Prerequisites, Co-requisites, and other limitations on enrollment are announced in advance.

**Constitutional History – Origins of the Bill of Rights** The seminar will examine the federal Bill of Rights as originally drafted and ratified, in its historical context-i.e., as part of the broader story of the protection of individual rights, beginning in England and continuing in America, both before and after the American Revolution.

Everyone will begin with some common background readings, to be discussed in class the first several weeks of the seminar. Each participant in the seminar will be assigned one of the provisions of the Bill of Rights (the first ten amendments to the Constitution) or one of the rights provisions in the main text of the Constitution, as a topic for research, an in-class presentation, and finally the seminar paper (to be written in the format of a law review article). After several weeks of individual presentations, discussing these particular rights provisions, the seminar will conclude with a discussion of the Bill of Rights as a whole and the relevance of historical inquiry to contemporary problems in constitutional law. The general questions we will be exploring include: Does the "original intent" or meaning of the Framers really matter? If so, whose intent or meaning, and why? If not, why not, and how should these constitutional provisions be interpreted?

**Criminal Responsibility** The typical sanction for breaking a criminal law is punishment. But because punishment may be considered a social evil, the institution of punishment must itself be justified. In this course, we will consider the retributive and utilitarian justifications for punishment, both in execution and amount. We will then apply those theories to types of cases in which punishment seems unjustified, including cases of involuntary acts, insane actors, mentally retarded murderers, and

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battered spouses. The question in all of these cases is: Why—and to what extent—should such actors avoid punishment for the social harm they have caused? Students will read and discuss dense philosophical and legal texts on these and other related issues. Each student will be required to submit a 20-page publishable paper on a relevant (and approved) topic of her choosing. This course fulfills the perspectives requirement.

**Ideas of the First Amendment** The first focus of the seminar will be the pivotal doctrines of first amendment law. For example, why is it important that we regulate speech after, rather than prior to, its expression; or why is viewpoint regulation more problematic than “neutral” regulation of speech; or should there be “paternalistic” reasons for regulating speech, designed to protect audiences from their own susceptibilities, to name a few. Although these doctrines are quickly canvassed in the core Constitutional Law courses, they are not given center stage as they will be in this seminar. The second focus of the seminar is that such questions are best studied by engaging a few of the greatest writings on the freedom of speech that have been generated in the Anglo-American tradition. The seminar will study these doctrines through the writings – some political polemic, some judicial opinions – of John Milton, James Madison, John Stuart Mill, Learned Hand, O.W. Holmes, Louis Brandeis, A. Meiklejohn and assorted “contemporary” replies. The course will fulfill the upper-level writing and perspectives requirements.

**International Criminal Law** This seminar will deal with the following topics: sources of international criminal law; jurisdiction (nationality; protective, territorial, passive personality, universal); crimes against humanity; war crimes, genocide; torture; terrorism; aerial hijacking; hostage taking; extradition; money laundering; environmental crimes; narcotics trafficking; international judicial assistance; and prisoner exchanges.

**Latinos/as and the Law Seminar** At over 46 million, Latinos are the largest and fastest growing racial-ethnic group in the United States. Between 1990 and 2000, the number of Latinos in the United States grew by 60%. This growing trend will have far-reaching implications for American jurisprudence and its socioeconomic policies. This seminar will provide an introduction and broader understanding of the legal issues facing Latino communities, including civil rights, language, regulation and immigration law and policy. The assigned readings and subsequent classroom discussions are intended to expose students to the historic and contemporary relationship between race, ethnicity, and law and methodologies and themes to be employed by critical race scholars to evaluate them. In doing so, students will be required to apply a critical race analysis to judicial decisions, legislation, and governmental policies.

**Law And Religion** In this course, we will focus on the Supreme Court’s role in adjudicating issues regarding religious liberty. We also will raise issues regarding constitutional interpretation and will examine the development of substantive doctrine in this First Amendment area. After examining the basic historical and methodological materials, we will engage in a detailed examination of the most recent cases decided by the Supreme Court.

**Libertarianism And The Law** Libertarianism is a centuries-old political tradition that emphasizes

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individual freedom and limited government. Its key concepts include individualism, natural rights, the role of government limited to the protection of natural rights, the rule of law, and free-market capitalism. It envisions a society of liberty under law, in which individuals are free to pursue their own lives so long as they respect the equal rights of others. Today, libertarianism also is a political movement that challenges the modern regulatory/welfare state from a perspective that differs from those of both the “left” (modern liberalism) and the “right” (conservatism).

The seminar will explore libertarianism – its historical origins and evolution, its central tenets, and its place in modern policy debates – with a particular emphasis on application of the libertarian perspective to the law. We will begin with some common readings, to be discussed in class the first several weeks of the semester. Each participant in the seminar will be assigned a topic for research, an in-class presentation, and the seminar paper.

**Supreme Court** In this seminar, students will take an in-depth look at the Supreme Court, learning about the traditions of the Court, how it functions, and the dominant judicial philosophies of its members. Topics will include the process for nominating and confirming Justices, how the Justices decide to grant cases for full review, the role of the law clerks, the influence of the Solicitor General, briefing and oral argument before the Court, and comparison of the Justices’ theories of judicial review. In addition, students will write two papers. One will be a short biography of a Justice; the other will be a comprehensive analysis of a case pending before the Court.

**982 INDEPENDENT RESEARCH PROJECT** (1-3 credits): Significant research paper or an independent research project under the guidance of a member of the faculty. A student may not register for independent research until the student provides a written proposal, tentative outline, and tentative hypothesis accepted by a full-time faculty member. A student may not register for more than one independent research project in a semester, or for more than six total credit hours of independent research, without the approval of the associate dean. Prerequisite: approval of instructor.

**986 LAW REVIEW I** (1-2 credits): Preparation of a publishable note or comment for the Capital University Law Review. Approval of Editor-in-Chief and Faculty Advisor is needed. Course may not be repeated. Selection by class rank or writing competition.

**987 LAW REVIEW II** (1-2 credits): Preparation and editing of notes and comments for Capital University Law Review; editing professional articles. Limited to Board members of the Law Review. Approval of faculty advisor is needed. Prerequisite: 986 and selection.

**990 MOOT COURT** (2 Credits): Participation as a member of an interscholastic moot court team supervised by a full-time faculty member consistent with provisions of the Policy Manual Section 4.12. Approval needed by the faculty advisor(s). Credit awarded upon the certification of the faculty advisor(s). Selection is by competitive audition. Prerequisite: 924: Appellate Advocacy Practicum.

**National Moot Court Team** Participation as a regular member of the National Moot Court Team, in both the Spring ABA/LSJ and the Fall CBNY moot court competitions. Two (2) hours of credit will be awarded to a person who participates either in the fall or spring competition only. Approval needed by the



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National Moot Court Team Advisors. Course may not be repeated for credit. Students selected by competitive audition.

**Child Welfare and Adoption Law Moot Court Team** Competes annually in a national competition hosted by the National Center for Adoption Law & Policy in partnership with The National Center for Adoption Law & Policy, The National Council of Juvenile & Family Court Judges, The ABA Center on Children and the Law, the American Academy of Adoption Attorneys, and the National Association of Counsel for Children. Each year, the competition focuses on emerging law, policies, and practices associated with child protection and adoption systems. Students are selected by competitive audition. Academic credit requires approval by the advisor to the team.

**Corporate Law Moot Court Team** Competes annually in The Ruby R. Vale Interschool Corporate Moot Court Competition held each spring at Widener University School of Law in Wilmington, Delaware. This national competition focuses on corporate issues of current legal relevance.

**Frederick Douglass Civil Rights Moot Court Team** The Frederick Douglass Moot Court Competition (FDMCC), named in honor of the famed abolitionist and advocate for justice and liberty is designed to raise critical civil rights issues. The competition problem is structured to address contemporary legal questions relating to the status of minorities in the United States. Since its inception in 1975, the FDMCC has been a cornerstone of National Black Law Students Association (NBLSA) programming. Each year over 100 teams compete within the six regional competitions, culminating the top three teams from each region competing at the national level during NBLSA's Annual Convention. Capital University Law School is located in the Midwest Region of the NBLSA. To participate in the competition, students must be a BLSA member and in good academic standing. Team members are selected by the Moot Court Board.

**International Criminal Moot Court Team** Competition is regional that includes North, South, and Central American law schools, hosted by Pace Law School. The winner of the region goes forward to compete at The Hague, Netherlands, against law schools from other regions of the world. At the Hague, the competition is sponsored by the International Criminal Court. Competitors write an appellate brief and argue on a problem concerning internationally recognized crimes against humanity or genocide. The students represent the Prosecutor, the Defense, and the Victims in the competition.

**Jessup International Law Moot Court** Participation in The Phillip C. Jessup International Law Moot Court Competition. Approval needed by the Jessup Moot Court Team Advisors. Students may not earn more than 3 credit hours from international moot court competitions. Students selected by competitive audition.

**Labor and Employment Law Moot Court Team** The Wagner Moot Court competition is the largest student-run moot court in the United States, and the only one dedicated to labor law. Each year, approximately 42 teams from across the country participate in the competition. The competition is held at New York Law School located in Manhattan. "The Wagner Competition is named in honor of the Law School's distinguished alumnus, United States Senator Robert F. Wagner, who graduated from New York Law School in 1900. During his four consecutive terms in the Senate (1926-1949), Wagner authored

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sweeping legislation that dramatically changed the American social and economic landscape. His two greatest legislative achievements occurred in 1935 with the passage of the Social Security Act to provide old-age pensions to Americans, and the National Labor Relations Act to guarantee labor's right to organize and bargain collectively." Case problems for the competition are based on labor law and employment law issues. To participate in the competition, it is recommended the completion of a course in labor or employment law, but not required. Students are required to have completed the Appellate Advocacy course. Team members are selected by the Moot Court Board.

**Admiralty Law Moot Court Team** Competes in The Judge John R. Brown Admiralty Law Moot Court Competition, an interscholastic appellate moot court competition cosponsored by the University of Texas School of Law and the Tulane University Law School. Teams consist of three students who will write a brief for either the petitioner or respondent. The subject matter of the competition will be on a problem involving United States admiralty law and/or international maritime law.

**Information Technology Law Moot Court Team** Participation in the International Information Technology and Privacy Moot Court Competition during fall semester. Approval of the faculty advisor is needed. Students selected by competitive audition.

**996 MOCK TRIAL TEAM, CLIENT COUNSELING TEAM, NEGOTIATION TEAM** (1 Credit): Participation as a member of the mock trial team, client counseling or negotiation team. Supervised by a full-time member of the faculty consistent with the provisions of the Policy Manual Section 4.12. Approval needed by the faculty advisor(s). Credit is awarded upon the certification of the faculty advisor(s). Students are selected by competitive audition. Pre-requisite: 670 and Co-requisite: 922 for the Mock Trial Team; Prerequisite 908 for the Client Counseling Team; Prerequisite: 904 for the Negotiation Team.

### 4.9A Perspective Courses

During each registration period, courses satisfying the perspective requirement are listed in the registration materials. Following is a list of courses that have satisfied the perspective requirement in the past. Students should continue to check the courses on this list with information provided in the registration materials for the academic term to insure that courses continue to satisfy the requirement. Courses taught in summer abroad programs sponsored by other law schools cannot be used to satisfy the perspective requirement.

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820	Bioethics and the Law	981:
756	Children Family and the State	Seminar: American Constitutional Law
962	Comparative Constitutional Law	Seminar: Bill of Rights
706	Comparative Corporate Law	Seminar: Comparative Law
960	Comparative Law	Seminar: Comparative Law/Selected Issues on Women and Law
823	Interdisciplinary Child Welfare	Seminar: Comparative Freedom of Press
920	International Business Transactions	Seminar: Constitutional History
965	International Law	Seminar: Constitutional Law
968	International Human Rights	Seminar: Constitutional Theory
967	International Organizations	Seminar: Criminal Responsibility
966	International Sales	Seminar: Early American Constitutional History
843	Judging and the Nature of Justice	Seminar: International Criminal Law
950	Jurisprudence	Seminar: Jurisprudence
956	Law and American History	Seminar: Justice
952	Law and Literature	Seminar: Law & Literature
834	Law and Economics	Seminar: Law & Religion
829	Law and Social Science	Seminar: Legal Landmarks
955	Legal History	Seminar: Libertarianism and the Law
935	Marshall-Brennan Constitutional Sem. & Practicum	Seminar: Modern Legal Philosophers
958	Origins of Western Law	Seminar: Ohio Law Development
848	Pre-Trial & Motions Practice: Creationism & the Law	Seminar: Philosophy & Law
826	Sexual Orientation and the Law	Seminar: Philosophy of Legal Rights
951	Women and the Law	Seminar: Supreme Court