

# COURSE DESCRIPTIONS

## Law Courses Prefix: LAW

*The School of Law reserves the right at any time to delete or add required and elective courses or to modify those courses listed to ensure a comprehensive academic program.*

### **Amendment I in MM\*\* (2 credits – 6418)**

In the rapidly evolving fields of internet law and intellectual property law, society finds its venerable free speech principles challenged. This seminar will examine the practical application of the freedom of speech clause with a heavy focus on recent cases – with a particular focus on new media and cutting edge entertainment law cases. **PREREQUISITES:** one of the following: First Amendment Seminar or First Amendment, Internet Law, Entertainment Law, or Copyright Law.

### **Administrative Law (3 credits – 5429)**

A survey of the legal problems associated with regulation by administrative agencies. The course includes discussion of the legislative authority requisite to agency action.

### **Admiralty Law (2 credits – 6311)**

This seminar is a survey course covering a select number of areas of Admiralty and Maritime law. Topic covered may include jurisdiction, personal injury, cargo claims, collision, charter parties, maritime liens, limitation of liability, towage and pilotage, and salvage. A paper will be required in lieu of a final exam.

### **Adoption Law (3 credits – 6174)**

The course offers an overview of the adoption process, examining the legal, practical and emotional aspects of private and state adoptions, including intrastate, interstate, state-federal, and international aspects of adoption. The course examines representative child protection agencies and the Adoption and Safe Families Act of 1997, as well as new reproductive technology.

### **Advanced Appellate Advocacy (3 credits – 6333)**

This is an intensive course that builds on the foundation laid in the first-year Legal Research and Writing program and allows students to strengthen their written and oral advocacy skills. Students will learn to better understand the intricacies of appellate practice by briefing and arguing an appeal arising from the decision on a motion. Students may also prepare a variety of smaller written and oral advocacy assignments to enhance their ability to complete the course's larger project. **Prerequisites:** Legal Research & Writing 1 and 2.

### **Advanced Environmental & Earth Law Clinic (2 credits- 6697)**

Depending on client needs and new student interest, an Advanced Earth Advocacy Clinic may be offered. This is a four credit, one-semester course designed to allow students who have satisfactorily completed the Earth Advocacy Clinic to build on and enhance their previous clinical experience. Students will be accepted into the Advanced Earth Advocacy Clinic by application only.

### **Advanced Youth Defense Clinic (4 credits – 6497)**

Formerly known as Advanced Children and Family Clinic, this course may be offered, depending on client needs and new student interest. This is a four credit, one-semester course designed to allow students who have satisfactorily completed the Children and Family Clinic to build on and enhance their previous clinical experience. Students will be accepted into the Advanced Children and Family Clinic by application only.

### **Advanced Civil Government (2 credits – 6555 class component) (3 credits – 6554 field component)**

Students who have satisfactorily completed a clinical placement or in-house clinic may apply for an Advanced Clinical Placement. This additional semester of practical experience allows students to build upon and enhance their previous skills training experience. Students may choose to work in the same agency or in a different agency. Credits and Hours per week will differ depending on the placement.

### **Advanced Civil Poverty (2 credits – 6553 class component) (3 credits – 6552 field component)**

Students who have satisfactorily completed a clinical placement or in-house clinic may apply for an Advanced Clinical Placement. This additional semester of practical experience allows students to build upon and enhance their previous skills training experience. Students may choose to work in the same agency or in a different agency. Credits and Hours per week will differ depending on the placement.

**Advanced Criminal Defense Externship****(4 credits – 6549 class component) (2 credits – 6548 field component)**

Students who have satisfactorily completed a clinical placement or in-house clinic may apply for an Advanced Clinical Placement. This additional semester of practical experience allows students to build upon and enhance their previous skills training experience. Students may choose to work in the same agency or in a different agency. Credits and Hours per week will differ depending on the placement.

**Advanced Criminal Prosecution Externship****(2-4 credits – 6550 Field component; 2 credits – 6551 Class Component)**

Students who have satisfactorily completed a clinical placement or in-house clinic may apply for an Advanced Clinical Placement. This additional semester of practical experience allows students to build upon and enhance their previous skills training experience. Students may choose to work in the same agency or in a different agency. Credits and Hours per week will differ depending on the placement. Both classes are variable credits in the database. The class component is 1-2 and the field component is 2-4.

**Advanced Earth Advocacy Clinic (4 credits- 6697)**

Depending on client needs and new student interest, an Advanced Earth Advocacy Clinic may be offered. This is a one-semester course designed to allow students who have satisfactorily completed the Earth Advocacy Clinic to build on and enhance their previous clinical experience. Students will be accepted into the Advanced Earth Advocacy Clinic by application only.

**Advanced Ethics (2 credits – 6300)**

Advanced Ethics Seminar explores contemporary issues of ethics and professionalism. This seminar provides a small class experience for students to further their understanding of legal ethics and professionalism beyond the required Professional Responsibility course, which serves as a prerequisite for this seminar. Areas of coverage will be less on ethical rules and more on the profession as a whole; specific practice areas within the profession and their unique ethical and professionalism challenges; the role of lawyers in society; the difference between moral values, ethics and professionalism; and the “state of the profession” in contemporary society. Students wishing to satisfy their senior writing requirement through this seminar can write a paper on an approved topic related to ethics and professionalism. This is a 2 credit course with limited enrollment for the purpose of maximizing student participation. **Prerequisite:** Professional Responsibility.

**Advanced Immigration Clinic (4 credits – 6597)**

Depending on client needs and new student interest, an Advanced Immigration Clinic may be offered. This is a four credit, one-semester course designed to allow students who have satisfactorily completed the Immigration Clinic to build on and enhance their previous clinical experience. Students will be accepted into the Advanced Immigration Clinic by application only.

**Advanced Judicial Externship (2 credits – 6546 Field and Class component)**

Students who have satisfactorily completed a clinical placement or in-house clinic may apply for an Advanced Clinical Placement. This additional semester of practical experience allows students to build upon and enhance their previous skills training experience. Students may choose to work in the same agency or in a different agency. Credits and Hours per week will differ depending on the placement.

**Advanced Legal Research (3 credits – 6320)**

This course teaches practical strategies for effective integrated legal research using manual and online search techniques including CD-ROM and Internet instruction. Real practice research situations are used to develop skills and research abilities.

**Advanced Legal Writing (3 credits – 6321)**

This course concentrates on the advanced drafting of pleadings and memoranda of law, building upon and extending the legal research, writing and analytical skills acquired in the legal research and legal writing courses. The drafting of documents may include complaints, answers, contracts, legislation and interrogatories. The use of state or federal rules of civil procedure will have as its focus the making of a pleading rather than the interpretation and construction of the relevant statute. The legal problems presented are designed to expose student lawyers to the writing of documents they will use in practice to aid in resolving a client’s problem. **Prerequisite:** Legal Research & Writing 1 & 2.

**Antitrust Law (3 credits – 6600)**

This course explores the Antitrust law of the United States and its common law historic antecedents. Topics dis-

cussed include restraints of trade, monopolies and attempts to monopolize, resale price maintenance, combinations and conspiracies, and price fixing. Legislative responses to unrestrained markets, including the Sherman Act, Clayton Act, and Robinson-Patman Act will be studied. The course will explore the distinction between per se violations and application of the rule of reason. Antitrust enforcement policy will be reviewed, as will legislative and other exemptions, such as the state action exemption.

**Art Law (2 credits – 6237)**

Art Law surveys the legal and practical concepts relating to the protection, acquisition, exhibition and sale of works of art. The course also surveys problems regarding copyright, censorship, moral rights, endowments, museums and art gallery issues along with tax implications.

**Aviation Law (3 credits – 6747)**

This course will examine the evolution of federal civil regulations and provide an overview of past and present problems prompting regulation of the industry, the resultant safety regulations, airport development, funding and international legislation. Students will be introduced to pertinent sections of the U.S. Constitution, as well as federal and state statutes and case and common law applications to aviation. Civil law, including tort, product liability, contract sales, secured credit, property, environmental and labor law will be studied. Additional studies will include criminal statutory law and government, airman, and operator rights and liabilities, as well as international law and conferences.

**Bankruptcy (3 credits – 6124)**

A study of the problems of both the creditor and debtor under the federal bankruptcy code. While emphasizing the federal code, the course also analyzes the relationship between federal and state laws.

**Bar Law Survey (2 credits- 6444) (previous course code 6400 and 4 credits)**

Florida Bar Law Survey is a substantive and skills development course that provides students with concentrated review of legal subjects that are tested on the Florida Bar Exam.

**Bar Essay Writing (2 credits – 6441)**

Advanced Florida Essay Writing is a skills course designed to prepare students for the essay portion of the Florida Bar Exam. This course will provide a general overview of each essay subject and will provide a strategy for effectively answering each essay subject tested to the Florida Bar Exam. Students will prepare essay outlines, format, and draft sample essay answers during this course.

**Bioethics Seminar (2 credits – 6316)**

The purpose of the course is to introduce the students to emerging issues in bioethics and the law. This course will examine the legal, ethical, and policy aspects of current controversies in health care and biomedical and behavioral research. Special attention will be given to the legal, ethical, and social issues relating to human subjects research and informed consent, eugenics, organ and tissue donation shortages, designer babies, cosmetic surgery in children, fertility, and assisted reproduction; cloning and stem cell research (“stemethics”); genetics (“genethics”); and neuroscience (“neuroethics”), among other topics. Objectives of this course include: (1) learning how to apply traditional principles of bioethics, including autonomy, beneficence, nonmaleficence, and justice; (2) understanding other approaches to bioethics, including casuistry, virtue ethics, and feminist ethics; and (3) learning how to approach issues in health care and human subjects research from both legal and ethical perspectives.

**Business Organizations (3 credits – 5415)**

An introduction to the modern organizational law of private business entities. Agency relationships, the advantages and disadvantages of choice of business form and the necessary steps for organizing and operating sole proprietorships, partnerships, limited partnerships, limited liability companies and investor-owned business corporations are covered. Substantive areas studied include the concept of corporate entity, the legal structure of corporations, the fiduciary duties owed by directors and officers as they manage and control the corporation; and shareholder action including the use of derivative suits on behalf of the corporation against directors and officers.

**CFLJ Journal (1 credit – 6522)**

The Child and Family Law Journal (CFLJ) gives students the opportunity to improve their writing, research, and citation proficiency, while helping spread the word within the academic community about the important fields of child and family law. The Journal is intended to be published electronically. CFLJ participation is open to students with a minimum 2.75 GPA via write-on competition and also by invitation to top students who meet the minimum gpa requirements. Academic credit for Journal participation is available at the rate of one credit per semester consistent with the Journal bylaws.

**Child & Family Externship (2 credits – 6458 Class Component; 4 credits - 6459 Field Component)**

SUMMER: 6 credits – 40 hour week 10 weeks – total 400 hours plus a weekly seminar. SPRING AND FALL: 6 credits – 30 hour week 13 weeks – total 390 hours plus a weekly seminar placement requirements: Students placed in the Department of Children and Families Child Welfare Legal Services, Statewide Office of the Guardian Ad Litem or Orange County Legal Aid Society Guardian Ad Litem Program must meet the following criteria – Have completed 4 semesters and received not less than 48 credit hours by the beginning of the externship, have a 2.0 or higher cumulative grade point average, and satisfactory completion of Professional Responsibility and Evidence. Students are required to spend a minimum of 30-40 hours per week at their placement, depending on the semester and will receive six hours of credit for satisfactory completion. Attendance at a pre-semester orientation and weekly seminar is also required. The seminar portion of the externship is graded; the field portion is pass/fail. Students participating must be certified as legal interns (CLE's) in order to participate. This will be completed as part of the application process. However, the students cannot be certified if they have not received a background clearance from the Florida Board of Bar Examiners. Objective I: Developing and applying the law of dependency, juvenile procedure, family law, adoption or other substantive areas of the law. A placement in a children or family law office provided students with the opportunity to use the law learned in substantive law course to bring a case or defend involving children and families. In real cases, supervised by experienced attorneys, student use the rules of juvenile procedure, rules of civil procedure, substantive abuse/neglect, delinquency or family law to advocate for their clients in juvenile and family law proceedings. Students participate in all levels of litigation from drafting pleadings, investigations, case plan drafting and hearings of all kinds. Their experience will include both trial preparation and trial performance. Objective II: Developing and applying the abilities learned in our trial skills program. These children and family offices provide students with the opportunity to put into real life practice those litigation abilities they learned in classroom and mock trial settings. In court, students are able to bring together substantive, procedural, and evidentiary instruction in a way that allows them to understand how the law fits together, and how to effectively use it to protect citizens from those who violate the law. Objective III: Developing witness relation skills. By first observing experienced lawyers, and then applying the skills observed, students develop professional and interpersonal communication skills. Objective IV: Learning negotiation skills. Because the great majority of cases are resolved without a contest on the merits, it is vital for students to learn the alternate and diversionary options available and how to best implement them. At their placements, students initially observe experienced attorneys resolve real cases using these techniques, and then apply the learned skills to resolving their own cases. This process is particularly important to agreements to the issues and then being able to have those agreements accepted by the trial court. Objective V: Improve research and writing skills. Students learn to draft written motions briefs, stipulations, case plans and related trial documents. Similarly, students provide research materials for their supervisor's case and for their own case. This aspect of the field placement teaches students the interrelationship between through preparation and success. The value of the written work and in professional presentation is highlighted here. Students also learn that the standards for success in a practical setting may be far different from those in an academic setting. Learning how much preparation is sufficient, in light of a busy trial docket, helps students learn how to wisely use their most limited resource time. Objective VI: Gathering and using facts. As in other litigation-based placements, a vital skill for lawyers concerns their ability to collect and use facts crucial to the outcome of their cases. In these placements, students learn how to handle real and demonstrative evidence, and collect government and private records. Interviewing techniques learned in law school are often implemented here as are skills necessary for creating and responding to interrogatories and other written forms of information gathering. Objective VII: Understanding the requirements of Florida's Rules of Professional Conduct. Cases often present difficult ethical issues for attorneys in these cases which involve children. There are questions about the role of the attorneys involved including the issue of who the client is as well as the important of the best interest of the child. It is important for students working in the children and family law placements to know and abide by the ethical and moral constraints of our profession. In this placement, students have the daily opportunity to observe how their supervisor and others in the office reach effective results by uniformly working within the rules.

**Children's Rights Seminar: Right to Medical and Mental Health Treatment (2 credits – 6173)**

In this course the students will explore what rights if any children have to an attorney or other advocates in delinquency, mental health, dependency or other settings. The course will begin with a discussion of children's capacity and standing. The course will also explore how this capacity affects the obligations of an attorney to a child client. The students will also discuss the various roles an attorney may provide in advocating for a child and how that affects the obligations an attorney has to a child. As a seminar, the students will be expected to produce a paper capable of meeting the upper level writing requirement.

### **Civil Government Externship (2 credits – 6455 class component) (3 credits – 6454 field component)**

**Placement Description:** At civil government placements students learn about various aspects of Florida government civil law practice. Legal topics range from taxation and finance to land use, government ethics, administrative, and State Constitutional law issues. Students participate in staff meetings, client meetings, committee meetings, public hearings and board meetings, as well as depositions and trials. This placement allows students to learn about both the transactional and litigation requirements placed on civil government lawyers and the valuable service they provide to citizens across a wide range of topics.

**Placement Requirements:** Students placed in a Federal, County, or State agency's legal department must meet the following criteria – Have completed 3 semesters and received not less than 36 credit hours. Have a 2.4 or higher cumulative grade point average and completion of Professional Responsibility, Evidence and Administrative Law. Students are required to spend a minimum of 25-35 hours per week at their placement, depending on the semester, and receive five hours of credit for satisfactory completion. Attendance at a weekly seminar is also required. The seminar portion of the externship is graded; the field portion is pass/fail.

Students participating in the Civil Government Externship must be certified as legal interns (CLIs) in order to represent the State of Florida.

### **Civil Poverty Externship (2 credits – 6453 class component) (3 credits – 6452 field component)**

**Placement Description:** This placement provides students with the opportunity to learn about the legal problems encountered by our community's less fortunate citizens. Working with experienced attorneys, depending on the placement, students are exposed to the most common problems facing the disadvantaged: divorce, guardianship, child custody, landlord-tenant, consumer, bankruptcy, health care, elder care, and small claims court issues. Students explore administrative and legal solutions to these issues as well as conduct research and appear in judicial and administrative proceedings on behalf of their clients. Client interviewing and counseling techniques will also be developed.

**Placement Requirements:** Students placed in a not-for-profit law office, such as the Seminole County Legal Aid Society, Legal Aid Society of the Orange County Bar Association or Community Legal Services of Mid-Florida, Inc., provide legal services to this community's disadvantaged and must meet the following criteria – Have completed 3 semesters and received not less than 36 credit hours. Have a 2.4 or higher cumulative grade point average and completion of Professional Responsibility and Evidence. Students are required to spend a minimum of 25-35 hours per week at their placement, depending on the semester, and receive five hours of credit for satisfactory completion. Attendance at a weekly seminar is also required. The seminar portion of the externship is graded; the field portion is pass/fail.

Students participating in the Civil Poverty Externship must be certified as legal interns (CLIs) in order to represent live clients.

### **Civil Procedure I (3 credits – 5101)**

Part one of the basic courses in federal Civil Procedure, exploring the rules and principles that govern the litigation of a civil case. This part of the course focuses on systemic issues related to how and where a lawsuit is filed, including: subject matter jurisdiction, personal jurisdiction, notice, venue, removal and remand, and the choice between federal and state law in a federal forum.

### **Civil Procedure II (2 credits – 5201)**

Part two of the basic course in federal Civil Procedure, exploring the rules and principles that govern the litigation of a civil case. This part of the course focuses on the stages of a lawsuit, including: pleading, structuring the lawsuit, discovery, termination of a lawsuit without trial, trial, and actions that may be taken after a jury verdict or bench trial.

### **Civil Rights\*\* (3 credits – 6429)**

This course studies the origins and development of civil rights law in the United States with a focus on selected federal statutes enacted to remedy violations of federal constitutional rights. Some topics discussed in this course may include the following: Fourteenth Amendment, Due Process, housing discrimination, employment discrimination, discrimination in education, voting rights, and Americans with Disabilities Act. **Prerequisite:** Constitutional Law.

### **Climate Change Law and Policy (2 credits – 6214)**

The objectives of this seminar are diverse: Gain in-depth understanding of local, state, federal, and international law, policies, and treaties addressing climate change; develop an understanding and respect for differing legal, scientific, political, and personal viewpoints on climate change, as well as earth and environmental justice issues presented by

climate change; expand knowledge of environmental, administrative, and constitutional law issues; improve ability to analyze case law, especially pinpointing key facts, spotting issues, and evaluating legal reasoning of opinions and dissenting opinions; improve proficiency in researching and writing through development of a research paper on a climate change law or policy topic; practice oral advocacy skills through participation in class discussion and through individual presentation of a research paper.

**Collaborative Family Law Clinic (3 credits -- 6097)**

This clinic will represent clients involved in divorce proceedings who are committed to arriving at a just resolution without court Intervention, allowing their children and the parties to move forward post-divorce in a more amicable and productive fashion. You will work on a collaborative “panel” made up of clients, attorneys, mental health and financial experts and will see the cases through from start to finish, meeting regularly with both clients and professionals. Students enrolled in the clinic will be expected to attend a two day Collaborative Law training Institute. This seminar will allow you to represent yourself as a trained family law collaborator. If you have not previously taken the Collaborative Family Law Seminar you will also be expected to attend a two day practice-ready course on collaborative law prior to the semester. This course requires a commitment to a minimum of approximately 10 hours per week, which will include client meetings, panel discussions, class attendance and case preparation. **Prerequisite:** Collaborative Family Law

Enrollment in the Collaborative Family Law Clinic requires the completion of four semesters and 48 credit hours.

**Commercial Law Overview (3 credits – 5525)**

An introduction to the Uniform Commercial Code and the use of Article 1. The course features the commercial transactions in the financing and sale of goods and in using payment systems and credit instruments under the codal provisions of UCC. Articles 2 and 9.

**Commercial Law Trial Advocacy (3 credits – 6010)**

This course is taught in a “workshop” format where students actually practice the skills needed to prepare and represent a client in a commercial case. Students will learn how to initially interview the client and witnesses, prepare pleadings, conduct motion practice, take discovery, pretrial practice and actually conduct a commercial jury trial. The emphasis will be on a commercial law case and will satisfy the skills requirement. There is a cap on this class. **Prerequisites:** Commercial Law and Evidence.

**Conflict of Laws (3 credits – 6101)**

This course will examine the choice-of-law theories that courts use to determine the rule of decision to be applied in cases in which the parties’ conduct or the transactions involved have connections with more than one state. The course will also address federal constitutional limitations on these choice-of-law approaches, and the extent to which federal courts are required to apply state choice-of-law rules. Recognition of foreign judgments will also be considered.

**Constitutional Law (4 credits – 5302)**

A study of the U.S. Constitution primarily through the reading of the U.S. Supreme Court Cases. The course examines the allocation of power among the three Branches of federal government, as well as the power balance between federal and state governments. Individual rights are also examined with emphasis on rights arising under the Fourteenth Amendment.

**Constitutional Law Theory\* (2 credits – 6702)**

This course examines the ideas behind U.S. Constitutional Law. Building on the doctrinal foundations traditionally laid out in constitutional law, the seminar addresses topics such as constitutional interpretation, judicial review, the countermajoritarian problem, judicial activism and restraint, critical perspectives from post-modern scholars such as feminists and race theorists, and the politics of law. As the course develops, students will develop their own theories of constitutional law. **Prerequisite:** Constitutional Law

**Contracts Theory (2 credits- 6407)**

This seminar course is designed to introduce students to the various theories as to why the state does, or should, enforce certain promises, and what the remedies should be for a failure to keep an enforceable promise. Grades will be based on class participation and a paper. Students may use the paper to satisfy their Upper Level Writing Requirement, provided that the paper meets those requirements.

**Construction Law (2 credits – 6208)**

An overview, examination, and understanding of construction law with an emphasis on analysis, problem solving, and presentation. Construction contract principles, the construction process, the rights, responsibilities and risks of the parties involved in a construction project and the procedures for conflict resolutions will be approached through

a combination of case study, detailed review of standard form contracts and analyzing actual construction disputes.

### **Construction Law Procedures & Practices**

#### **(2 credits – 6408)**

Construction Law leading to an understanding of rights and responsibilities, including express and implied duties, of contracting parties; liabilities, remedies and recoveries for non-contracting parties in the construction process; and procedures – common law, statutory and contractual – for resolving construction disputes and pursuing and defending construction claims. The teaching and learning emphasis is analysis, legal and factual, of a construction case, preparation and presentation of plain meaning legal memoranda for trial and hearing judges and arbitrators; acting as an advocate and serving as a judge in hearings and arbitrations; and, drafting agreements and stipulations entered into after disputes begin. Coverage includes detailed study of quantum merit recovery and defenses; of statutory causes of action such as prompt pay, Florida Deceptive and Unfair Trade Practices Act, the statutory cause of action for damages for violation of building code(s), the required statutory procedures for identification and resolution of construction defects; and modern procedures for speedy and efficient resolution of disputes and claims including declaratory relief and non-binding arbitration. Electronic transmission, use, and control of documents will be addressed. Ethical considerations and the strict duties required of the practicing construction lawyer are emphasized and tested. **Prerequisite:** Property

### **Consumer Protection (2 credits – 6123)**

This course includes consumer sales, consumer credit transactions and legislative, administrative and extra-legal regulation.

### **Contracts 1 (3 credits – 5307)**

A study of common law contract. Includes the general scope and purpose of the legal protection accorded contracts; mutual assent and bargained for consideration; offer and acceptance; techniques for policing the bargaining process; the rights of third parties; assignment; conditions; the Statute of Frauds, specific performance and remedies. This course also includes brief references to UCC Article 2.

### **Contracts 2 (3 credits – 5407)**

Part two of this course covers the following topics, among others: changed circumstances justifying nonperformance; competency and other limits; duress and coercive renegotiation; scrutiny of limited commitment; standardized terms, unconscionable inequality, and good faith; conditions; and the rights and duties of nonparties. The goals and objectives of this course are to (1) familiarize students with the rules of contract law (i.e., the black-letter law) through the examination of cases, the Restatement (Second) of Contracts, and the current version of Article 2 of the Uniform Commercial Code (UCC); (2) teach students to analyze court opinions and statutes; and (3) teach students to apply the rules of contract law to hypothetical situations.

### **Contracts Drafting (2 credits – 6427)**

This course seeks to provide students with the practical skills needed to draft contracts. The skills involved in negotiating contracts might also be covered.

### **Copyright Law (3 credits – 6102)**

This class is designed to be a survey of legal issues associated with Copyright Law. The topics covered will include: (1) the definition of “original works of authorship”; (2) the definition of “fixed in a tangible medium of expression”; (3) what works are entitled to protection; (4) the bundle of rights granted to the copyright owner; (5) how to obtain a copyright; (6) the duration of copyright protection; (7) copyright infringement; and (8) defenses to copyright infringement actions, including fair use and parody. **Prerequisite:** Constitutional Law

### **Corporate Taxation (2 credits – 6146)**

An introduction to the taxation of corporations and shareholders. Includes tax treatment of corporate earnings, dividends and other transactions between corporations and shareholders, S Corporations, and the definition of a corporation for tax purposes. **Prerequisite:** Federal Income Tax.

### **Creating The Constitution Seminar**

#### **(2 credits – 5402)**

This course will afford students the opportunity to gain a developed understanding of the genesis of the U.S. Constitution. To set the context, the course will draw upon the intellectual traditions available in the late eighteenth century. Then the course will consider the rhetorics that relate to the Constitutional Convention, state ratifications, and the Bill of Rights. Class discussion will address how the various ideas present at the formation of the Constitution have influenced constitutional law over the centuries.

**Criminal Defense Externship (2 credits – 6448 –  
Class component; 4 credits – 6448 Field Component)**

**Placement Description:** At this placement, students develop and apply their abilities in the law of evidence, criminal law, and criminal procedure. In real cases, supervised by experienced public defenders, students use the rules of evidence, motions in limine, objections to evidence, and similar provisions to effectively and professionally benefit individual clients. Students may participate in all levels of litigation from jury selection to post trial appeals for relief. Depending on the circumstances of each placement, students may practice in traffic, magistrate, juvenile misdemeanor, or felony courts. Their experience will include both trial preparation and trial participation. Client interviewing and counseling techniques will also be developed. Placement Requirements: Students placed in the State or Federal Public Defenders Office must meet the following criteria. Have completed 4 semesters and received not less than 48 credit hours. Have a 2.4 or higher cumulative grade point average, completion of Criminal Law, Criminal Procedure, Professional Responsibility, Evidence, and trial skills or participation as counsel on a mock trial team. Students are required to spend a minimum of 30-40 hours per week at their placement, depending on the semester, and receive six hours of credit for satisfactory completion. Attendance at a weekly seminar is also required. The seminar portion of the externship is graded; the field portion is pass/fail. Students participating in the Criminal Defense Externship must be certified as legal interns (CLI's) in order to appear in court and represent actual criminal defendants.

**Criminal Justice Administration Seminar  
(2 credits – 6430)**

This will provide the opportunity for students to do advanced work in the criminal area. We will consider the roles and relationships of the police, prosecutor, defense counsel, court and correctional agencies in the processing of criminal cases. Among the issues considered will be how the death penalty cases are litigated and administered in the Florida Courts. Consideration will be given to other substantive criminal law issues including criminal administration of jails and prisons, drug enforcement, race and crime and alternative punishments. The seminar will be limited to twenty students. Each student will be required to present a topic in class. This work will in most cases be preparatory work on seminar papers or papers in satisfaction of the Upper Level Writing Requirement. There will be no final examination in the course but each student will be expected to have his or her paper complete by the end of the exam period.

**Criminal Law (3 credits – 5106)**

An analysis of crimes of commission, crimes of omission, attempts, conspiracies, and affirmative defenses. The course distinguishes between degrees of crime, such as murder and manslaughter.

**Criminal Procedure (3 credits – 5206)**

This course examines the limits on government power to “search” and “seize” under the Fourth Amendment to the U.S. Constitution. The course also considers constitutional doctrine governing police interrogation of criminal suspects under the Fifth Amendment’s Self-Incrimination Clause, the Sixth Amendment’s Right to Counsel Clause and the Fourteenth Amendment’s Due Process Clause.

**Criminal Procedure in the Courtroom (3 credits – 6206)**

Formerly known as Advanced Criminal Procedure, this course examines various criminal procedure issues beyond search and seizure or confessions which arise under the Federal Bill of Rights. Topics covered include the rights of the criminally accused to: bail, grand jury indictment, speedy trial, jury trial, confrontation of witnesses, and freedom from double jeopardy. Related dynamics of the adversary system such as pre-trial discovery and plea bargaining are also integrated into this course.

**Criminal Prosecution Externship (2 credits – 6451 class component) (4 credits – 6450 field component)**

**Placement Description:** At these placements, students develop and apply their abilities in the law of evidence, criminal law, criminal procedure, juvenile or immigration law. In real cases, supervised by experienced prosecutors, students use the rules of evidence, motions in limine, objections to evidence, and similar provisions to effectively and professionally represent the Government. Students may participate in all levels of litigation from jury selection to post trial matters. Depending on the circumstances of each placement, students may practice in traffic, magistrate, juvenile, misdemeanor, felony courts or immigration matters. Their experiences will include both trial preparation and trial participation.

Students placed in the 9th Circuit State Attorney’s Office, 18th Circuit State Attorney’s Office, Florida Attorney



General's Economic Crimes Office, Florida Attorney General's Office of the Statewide Prosecutor, Department of Homeland Security or The United States Attorney's Office must meet the following criteria – Have completed 4 semesters and received not less than 36 credit hours. Have a 2.4 or higher cumulative grade point average, satisfactory completion of Criminal Law, Criminal Procedure, Professional Responsibility, Evidence, and trial skills or participation as counsel on a mock trial team. Students are required to spend a minimum of 30-40 hours per week at their placement, depending on the semester, and will receive six hours of credit for satisfactory completion. Attendance at a weekly seminar is also required. The seminar portion of the externship is graded; the field portion is pass/fail.

Students participating in the Criminal or Civil Prosecution Externship must be certified as legal interns (CLIs) in order to represent the State of Florida in actual criminal cases. However, students working in the Department of Homeland Security or the U.S. Attorney's Office will be required to meet their certification criteria.

#### **Criminal Tax Offenses (3 credits – 6314)**

This course examines the various criminal income tax offenses, including income tax evasion and filing false income tax returns, as well as related non-tax offenses, for example, conspiracy and filing false claims. It will also cover defenses, tax protester issues and some aspects of the investigation and trial of a tax case.

#### **Cyberspace Law (2 credits – 6587)**

This seminar considers what “rules of the road” ought to apply to the borderless electronic environment of cyberspace. Who can make the rules, how can they be enforced, and what will be the legal duties and relationships among and between states, nations, and private sector actors in cyberspace? Subject areas will vary as the field develops, but will include such areas as tort liability, freedom of expression, crime and security, privacy, intellectual property rights and protection, regulation, jurisdiction and standards of ethics.

#### **Dean's Study Fellow (1 credit – 6281)**

Students are selected by the Director of Academic Success based upon leadership ability, Professor recommendations, work ethic, professionalism, and academic success. Students are required to work up to 10 hours per week assisting students with their study skills and other assigned duties for satisfactory completion. Grading is pass-fail.

**Prerequisite:** Successful completion of first year part- or full-time curriculum of law, and be in good academic standing.

#### **Dean's Writing Fellow (1 credit – 6285)**

Students are selected by the Director of Academic Success based upon writing skills, LRW Professor recommendations, work ethic, professionalism, and academic success. Students are assigned to an LRW professor and they are required to work up to 10 hours per week in the Writing Center assisting students with law school-related writing and other assigned duties for satisfactory completion. Grading is pass-fail. **Prerequisite:** Successful completion of first year part- or full-time curriculum of law, Legal Research and Writing 1 and 2, and be in good academic standing. Students must also serve as an LRW Teaching Assistant for at least one semester. This requirement may be waived upon the agreement of the student's assigned LRW professor and the Director of Academic Success.

#### **Death Penalty Seminar (2 credits – 6518)**

This seminar is designed to introduce law students to the complex law and procedure inherent in death penalty practice. Constitutional issues concerning the use of the death penalty will be examined and the five death penalty schemes in use in the United States will be compared with each other, with focus on the Florida death penalty scheme. The impact of recent decisions of the United States Supreme Court and selected state and federal courts will be studied in order for students to understand developments in death penalty practice. Emphasis will be placed upon the different problems presented in the trial of cases involving the death penalty, including jury selection, proof of aggravating and mitigating circumstances, and arriving at an appropriate sentence. Students will be expected to recognize the problems presented by direct appeals in death penalty cases as well as in state post-conviction proceedings and federal habeas corpus actions. A paper on an approved topic relating to the death penalty will be required in lieu of a written final examination.

#### **Disability Law (3 credits – 6117)**

This course will initially consider the definition of disability by focusing on the Americans with Disabilities Act of 1990 as well as other federal and state statutes and applicable case law. Disability Law will then focus on the rights of persons with disabilities to education, employment, public accommodations, housing and health care.

#### **Drafting Wills and Trusts (2 credits – 6141)**

An introduction to the fundamentals of drafting legal documents with an emphasis on drafting testamentary instrument wills, will substitute, particularly the living trust, and powers of attorney. This seminar will be helpful to

any student with lawyering interests in estate planning. **Prerequisites:** Wills, Trusts and Estates

**Earth Jurisprudence & Environmental Journal  
(1 credit – 6332)**

The Earth Jurisprudence and Environmental Justice (EJEJ) Journal gives students the opportunity to improve their legal writing, research, and citation proficiency, while helping spread the word within the academic community about the exciting fields of Earth Jurisprudence and Environmental Justice. The Journal is intended to be published electronically. EJEJ Journal participation is open to students with a minimum 2.75 GPA via write-on competition and also by invitation to top students who may not qualify for Law Review. Academic credit for Journal participation is available at the rate of one credit per semester consistent with the Journal bylaws.

**Earth Jurisprudence Seminar (2 credits- 6350)**

In this course students will explore and help create principles of an "Earth-based" jurisprudence. Cormac Cullinan in *Wild Law* proposes there is a "Great Jurisprudence" established by how Earth functions to sustain life. Catholic social teaching emphasizes moral principles that are at the base of a well-ordered society. Modern jurisprudence, in contrast, emphasizes the "positive law" -- laws are simply what humans decide in advancing their personal, ideological and moral interests. This course allows students to step beyond the positive law to question how law may serve the social contexts for Earth-based jurisprudence, modern theories of jurisprudence, *Wild Law*, principles of an ecological worldview, the 1982 US Charter for Nature, the Earth Charter, legal concepts of indigenous people, Catholic social teaching, and possible legal and equitable remedies for Earth jurisprudence. Each student will be asked to write a paper either on a theory or an application of Earth Jurisprudence.

**Earth Jurisprudence Survey (3 credits – 6500)**

Earth Jurisprudence seeks earth-centered approaches to law and governance. As an integral part of the broader earth community, humanity has responsibility to act for the well-being of the planet and future generations. Earth Jurisprudence draws forth earth-centered comprehensive solutions from within as well as beyond existing law. The Earth Jurisprudence Survey Course introduces students to emerging principles of Earth Jurisprudence, the need for an earth-based jurisprudence, limitations of Environmental Law, and the history and philosophical underpinnings of Earth Jurisprudence. The course also considers the doctrinal implications of Earth Jurisprudence for Tort Law, Property Law, and Constitutional Law. Finally, the course reviews the Universe Story and its relevance to law and considers Natural Law and Ecofeminism, Environmental Ethics and Environmental Justice, as well as Indigenous Traditions and proposals for new forms of governance. Drawing from the readings, research, and time in nature, each student will prepare a paper on a theory and application of Earth Jurisprudence.

**Education Law (3 credits – 6107)**

This course provides an overview of Education Law for those who are interested in analyzing how law shapes post-secondary, higher education in the United States. Topics may include the public/private school distinction, students' rights, teachers' rights, discrimination issues, and other contemporary questions facing administrators and educators.

**EJEJ Journal (1 credit- 6322)**

The Earth Jurisprudence and Environmental Justice (EJEJ) Journal gives students the opportunity to improve their legal writing, research, and citation proficiency, while helping spread the word within the academic community about the exciting fields of Earth Jurisprudence and Environmental Justice. The Journal is intended to be published electronically. EJEJ Journal participation is open to students with a minimum 2.75 GPA via write-on competition and also by invitation to top students who may not qualify for Law Review. Academic credit for Journal participation is available at the rate of one credit per semester consistent with the Journal bylaws.

**Elder Law (2 credits – 6119)**

Elder Law is a survey of laws concerning the special legal issues of the elderly: legal capacity issues, advanced medical directives, planning for catastrophic illness and long-term care, Medicaid, Medicare and Social Security as they relate to seniors, elder abuse and health care decision making are among some of the areas we will cover. Ethical issues of dealing with the elder and adult children of the elder are also explored.

**ELJJ: Environmental Law, Jurisprudence, and Justice (1 credit – 6505) (six weeks)**

This is a one credit introductory course providing an overview of the substantive areas of Environmental Law, Earth Jurisprudence, and Environmental Justice. In Environmental Law, an array of environmental statutes and government regulations has been adopted to reduce pollution in order to protect the land, water, air and the creatures of the earth. The Environmental Law segment of the course introduces how modern environmental laws complement and supplement traditional common law actions allowing victims of pollution to seek judicial remedies for environ-

mental harms. Earth Jurisprudence seeks Earth-centered approaches to law and governance. As an integral part of the broader Earth community, humanity has responsibility to act for the well-being of the planet and future generations. In this section of the course, students will be introduced to Earth-centered solutions from within as well as beyond existing law. The Environmental Justice portion of the course provides a summary of legal approaches to the disproportionate environmental burdens experienced by low income and of color communities.

The course is designed for students who are interested in the concentration in Environmental Law, Jurisprudence, and Justice. However, enrollment is open to any upper division student with an interest in the course, space permitting. The course meets in six sessions, with two sessions dedicated to each of the three substantive areas. Students are evaluated on a pass-fail standard, based on a short writing assignment in each of the three areas.

### **Employment Discrimination (3 credits – 6151)**

A survey of the major federal statutes prohibiting discrimination in the workplace, with special emphasis on practical problems encountered in litigation. The primary focus is on Title VII of the Civil Rights Act of 1964 and race discrimination. Discrimination on the basis of age, sex, religion, national origin, or disability will also be considered. Topics include statutory scope and coverage, establishing liability, defenses, remedies, affirmative action, and enforcement procedures.

### **Employment Law (3 credits – 6152)**

Few interests are more important to an employee than his or her job. This course examines the legal issues that arise at various stages of the employment relationship. The course begins by considering the history of employment law and the current economic, demographic, and technological developments that are changing the way work is organized and creating new challenges for the law. Following this introduction, students systematically proceed through the issues that arise in hiring; regulating the terms and conditions of employment during the employment relationship; and discharge and termination.

### **Energy Law and Policy (2 credits – 6435)**

Energy: it lies at the intersection of law, policy, natural environment, technology and economics. How it is produced, converted and, ultimately, consumed affects virtually all aspects of modern life. The course requires students to understand the legal, regulatory and environmental concepts relevant to the changing energy industry in the U.S. The course examines the historical and legal origins of energy regulation, provides an introduction to energy industries, including basic terms and concepts, regulatory trends and emerging issues. The course explores transmission issues, externalities, and trends in renewable energy. Finally students will examine the small but growing corpus of case laws, legal theories and administrative action supporting the regulation of greenhouse gasses in the context of Climate Change issue.

### **Entertainment Law (3 credits – 6126)**

A study of selected problems in the representation of talented persons and the contracting and dissemination of their performances, services, and creations. **Prerequisite:** Copyrights

### **Environmental and Earth Clinic (6 credits – 6297)**

This is a six-credit hour one-semester course focused on developing the skills used in an environmental law practice. While litigation is an important tool in addressing some environmental concerns, lasting resolutions are usually achieved through negotiation and consensus-building. Students participating in this clinic will develop an understanding about the interrelationship among environmental laws, regulations and permits by assessing environmental conditions impacting individuals and communities and working with clients to assess their legal options. Students will also learn client development skills by working with the clinic director to identify environmentally impacted communities within the region and organizations or individuals within those communities who may require or benefit from legal assistance. Students must have completed three semesters and thirty-six credit hours to participate in this course. Prerequisites for this course are Professional Responsibility and Environmental Law (can be taken concurrently). The Environmental Law, Jurisprudence and Justice Seminar is recommended.

### **Environmental Dispute Resolution (2 credits)**

The purpose of the course is to learn about the components of environmental disputes that make many of them different from other kinds of legal disputes, to learn about the tools that lawyers can use to assist their clients in evaluating options for resolving environmental disputes, to develop an understanding of the range of dispute resolution processes and their potential use in environmental disputes and to develop skills in evaluation, negotiation, facilitation and mediation.

The major focus of this course is the transmission of skills used by lawyers to transform adversarial interactions into collaborative processes. It will include readings and discussions about the nature of environmental disputes

and the range of dispute resolution processes, with a focus on those used in environmental disputes. This course will include mock negotiations, mediations and other consensus-building exercises to develop the skills used by successful environmental lawyers. A major focus will be on the role of legal advisors for parties, to create and to maintain a problem-solving climate, as well as to develop an understanding of ways to communicate more successfully with clients about their alternatives. It will also include consideration of a number of factors, in addition to the law, that must be considered in resolving environmental interest disputes.

**Environmental Law (3 credits – 6112)**

An introduction to the fundamentals of environmental law and policy. The course discusses the importance of protecting natural resources and looks at the comprehensive statutory and regulatory scheme designed to protect the environment. Students will become familiar with laws protecting various media (land, water, and air) as well as the special considerations related to toxic pollutants. The interplay between government enforcement, citizen suits under modern environmental statutes, and private party litigation (toxic torts) will be examined.

**Environmental Law, Jurisprudence, and Justice  
(1 credit – 6505)**

Environmental Law, Jurisprudence, and Justice is a one-credit introductory course providing an overview of the substantive areas of Environmental Law, Earth Jurisprudence, and Environmental Justice. In Environmental Law, an array of environmental statutes and government regulations has been adopted to reduce pollution in order to protect the land, water, air, and the creatures of the Earth. The Environmental Law segment of the course introduces how modern environmental laws complement and supplement traditional common law actions allowing victims of pollution to seek judicial remedies for environmental harms. Earth Jurisprudence seeks Earth-centered approaches to law and governance. As an integral part of the broader Earth community, humanity has responsibility to act for the well-being of the planet and future generations. In this section of the course, students will be introduced to Earth-centered solutions from within as well as beyond existing law. The Environmental Justice portion of the course provides a summary of legal approaches to the disproportionate environmental burdens experienced by low income and of color communities. The course is designed for students who are interested in the Concentration in Environmental Law, Jurisprudence, and Justice. However, enrollment is open to any upper division student with an interest in the course, space permitting. The course meets in six sessions, with two sessions dedicated to each of the three substantive areas. Students are evaluated on a pass - fail standard, based on a short writing assignment in each of the three areas.

**Environmental Justice Seminar (2 credits – 6515)**

This two-credit seminar introduces students to the disproportionate distribution of environmental harms to low income and of color populations and communities. Students will learn about the “Environmental Justice” movement which began in the 1970’s, included empirical studies of disproportionate environmental impacts by various government and NGO entities, resulted in several federal government programs –primarily under the Clinton Administration, and merged civil rights law with environmental law practice. The class will follow environmental justice practice history including the late 20th Century groundbreaking case of *Alexander v. Sandoval* which again changed the course of environmental justice practice. **Prerequisite:** Environmental Law.

**Estate and Gift Taxation (3 credits – 6145)**

A study of the federal tax system as it relates to gratuitous dispositions of property during the owner’s lifetime and at death, including federal income taxation of trusts and estates, and federal estate and gift taxes. **Prerequisite:** Federal Income Tax.

**Evidence (4 credits – 5312)**

This course is a study of the Federal Rules of Evidence, including the basic concepts of relevance, foundation, authentication and hearsay. The course may also include other important topics such as opinion and scientific evidence, privileges, character evidence, and the historic and policy considerations underlying the rules, including constitutional barriers to the use of certain evidence in criminal proceedings.

**Family Law (3 credits – 6130)**

Family Law explores the social and legal relationships of traditional and non-traditional family units with emphasis on the rights and duties of husband, wife, biological parent, psychological parent and child.

**Federal Jurisdiction (3 credits – 6303)**

This course will examine the roles and responsibilities of federal courts in the operation of our system of government. Particular attention will be paid to separation of powers, federalism, and Article III of decision making. Thus, the focus will be on the relationship (1) between federal courts and coordinate branches of the federal government;

(2) between federal courts and organs of state government, especially state courts; and (3) among federal courts. Topics include choice of law in the federal court and the development of federal common law; the power of Congress to regulate jurisdiction; Supreme Court review of state court judgments; federal habeas corpus; the federal question jurisdiction, including limitations on its exercise; and topics concerning the Civil Rights Act, 42 U.S.C. §1983. Attention will also be given to various doctrines that limit federal jurisdiction in constitutional litigation against states (the abstention and sovereign immunity doctrines, and limitations on federal injunctions against state proceedings). This is an advanced course in public law, judicial administration, and constitutional and civil rights litigation.

**First Amendment (3 credits – 6148) (This is a class not the seminar.)**

This is a 3 credit doctrinal course that focuses on the First Amendment. It is taught according to the traditional case-law method approach. Students will develop an understanding of First Amendment covering the speech and religion clauses. **Prerequisite:** Constitutional Law strongly recommended.

**First Amendment: Church/State (2 credits – 6409)**

Examines the nature and scope of individual rights under the United States Constitution. Primary attention is devoted to freedom of religion and the separation of church and state. **Prerequisite:** Constitutional Law.

**First Amendment Free Expression  
(2 credits – 6129)**

This seminar examines the nature and scope of the freedom of expression under the First Amendment to the United States Constitution. **Prerequisite:** Constitutional Law.

**First Amendment: Media and the Internet  
(2 credits – 6128)**

This seminar explores the regulations governing both broadcast, print media and Internet. The seminar considers, among other issues, conflicts between the rights of the media under the First Amendment and those of the government, individuals, and social groups. **Prerequisite:** Constitutional Law.

**Florida Administrative Law & Environmental Regulations (3 credits- 6249)**

The course will present a survey of Florida environmental regulations and permits. The bases of Florida environmental laws and regulations in Florida are constitutional and statutory, but the regulations and permits required or allowed under the laws are typically implemented and enforced pursuant to agency rules, hearings, and rulings pursuant to Chapter 120, Florida Statutes, the Florida Administrative Procedures Act. The course will survey the nature and scope of Florida's environmental laws, consider the issuance of permits and enforcement of violations of Florida environmental laws, and introduce students to practice under the Florida Administrative Procedures Act. Students will learn that some permits are voluntarily sought as a condition of land use or development activity, whereas other permits arise out of an obligation imposed as a result of a violation of environmental laws or as a condition of engaging in certain activities or businesses that have environmental impacts. Students will be assessed based on a final examination. There are no prerequisites.

**Florida Civil Practice (3 credits – 6136)**

Florida Civil Practice—One cannot practice civil litigation in Florida without knowing the “Rules”. This is a highly practical pre-trial litigation course in which students will not only learn the Florida rules of Civil Procedure, but how to actually use them (and use them tactically) as they are used in real-world practice. By the conclusion of the course students will know, and will know how to use, not just beginning but advanced real-world civil litigation skills and tactics. This course focuses on an area tested of the Florida Bar Examination.

**Florida Constitutional Law (2 credits – 6355)**

The course offers a review of the text and the principles of the Florida Constitution, including separation of powers, jurisdiction of Florida courts, state and local governmental powers, taxation and finance, eminent domain, Florida's homestead exemption, constitutionality of legislative acts, and individual rights. **Prerequisite:** Constitutional Law.

**Florida Criminal Procedure Seminar  
(2 credits – 6306)**

This course offers a practical study of the Florida Rules of Criminal Procedure in Seminar form. The criminal process, rules and case law will be studied in the chronology from arrest through trial and sentencing.

**Florida Evidence (3 credits – 6312)**

This course examines the legal principles and practical applications of Florida Evidence law. The course was created to be part preparation for the bar and part preparation for practice. It focuses on a doctrinal understanding of

Florida Evidence, its juxtaposition with the Federal Rules of Evidence and practical exercises designed to facilitate both learning and applying the rules.

**Florida Probate Practice (2 credits – 6254)**

The course will illustrate the issues arising in, and the steps to be taken in, probating an estate of a decedent domiciled in Florida; from the time of the decedent's death to the final closing of the estate. Students will be required to participate, prepare documents and learn the basic essentials of a probate practice. Class discussions will include review of documents drafted by students.

**Foundations of Law (2 credits – 6460)**

This course will explore the foundations on which our Nations laws and culture were constructed. It will also encourage each student to examine their own foundations as they prepare to take their places as the future lawyers of our society.

**Hazardous Wastes (2 credits- 6412)**

Hazardous Waste Law will include a discussion of case law history related to hazardous waste issues. Legislative enactments related to hazardous waste regulation, including the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") and the Resource Conservation and Recovery Act ("RCRA") will be discussed in detail. There will be a discussion of current federal and state hazardous waste regulations and how those regulations are applied in practice. A substantial portion of the class will be devoted to discussion of hazardous waste regulation and management in practice. At least one guest speaker from Florida Department of Environmental Protection, Hazardous Waste section, will be invited to speak to the class. The Hazardous Waste Law course is designed for students who are interested in the Environmental regulatory field. However, the material will be selected and explained such that students without prior experience in the environmental field will be able to understand the material. Therefore, enrollment would be open to any upper division student with an interest in this topic.

**Healthcare Law (3 credits – 6116)**

This survey course introduces students to the major legal and policy issues surrounding the provision of health care. Topics include the organization and governance of nonprofit hospitals and other health care organizations, financing of care through public and private insurance programs, health care fraud and abuse, quality control in health care, confidentiality of medical information, informed consent, reproductive health care, and medical decisions at the end of life, and medical research with human subjects.

**Immigration Clinic (6 credits – 6397)**

This is a one-semester course. Students will primarily represent non-citizens seeking immigration benefits or defending against removal proceedings before the Department of Homeland Security or the Executive Office for Immigration Review (federal administrative agencies). Students must have completed three semesters and thirty-six credit hours to participate in this course. This course will be graded on the traditional A-F grading scale. This class satisfies the graduation requirement for a skills class. Students will be accepted into the Immigration Clinic by application only. **Prerequisites:** Immigration Law and Professional Responsibility.

**Immigration Law (3 credits – 6211)**

This course is the study of immigration and citizenship and will explore a number of important and difficult questions such as: –Who is an American Citizen? Who can come to this country as an immigrant, a visitor, or a refugee? What are rights of non-citizens in the U.S.? When and why can noncitizens in the U.S. be forced to leave?

The course will involve lecture as well as student advocacy; its approach will interweave doctrine, theory, and practice. Emphasis will be placed on developing a practical understanding of the effects and operations of the administrative process, as well as a framework for addressing the special problems of the lawyering role which arise in the context of representation of foreign, and especially Third World clients, with uncertain immigration status.

All class members will be expected to take part in class discussions, role playing, problem solving, and oral advocacy sessions which will be designed to provide students hands on understanding of how to represent clients faced with immigration problems. A portion of the grade, 25 percent, will be derived from participation in the expected role play for the consular hearing, removal hearings and the political asylum hearings. This course will be limited to 20 students.

**Individual Federal Income Tax (3 credits – 5304)**

Formerly known as Federal Income Tax, this is a study of the federal taxation of individuals. The course examines the identification of income subject to taxation and the credits and deductions allowed in computing taxes. Students develop a familiarity with and appreciation for the Tax Code and regulations by exploring the manner in which

Congress balances its need for revenue with many and varied societal interests. The tensions between legitimate tax planning to minimize taxable income and mechanisms to combat abusive tax shelters are explored. Finally, the legal and ethical responsibilities of the taxpayer, tax preparer, and tax attorney are emphasized.

**Insurance Law (2 credits – 6106)**

A consideration of the theory of insurance, the operation and regulation of insurance markets, and the drafting, interpretation and enforcement of insurance contracts.

**Intellectual Property (3 credits – 6103)**

This class is designed to be a survey of legal issues associated with Intellectual Property Law. The course will address judicial, legislative, and scholarly developments in all areas of intellectual property law (trademark, copyright, and patent) as well as idea protection, trade secrets, right of publicity, and other areas. There will be some coverage on emerging First Amendment limitations on federal and state intellectual property rights and emerging trends in Lanham Act section 43(a) and newly revised provisions of federal antidilution law. Other topics may include the Internet and domain names, secondary liability, safe harbors, and anti-circumvention provisions, software protection, and business method patents.

**International Business Transactions  
(3 credits – 6140)**

This course examines the legal issues in the following international business transactions areas: international trade terms and financing international trade transactions; legal problems arising from tariffs, countervailing and anti-dumping duties, and other statutory provisions applicable to international trade; commercial treaties and international trade agreements; resolution of international trade disputes by arbitration and litigation and the enforcement of awards and judgments; international trade doctrines and agencies.

**International Commercial Arbitration  
(3 credits course code 5999-LB)**

This course examines systematically, through treaties; model laws; comparative national legislation; the procedural rule schemes of arbitral institutions; and doctrine developed in court and arbitral cases and commentary, the following topics: (1) the establishment, composition, procedure, and award-rendering considerations of international commercial arbitration (ICA) tribunals; (2) the unique doctrinal problems faced by arbitral tribunals, including jurisdictional issues and multi-level choice-of-law questions in the absence of controlling forum law; (3) the reconciliation of civil-law and common-law legal-culture norms and substantive doctrines of contract and commercial law; (4) the role of national courts in compelling and facilitating arbitration and recognizing, enforcing, or annulling arbitral awards; and (5) challenges facing the regime of ICA today, proposals for change, and future directions.

**International Criminal Law Seminar  
(2 credits – 6207)**

This course will explore the development of the substantive law of individual liability for international crimes from Nuremberg to the present and the structure and jurisprudence of the ad hoc international tribunals which have been established to prosecute these violations. The final grade will be predicated on a research paper which can be used to satisfy the advance writing requirement.

**International Human Rights: 3 credits Law  
5999-LD**

This course is a basic introduction to International Human Rights law. Human Rights is an area of international law that has developed rapidly since the end of World War II. This course will begin with a focus on the historical origins and philosophical foundations of human rights as a body of law. The course will go on to cover the United Nations' contributions to the development of substantive principles of international human rights law, including the Universal Declaration of Human Rights and United Nations Charter. It will also examine the other major international human rights conventions, such as the International Covenant on Civil and Political Rights. It will also consider remedies for human rights violations, including the use of force and humanitarian intervention, and the mechanisms for the implementation of human rights and the reporting of violations, including the important regional human rights systems.

Whenever possible, the course will focus on current events as they relate to questions of international human rights law. The survey course in public international law, while not a prerequisite, is useful. Grading will be based on a midterm paper and class presentation and a take-home final examination.

**International Law (3 credits – 6138)**

An introduction to International Law, designed to provide the basics needed for more specific international courses.

Students are encouraged to take this course before specialized courses. Focus is on the structure and dynamics of the process in which law beyond the nation-state is generated, changed, and determined in United States courts and other arenas. Topics include domestic and international aspects of treaty law and separation-of-powers issues in the foreign policy area.

**International Law of the Sea (3 credits – 6310)**

This is a public international law course dealing with jurisdictional boundaries such as territorial waters, contiguous zones, high seas, exclusive economic zones, etc. We will also study sea piracy/terrorism and spend considerable time on the 1982 Law of the Sea Treaty. It is different than a course on Admiralty in that the latter course studies “private law” that deals with, inter alia: injuries to seamen, cargo, etc. *Students who have taken or may take International Law of the Sea are not eligible to take Sea Piracy and students who have taken (post Fall 2010) or may take Sea Piracy are not eligible to take International Law of the Sea.*

**International Law Seminar (2 credits – 6038)**

This is an introduction to the broad field of international law by examining: the sources of international law: several of the fora that may address international law questions; the actors that have rights and duties under international law; and questions concerning the efficacy of international law. Many of the international law sources and fora are different from what you may have met thus far in law school, i.e. different from cases and statutes as sources, national courts as fora. Students compare and contrast international legal sources and processes to United States national law sources and processes. Students learn what international law is, how it differs from national law and (to some degree) why and in what situations international law actually “works”. A second goal of the course is to familiarize students, through the materials in the casebook with the various “raw materials” with which lawyers who face international legal issues must work. The course covers many topics that fall under the broad heading “international law”. These include foreign investments, human rights, the use of force, international air transportation, diplomatic immunity, the United Nations, extradition and many more issues.

**Internet Law (3 credits – 6387)**

This course explores a variety of issues arising in the context of online activity, with an emphasis on the challenges that this rapidly evolving technology poses to questions of morality, ethics, privacy, self-determination, sovereign power, and free expression. Taking the view that these technological advancements have the potential to undermine both internal and external controls on behavior, and to test existing authority structures, the course pushes students to think about the effect of such changes on established jurisprudence and our system’s ability to respond to these challenges. **Highly Recommended:** Constitutional Law, Intellectual Property Survey, Copyright Law, and/or Trademark Law.

**Interviewing, Counseling and Problem Solving (2 credits – 5220)**

This is a skills building practicum course covering issues of effective client interviewing, counseling and problem-solving. It will include simulation exercises to enhance the student lawyers’ abilities to interview and counsel clients. Students will work in groups to develop plans and resolve potential barriers in reaching non-litigation agreements. **Prerequisite:** Legal Research and Writing 1 & 2.

**Introduction to Bankruptcy Law and Practice (2 credits – 6624)**

This seminar will provide an introduction and exploration of the primary legal concepts found in the field of Bankruptcy Law. The seminar focuses three main chapters under which a potential debtor may file for relief under Title 11 of the United States Code: Chapter 7, Chapter 11, and Chapter 13. It will consider the chapters which provide for the administration of the bankruptcy case: Chapter 3 and Chapter 5. The course provides an understanding of the application of these chapters in a real bankruptcy case. It will provide the students with an understanding of the different practitioner participants in the bankruptcy legal field. Students will engage in research and writing related to one bankruptcy case.

**Judicial Externship (3 credits – 6446) (class and field)**

**Placement Description:** Under the guidance of experienced judges, students learn about the process of trying cases from the bench’s vantage point. Understanding the role courthouse procedures and personnel play in litigation is also covered. Students’ primary responsibilities focus on research and writing.

**Placement Requirements:** Students placed in the Judicial Chambers of a State or Federal Court Judge must meet the



following criteria – have completed 48 semester hours of credit, have a 3.0 or higher grade point average and have received a grade of at least “B” in Legal Research and Writing. Students are required to spend a minimum of 10-15 hours per week at their placement, depending on the semester, and receive two hours of credit for satisfactory completion. Attendance at a weekly seminar is also required.

**Labor and Employment Law (3 credits – 6351)**

The course goal/objective is to familiarize the student with the principal issues in labor and employment law, including employment contracts, laws regulating union-employer relations, federal anti-discrimination laws, health benefits, wage and hour laws, unemployment laws, workplace safety laws, workplace privacy, workplace freedom of expression, the regulation of employees’ off-duty activities, and restrictions on post-employment activities.

**Labor Law (3 credits – 6150)**

This course examines federal regulation of the legal relationship among employers, employees, and unions in the private sector. Topics include the right of employees to unionize, the duty of employer and unions to bargain, union election campaigns, strikes and lockouts, and the role of arbitration in labor management relations.

**Land Use Planning (2 credits – 6219)**

This course examines the regulation of land usage by private arrangement such as easements and servitudes, as well as by public regulation utilizing zoning, conservation easements, designation of historical areas, and environmental laws and other legislation.

**Law and Literature (2 credits – 6422)**

We know lawyers spend a great deal of time conveying ideas to others orally and in writing. Studying how good storytellers tell stories and how good writers write can help students improve their writing and general language skills. In addition, some may become interested in intellectual property and may become directly involved with authors, actors, literature, drama, movies, television, or other artistic nexus. Beginning to connect law and literature today may ease their transition to practice. It is a premise of this class that reading and discussing literature improves skills that demand an understanding of human motivation, character, performance, and language; all skills lawyers need to hone.

**Law and Psychiatry (2 credits – 6127)**

This multi-disciplinary course will focus on both the medical and diagnostic aspects of psychiatric disorders and the legal issues that arise in both civil and criminal cases. Some of the topics to be covered include the following: competency to stand trial, insanity defense, civil commitment, forced medication/right to refuse treatment, examination and cross-examination of psychological and psychiatric experts, sexual offenses, domestic violence, prisoner rights related to mental health issues, risk violence assessment, death penalty, duty to protect and medical/psychiatric malpractice issues. Students will be introduced to the key cases dealing with the above topics and articles written by notable forensic psychiatrists and social scientists.

**Law and Religion (2 credits – 6428)**

The primary focus of the course will be the interpretation and application of the Free Exercise Clause and the Establishment Clause of the First Amendment. A variety of judicial, historical and theoretical readings will be assigned to illustrate historical tensions between law and religion in the United States, such as the establishment of religion in early America; the role of religion in the abolitionist movement; and government aid or endorsement of religion in education and public welfare.

**Law Office Management (3 credits – 6156)**

Building a practice around a written career plan, focusing on organizational and operational issues involved in fulfilling the attorneys obligations to his or her clients, as well as key problems of firm leadership, malpractice avoidance and basic management and finance.

**Law of War (2 credits – 6317)**

The course will focus on “just war” doctrine as well as efforts to regulate the conduct of warfare through The Hague and Geneva Conventions. The course will begin with the historical development of the Laws of War, from St. Thomas Aquinas through modern scholars, but particular attention will be given to the difficulty of applying the Laws of War to modern conflicts such as the ongoing war on terror.

**Lawyers and Social Justice (2 credits – 6121)**

Justice has been described as what is right, fair or deserved and sometimes, as “giving each person his due.” Social Justice has been defined as bringing justice to every aspect of society, that is, establishing a society in which each individual or group of individuals will be treated fairly and share impartially in the benefits of that society. This

seminar explores the various conceptions of the term “social justice” with particular emphasis on the tension between such conceptions.

**Legal History (3 credits – 6360)**

Legal History introduces students to historical perspectives on the law. The course focuses on the history of American constitutionalism. Major themes of the course include restraints on arbitrary power, tensions between popular sovereignty and centralized government, rationalizations for race slavery and gendered legal subjectivity, encouragement of economic progress and social mobility, and relations between private enterprise and public power.

**Legal Research & Writing 1 (3 credits – 5010)**

This course introduces students to the primary sources of legal research, such as case law and statutes. It provides students with instruction and practice on how to access these sources through books, data bases, and the internet. The course also instructs students in the principles and conventions of basic writing and objective legal writing, and in the rules of legal citation. In a process-oriented approach, students develop research and writing skills by drafting office memoranda, receiving instructor feedback, and rewriting these memoranda.

**Legal Research & Writing 2 (3 credits – 5020)**

Part two of this course introduces students to administrative rules, legislative history, and to the secondary sources of legal research, such as law review articles and legal encyclopedias. While continuing to develop research skills, the course concentrates on persuasive legal writing as students now write drafts of a motion memorandum and an appellate brief. Students also receive instruction and practice in presenting oral arguments. **Prerequisites:** Legal Research & Writing 1.

**Legislation (2 credits – 6109)**

An analysis of the principles and methods of statutory enactment by state legislatures. The course includes discussion of the constitutional authority requisite to legislative action.

**Legislative Policy Advocacy Externship  
(4 credits – 6509 – Class and Field)**

Under the guidance of experienced lawyer, students learn about the legislative process either from the staff of legislative body or with an organization that advocates policy before legislative and other law making bodies. Students’ primary responsibilities will focus on research and writing but will also participate with constituents or clients and hearings related to their work. Placement requirements: Students can be placed in State, Federal or Local entities but must meet the following criteria - have completed 30 semester hours of credit. Students are required to spend a minimum of 40 per week at their placement, depending on the semester. Attendance in a weekly seminar is also required.

**Mediation (3 credits – 6395)**

This course seeks to introduce students to mediation as a concept and as a skill to use as a dispute resolution mechanism. Following some introductory sessions designed to explore the essential characteristics of mediation as assisted negotiation, students will be provided with intensive skills training as background for doing a series of simulations. The remaining class sessions will be devoted to exploring certain emerging conceptual and ethical issues as well as to the application of mediation in various specific settings (i.e. family, neighborhood, labor and environmental disputes).

**Mediation Externship (2 credits – 6203) (class and field component)**

**Placement Description:** Students conduct at least 14 county-civil mediations as either a co-mediator or the primary mediator. Students also observe seven mediations in three of the following areas: dependency, civil circuit, criminal, juvenile restitution, school peer mediation or domestic relations. Students are similarly encouraged to observe civil trials.

**Placement Requirements:** Students must have completed either the Law School’s Mediation Course, a certified mediation class or training program, or be a State Certified County Court Mediator. Students are required to spend a minimum of 6-7 hours per week at their placement and receive two hours of credit for satisfactory completion. Grading is pass-fail.

**Moot Court:** Subject to the approval of the Moot Court Faculty Advisor, a student, during his/her law school career, may earn one credit per semester for satisfactory participation in approved interscholastic competitions. A Pass/Fail grade will be awarded.

**Motions and Depositions (3 credits – 6030)**

This skills oriented course will focus on the two areas of practice that all new civil litigation attorneys will find most challenging – motions and depositions. In one-on-one scenarios students will prepare and argue the former, and prepare for, take, and defend the latter. To the greatest extent possible, actual litigation scenarios will be recreated. Florida Civil Practice, as the more substantive/lecture portion of pre-trial litigation, is a prerequisite for this course, along with a sufficient grade therein.

**National Security Law Seminar (2 credits – 6313)**

This seminar concerns the legal, political, economic, and military aspects of international relations in the 21st century. Contemporary issues including international terrorism, threats posed by weapons of mass destruction, intelligence operations, constitutional constraints on defending America, treaty negotiation and implementation, use of military force, and related public international law topics are covered. **No prerequisites.**

**Natural Resources Seminar (2 credits – 5710)**

The Natural Resource Seminar is a foundational survey course concerning the laws and policies related management of natural resources. Natural resources include public lands, timber, fisheries, water, oil, natural gas and minerals, wetlands, forests, rangelands, wildlife and vegetation (including biodiversity), ecosystems, and even climate. Conservation law and policy and geography are both important considerations in the study of natural resources. The resources typically exist in particular places, with each place having its own ecological, socio-cultural, political, aesthetic, economic, and moral and/or spiritual characteristics. Conservation creates a fundamental tension between use and consumption of natural resources and the protection and preservation of nature for future generations. The course introduces differences in philosophical viewpoints between anthropocentric and ecocentric systems and examines whether conventional conservation measures promote true sustainability and healthy, diverse, and robust ecosystems.

This course makes substantial use of cases and problems to put natural resource issues in the context of their complex, place-based characteristics to explore real-world implications beyond the level of pure abstraction. **To further develop depth of understanding, students will choose a topic of interest and write a twenty to thirty page research paper (7,500 word minimum if writing to try to satisfy the Upper Level Writing Requirement).** Students will also present the results of their research in a thirty-minute presentation to the class. Because the class depends on student interests, each student who enrolls will be able to focus on a subject of particular interest to that student; as a necessary corollary, the subject matters of emphasis will correspond to the areas where students are most interested.

**Oil and Gas Law (2 credits – 6620)**

Oil and Gas Law provides an overview of U.S. oil and gas law and, broadly speaking, will involve the review of the ownership, transfer, and development of oil and gas resources. During the course, students will gain an understanding of basic oil and gas law principles while studying property, contract, administrative/regulatory, tort and constitutional law. Students will also study the impacts on the natural environment and social systems that are associated with the development of oil and gas resources. Finally, students will examine the small but growing corpus of case law, legal theories, policies, and/or administrative action regarding emerging (or relatively dormant) technologies (e.g., shale gas drilling, underground coal gasification etc.)

**Opinion and Scientific Evidence (3 credits – 6365)**

This course examines the rules established under the common law and the rules of evidence regarding the use of opinion and expert testimony. In addition to a detailed examination of the rules governing admission of opinion evidence, the course will review types of scientific and expert evidence used in civil and criminal cases, including techniques for direct and cross examination of expert witnesses. **Prerequisites:** Evidence.

**Patents (3 credits – 6391)**

This class will essentially focus on two major topics: (1) the procurement of patents; and (2) enforcement of patents. These major topics will be broken down into their component parts. The goal of this course is to allow students to obtain a broad overview of patent laws as applied by the United States Patent & Trademark Office by the various Federal District Courts having jurisdiction to hear claims of patent infringement and invalidity. This course will not, however, teach patent claim drafting. Additionally, while having taken Patent Law may well help those interested in taking the Patent Bar Examination, this course will not be taught as a Patent Bar Review Course.

**Patient's Rights and Health Care Disparities (2 credits – 6516)**

This seminar will focus on the legal and ethical sources of patients' rights and the legal duties of hospitals and other

health care providers as they relate to such rights. The course will also examine issues related to patients' rights such as health care access, race and health care disparities, women's health and the law, and how health care reform affects patients' rights. As opposed to the Health Care Law Course, which focuses on statutory and regulatory health care law, this seminar will focus on bioethics and policy issues. Students may choose to write on any topic related to patients' rights.

**Payment Systems (3 credits – 5655)**

The course will include the following topics: Negotiability; Negotiation; Holders in Due Course; The Nature of Liability; Banks and their Customers; Wrongdoing and Error; Electronic Banking; Investment Securities.

The grade would be based solely on a final exam consisting of essays and multiple choice. It is suggested that Commercial Law Overview be a prerequisite.

**Popular Culture and the Law (2 credits – 6421)**

This 2 hour seminar will examine social attitudes toward law, lawyers, and legal institutions through the viewing and examination of Hollywood films. Film depictions of law students, juries, and judges will also be considered. Each seminar session will focus in as much depth as possible on a particular film or films and a particular problem or aspect of law, law practice, ethics, or the image and status of the lawyer in American culture raised by the film(s). The majority of the films will be viewed outside the classroom and will be considered as texts providing contemporary depictions of the subject matter to be examined in class. In addition, readings will be assigned for each film and will form the basis for class discussion. The films will be reserved in the library. This will be a paper course which may be used to satisfy the Upper Level Writing Requirement. The course is capped at 20.

**Poverty Law Seminar (2 credits – 6309)**

This seminar will cover evolution and development of the law concerning both governmental and private efforts to help the most disadvantaged members of our society. This exploration will also cover the current Administration's efforts in the same areas.

**Practice Ready Institute or PRI (1 credit- 6770)**

Students are provided an intensive academic experience during which they earn one credit hour of academic credit for the course while gaining skills that are essential in the practice of law. The course is graded on a pass/fail basis. PRI offers a series of courses during the week immediately prior to the Spring, Summer, and Fall semesters. Students have been able to gain valuable hands-on experience engaging with their courses professors and in stimulations and role-plays with major business clients, leading practicing attorneys, potential jurors, and in some instances, key members of the court staff. Since its inauguration in Spring 2014, the following courses have been offered through the Practice Ready Institute:

*Business Litigation Skills*

*Collaborative Family Law*

*Criminal Litigation Skills*

*Discovering Discovery: An Intro to Basic Discovery Procedures in Civil Litigation*

*Effective Jury Selections*

*Mortgage Modification*

*Snatching Victory from the Jaws of Defeat: Post-Trial Motions and Appeals*

**Products Liability Seminar (2 credits – 6415)**

The Products Liability Seminar will focus on the history and development of the common law and statutory liability for the design, manufacture, and sale of products that cause harm to consumers. The course will examine theories of liability such as strict liability in tort, negligence, failure to warn, breach of warranty, and the role of consumer expectations and risk utility in determining liability. The course will touch upon defenses, remedies, comparative liability, causation, and federal and state legislative and administrative regimes that address products liability. Grades will be based on class participation and a final paper which may be used to satisfy the Upper Level Writing Requirement.

**Products Liability (3 credits – 6115)**

Products Liability will examine the liability of manufacturers, distributors, retailers and others for potentially defective products, goods and services. This is an ever changing and controversial area. We may have the opportunity to explore, in depth, how such litigation is brought and the defenses thereto. We will cover topics in the area of negligence, warranties, strict liability, defects and causation. We are not able to cover everything thoroughly in this class. As such this course has been designed to provide a general overview of many areas while highlighting certain

areas related to the role of the attorney in the delivery of goods, products and services.

While not necessarily a course in ethics, ethical considerations are an important aspect of the discussion of the legal principles involved in the business of products liability. Discussions regarding defining fault, risk/utility analysis, costs, regulation and government intervention are some of the most important ethical issues of our time. This course will provide an opportunity to develop critical thinking skills in the analysis of such issues.

**Professional Responsibility (3 credits – 5300)**

Professional Responsibility introduces students to ethical considerations and disciplinary standards governing the practice of law. The Rules of Professional Conduct articulate basic guidelines for the conduct of lawyers. Setting minimum standards for professional conduct, the Rules are subject to interpretation. Professional discretion is guided by various approaches to lawyering, which give content to individual lawyer's sense of values, justice, and fair play. Professional Responsibility endeavors to provide students with a working understanding of the ABA Model Rules of Professional Conduct, the Florida Rules of Professional Conduct, and the ABA Model Rules of Judicial Conduct. The course encourages students to explore their approach to lawyering and to continue their professional development by examining ideas and values of professionalism.

**Property 1 (3 credits – 5108)**

Students survey the Anglo-American law governing the relationship of persons to both real and personal property. Topics will include transfer and acquisition of title, the nature of possession, adverse possession, landlord-tenant law, and estates in land and future interests.

**Property 2 (2 credits – 5328)**

This course will introduce you to the fundamentals of property law as applied in the 21st century so you can connect the dots between the common law history of property and the modern manifestation of those principles in the body of statutory and regulatory guidelines that control most modern transactions. This course builds upon the materials introduced in Property 1 to allow you to develop an increasingly sophisticated appreciation for the common law roots of property and hope that you will synthesize and integrate this foundational knowledge in its modern day application.

**Protections, Children and the Law: Dependency and the Rights to Protection and Services (3 credits – 6170)**

Formerly known as Children and The Law I, this course examines the legal status of a child in America; child abuse and neglect; and the failings of child welfare and juvenile court systems in addressing the rights and needs of the child and families. A central issue is the allocation of authority among the child, his or her family, and the state as to decision making for the child, the child's "best interests" and family integrity. Conflicts between parents and the child, parents and the state, and the child and the state raise constitutional and social policy concerns in the context of the law's treatment of the child and broach problems of other groups who are similarly disabled, legally, physically, and mentally.

**Psychology and Law (3 credits – 6017)**

This multi-disciplinary course will focus both on the medical and diagnostic aspects of psychiatric disorders and the legal issues that arise in both civil and criminal cases, including competence to stand trial, insanity defenses, civil commitment, emotional and psychological damages in civil cases, examination and cross-examination of psychological and psychiatric experts, sexual offenses, and include a review of medical/psychiatric malpractice issues.

**Public Defender Externship (5 credits – 6204)**

Students selecting this externship will be placed in the Public Defender offices for the Ninth or Eighteenth Judicial Circuit, primarily in Orange, Seminole or Brevard County. During the 14 week semester, students work a minimum of 25 hours per week under the direct supervision of an experienced supervising attorney and must be available every business day throughout the 14 week semester. Students perform the same legal duties as any other public defender representing indigent persons accused of crimes. This includes participating in factual investigations, conducting legal research, client interviewing, and appearing in court on behalf of their clients. This externship also requires participation in a one-hour seminar held every week. In addition to registering for this course, students must submit an application and be accepted by the placement. This externship is evaluated on a pass/fail basis. **Prerequisites:** Professional Responsibility, Criminal Law, Criminal Procedure; Evidence, Trial Skills, four semesters and forty-eight credits. Students selecting this placement will be certified under the Florida student practice rules, Chapter 11, Florida Rules Regulating Admission to the Bar.

**Real Estate Development (2 credits – 6244)**

An overview of real estate development in Florida. Focus on the business aspects and the role of an attorney in the

development process. The course will provide the fundamentals of development and look at the current state of real estate development and how new laws and trends will impact the future of development. The readings will be a mix of cases, statutes, local codes, chapters from books and articles. There will be presentations preparing students for giving advice to clients.

**Real Estate Transactions (3 credits – 6114)**

A practical course including experience in such skills as searching a title and drafting instruments necessary to convey interests in real property. Topics may include legal requirements for the conveyance of real property, financing real estate, title examinations, recording acts, loan closing, foreclosure practices, and planned unit developments.

**Remedies (3 credits – 6159)**

In Remedies, students study the nature and measurement of relief to which a party may be entitled. Topics include the scope of legal and equitable remedies, injunctions and contempt, specific performance, equitable defenses, contract damages, tort damages, punitive damages, restitutionary remedies, declaratory relief, jury trials, and attorney's fees.

**Refugee Law Seminar (2 credits – 6425)**

This seminar will provide an opportunity for students who have an interest in the refuge aspects of the immigration law area. It will consider how governments and the international community respond to forced migration at the international and the domestic level in providing required protection for forced migrants. The primary focus will be on U.S. practice, procedure, and doctrine concerning such issues as nonrefoulement, political asylum, persecution, persecution and gender, and the Convention against Torture. There will be a limited number of students. **No prerequisites.**

**Research Assistant:** Subject to the approval from the faculty member for whom the student is performing research, a student during his/her law school career may earn a maximum of one credit per semester for a maximum of two credits during his/her law school career for satisfactory work as a faculty research assistant. A letter grade will be awarded.

**Rights Children and the Law: Delinquency and Children's Autonomous Rights (3 credits – 6172)**

Formerly known as Children and the Law II, this course examines children's autonomous rights; limitations on minor's liberties; medical treatment and consent; their legal incapacities, and the exercise of control over minors by the state. Topics include: juvenile delinquency; status offenses; emancipation of minors; the rights of minors in schools; curfews and other limitations with respect to rights enjoyed by adults; privacy rights vis-à-vis parents and the state. Attention is also given to legislative and policy initiatives with respect to the topics outlined above.

**Sales (3 credits – 6304)**

The law applicable to the sale of goods, including bulk transfers, with emphasis on the legal devices utilized in the distribution of such property. A study of Article 2 of the UCC is also included.

**Sea Piracy: Human Trafficking, Refugees at Sea, Environmental Disposal and Other Maritime Crimes (2 credits – 6888)**

This course addresses crimes at sea, piracy; jurisdiction (courts and prisons); human trafficking; refugees at sea; murder and other crimes committed on board ship; enforcement; terrorism; environmental crimes at sea (toxic wastes; and pollution, etc.); jurisdictional problems, legal regimes at sea. *Students who have taken or may take International Law of the Sea are not eligible to take Sea Piracy and students who have taken (post Fall 2010) or may take Sea Piracy are not eligible to take International Law of the Sea.*

**Secured Transactions (3 credits – 6305)**

This course examines the law of security interests in personal property, focusing primarily on Article 9 of the UCC. Consideration is given to the creation, validity, priorities, and enforcement of security interest.

**Securities Regulation (3 credits – 6390)**

An intensive introduction to the two most important federal securities laws; the Securities Act of 1933 and the Securities and Exchange Act of 1934. The course covers the issuance and trading of securities and explores the elaborate disclosure obligations that this country imposes on the distribution and trading of investment securities. The first half of the course looks at the issuance process in some detail, paying special attention to the complex rules issued by the Securities and Exchange Commission. The second part of the course looks at trading, including tender offers, private actions, and damages. The economics of finance and capital markets is employed to assist the analysis.

**Site Coordinator—VITA (1 credit – 6227)**

A Volunteer Income Tax Assistance (VITA) Program Site Coordinator (VITA Coordinator) will receive one credit at the end of the semester if the faculty VITA Manager for whom s/he works certifies that s/he has successfully performed a minimum of 120 hours of VITA program support during the semester. No more than two students may serve as VITA Coordinators in any tax year (note the credit would be available only in the Spring Semester). Students qualifying for credit would not be able to count any hours so worked for the pro bono service requirement. No student would be eligible to earn more than two VITA Coordinator credits during their tenure at Barry. The VITA Coordinator(s) must complete bi-weekly timesheets reflecting the number of hours worked during that period. The faculty VITA Manager must keep copies of these timesheets. At the end of the tax season, the faculty manager must certify that the VITA Coordinator has worked the requisite hours and that the service experience has been educationally valuable. To qualify as a VITA Coordinator, the student must have a minimum of 20 previous hours experience as a certified VITA volunteer. The VITA coordinator must also successfully complete all IRS training concerning tax changes for the present tax year and all present-year IRS instruction for completing and filing VITA returns (including electronic filing using the IRS TaxWise program). In addition, the VITA Coordinator must be qualified and certified by the IRS at the intermediate or advanced level for the present tax year. The faculty VITA manager will retain certificates documenting the VITA Coordinator 146s qualifications. The VITA Coordinator will supervise all VITA Volunteers in the preparation of tax returns. The VITA Coordinator will research and respond to tax law issues identified by the VITA preparers in the course of their volunteer work. As needed, the VITA Coordinator will individually prepare the more complicated returns. The VITA Coordinator will perform quality control reviews on all returns prepared at the site and will transmit the returns electronically to the IRS. The Coordinator will also work with the TaxWise software representatives to overcome any customer service interface problems encountered at the site. The VITA Coordinator will ensure all VITA Volunteers are trained and certified before they are allowed to see clients. In addition to tax training, the VITA Coordinator will train all volunteers on procedures to protect client privacy and the importance of safeguarding personal information. The VITA Coordinator will handle client control issues and respond to client concerns by notifying the faculty VITA manager as necessary.

**Social Justice: Stories Behind the Cases  
(2 credits – 6352)**

The law is sometimes viewed in terms of stories and lawyers as storytellers. Some propose that stories are the lifeblood of law, ensuring the vitality and relevance of law, as well as the responsiveness of judges to participants in the legal system. This seminar will introduce students to narrative theory and its application to lawyering. Then students will consider the interplay between narratives and social justice in cases involving welfare rights, environmental justice, and homelessness. Finally, the course will explore the stories behind major civil rights cases, such as *Brown v. Board of Education*, *Roe v. Wade*, *Bowers v. Hardwick*, and *Loving v. Virginia*. The seminar is a paper course; students may satisfy the Upper Level Writing Requirement through this course.

**5999-LA: Special Topics: Advanced Federal Procedure and Appellate Practice** is a three credit course. The goal of this course is to prepare students to practice in the federal courts. The class will be divided into two component parts. The first part of the semester will be devoted to studying selected, advanced aspects of federal jurisdiction not covered in Civil Procedure. Examples of topics covered will include the *Rooker-Feldman* doctrine, Abstention, the Eleventh Amendment and state sovereign immunity, and 1983 Litigation. There will also be some weekly written assignments based upon hypothetical situations requiring you to apply the law studied during the prior week to improve writing and analytical skills. The second half of the course will be devoted to Appellate Advocacy in terms of oral argument and writing skills. **This course does NOT satisfy the skills requirement.**

**5999-LB: Special Topics: Advanced Oral Advocacy Skills** is a 2 credit course. The course is designed to equip students with the skills and, even more importantly, the confidence—to communicate more effectively in the courtroom, the boardroom, and anywhere else where oral presentation is necessary. Through their active participation in the course, students will: 1. Discover the elements of classical rhetoric and effective speechmaking; 2. Develop an awareness of well-known speeches and speakers by reading and listening to examples of excellent oral advocacy; 3. Learn and improve the skills for effective oral communication in a variety of settings, and; 4. Build confidence in their ability to deliver an oral presentation. **This course does NOT satisfy the skills requirement.**

**5999-LC: Special Topics: Bankruptcy Externship** is a 2 credit course. The bankruptcy externship course will provide a forum for students to apply bankruptcy law in a practical context. Students will talk with and provide general information to potential bankruptcy court litigants, either debtors or creditors. Students, with the assistance of the professor and other attorneys, will provide general information on a wide range of topics; including filing proof of claims, petition preparation, reaffirmation process, and state exemptions. Students will obtain first-hand experience with clients. **This course does NOT satisfy the skills requirement. (Pre-requisite: Bankruptcy)**

#### **Sports Law (3 credits – 6118)**

This course examines how various areas of law apply to, first, the conduct of nonprofessional sports and, second, the relationships in the professional league sports industry. Amateur sports topics cover uniquely applied torts and criminal law, governance of non-league sports by international and national governing body's rules of amateurism, and governance of intercollegiate sports. For professional sports the most significant areas covered are antitrust, labor, communications, and contract law. **Prerequisite:** Antitrust Law.

#### **State Attorney Externship (4-5 credits – 6280)**

Students work in the state attorneys' offices of the 9th or 18th judicial circuit. Students are primarily placed in the Orange, Seminole, Brevard, and Osceola County Offices. Students work with attorneys in these offices twenty hours a week for 14 weeks. The students assist three attorneys prosecuting persons accused of crimes. The students will assist in the trial work, courtroom presentations, witness interviewing and preparation, negotiations and drafting. In addition to these hours, the students attend a one-hour class weekly. This is a P/F course. In addition to registering for this course, students must submit an application and be accepted in the placement. **Prerequisites:** Professional Responsibility.

#### **Supreme Court Session Review (2 credits – 6337)**

This seminar course is an in depth review of previous years Supreme Court decisions, providing an opportunity to study the impact the Courts decisions has on the lower courts and on the country. Students may write a paper to satisfy their Upper Level Writing Requirement to satisfy the course requirements.

#### **Trade Regulation (2 credits – 6139)**

This course examines state and federal trade regulation and common issues encountered in enforcement actions. Class topics will include the Federal Trade Commission Act and other FTC rules, supplemental federal and state laws, Florida's "Little FTC Act," and an overview of the enforcement of the Florida's Racketeer Influenced and Corrupt Organization Act. The course will also examine enforcement based upon per se violations and standards of unfairness and deception.

**Teaching Assistant:** Subject to approval of the Legal Research and Writing Professor, a student during his/her law school career may earn a maximum of one (1) credit per semester for a maximum of two (2) credits during his/her law school career for satisfactory work as a Legal Research and Writing teaching assistant. A Pass/Fail grade will be awarded.

#### **Torts I (3 credits – 5109)**

An extensive study of intentional torts, negligence, strict liability, and products liability, including defenses to such claims with a focus on how changing tort law (common law through tort reform) attempts to balance the values of individual accountability and social responsibility.



**Torts II (2 credits – 5209)**

Torts II builds on the foundational material covered first semester. It is important to remember that the elements of negligence and its various incantations continue to apply during our new explorations.

**Trademark Law (3 credits – 6392)**

This course explores the broad category of protections associated with trademark law. In doing so, we will focus on the following: the development of trademark law and its relationship to other schemes of intellectual property protection and unfair competition; the subject matter of trademark protections; the acquisition of trademark rights and the requirements for federal registration and protection; actions to enforce trademark rights and related defenses; and remedies. **Recommended:** Constitutional Law.

**Trial Advocacy (3 credits – 6000)**

This course is taught in “workshop” format where students actually practice the skills needed to successfully represent a client in a jury trial. Students will learn effective skills for jury selection, opening statement, direct and cross examination of witnesses (both lay and expert), objections and closing argument. Additionally, students will focus on case theory development and strategies best suited to jury persuasion. The final exam consists of a full simulated jury trial. **Prerequisite:** Evidence.

**Water Law: Pollution (3 credits – 6512)**

This course will begin with a review of the ethical considerations surrounding the damage to private and public interests through misuse of water resources as well as damage to the ecological integrity of the water itself. The course will then delve into an examination the federal and State laws designed to prevent and remediate water pollution, penalize the polluter(s), and establish financial mechanisms to fund remediation. This course will include review of numerous water pollution regulations with a focus on the federal Clean Water Act, the Florida Water Resources Act, and the Florida Air and Water Pollution Act. Review of these laws will include their statutory framework, implementing rules, and significant case law. To enhance the students understanding of the regulatory framework in which these laws function, a class will be devoted to review of federal and State administrative law. If time permits, a portion of the class will also be devoted to common law torts and nuisance laws which may be used to remedy water pollution.

**White Collar Crime (3 credits – 6230)**

This course will examine how prosecutors investigate white collar criminal cases and how defense lawyers represent clients targeted in these investigations. Issues will be considered, not only strategically, but also from an ethical and policy perspective, e.g., when does a prosecutor’s pressuring of a witness to cooperate encourage bending the truth; when does a joint defense move into obstruction of justice.

**Wills, Trusts and Estates (3 credits – 6154)**

This course is designed to introduce the student to various methods of transferring family wealth-intestacy, wills and trusts. Will topics include will formalities, will substitutes, will construction, restrictions on disposition. Trust topics include trust creation, trust property, types of trusts, the trustee’s fiduciary obligation, trust modification and termination. Students will be made aware of the emotional obstacles facing the testator, the technical and ethical issues the practitioner must solve and the counseling role the practitioner assumes.

**Worker’s Compensation (3 credits – 6153)**

A study of the origin and substance of workers’ compensation law and procedures before administrative tribunals and courts. Special emphasis on Florida statutes and procedures.

**Youth Defense Clinic (6 credits- 6197)**

Formerly known as Children and Family Law Clinic, this is a six credit, one-semester course. Students will represent children in a variety of settings including delinquency, education, special education and possibly some dependency. Students must have completed four semesters and forty-eight credit hours to participate in this course. Students must also have received their Florida Board of Bar Examiners character. Prerequisites are criminal law, evidence and professional responsibility. Prior to taking this students may also want to take any of the following recommended courses: Advanced Legal Writing, Children and the Law: Dependency and the Rights to Protection and Services, Children and the Law: Delinquency and Children’s Autonomous Rights, Client Counseling, Criminal Procedure, Disability Law, Evidence, Family Law, Florida Civil Practice, and Trial Advocacy. This course will be graded on the traditional A-F grading scale. This class satisfies the graduation requirement for a skills class. Students will be accepted into the Children and Family Clinic by application only.