

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. Courses listed have or will be taught from Fall 2007 to Summer 2010.

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 I and II.

Advanced Civil Government (2-3 credits – 6554 Field; 6555 Class component – 2 credits)

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 (2-3 credits – 6552 Field Component; 6553 Class Component – 2 credits)

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 Clinic (4 credits – 6401)

Advanced Clinic is a four credit course that will have students participating in cases handled by one of our clinical programs. The course may be offered for four or fewer hours. Students must have completed four semesters and forty-eight credit hours to participate in this course. This course is designed to provide more extensive clinical experience to students who have successfully completed one of our in-house clinical courses. The course will be graded on the traditional A-F grading scale.

Advanced Criminal Defense Externship (4 credits – 6549 class component; 6548 Field component – 2 credits)

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 Procedure (3 credits – 6206)

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

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 Fl. Essay Writing (2 credits- 6410)

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 on the Florida Bar Exam. Students will prepare essay outlines, format, and draft sample essay answers during this course.

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 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.

Animal Rights (2 credits – 6122)

Animal welfare, pet trusts, veterinary malpractice endangered species, divorce pet custody disputes, the animal cruelty/violence against humans link, and animal legal standing are but a few of the issues that will be discussed as we examine legal issues from constitutional law to torts to contracts to wills and trust, and much more. This is not a course in animal rights, but rather an exploration of a burgeoning and dynamic field of law, of which animal rights is but a part. This course will encourage students to creatively apply existing legal doctrine and to craft new legal approaches to the rapidly developing field of law.

Antitrust Law (3 credits – 6600)

This course explores the Antitrust law of the United States and their common law historic antecedents. Topics discussed 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.

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.

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.

Children and Family Clinic (4-6 credits – 6197)

Students enrolled in the Children and Families Clinic will, by preference, primarily represent children who are charged in delinquency court or are the subject of proceedings pending in dependency court. The Clinic will be appointed to represent these children as their attorneys. As attorneys, the Clinic will represent the children in a traditional attorney/client role. Students will be certified under the Florida student practice rule, Chapter 11 Florida Rules Regulating Admission to the Bar.

The substantive law covered in this course includes criminal, juvenile and civil procedure, constitutional law, family law, juvenile law, professional responsibility, disabilities law, evidence and education law. The skills taught include legal research, legal writing, client interviewing, client counseling, negotiations, oral and written advocacy, case theory development, legal analysis, strategic planning, factual investigation, critical self-reflection, and some case management. Each case will be broken into its smallest components and the students will be expected to pursue and consider as many legal, factual, ethical, and strategic issues as time permits. This is similar to the method of using the appellate cases in the casebooks to teach substantive law and analytical skills.

To enroll in the Children and Families Clinic, students must have completed four semesters and forty-eight credit hours. **Prerequisites** for this course are Criminal Law, Evidence and Professional Responsibility. **Recommended** courses prior to taking this course include Advanced Legal Writing, Children & the Law, Client Counseling, Criminal Procedure, Disability Law, Evidence, Family Law, Florida Civil Practice, and Trial Advocacy.

The Children and Families Clinic is six credit hours. The students will be required to commit to a *minimum* of twenty hours per week. These hours would include, but not limited to, client contact, case preparation, time spent in court, meeting with the supervising faculty individually or in groups of two once a week (1 hour+ per week) to review the status and progress of individual cases, individual meetings with the supervising faculty for significant stages of the case, class preparation, and classroom attendance (3 hours per week).

In addition to these weekly hours during the semester, the students who enroll will be required to attend a pre-semester orientation. This orientation will provide an intensive review of some of the substantive law to be used in the clinic course, review some of the special client issues presented by these cases, and lead students in some simulated exercises relevant to the cases.

Students who have questions about the Children and Families Clinic are welcome to contact Professor Joanna Markman (jmarkman@mail.barry.edu) or Professor Gerard Glynn (gglynn@mail.barry.edu) or by telephone 321-206-5750.

Children and The Law I: Dependency and the Rights to Protection and Services (3 credits – 6170)

The 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.

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

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.

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 (5 credits – 6455 class component; 6454 field component)

Placement Description: At civil government placements students learn about various aspects of Florida government civil law practiced. 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 4 semesters and received not less than 48 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 (5 credits – 6452 class component; 6453 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 4 semesters and received not less than 48 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 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 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.

Prerequisite: Civil Procedure I.

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, 3, 4, 4A, 5, 7, 8, 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.

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 meruit 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. Ten (10%) per cent of the final grade is based on upon documented effort, a grade is well earned. **Prerequisite: Property**

Consumer Protection (2 credits – 6123)

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

Contract Law I & II (5 credits – 5107, 5207)

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 1 (credits – 5307) 2010-2011 semester

Contracts 2 (credits – 5407) 2010-2011 semester

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 (3 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.

Criminal Justice Administration Seminar (2 credits – 6406 Field Component; 6430-class component -2 credits)

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 Prosecution Externship (6 credits – 6451 class component; 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 48 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 (2-3 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.

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 Advocacy Clinic (6 credits – 6297)

This is a six-credit hour one-semester course that will have students participating in representing groups or individuals in environmental litigation, administrative proceedings and rule challenges. Students must have completed four semesters and forty-eight credit hours to participate in this course. Prerequisites for this course will be Professional Responsibility and Environmental Law. Recommended courses prior to taking this course will include: Trial Advocacy; Administrative Law; Earth Jurisprudence Seminar; Florida Civil Practice; and Client Counseling. This course will be graded on the traditional A-F grading scale. There will be a maximum of eight students which may increase if additional faculty teach in the clinic but the increase in subsequent semesters will not exceed eight students to every clinical faculty member teaching this course.

Earth Jurisprudence (2 credits – 6350)

This course allows students to step beyond the positive law to questions 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 an earth jurisprudence. Each student will be asked to write a paper either on a theory or an 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.

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.

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.

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 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.

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 Income Tax (3 credits – 5304)

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.

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 component, 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. This is a complementary course to Con Law, which is a prerequisite.

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 Bar Law Survey (4 credits – 6400)

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.

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 you 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 you 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 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 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.

Franchise Regulation (2 credits – 6393)

This course involves the study of franchise and distribution law, with a particular emphasis on state and federal regulations. The course will cover an analysis of the components of a franchise system, alternatives to franchising, and state and federal regulations of a franchise. Particular emphasis will be given to drafting and negotiating franchise agreements and the uniform franchise offering circular required by the Federal Trade Commission. State statutes and administrative regulations that affect franchising will be examined, and there will be an analysis of franchise litigation with an emphasis on Florida Law. The course will also cover alternatives to litigation with an examination of federal and state arbitration procedures that affect the franchise process. There will also be a discussion of ethics and due diligence as it pertains to the franchise lawyer.

Government Contracts (2 credits – 6426)

The course reviews many of the important aspects of government contracts including contract formation, contract performance, and dispute resolution procedures. The Federal Acquisition Regulation is examined in detail as the blueprint for government purchasing. Distinctions between common law and commercial transactions are emphasized and the students review case law from the Court of Federal Claims and the Boards of Contract Appeals. **Prerequisite:** Contract Law I & II.

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, medical decisions at the end of life, and medical research with human subjects.

Immigration Clinic (6 credits – 6397)

Immigration Clinic is a four-hour course in which students assist in the representation of persons seeking legal immigration status in the United States or challenges to removal from the United States. There may be other related legal matters including access to services such as government benefits or education. **Prerequisites:** Immigration Law; and four semesters and forty-eight credits. **Co-requisite:** 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? This class will be limited to now more than 20 students.

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 the class discussions, role play, problem solving sessions, and the 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.

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 antidumping 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 Criminal Law (3 credits – 6307) This is a class component, not the seminar.

This course will explore the development of the substantive law of individual liability for international crimes, including war crimes and crimes against humanity, from Nuremberg to the present. It will also include a study of the various approaches to the prosecution of international crimes, including the ad hoc international criminal tribunals and the permanent international crime court. The final grade will be predicated on an examination.

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 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 (2 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.

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 Legal Methods (1 credit – 5008)

The purpose of this course is twofold. First the course will introduce students to the tasks they will need to perform in law school. These tasks include briefing a case, recognizing legal issues in a fact pattern, eliciting a rule of law from statutes and case law, and analogizing, distinguishing and synthesizing cases. The goal of the course is to provide a foundation upon which students can further develop their ability to read and write legal texts and to understand the law.

Judicial Externship - Class and Field (2 credits – 6446)

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 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. So what's that got to do with studying literature? Studying how good storytellers tell stories and how good writers write can help you improve your writing and your general language skills. In addition, some of you 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 your 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 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 Practice (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 Research & Writing 1 (3 credits – 5010)

This three credit 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)

This three credit 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. Finally, students must take an examination that requires them to write either an office memorandum or a memorandum in support of a motion. **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.

Making the Divorce Work (2 credits – 6133)

This course will take a multi-disciplinary approach to the practice of family law. It will examine the short and long-term emotional effects of the present system of aggressive litigation on the family members, and study the impact of the current application of the Rules of Professional Responsibility on the practice. It will also examine the use of other disciplines in the process, including psychological, social, and collaborative law efforts to diffuse the emotional trauma, as well as the need for changes in the law and for education of all the actors in the process, including the parties, the Bar and the Bench. **Prerequisite:** Professional Responsibility; **Prerequisite or Co-requisite:** Family Law.

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 Field component only)

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.

Motions and Depositions (3 credits – 6030)

This entirely 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 an absolute pre-requisite for this course, along with a sufficient grade therein

Music Law (2 credits – 6239)

Music Law addresses this industry from the viewpoint of copyright protection, international treaty protection, protection of identity and the contemporary issue of the Internet and "free-music-play."

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.**

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.

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.

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 (4 credits – 5208)

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 1 and 2 (5 credits – 5108 & 5208) (2009/2010 semester)

Students study the Anglo-American law governing the relationship of persons to both real and personal property. Topics include acquisition of title, the nature of possession, adverse possession, estates in land and future interest, co-ownership and marital interests, landlord-tenant law, nuisance law, transfers in land and title assurance, easements and servitudes, eminent domain and the law of zoning.

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 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.**

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.

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 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 student would be eligible to earn more than two VITA Coordinator credits during their tenure at Barry.

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 VITA Coordinator will supervise all VITA Volunteers in the preparation of tax returns. 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.

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.

Theatre Law (2 credits – 6238)

Theatre Law begins with a look backwards at its history. Then the student explores the copyright protection, the question of authorship and finally the role of unions.

Torts I & II (5 credits – 5109, 5209)

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.

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.

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.

CAPSTONE COURSES

Administrative Law
Remedies
Conflicts of Law
Federal Jurisdiction

CLINICS

Advanced Clinic
Children and Family
Earth Advocacy

EXTERNSHIPS

Advanced Civil Government
Advanced Civil Poverty
Advanced Criminal Defense
Advanced Criminal Procedure
Advanced Criminal Prosecution
Advanced Judicial Externship
Civil Government
Civil Poverty
Criminal Prosecution
Judicial Externship
Mediation
Public Defender
State Attorney

SEMINAR COURSES

Admiralty Law
Advanced Ethics
Animal Rights
Children Rights
Criminal Justice Administration
Earth Jurisprudence
First Amendment
First Amendment: Church/State
First Amendment: Free Expression
Florida Criminal Procedure
International Commercial Arbitration
International Criminal Law
National Security Law
Popular Culture and the Law
Poverty Law
Products Liability
Refugee Law
Supreme Court Session Review

SKILLS COURSES

Advanced Appellate Advocacy
All externships
All in-house clinics
Commercial Trial Advocacy
Drafting Wills and Trusts
Florida Probate Practice
Immigration Law
Interviewing, Counseling and Problem Solving
Law Office Practice
Mediation
Motions and Depositions
Trial Advocacy
Moot Court Team or Trial Team Competition
VITA Coordinator

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