

FAULKNER UNIVERSITY'S JONES SCHOOL OF LAW



CURRICULUM GUIDEBOOK

ACADEMIC YEAR 2012-2013

TABLE OF CONTENTS

PURPOSE & MISSION	3
GRADUATION REQUIREMENTS	4
REQUIRED COURSES.....	5
ELECTIVE SEQUENCING (PROJECTED)	6
ELECTIVE COURSES DESCRIPTIONS	8
CURRICULUM INVENTORY	22
ELECTIVE COURSE CLUSTERS	23
CO-CURRICULAR PROGRAMS	32
PROFESSIONAL SKILLS COURSES	34
SEMINARS	35
CLINICAL PROGRAMS	36

Guidebook Purpose

The purpose of this guidebook is to assist students in making selections for elective course offerings. The Law School is pleased to be able to offer a variety of electives. With careful selection and sequencing a student can maximize his or her educational experience and be better prepared for law practice. This guidebook is only a guide and should be used as a supplement to the student handbook, not a replacement.

Law School's Mission

As part of the Faulkner University community, the School of Law shares Faulkner University's mission to glorify God by embracing academic excellence and emphasizing a strong commitment to integrity within a caring Christian environment.

In its efforts to fulfill this mission, the School of Law endeavors to:

- Provide an excellent legal education in which the faculty engages students in a challenging learning experience designed to promote the students' competent and ethical participation in the legal profession;
- Promote a Christian environment that encourages all members of the law school community to use their abilities to advance the legal profession and benefit society;
- Attract, develop, and retain a highly competent and diverse faculty devoted to teaching, community service, and scholarly research and writing;
- Attract a qualified and diverse student body while providing an opportunity for non-traditional students to pursue a career in the legal profession;
- Provide students with meaningful resources and experiences such as individual academic advising and support, career counseling, and clinical and externship opportunities, designed to prepare them for their roles as competent and ethical members of the legal profession;
- Contribute to discussion of the relationship between faith, learning, and the law; and
- Regularly reassess the program of legal education through on-going strategic planning to assure continual quality and improvement of the program.

Graduation Requirements

A student shall earn the J.D. degree upon satisfying the following requirements:

- (1) The successful completion of 90 semester hours of offerings, which shall include successful completion of all required courses;
- (2) Satisfaction of the Rigorous Writing Requirement and Professional Skills Requirement;
- (3) A cumulative grade point average of at least 2.00; and
- (4) The completion of six semesters in residence (or the equivalent) if a full-time student or eight semesters in residence (or the equivalent) if a part-time student.

[From: § 3-105, *Manual of Policies* (2012-13).]

REQUIRED COURSES

1ST YEAR FALL SEMESTER

CIVIL PROCEDURE I	2
CRIMINAL LAW	4
LEGAL RESEARCH & WRITING I	3
FOUNDATIONS OF LAW	3
TORTS	4
—	
TOTAL HOURS	16

1ST YEAR SPRING SEMESTER

CIVIL PROCEDURE II	3
CONTRACTS	4
LEGAL RESEARCH & WRITING II	2
PROPERTY	4
CONSTITUTIONAL CRIMINAL PROCEDURE	3
—	
TOTAL HOURS	16

2ND YEAR FALL SEMESTER

CONSTITUTIONAL LAW I	3
EVIDENCE	4
<i>ELECTIVES</i>	7-9
—	
TOTAL HOURS	14-16

2ND YEAR SPRING SEMESTER

CONSTITUTIONAL LAW II	3
BUSINESS ASSOCIATIONS	4
PROFESSIONAL RESPONSIBILITY	3
<i>ELECTIVE(S)</i>	4-6
—	
TOTAL HOURS	14-16

3RD YEAR FALL SEMESTER

REMEDIES	3
<i>ELECTIVES</i>	11-13
—	
TOTAL HOURS	14-16

3RD YEAR SPRING SEMESTER

<i>ELECTIVES</i>	13-16
—	
TOTAL HOURS	13-16

Elective selections must include courses that satisfy the Rigorous Writing Requirement and the Professional Skills Requirement. This can be accomplished in the second or third year.

Full-time students generally graduate in three (3) years attending only in the fall and spring.

ELECTIVE SEQUENCING

The law following list sets out when certain courses are *typically* scheduled for second- and third-year students. Not all upper-class courses are available to all students during each semester. The law school tries to maintain the availability of as many of these courses as possible in the groupings listed below. True availability, though, is a function of the actual scheduling of the days and times of meeting, and that changes from semester to semester, depending on faculty and classroom availability. This means that students wishing to take a sequence of courses in a particular subject area need to monitor the schedule and take courses at the first available time period. (While the law school endeavors to offer courses as listed below, there is no guarantee that an particular course will be offered or offered as listed.)

COURSES OFFERED EVERY FALL & SPRING

Elder Law Clinic
Externship
Family Violence Clinic
Independent Study
Law Review
Mediation Clinic
Moot Court Competition Team
Trial Competition Team

SUMMER

Summer scheduling is difficult to predict. The course offerings in any particular summer session depend upon student demand and the availability of faculty in that summer, among other factors. Therefore, students with an interest in taking summer coursework are urged to contact the Associate Dean for Academic Affairs early in the spring semester so that their preferences may be taken into account as the summer schedule is formulated. Courses that have been offered in recent summers include: Advanced Legal Research; Environmental Law; Federal Courts; Health Law; Insurance Law; Interviewing, Counseling, and Negotiation; Law and Literature; Law Office Management; Professional Responsibility; and Trial Advocacy.

FALL

Administrative Law
Advanced Legal Research
Antitrust (odd)
Bankruptcy
Children's Rights (odd)*
Comparative Constitutional Law (even)*
Conflict of Laws
Dispute Resolution Process
Education Law
Family Law
Federal Income Tax
Health Law*
Immigration Law (even)
Insurance Law (even)
International Business Litigation (odd)
Intellectual Property (odd)
Jurisprudence*
Land Planning*
Law and Christian Theology (odd)*
Legal Drafting
Legal Ethics in the New Millennium (odd)*
Legislation
Pre-Trial Practice
Religion & the Constitution (even)*
Secured Transactions
Sports Law (even)*
Trial Advocacy for Competition
Trial Competition

SPRING

Advanced Legal Research
Advanced Torts*
Appellate Advocacy (odd)
Arbitration
Civil Rights (even)*
Conflict of Laws
Advanced Criminal Procedure
Current Topics in Criminal Law (even)*
Employment Law
Environmental Law (even)
Federal Courts
Freedom of Expression*
Gaming Law (odd)*
Intellectual Property (odd)*
Interviewing Counseling, and Negotiation
International Law (odd)*
Law and Bioethics (even)*
Law and Public Policy (even)*
Mediation Competition Team
Negotiable Instruments
Products Liability
Race, Poverty & the Death Penalty (odd)*
Real Estate Practice (odd)
Sales
Taxation of Business Enterprises
Trial Advocacy
Wills & Trusts
Worker's Compensation (even)

Courses in *italics* usually will be offered every other year at the time indicated; otherwise courses usually will be offered every year during that same semester. Courses marked * may be offered as a seminar.

ELECTIVE COURSES

Administrative Law (8371)

This course studies the relationship of administrative agencies to the legislative, executive, and judicial branches of the government in the American system of constitutional government, with a particular emphasis on judicial review of agency actions. The powers of administrative agencies are addressed with in-depth treatment of the rulemaking process and procedural rights in hearings before administrative agencies.

Advanced Criminal Procedure (8325)

This course covers the procedural rules applicable to various stages in the development of a criminal case from pre-trial stages through appeal. Coverage will include statutory and other sources of procedural law outside the U.S. Constitution, and may also include rules derived from relevant federal constitutional law, to the extent these are not treated in the Constitutional Criminal Procedure course. Topics considered include issues related to search and seizure, privileges, preliminary hearings, bail, pleas and plea bargaining, jury selection, fair trials, sentencing and judgment, double jeopardy and post conviction relief.

Advanced Legal Research (7247, 7376)

Team-taught by the professional law librarians, this course features advanced classroom and hands-on instruction. The course covers electronic database and Internet research, case law, statutory research, federal legislative history, administrative law, law periodicals, treatises and other secondary sources, practice aids, and news and interdisciplinary research. It is recommended that this course be taken prior to or in conjunction with a seminar, law review, or employment as a faculty research assistant. This course fulfills the Professional Skills Requirement.

Advanced Topics in Family Law Seminar (8272)

Prerequisite: Family Law. This seminar provides students with an opportunity to do in-depth research into cutting-edge topics in Family Law. Each student will choose a topic of interest and write a research paper that satisfies the rigorous writing requirement set forth in Section 2-501. Each student will make a presentation to the group explaining the results of his or her research during the

second half of the semester. The professor limits absences and expects full participation from each student.

Advanced Torts Seminar (8257)

This is a seminar on tort topics that provoke public debate or involve timely public issues. Various topics will be suggested, such as class action abuse and constitutional limitations on civil damages, but students are strongly encouraged to choose a topic of interest to them after consulting with the professor.

Animal Law (8266, 8337)

This course in animal law introduces students to those principles, rules, and regulations – as developed by common law and from statute – that affect animals. Starting with a summary of historical origins, the course examines such laws in their philosophical, scientific, and practical underpinnings, and from a variety of differing perspectives, exploring how the law has treated animals in the past and may treat them in the future. From the foundational (How are animals defined? Can animals have standing? Are animals property?) to the pragmatic (What procedural obstacles might confront claims made on behalf of animals? What substantive constraints might prosecuting an animal cruelty case entail?) the course addresses diverse questions and answers in such areas as contract, tort and constitutional law; protections under criminal and civil statutes; cruelty and abuse laws; legal standing for animals; treatment of laboratory animals; ownership and valuation issues; custody areas; and ethical and legal dilemmas posed by the capture, confinement, and commercial use of animals.

Antitrust (8331)

This course examines how the antitrust laws regulate the private economic behavior of market participants. The course covers federal antitrust laws including the Sherman Antitrust Act, the Clayton Act and the Federal Trade Commission Act. The course examines cases on topics such as monopolization, predatory pricing, vertical restraints, price fixing and territorial allocations.

Appellate Advocacy (7360)

This course is an in-depth study of the appellate process, including: historical and comparative viewpoints; preservation of the record on appeal; post-trial motions; appellate procedure; research and preparation of briefs; argument, including communication theory; administrative appeals; rehearing; and petitions for certiorari.

Arbitration (8319)

This is a study of the principles and attendant laws governing the arbitration process. Students are given a history of the arbitration process and its current applications. Up-to-date case and statutory law on arbitration are discussed in light of recent developments in the uses of this process to control contract disputes. The course covers the ramifications of the use of arbitration as a forum choice.

Bankruptcy (8375)

This is a study of: courts of bankruptcy; acts of bankruptcy; voluntary and involuntary bankruptcy; bankruptcy process, pleading, schedules, and adjudication; debts, dischargeable and not dischargeable in bankruptcy; appointment of receivers and trustees; granting and revocation of discharges in bankruptcy; administration of the bankrupt's estate; and pertinent provisions of the Uniform Commercial Code.

Children's Rights (8253, 8374)

This course focuses on the relationship between children, families, and the state, with particular emphasis on the juvenile justice system and delinquency, child abuse and neglect, foster care of dependent children, and the educational rights of disabled children. The special ethical considerations of representing children also are covered.

Civil Rights (8254, 8324)

This course is a seminar on various aspects of civil rights including, but not limited to, issues of voting, employment, public accommodations, housing and other realms of public interest.

Comparative Constitutional Law (8263)

This course examines and compares the fundamental constitutional structures and institutions of the United States, Canada, France, Germany, the United Kingdom, and the European Union. Other nations' systems may also be studied depending on the interests of the students who have enrolled in the course.

Conflict of Laws (8378)

This course examines the principles guiding courts in deciding which state's law to apply when dealing with a legal controversy in which there are elements involving more than one state. The general subject of jurisdiction is considered. The remainder of the course is concerned with an analysis of choice-of-law problems.

Current Issues in Criminal Law (8252)

This seminar deals with various current “hot” topic issues in Criminal law and procedure.

Dispute Resolution Processes (7347)

This survey course covers all of the non-litigation dispute resolution processes. Students are required to take an active part in class exercises and role-plays.

Elder Law Clinic (7375)

This clinic provides opportunities for law students to represent and counsel low-income, elderly citizens in Montgomery, Autauga and Elmore counties. Second and third year law students counsel and represent clients with diverse legal needs: guardianships and custody matters; advanced directives; powers of attorney; wills and trusts; estate planning; benefit applications and appeals; retirement solutions; elder abuse; and medical decision making. The Elder Law Clinic also provides public information programs on federal and state benefits, long-term care solutions, nursing home and skilled nursing facility standards, age discrimination, elder abuse, grandparental custody, medical decision making and end-of-life issues. The Elder Law Clinic works in cooperation with Legal Services Alabama and the Alabama Department of Senior Services.

Employment Law (8387)

This is a study of the legal regulation of the employment relationship, including protection against discrimination, minimum standards of compensation and safety, systems of compensation for injured and unemployed workers, and the concept of employment at will.

Environmental Law (8381)

This course is an analysis of the ends and means of environmental protection through study of statutes, administrative regulations and practices, and judicial decisions treating the protection of the environment in the United States. Topics may include: statutes that regulate pollution emissions (e.g., Clean Air Act, Clean Water Act); procedural requirements (e.g., National Environmental Policy Act, California Environmental Quality Act); administrative law (e.g., standing, standards of judicial review); hazardous and toxic substances and wastes; risk assessment and management; natural resources and wildlife conservation; enforcement and liability; and environmental justice. The course may also examine the ecological, ethical, economic, scientific, and political rationales for laws protecting the environment.

Externship (8108, 8229, 8309, 8409)

Externs earn academic credit while working part-time in government or non-profit legal institutions. Externs work under the supervision of qualified and experienced practicing attorneys who provide guidance and training in professional lawyering skills. The offering includes a classroom component that covers topics relating to the legal system, judicial process, and professionalism. To register for this offering, consent of the instructor is required.

Family Law (7342)

This is an overview of the legal relationships created by family associations. Particular emphasis is placed on the relationships between parents and child and between husband and wife. Other topics include the nature of marriage, separation, divorce, adoption, and emancipation.

Family Violence Clinic (7246, 7372)

Operating in conjunction with Legal Services Corporation of Alabama and the Family Sunshine Center, the Family Violence Clinic provides pro bono services for victims of domestic violence. Students with limited-practice authority will represent clients in court proceedings for Protection from Abuse Orders and related matters and will interview clients, provide advice, prepare pleadings, investigate and evaluate cases. Students without limited practice authority will not appear in court but will interview clients and assist with advice and counsel, case evaluation, investigation, research, and hearing preparation.

Federal Courts (8383)

This course examines the nature and role of the federal court system within the American constitutional system of government. Particular emphasis is placed on the power of Congress to create courts and allocate jurisdiction, the power of the Supreme Court to establish federal rules of court, the relationship of federal and state jurisdiction, the application of choice of law principles in federal courts, the development of federal common law, and alternative bases of federal jurisdiction, including habeas corpus jurisdiction.

Federal Income Tax (7373)

This is a study of the basic laws relating to federal income taxation, including problems relating to items included in or excluded from gross income, deductions, credits, recognition and character of gains and losses from disposition of property, and timing issues.

Freedom of Expression (8262)

This is a study of the history and theory of the constitutional doctrine of freedom of expression. The study centers on the Speech and Press Clauses of the First Amendment. Subjects to be considered include advocacy of unlawful conduct, symbolic expression, obscenity and pornography, defamation, commercial speech, hate speech, and invasion of privacy.

Gaming Law Seminar (8258)

This is an in-depth study of the current issues relating to gambling including gaming distinctions and gambling regulations. The course examines the interrelationship between state and federal gambling laws. Other topics include tribal gambling, charitable gambling, the marketing of games and lotteries, internet gambling, and criminality of games.

Health Law (8247, 8384)

This course investigates the major legal issues arising in health care delivery, not merely physician malpractice but also corporate malpractice, economic credentialing, peer review, utilization review, quality assurance, Medicare fraud and abuse, tax exempt status for hospitals, joint ventures, managed care, antitrust, AIDS, ADA, reproductive rights, the right to die, various federal OBRAS and COBRAS, and ERISA.

Immigration Law (8268, 8341)

This course surveys the fundamental concepts and recent trends in immigration law. Students will learn to navigate the complex regulatory framework and resolve basic immigration problems. This course involves the study of constitutional, statutory, and regulatory authorities. Specific topics of study may include citizenship, admissions categories and procedure, deportability grounds and procedure, refugees and the problem of asylum, and unauthorized migrant workers in the United States.

Independent Study (8107, 8236, 8385)

This is independent research and production of a scholarly paper, under the supervision of a member of the faculty.

Insurance Law (8386)

This is a study of fundamental legal principles relating to various types of first-party and liability insurance contracts, focusing on property, life, health, automobile, and commercial and professional liability policies. Topics include: rules of insurance contract construction; doctrines governing applications for insurance and representations made by the applicant; statutory and administrative regulation of insurance; and various issues arising in particular types of insurance.

Intellectual Property (8242, 8320)

This course examines procedural and substantive legal issues arising out of trade secrets, trademarks/service marks, and copyrights. The course focuses on the federal and state statutory and common law regulation of intellectual property rights while also focusing on litigation and transactional issues arising out of the registration and enforcement of intellectual property rights.

International Business Litigation (8344)

This course combines lecture and problem solving, taking a litigation approach. The course addresses legal and business issues facing a foreign national investing or doing business in the United States as well as United States persons engaging in business or investing abroad. Topics include: basic choice of law and choice of forum analysis; international judicial assistance (service of process and discovery abroad); enforcement of judgments internationally; alternative dispute settlement mechanisms (conciliation and arbitration); and sovereign immunity. The goal is to give a rounded appreciation of the interplay between national and international rules that influence private international litigation.

International Law (8251, 8328)

This is an introductory international law course focusing on the history and development of international law, the fundamental principles of international law, and the role of international institutions. Topics include principles of international law, treaties, conventions and executive agreements, customary law, the International Court of Justice, the United Nations and other international institutions, states and individuals under international law, the Law of Armed Conflict, just warfare, and the use of force.

Interviewing, Counseling, and Negotiation (7349)

This course covers the interviewing and counseling of clients, developing and weighing options, and negotiating on behalf of clients. Students are required to take an active part in class exercises and role-plays.

Jurisprudence (8246, 8323)

Exposing students to the philosophy of law, this course is an examination of the basic principles that underlie our legal system. It is a study of basic schools of jurisprudence, including natural law theory, legal positivism, legal realism, the critical legal studies movement, the law and economics movement, feminist legal theory, critical race theory, and the various strains of Christian legal theory. In keeping with the mission of the law school, the course will approach all of these topics from the standpoint of Biblical truth.

Land Planning (8239, 8322)

This course examines the public and private planning and regulation of land. The course specifically focuses on techniques for planning the current use, future use, and intended non-use of land while covering subject matter including Smart Growth regulations, form-based zoning regulations, traditional Euclidean zoning regulations, aesthetic controls, and other regulatory controls which arise out of the planning of land. The course also examines constitutional and environmental issues facing the public and private planning and regulation of land.

Law and Bioethics (8270)

This course covers the intersection of topics in medical and biological science ethics and American law. Topics discussed in the class include, but are not limited to: end-of-life issues, medical research ethics, organ donation and transplantation issues, genetic ethics, behavior control, and reproduction issues. Class readings and discussion will focus on the tort, contract, property, and constitutional implications of these topics.

Law and Christian Theology (8248, 8306)

This interdisciplinary course examines various Christian theological understandings of law and government. Readings for the course will come from the Bible and from the writings of Christian theologians and jurists, from ancient times to the present day. The readings addresses topics such as the origins and purposes of government, the legitimacy of particular forms of government or sources of law, political activity by Christians, nonviolent and violent resistance to law, equality under law, liberty under law, and legal toleration of religious diversity. Students should expect to confront and analyze a number of conflicting Christian perspectives on these issues.

Law and Public Policy (8269, 8342)

Law and Public Policy examines the relationship between legal doctrine and public policy. Students explore the relationship between legal doctrines and policy outcomes, both intended and unintended. The course focuses upon several areas of recent legal reform in the United States, which have met with varying levels of success and which illustrate the relationship between law and policy. Within each area the course examines (1) the relevant law before and after the reform and the interpretations given to those laws by the courts; (2) the perceived problems with the initial law; (3) the goal of the reform; and (4) the consequences of the subsequent change in the law.

Law Review (8109, 8110, 8111, 8112, 8226, 8227, 8228, 8308)

This offering is available only to students selected for membership on the staff of Faulkner Law Review. Credit is earned upon the basis of performance criteria set forth in the Faulkner Law Review Constitution.

Legal Drafting (8316)

This course focuses on developing professional writing skills by working with some of the types of writing done by lawyers in their practices. Class projects vary, but will include discussion and drafting of several types of documents such as a lease and a contract, and other projects.

Legal Ethics in the New Millennium (8272, 8334)

This course explores emerging issues in legal ethics that will affect the practice of law throughout the next decade and beyond. Topics that may be covered include: the impact of technology on law practice; the multijurisdictional practice of law, and nationalization of bar admission; developments in delivery of legal services, including pro bono duties; public legal services organizations (and funding under IOLTA programs), continued viability of restraints on the unauthorized practice of law; multidisciplinary practice arrangements; specialized problems in conflicts of interest; criminal defense ethics; insurance defense ethics; and developing methods of lawyer regulation.

Legislation (8321)

This course is about American legislative institutions and the processes they employ to consider and enact legislation. The material deals specifically with the Alabama Legislature at the state level and the United States Congress at the federal level. An evolving recognition on the part of most law schools that the education of law students must include an awareness of the significance of statutory lawmaking and a critical understanding of legislative institutions and their processes. The course is designed to provide that knowledge and understanding.

Mediation Clinic (7348)

This clinical offering contains a classroom component as well as “hands on” mediation experiences under the supervision of a faculty member. Students mediate disputes at the Montgomery County District Court and report their experiences during the classroom sessions. The goal of the course is to allow the students to hone their skills as mediators in courtroom settings as well as in the classroom. A required training session typically is held on a weekend near the beginning of the course.

Mediation Competition Team (7171, 7248)

This offering is for students selected by the Director of Advocacy to compete on one of the Law School's Interscholastic Mediation teams.

Moot Court Competition Team (7170, 7243)

This offering is for students selected by the Director of Advocacy on one of the Law School's interscholastic moot court teams. Students gain expertise in appellate advocacy as they prepare for the competition by researching legal issues presented and preparing an appellate brief. Students also gain experience for and participating in oral arguments at the competition.

Negotiable Instruments (7350)

Focusing on Articles 3 and 4 of the Uniform Commercial Code, this is the study both of the general principles applicable to promissory notes and drafts and of the special rules for bank deposits and collections. The course also addresses legislation and administrative regulations protecting consumers in connection with negotiable instruments.

Pre-trial Practice (8312)

This problem-oriented course focuses on the preparation of a civil case for trial. Topics include initial interview, informal discovery, drafting of pleadings, conduct of formal discovery, motion practice, and preparation of a trial book.

Products Liability (8393)

This is a study of the sources, development, and limits of the law of products liability. The course examines the historical development of products liability and theories of liability rooted in negligence, contract, strict liability in tort, fraud, warranty, and statute (primarily the Uniform Commercial Code). Particular attention is given to the development of legal definitions of a "product." The course also examines modern trends in products liability jurisprudence. Emphasis is placed on common litigation problems encountered in products liability cases, including proper parties, proof, use of expert witnesses, and insurance considerations.

Professional Malpractice (8255, 8317)

The course covers the fundamental procedures and trial techniques followed in professional liability lawsuits, with particular emphasis placed on the law relating to medical and legal professions. This course analyzes and discusses plaintiff's rights and defenses to claims against doctors, hospitals, and drug companies, lawyers, and other professionals.

Race, Poverty and the Death Penalty (8265)

This is an in-depth study of the interrelationship of poverty, race, and the death penalty. The course focuses particularly upon issues of ineffective assistance of counsel for indigent defendants and racial discrimination both conscious and unconscious in capital cases.

Real Estate Practice (8330)

This course focuses on the practical application of real property law covering deeds, mortgages, leases, land contracts, real estate closings, and all forms of conveyances. It involves drafting and analyzing real property documents.

Religion and the Constitution (8264)

This is a study of the three Religion Clauses of the Constitution: the Religious Tests Clause of Art. VI; and the Establishment and Free Exercise Clauses of the First Amendment. The course addresses the history and theory of the Religion Clauses as well as their interpretation by the U.S. Supreme Court. Students apply constitutional law and theory to topics such as religious exercises in public schools, religiously motivated legislation, governmental funding of churches and religious schools, governmental regulation of private religious activities, political involvement by religious groups, and governmental promotion of religious ideas.

Sales (7244)

Focusing on Article 2 of the Uniform Commercial Code, this is the study of the sale of goods, including seller's warranties, risk of loss, and remedies. The course also introduces the student to Article 2A (lease of goods) and to the international treaty dealing with the sale of goods.

Secured Transactions (7344) (Also called Commercial Law: Secured Transactions)

This course covers Article 9 of the Uniform Commercial Code. It deals with effectiveness of security agreements, attachment of security interests, categories of collateral, perfection and priority of security interests, rights of third parties, and enforcement of security interests in cases of the debtor's default.

Smart Growth Seminar (8259)

This involves an in-depth examination of the use of Smart Growth regulations to plan the current use, future use, and intended non-use of land. The course focuses on the regulatory and Constitutional issues arising out of the use of Smart Growth regulations and further provides an examination of how Smart Growth regulations contrast with traditional Euclidean zoning regulations. The course involves a detailed comparison of different federal, regional, state, and local methods of engaging in Smart Growth regulation.

Sports Law (8244, 8307)

This course examines legal issues arising from professional and amateur sports, with particular emphasis on contract disputes, tort liability, agency questions, collective bargaining, and the implications of antitrust law. The sources of the relevant law include the common law, federal and state statutes, and administrative regulations.

Taxation of Business Enterprises (8332)

This course examines federal income tax laws affecting the acquisition, operation, and disposition of business enterprises and assets, with particular attention to the taxation of corporations, shareholders, partnerships and partners.

Trial Advocacy (7368)

This is practice-oriented course is intended to develop legal skills in the trial setting. The course emphasizes preparation of witnesses, jury selection, opening statements, presentation of evidence, examination of witnesses, and closing arguments.

Trial Advocacy for Competition (7374)

This practice-oriented course is intended to develop legal skills in the trial setting. The course emphasizes preparation of witnesses, opening statements, presentation of evidence, examination of witnesses and closing arguments. The purpose of this intensive trial advocacy course is to prepare students to compete in regional and national trial competitions.

Trial Competition (7167)

One hour of credit may be earned by participating in this intra-school Trial Competition. Students are given a case file in early August; the competition is typically completed during the first half of the fall semester. All students prepare both sides of a case and try the case a minimum of three times. Some of the trials are held on weekends. Participating in Trial Competition makes a student eligible for being considered for selection for the law school's trial team that competes against trial teams from other law schools.

Trial Competition Team (7242, 7371)

This offering is for students selected for one of the school's trial teams. They gain experience in various aspects of trial work as they prepare for and participate in competition against teams from other law schools.

Wills and Trusts (7337)

This course examines: intestate succession; the essential elements and formalities for making, revoking, or altering a will; will contests; and administration of estates. The course also explores: the character, creation, validity and use of trusts; types of trusts; rights, duties and liabilities of settlors, trustees, beneficiaries, and third parties; fiduciary administration; settlement and distribution; remedies of beneficiaries; and tax, real property, and future interest considerations, including the rule against perpetuities, in connection with wills and trusts.

Worker's Compensation (8256, 8329)

This course surveys the law relevant to the practice of Worker's Compensation law and covers topics from forms, pleadings, procedures and appeals to issues of accidents, occupational diseases and the relationship between tort law and worker's compensation law.

Curriculum Inventory

The following courses have been offered in the past and may be offered again in the future however, they have not been offered for the last two years and/or there is no set sequencing schedule for these courses. They may be added at any time. Students should not expect that any course on this list will be offered.

- (1) Admiralty Law
- (2) Alabama Civil Procedure
- (3) Alabama Constitutional Law
- (4) Banking Law
- (5) Corporate Governance
- (6) Estate and Gift Tax
- (7) Estate Planning
- (8) Federal Crimes
- (9) First Amendment
- (10) Gender and the Law
- (11) Gospel Jurisprudence
- (12) Law Office Management
- (13) Litigation Technology
- (14) Military Justice
- (15) Securities Regulation
- (16) Toxic Torts

COURSE CLUSTERS

The guide below lists courses recommended by the faculty's curriculum committee and gives details about the sequencing of courses within particular fields of law.

ALTERNATIVE DISPUTE RESOLUTION (ADR)

These courses detail alternative methods of settling disputes other than through a trial. Students may earn a Certificate in Dispute Resolution upon completion of the fifteen hours in the courses listed below. The Certificate in Dispute Resolution is not a supplemental degree, but an opportunity for students to highlight their knowledge of conflict management principles and dispute resolution processes.

Foundational Courses:

Dispute Resolution Processes (3 hours)
Administrative Law (3 hours)

Advanced Courses:

Interviewing, Counseling, and Negotiation (3 hours)
Mediation Clinic (3 hours)
Arbitration (3 hours)

For a certificate in Dispute Resolution the following courses are required:

Dispute Resolution Processes (3 hours)
Arbitration (3 hours)
Mediation Clinic (3 hours)
Interviewing, Counseling, and Negotiation (3 hours)
One (1) skills elective such as Externship (1, 2 or 3 hours)

CHILD ADVOCACY

The Child Advocacy cluster is designed for students interested in careers as advocates for children in delinquency, abuse and neglect, custody, and education cases.

Foundational Course

Family Law (3 hours)

Additional Courses for Students with Particular Interests:

Children's Rights Seminar (2 or 3 hours)

Family Violence Clinic (2 or 3 hours)

Interviewing Counseling, and Negotiation (3 hours)

CRIMINAL PRACTICE

Prosecutors and criminal defense lawyers play vital roles in the criminal justice system and shape the criminal regulation of individual and corporate behavior in a free society. Courses in the criminal practice area prepare students for future careers as prosecutors, defense counsel, and judges in the juvenile justice system and the criminal justice system.

Foundational Courses:

Children's Rights (2 or 3 hours)

Legal Drafting (3 hours)

Advanced Criminal Procedure (3 hours)

Trial Advocacy (3 hours)

Interviewing, Counseling, and Negotiation (3 hours)

Additional Courses for Students with Particular Interests:

Appellate Advocacy (3 hours)

Current Issues in Criminal Law (2 hours)

ENTERTAINMENT LAW

The field of Entertainment Law provides diverse opportunities for representing clients with creative or athletic talent, as well as representing the employers of that talent and companies that engage that talent for their services.

The Entertainment Law Cluster is designed to expose students to the areas of law they may encounter while representing these types of clients.

Foundational Courses:

Administrative Law (3 hours)

Sports Law (2 or 3 hours)

Legal Drafting (3 hours)

Additional Courses for Students with Particular Interests:

Employment Law (3 hours)

Gaming Law (2 hours)

Intellectual Property Law (2 or 3 hours)

ENVIRONMENTAL LAW

Students concentrating on courses in Environmental Law seek in-depth analysis of environmental protection through the study of statutes, administrative regulations and practices, and judicial decisions treating the protection of the environment in the United States. “Particular Interest” courses offer specialized training for applications in land use with a discussion of environmental issues affecting those uses. This Course Cluster provides basic preparation for students considering an environmental law practice.

Foundational Courses:

Environmental Law (3 hours)

Additional Courses for Students with Particular Interests:

Administrative Law (3 hours)

Land Planning (3 hours)

Real Estate Practice (3 hours)

Smart Growth Law (2 hours)

GOVERNMENT PRACTICE

State and federal governments employ significant numbers of lawyers. Government lawyers gain experience in ways not easily replicated in the private sector; many new government lawyers handle cases that are the province of senior partners at private law firms. Additionally, government lawyers influence public policy in ways that private attorneys cannot. Courses in the government practice area prepare students for the unique role of government lawyers to represent agencies of the executive and legislative branches of state and federal government.

Foundational Courses:

Pre-trial Practice (3 hours)
Trial Advocacy (3 hours)
Administrative Law (3 hours)
Employment Law (3 hours)
Environmental Law (3 hours)
Legal Drafting (3 hours)
Legislation (3 hours)
Interviewing, Counseling, and Negotiation (3 hours)

Additional Courses for Students with Particular Interests:

Land Planning (3 hours)
Federal Courts (3 hours)
Appellate Advocacy (3 hours)
Advanced Torts (2 hours)
Civil Rights (2 or 3 hours)

INTERNATIONAL LAW

The International Law Cluster is designed for students interested in the interaction between U.S. law and foreign law or who may seek careers representing clients with overseas interests.

Foundational Course

International Law (3 hours)

Additional Courses for Students with Particular Interests:

Comparative Constitutional Law (3 hours)
Conflict of Laws (3 hours)
International Business Litigation (3 hours)

LABOR AND EMPLOYMENT

The Labor and Employment Cluster is intended for students who seek careers representing workers or management in administrative and court proceedings including claims for injury, breach of contract, and union/management issues.

Foundational Courses

Employment Law (3 hours)

Administrative Law (3 hours)

Additional Courses for Students with Particular Interests:

Arbitration (3 hours)

Worker's Compensation (3 hours)

LAND USE AND DEVELOPMENT

As the southeastern United States grows in population, Alabama is positioned to be a key area for land use and development. Land use lawyers represent municipalities and developers. Other areas of law in this cluster include real estate transactions, environmental regulations, and a variety of other administrative agencies.

This cluster will expose students to the many opportunities that these areas present in Alabama and the southeastern United States in general.

Foundational Courses:

Land Planning (3 hours)

Additional Courses for Students with Particular Interests:

Environmental Law (3 hours)

Administrative Law (3 hours)

Smart Growth Law (2 hours)

Real Estate Practice (3 hours)

LAW & RELIGION

This cluster is intended for those students interested in the legal issues raised when the government interacts with religion.

Foundational:

Law and Christian Theology (2 or 3 hours)

Religion and the Constitution (2 or 3 hours)

Additional Courses for Students with Particular Interests:

Comparative Constitutional Law (2 or 3 hours)

Freedom of Expression (2 or 3 hours)

Jurisprudence (2 or 3 hours)

LEGAL RESEARCH AND WRITING

Students concentrating on courses in Legal Research and Writing seek training in advanced writing skills and research methods. This is a practical skills course of study. Completion of this course cluster will better prepare students for the general practice of law or a concentration in appellate practice. Students taking the courses in this cluster will develop skills in drafting documents for transactional work as well.

Foundational Courses:

Advanced Legal Research (2 or 3 hours)

Legal Drafting (3 hours)

Pre-trial Practice (3 hours)

Additional Courses for Students with Particular Interests:

Appellate Advocacy (3 hours)

Law Review (1, 2 or 3 hours)

Moot Court Competition Team (1 or 2 hours)

LITIGATION SKILLS

Whether a lawyer is a defense counsel or plaintiff's counsel, the various phases of a litigated matter represent prime practice areas for students. This course cluster exposes students to these various phases by providing both theoretical and practical learning and training in each area.

Foundational Courses:

Dispute Resolution Process (3 hours)
Pre-trial Practice (3 hours)
Trial Advocacy (3 hours)

Additional Courses for Students with Particular Interests:

Administrative Law (3 hours)
Advanced Torts Seminar (2 hours)
Appellate Advocacy (3 hours)
Arbitration (3 hours)
Moot Court Competition Team (1 or 2 hours)
Products Liability (3 hours)
Trial Competition Team (1, 2 or 3 hours)

PUBLIC INTEREST LAW

This course cluster is intended for students interested in legal issues a lawyer is likely to confront in representing the interests of the poor or members of other marginalized groups, or in representing citizens or public interest groups in claims against the government.

Foundational Courses:

Civil Rights (2 or 3 hours)

Additional Courses for Students with Particular Interests:

Administrative Law (3 hours)
Children's Rights (2 or 3 hours)
Elder Law Clinic (2 or 3 hours)
Employment Law (3 hours)
Environmental Law (3 hours)
Family Law (3 hours)
Family Violence Clinic (2 or 3 hours)
Freedom of Expression (2 or 3 hours)
Mediation Clinic (3 hours)
Religion and the Constitution (2 or 3 hours)

SMALL OFFICE PRACTICE

Courses in the small office practice area prepare students for the special challenges and opportunities of solo practice or the general practice of law. These courses equip the aspiring general practitioner to handle a wide variety of criminal and civil matters for individuals and small businesses. Importantly, general practitioners must recognize when clients should be referred to legal specialists. Accordingly, these courses also expose students to the different issues that arise in a general practice.

Foundational Courses:

Pre-trial Practice (3 hours)
Advanced Criminal Procedure (3 hours)
Family Law (3 hours)
Wills and Trusts (3 hours)
Sales (2 hours)
Negotiable Instruments (3 hours)
Secured Transactions (3 hours)
Legal Drafting (3 hours)
Interviewing, Counseling, and Negotiation (3 hours)
Federal Income Tax (3 hours)
Children's Rights (2 or 3 hours)

Additional Courses for Students with Particular Interests:

Bankruptcy (3 hours)
Trial Advocacy (3 hours)
Real Estate Practice (3 hours)

TAX LAW

This cluster is intended for those interested in learning the law of federal or state taxation.

Foundational:

Federal Income Tax (3 hours)
Taxation of Business Enterprises (3 hours)

Additional Courses for Students with Particular Interests:

Wills and Trusts (3 hours)

TRIAL ADVOCACY

These courses are available for students to hone their advocacy skills. Courtroom presence and preparation are highlighted in these courses. Individuals who hope to be a prosecutor or criminal defense attorney should consider these courses.

Foundational Courses:

Pre-trial Practice (3 hours)

Trial Advocacy (3 hours)

Additional Courses for Students with Particular Interests:

Trial Advocacy for Competition (3 hours)

Trial Competition (1 hour)

Trial Competition Team (1, 2 or 3 hours)

CO-CURRICULAR PROGRAMS

The Law School has co-curricular programs that provide students with opportunities to hone their research, writing, and advocacy skills. Each program is time intensive and requires a high level of commitment by the students. Participation in these programs is an honor. Space is limited. If you are interested in any of these areas you should contact the program directors for more information.

LAW REVIEW

Participation in Law Review will help you hone your research and writing abilities and give you opportunities to collaborate with other law students. Staff members receive one credit hour for each semester they serve on the Law Review; additional credit is available for editors of the Law Review.

Membership on the Law Review is competitive. Students are chosen on the basis of grades or on the basis of a writing competition after their first year. Students invited to join Law Review on the basis of grades must be ranked in the top 15% of their class and have a cumulative grade point average of 2.75 or higher; they must also complete a citation and proofreading exercise. Students who write-on must be ranked in the top 50% of their class, write a paper, and complete the citation and proofreading exercise.

ADVOCACY PROGRAMS

BOARD OF ADVOCATES

The Law School's Board of Advocates is a student organization composed of second and third year law students dedicated to development of pre-trial (including client counseling, mediation, arbitration and negotiation), trial, and appellate advocacy skills. Membership criteria and duties are contained in the Constitution and Bylaws of the Board of Advocates and available, upon request, from the Director of Advocacy Programs.

INTRASCHOLASTIC ADVOCACY COMPETITIONS

Faulkner's First Year Moot Court Competition

All first year students are eligible to participate in an intra-school moot court competition in the spring semester of their first year as part of Legal Research and Writing II. First-year students prepare an appellate brief and participate in competitive appellate oral arguments. Awards are given to the best brief and the best advocate in the competition.

J. Greg Allen Mock Trial Competition

Each fall the law school hosts the J. Greg Allen Mock Trial Competition. This tournament is open to Faulkner Law students who have completed trial advocacy. The tournament is traditionally held the last week in August. Awards will be given to the best two teams and the best advocate.

INTERSCHOLASTIC ADVOCACY COMPETITIONS

The law school's advocacy programs provide numerous opportunities for second and third year students to hone their advocacy skills in national trial, appellate, and alternate-dispute resolution advocacy competitions. Students selected to participate in interscholastic advocacy events represent the law school in competitions against law students from around the country.

Participation in the law school's interscholastic advocacy program is limited to students selected by the Director of Advocacy Programs. Applications are solicited in March or April of each year. As part of the application process, students may be required to participate in a formal try-out. All law students in good academic standing are eligible to apply for a position on one of the law school's advocacy teams.

For more information regarding any of the law school's advocacy programs please see Professor Lester.

PROFESSIONAL SKILLS COURSES

The purpose of the Professional Skills Requirement is to give each student a challenging experience in the development of professional skills that prepare students for the practice of law. “Professional skills” means skills generally regarded as necessary for effective and responsible participation in the legal profession.

The Professional Skills Requirement may be satisfied by the successful completion of any of the following courses:

- (1) Advanced Legal Research
- (2) Appellate Advocacy
- (3) Arbitration
- (4) Dispute Resolution Processes
- (5) Elder Law Clinic
- (6) Externship
- (7) Family Violence Clinic
- (8) Interviewing, Counseling, and Negotiation
- (9) Legal Drafting
- (10) Mediation Clinic
- (11) Pre-trial Practice
- (12) Trial Advocacy
- (13) Trial Advocacy for Competition

[From: § 2-601, *Manual of Policies* (2012-13).]

SEMINARS

The Law School offers a wide variety of special seminars. A seminar provides a small group learning environment conducive to the development of lawyering skills through legal writing and class participation. Most students will satisfy the Rigorous Writing Requirement with the substantive paper written in a seminar. Below is a list of seminars that have offered, but actual offerings in a given semester or year may vary.

The law school has offered the following courses as seminars:

- (1) Advanced Topics in Family Law
- (2) Advanced Torts
- (3) Animal Law
- (4) Children's Rights
- (5) Civil Rights
- (6) Comparative Constitutional Law
- (7) Current Topics in Criminal Law
- (8) Freedom of Expression
- (9) Gaming Law
- (10) Health Law
- (11) Immigration Law
- (12) Intellectual Property
- (13) International Law
- (14) Jurisprudence
- (15) Land Planning
- (16) Law and Bioethics
- (17) Law and Christian Theology
- (18) Law and Public Policy
- (19) Legal Ethics in the New Millennium
- (20) Professional Malpractice
- (21) Race, Poverty, and the Death Penalty
- (22) Religion and the Constitution
- (23) Smart Growth
- (24) Sports Law

CLINICS

The Law School offers three clinics: the Mediation Clinic; the Family Violence Clinic; and the Elder Law Clinic. Clinical study is a unique opportunity for students to practice law with real clients in real courts. Clinical students apply theory to practice and are responsible for interviewing clients, evaluating claims, conducting investigation and discovery, preparing legal documents and pleadings, mediating disputes, counseling clients and litigating in area courts. The Clinics provide unparalleled opportunities for law students to obtain real-world, hands-on experience and preparation for the practice of law.

ELDER LAW CLINIC

The Elder Law Clinic offers opportunities for law students to represent low-income, elderly citizens in area counties. Law students counsel and represent clients with diverse legal needs: guardianships and custody matters; advanced directives; powers of attorney; wills and trusts; estate planning; benefit applications and appeals; retirement solutions; elder abuse; and medical decision making. The Elder Law Clinic also provides public information programs on federal and state benefit programs, long-term care solutions, nursing home and skilled nursing facility standards, age discrimination, elder abuse, grandparental custody, medical decision making and end-of-life issues. The Elder Law Clinic works in cooperation with Legal Services Alabama and the Alabama Department of Senior Services. The Elder Law Clinic promotes the school's mission to serve those neglected or in need and provides valuable, hands-on practice to prepare students for the profession.

The Elder Law Clinic is a three hour, Pass/D/Fail course, and it satisfies the Professional Skills Requirement. The prerequisites for taking this offering are: Civil Procedure I and II; Contracts; Legal Research and Writing I and II; Property; and Torts. Also, students must have completed or must take simultaneously with the Elder Law Clinic at least one of the following courses: Evidence; Wills and Trusts; Administrative Law; Estate Planning; Federal Income Tax; Family Law; or Insurance Law. Students eligible for limited-practice cards must obtain such a card for clinic practice.

FAMILY VIOLENCE CLINIC

The Family Violence Clinic offers students the opportunity to represent live clients in area courts to seek protection from domestic violence. In cooperation with an area abuse shelter, students litigate pro bono on behalf of people in abusive family relationships to obtain orders that enable these survivors to find safety, to protect their children and to establish more peaceful lives. The Family Violence Clinic promotes the school's mission to relieve the oppressed and abused, and it provides valuable, practical real-world experience to prepare new lawyers for the courtroom.

The Family Violence Clinic is a three-hour, Pass/D/Fail course that satisfies the Professional Skills Requirement. Prerequisites for taking this course are: Civil Procedure I and II; Contracts; Legal Research and Writing I and II; Property; and Torts. Evidence is a pre- or co-requisite for this offering. Additionally, students who are eligible for limited-practice authority (the 3L card) must acquire it.

MEDIATION CLINIC

In the Mediation Clinic, students learn the theory and practice of mediation and alternative dispute resolution, then mediate cases at the Montgomery County District Court and report their experiences during the classroom sessions. The goal of this course is to allow students to hone their skills as mediators in courtroom settings as well as in the classroom. The Mediation Clinic is a three-hour, Pass/D/Fail course, and it satisfies the Professional Skills Requirement. This clinic is open to second- and third-year students.