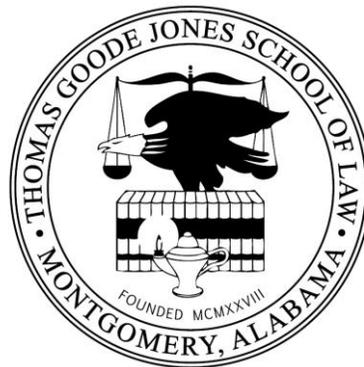


**f** FAULKNER**LAW**

THOMAS GOODE JONES SCHOOL OF LAW



**CURRICULUM GUIDEBOOK**  
**ACADEMIC YEAR 2018–2019**

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## **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, students can maximize their 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. In addition, this guidebook is published at the beginning of the academic year, and course projections, offerings, and descriptions may change throughout the year.

## **LAW SCHOOL 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

### Requirements for Degree.

- (a) A student shall earn the J.D. degree upon satisfying the following requirements (which are not subject to variance or waiver unless otherwise provided by faculty policy):
  - (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 Development 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.
- (b) Requirements for earning the J.D. degree, as well as the courses offered, may be changed by the faculty at any time.

Faculty Policies Manual § 3-105 (citations omitted).

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\* The 90-hour requirement applies to students matriculating in the J.D. program after July 1, 2016. For students matriculating in the J.D. program before July 2, 2016, the applicable requirement is 88 hours.

## REQUIRED COURSES

<b>FIRST YEAR</b>			
<b>Fall Semester</b>		<b>Spring Semester</b>	
Civil Procedure I	3	American Constitutional Order	3
Criminal Law	3	Civil Procedure II	2
Foundations of Law	3	Contracts	4
Legal Reasoning, Writing & Research	3	Foundations of the Legal Prof.	1
Torts	4	Legal Analysis and Persuasion	2
	—	Property	4
Total Hours	16	Total Hours	16

<b>SECOND YEAR</b>			
<b>Fall Semester</b>		<b>Spring Semester</b>	
Const. Criminal Procedure	3	Business Associations	3
Evidence	4	Professional Responsibility	3
First Amend. & Individual Rights	3	Sales	2
<i>Elective(s)</i>	<i>5–6</i>	<i>Electives</i>	<i>7–8</i>
	——		——
Total Hours	15–16	Total Hours	15–16

<b>THIRD YEAR</b>			
<b>Fall Semester</b>		<b>Spring Semester</b>	
Remedies	3	Bar Preparation Course	2
Administrative Law	3	Federal Courts	3
<i>Electives</i>	<i>8–10</i>	<i>Electives</i>	<i>9–11</i>
	——		——
Total Hours	14–16	Total Hours	14–16

In addition, students in the bottom 25% of their class at the end of the second semester of their first year must also take the following courses during their second or third year:

Commercial Law: Secured Transactions	3
Family Law	3
Wills and Trusts	3

Elective selections in the second and third years must include courses that satisfy the Rigorous Writing Requirement and the Professional Development Requirement.

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

## PROJECTED ELECTIVE SEQUENCING

The 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, as well as student interest. 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 a particular course will be offered or offered as listed.)

### COURSES OFFERED EVERY FALL & SPRING

- Elder Law Clinic
- Family Violence Clinic
- Field Placements
- 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. In addition to on-campus courses, some online courses are usually offered during the summer. Courses that have been offered in recent summers include: Administrative Law; Advanced Legal Research; Business Associations; Economics for Lawyers; Elder Law Clinic; Evidence; Family Law; Family Violence Clinic; Interviewing, Counseling, and Negotiation; Mediation Clinic; Pretrial Practice; Professional Responsibility; and Trial Advocacy.

## FALL

*Accounting for Lawyers (odd)*  
Administrative Law  
Advanced Legal Analysis  
Bankruptcy  
*Children's Rights\* (even)*  
Civil Rights\*  
Contract Drafting  
Dispute Resolution Processes  
Family Law  
*Federal Crimes (odd)*  
Federal Income Tax  
Health Law\*  
Immigration Law  
*Intellectual Property (odd)*  
Jurisprudence\*  
*Law and Christian Theology\* (odd)*  
Legislation  
Pretrial Practice  
Products Liability  
*Property and Economic Justice\* (even)*  
*Religion & the Constitution\* (even)*  
Secured Transactions  
Trial Advocacy for Competition  
Trial Competition

## SPRING

Advanced Legal Research  
*Advanced Topics in Family Law\* (odd)*  
*Appellate Advocacy (even)*  
Arbitration  
Conflict of Laws  
Advanced Criminal Procedure  
*Current Issues in Criminal Law\* (odd)*  
Employment Law  
Freedom of Expression\*  
*Gaming Law\* (even)*  
*Insurance Law (odd)*  
Interviewing, Counseling, and  
Negotiation  
*Law and Bioethics\* (even)*  
*Real Estate Practice (odd)*  
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. Some courses, such as Pretrial Practice and Interviewing, Counseling, and Negotiation, may be offered in both semesters.

## COURSE DESCRIPTIONS

### A. REQUIRED COURSES

#### **Administrative Law (8371).**

- (a) Administrative Law is a required course for three semester hours of graded credit for students who matriculated after July 1, 2014.
- (b) Unless waived by the Associate Dean for Academic Affairs, prerequisites for taking the course are Civil Procedure I and II.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

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.

#### **Bar Examination Skills and Strategies (7250).**

- (a) Bar Examination Skills and Strategies is a required course for two hours of graded credit.
- (b) In publications, the description of the course shall be approximately as follows:

The course will build on what students have learned about multistate bar subjects and test taking throughout law school. The focus will be on knowledge, skill, and attitudes that have been shown to be helpful in passing the multiple-choice Multistate Bar Examination (MBE), the Multistate Essay Examination (MEE), and the Multistate Performance Test (MPT). Included will be practice in writing bar exam essays and insight into how they are graded, practice in answering MBE-type questions, and practicing for the MPT. The course is intended to supplement and not replace the commercial review courses. The course grade will be determined based upon satisfactory completion of required assignments and a midterm and final exam that simulate the bar exam experience.

**Business Associations (6344).**

- (a) Business Associations is a required course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course will survey the formation, management and dissolution of sole proprietorships, partnerships and corporations as well as other issues regarding liability of individuals, officers and the business itself. Also introduced is federal securities law as it pertains to shareholder suffrage, proxy contests, hostile takeovers, and secondary securities transactions.

**Civil Procedure (5341, 5242).**

- (a) Civil Procedure I is a required course for three semester hours of graded credit.
- (b) Civil Procedure II is a required course for two semester hours of graded credit.
- (c) Prerequisites for taking Civil Procedure II are completing Civil Procedure I and receiving a grade (other than “WP” or “WF”).
- (d) Each of the courses shall have a final examination.
- (e) In publications, the description of the courses shall be approximately as follows:

Civil Procedure I will focus on the federal rules of civil procedure governing pleadings, pretrial motions, joinder of claims and parties, disclosure, discovery, summary judgment, judgments as a matter of law, judgments, some issues on appeal, and preclusion doctrines.

Civil Procedure II will provide an overview of the civil litigation process, followed by a focus on the federal rules governing subject matter and personal jurisdiction, venue, and the interplay between state and federal substantive and procedural law.

**Constitutional Criminal Procedure (5346).**

- (a) Constitutional Criminal Procedure is a required course for three semester hours of graded credit.

- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course is intended to introduce students to the constitutional concepts of due process, incorporation, and fundamental rights, as these relate to the state's investigation of criminal wrongdoing. Students will explore Fourth, Fifth, and Sixth Amendment doctrines related to searches, seizures, arrests, interrogations, and right to counsel. The course may also consider relationships between limitations imposed by the Constitution and those imposed by other sources, such as statutory and common law.

**American Constitutional Order (Constitutional Law I) and  
The First Amendment and Individual Rights (Constitutional Law II) (6345, 6346).**

- (a) American Constitutional Order is a required course for three semester hours of graded credit.
- (b) The First Amendment and Individual Rights is a required course for three semester hours of graded credit.
- (c) Prerequisites for taking The First Amendment and Individual Rights are completing American Constitutional Order and receiving a grade (other than "WP" or "WF").
- (d) Each of the courses shall have a final examination.
- (e) In publications, the description of the courses shall be approximately as follows:

American Constitutional Order is a three-unit required first year course introducing students to the United States Constitution. The course examines three topics of fundamental import within the American legal system: (1) federalism; (2) separation of powers; and (3) judicial review. Specific topics of coverage include federalism-based limits on state authority, the scope of Legislative powers, the scope of Executive powers, the scope of Judicial power and judicial review, the relationship between the three branches (including immunities), and limitations on federal power rooted in the Tenth and Eleventh Amendments.

The First Amendment and Individual Rights is a study of the constitutional provisions guaranteeing individual rights and freedoms. The course considers the nature and source of human rights, and includes a study of the rights of freedom of speech, freedom of the press, and freedom of religion found in the First Amendment, the guarantee of due process and equal protection found in the Fifth and Fourteenth Amendments, and issues con-

cerning the application of these protections to the federal government and to the states.

**Contracts (5440).**

- (a) Contracts is a required course for four semester hours of graded credit.
- (b) The course shall have a final examination.
- (e) In publications, the description of the course shall be approximately as follows:

The Contracts course studies the history and development of the common law rights, duties, and remedies attendant to the making of promises. Although the order and amount of coverage may vary somewhat from year to year, it is expected that the course will address legal theories for enforcing promises or preventing unjust enrichment; principles controlling the formation, modification, and enforceability of contracts; the parole evidence rule; performance; remedies for nonperformance or threatened nonperformance; excuses for nonperformance; enforcement rights of nonparties; assignment of contract rights; and delegation of contractual duties.

**Criminal Law (5362).**

- (a) Criminal Law is a required course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course is an introduction to the substantive principles of criminal law. The course examines the elements of crimes in the common law and under modern statutes, together with the history and development of the criminal law, including the various theories of criminal responsibility.

**Evidence (6431).**

- (a) Evidence is a required course for four semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

Evidence is the study of the presentation of proof before judicial and quasi-judicial tribunals giving rise to questions regarding the admissibility of evidence. These questions are studied in the context of the examination of witnesses, competency, privilege, relevancy, the hearsay rule, judicial notice, and the presentation of scientific and demonstrative evidence.

**Federal Courts (8383).**

- (a) Federal Courts is a required course for three semester hours of graded credit for students who matriculated after July 1, 2014.
- (b) Prerequisites for taking the course are Civil Procedure I and II. Unless waived by the Associate Dean for Academic Affairs, another prerequisite for taking the course is Constitutional Law I.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

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.

**Foundations of Law (5360).**

- (a) Foundations of Law is a required course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This required first-year course takes up important questions for the beginning law student: What is law? Where does it come from? What are its purposes? And how is it implemented in contemporary society? The course surveys the types of law in Anglo-American institutions, which include custom, legislation, administrative regulation, and judicial opinions. It examines the institutions of Anglo-American law, especially courts, legislatures, and administrative agencies. And it surveys foundational schools

of Western legal thought and influences on Anglo-American law, especially ancient Greek philosophy, the Hebrew and Christian scriptures, natural law and natural rights theories, common law jurists, English legal positivism, pragmatism and legal realism, liberty and liberalism, and analytical jurisprudence.

These inquiries are pursued through engagement with great books of the Western, and especially the Anglo-American, legal tradition, and with judicial decisions, statutes, proclamations, and other legal materials that illustrate foundational concepts. Emphasis is also placed on enduring aspects of legal practice, such as deductive logic, inductive reasoning, and inference; the meaning and importance of conscience and of due process; different approaches to textual interpretation; the relation of law to other normative concepts, such as morality and religion; its relation to sciences, such as economics; and its relation to other authorities, such as equity, executive prerogative, and judicial discretion.

#### **Foundations of the Legal Profession (5100).**

- (a) Foundations of the Legal Profession is a required course for two semester hours of credit.
- (b) In this offering, each student shall receive a grade of either “P” or “1.00” or “0.00.”
- (c) In publications, the description of the course shall be approximately as follows:

This required one-unit, first-year course will take up important questions for law students who are preparing to enter the legal profession: What does it mean to be a member of the legal profession? In what roles, relationships, and environments do lawyers serve? What moral values and convictions define their professional identity, call them to serve, govern their professional relationships, and inform their judgments?

This course explores the professional identity of the lawyer, examines the values that define the profession, and surveys the different roles, relationships, and environments in which lawyers serve. It introduces students to the process of becoming a member of the profession, the nature and function of professional governance, and the core responsibilities borne by all member of the profession and all officers of the court. Classroom discussion will afford students opportunities to reflect on the kind of lawyer they would like to be and to wrestle with the implications of their own moral convictions as they relate to their understanding of the law and the lawyer’s professional identity and role. This course will introduce students to a range of career pathways for lawyers, and members of the bench and bar will speak

about professionalism topics and their experience in different career pathways. This course will culminate in a written submission in which each student will reflect on the important questions posed in this course and outline his or her career goals.

The course will be graded pass/fail based upon classroom participation, attendance, formative assessments, the satisfactory completion of the self-assessment project, and submission of a résumé.

**Legal Reasoning, Writing & Research (Legal Research and Writing I) (5339).**

- (a) Legal Reasoning, Writing & Research is a required course for three semester hours of graded credit.
- (b) The instructor of the course shall have the discretion not to give a final examination.
- (c) In publications, the description of the courses shall be approximately as follows:

In the Legal Reasoning, Writing & Research course, students learn basic skills of the legal profession. In addition to learning the basics of legal reasoning, syllogistic reasoning (IRAC), and analogical reasoning, they learn to write as lawyers write, with a focus on organization, precision, clarity, and conciseness. They also learn and practice foundational legal research skills and learn how to move from research to analysis to writing. Additionally, students learn the basics of Bluebook citation, which are necessary to the practice of law. Throughout the semester, students use these fundamental skills – reasoning, writing, and research – to write several predictive/objective memoranda addressed to a senior partner in a fictional law firm in which the class is set. Students receive instructive feedback on assignments so that students can improve their fundamental skills.

**Legal Analysis & Persuasion (Legal Research and Writing II) (5240).**

- (a) Legal Analysis & Persuasion is a required course for two semester hours of graded credit.
- (b) The receiving of credit in Legal Reasoning, Writing & Research is a prerequisite for enrollment in Legal Analysis & Persuasion.
- (c) The instructor of the course shall have the discretion not to give a final examination.
- (d) In publications, the description of the courses shall be approximately as follows:

In the Legal Analysis & Persuasion course, students build on their training in basic legal reasoning, writing, and research skills. In their assignments, students write persuasively to convince a fictional court to rule in their clients favor. To develop oral advocacy skills, students participate in oral argument.

**Professional Responsibility (7339).**

- (a) Professional Responsibility is a required course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course considers the ethical responsibility of the attorney as contained in the ABA Model Rules of Professional Conduct, as well as typical ethics opinions from various jurisdictions. Topics covered include the dynamics of the lawyer-client relationship, the role of the lawyer as an officer of the court, and the concept of professionalism.

**Property (5448).**

- (a) Property is a required course for four semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

Property covers the classification of interests in property and the doctrines and rules that govern the acquisition and management of assets. The course covers methods of acquisition, including capture, creation, adverse possession, sale, and other forms of transfer. The course then turns to the classification of interests in property, including the system of possessory estates and future interests, concurrent estates, marital interests, and the rights and responsibilities of landlord and tenant. The course concludes by examining methods of managing and governing property, including covenants and servitudes, land use regulations, and takings.

**Remedies (7343).**

- (a) Remedies is a required course for three semester hours of graded credit.

- (b) Prerequisites for taking the course are Civil Procedure I and II, Contracts, Property, and Torts.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

This course is the study of the law of judicial remedies, both legal and equitable, focusing on the nature and scope of relief, as distinguished from substantive and procedural law. The four major categories of remedies addressed are damages, restitution, injunctions, and declaratory relief. Also addressed are ancillary remedies to effectuate the relief obtained, such as collecting judgments, enforcing injunctions, and reforming documents. Also studied are legal and equitable defenses, such as fraud, waiver, estoppel, unclean hands, and *in pari delicto*.

**Sales (7244).**

- (a) Sales is a required course for two semester hours of graded credit for students who matriculated after July 1, 2014.
- (b) A prerequisite for taking the course is Contracts.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

Focusing on Article 2 of the Uniform Commercial Code, this course 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.

**Torts (5450).**

- (a) Torts is a required course for four semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

Torts is a study of civil liability for injury to property and persons. The course will introduce students to liability resulting from intentional wrongs,

such as battery and infliction of mental distress; liability resulting from accidental wrongs, such as automobile negligence and medical malpractice; and strict liability, such as abnormally dangerous activities and product defects. The course places heavy emphasis on the law of negligence by examining the elements of negligence, causation and available defenses. Injuries to relations, such as defamation and privacy, may also be covered.

## **B. ELECTIVE COURSES**

### **Advanced Criminal Procedure (8325).**

- (a) Advanced Criminal Procedure is an elective course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course will cover 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 Analysis (6101).**

- (a) Advanced Legal Analysis is an elective course for one (1) semester hour of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

The Advanced Legal Analysis course is an eight-week elective skills development course designed to introduce students to the analytical skills and testing techniques essential for effective bar examination performance. The course covers select substantive legal topics that are routinely tested on the Multistate Bar Examination (MBE), Multistate Essay Examination (MEE) and the Multistate Performance Test (MPT).

### **Advanced Legal Research (7247, 7376).**

- (a) Advanced Legal Research is an elective course for two or three semester hours of graded credit.

- (b) Credits earned in Advance Legal Research count toward the Advanced Practicum Requirement [part of the Professional Development Requirement described in Section 2-601 of the Faculty Policies Manual].
- (c) Unless waived by the Associate Dean for Academic Affairs, prerequisites for taking the course are the receiving of credit in Legal Reasoning, Writing & Research and Legal Analysis & Persuasion.
- (d) The instructor of the course shall have the discretion not to give a final examination.
- (e) In publications, the description of the course shall be approximately as follows:

Taught by the professional law librarians, this course features advanced classroom and hands-on instruction. The course will cover 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. Credits earned in this course count toward the Advanced Practicum Requirement.

**Advanced Topics in Family Law Seminar (8272).**

- (a) Advanced Topics in Family Law Seminar is an elective course for two or three semester hours of graded credit.
- (b) The course shall be offered as a seminar. The instructor shall have the discretion not to give a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

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 her or his research during the second half of the semester. The professor limits absences and expects full participation from each student.

**Advanced Torts Seminar (8257).**

- (a) Advanced Torts Seminar is an elective course for two semester hours of graded credit.

(b) This course shall be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by final examination or by a substantive paper that satisfies the rigorous writing requirement set forth in Section 2-501.

(c) In publications, the description of the course shall be approximately as follows:

This course 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.

### **Advanced Trial Advocacy (83##).**

(a) Advanced Trial Advocacy is an elective course for three semester hours of graded credit.

(b) The course satisfies the Advanced Practicum Requirement of the Professional Development Requirement.

(c) Prerequisites for taking the course are Evidence and Trial Advocacy or Trial Advocacy for Competition.

(d) The instructor of the course shall have the discretion not to give a final examination.

(e) In publications, the description of the course shall be approximately as follows:

This is a practice-oriented course intended to develop the students' advanced legal skills in the trial setting. The course emphasizes presentation of damages, jury selection, jury instructions, sentencing, presentation of expert testimony, and the use of technology.

### **Antitrust (8331).**

(a) Antitrust is an elective course for three semester hours of graded credit.

(b) The course shall have a final examination.

(c) In publications, the description of the course shall be approximately as follows:

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

**Appellate Advocacy (7360).**

- (a) Appellate Advocacy is an elective course for three semester hours of graded credit.
- (b) When offered as a three-hour course, it satisfies the Advanced Practicum Component of the Professional Development Requirement.
- (c) Prerequisites for taking the course are Civil Procedure I and II, Contracts, Legal Research and Writing I and II, Property, and Torts.
- (d) The instructor of the course shall have the discretion not to give a final examination.
- (e) In publications, the description of the course shall be approximately as follows:

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).**

- (a) Arbitration is an elective course that may be offered for either two or three semester hours of graded credit.
- (b) Unless waived by the Associate Dean for Academic Affairs, prerequisites for taking the course are Civil Procedure I and II, Contracts, and Torts.
- (c) The instructor of the course shall have the discretion not to give a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

This course 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 will cover the ramifications of the use of arbitration as a forum choice.

**Bankruptcy (8375).**

- (a) Bankruptcy is an elective course for three semester hours of graded credit.
- (b) The prerequisite for taking the course is Contracts. Unless waived by the Associate Dean for Academic Affairs, another prerequisite for taking the course is Secured Transactions.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

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.

**Board of Advocates (8115).**

- (a) Board of Advocates is an upper-division elective course offered for one hour of credit.
- (b) In this offering, each student shall receive a grade of either "P" or "1.00" or "0.00." Each student's performance in this offering shall be evaluated by the Director of Advocacy Programs who will assign grades based upon performance criteria set forth in the Constitution and Bylaws of the Board of Advocates.
- (c) Enrollment in this offering is limited to students who satisfy the minimum membership guidelines set forth in the Constitution and Bylaws of the Board of Advocates and who receive written approval of the Director of Advocacy Programs prior to enrollment in this offering.
- (d) Students eligible for credit for this offering may not receive credit in any more than two semesters (a maximum of two semester hours of credit).
- (e) In publications, the description of this offering shall be approximately as follows:

The Law School's Board of Advocates is a student organization composed of 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 membership duties are set forth in the Charter and Bylaws of the Board of Advocates. The charter and Bylaws are available, upon request, from the Director of Advocacy Programs.

**Children's Rights (8253, 8374).**

- (a) Children's Rights is an elective course for either two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) Family Law is recommended as a prerequisite, but is not required.
- (d) In publications, the description of the course shall be approximately as follows:

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 will also be covered.

**Civil Rights (8254, 8324).**

- (a) Civil Rights is an elective course for either two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper which satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) In publications, the description of the course shall be approximately as follows:

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.

**Commercial Law: Sales and Negotiable Instruments (7336).**

- (a) Commercial Law: Sales and Negotiable Instruments is an elective course for three semester hours of graded credit.
- (b) A Prerequisite for taking the course is Contracts.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

The course studies the law governing sales of personal property, including an introduction to such supporting institutions as documents of title and letters of credit. The course also examines both the general principles applicable to promissory notes and drafts and the special rules for bank deposits and collections. Statutes considered throughout the course will include Articles 2, 3, and 4 of the UCC, and numerous federal statutes that regulate or affect payments.

**Commercial Law: Secured Transactions (7344).**

- (a) Secured Transactions is an elective course for three semester hours of graded credit.
- (b) Prerequisites for taking the course are Contracts and Property.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

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.

**Comparative Constitutional Law (8263, 8302).**

- (a) Comparative Constitutional Law is an elective course for two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) Unless waived by the Associate Dean for Academic Affairs, prerequisites for taking the course are Constitutional Law I and II.
- (d) In publications, the description of the course shall be approximately as follows:

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. The course may be offered for two or three hours of credit.

**Conflict of Laws (8378).**

- (a) Conflict of Laws is an elective course for three semester hours of graded credit.
- (b) Prerequisites for taking the course are Civil Procedure I and II, Contracts, Property, and Torts.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

This course examines the principles guiding the 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.

**Conflict Management Systems Design (82##, 83##).**

- (a) Conflict Management Systems Design is an elective course that may be offered for either two or three semester hours of graded credit.

- (b) Unless waived by the Associate Dean for Academic Affairs, prerequisites for taking the course is the receiving of credit in Dispute Resolution Processes and Psychology and Dispute Resolution.
- (c) The instructor of the course shall have the discretion not to give a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

This course is the study of the principles for design and implementation of a conflict management system for governmental, non-profit, or corporate entities. The course materials cover the factors necessary to evaluate an organization's dispute resolution needs and design a dispute resolution system to address pre-litigation disputes.

**§ 2-421a. Constitutional History and Theory I (to 1877) (#2##, #3##).**

- (a) Constitutional History and Theory I is an elective course for two or three semester hours of graded credit.
- (b) This course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination and/or a final paper (that need not satisfy the Rigorous Writing Requirement set forth in Section 2-501), or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501. In the instructor's discretion, methods of evaluation may differ by student in the same semester.
- (c) There are no prerequisites for this course, and students may take this course concurrently with American Constitutional Order or First Amendment and Individual Rights.
- (d) In publications, the description of the course shall be approximately as follows:

This course will survey selected topics in American constitutional history through the end of Reconstruction and selected theoretical topics in constitutional design and interpretation.

Regarding constitutional history, the course will begin by examining British constitutionalism before the Revolutionary War. It will then survey topics surrounding the creation and ratification of the U.S. Constitution, constitutional law in the early national period, and will end with the constitutional crises posed by chattel slavery, the Civil War, and post-bellum Reconstruction.

Regarding constitutional design and interpretation, the course will cover topics such as: constitutionalism, institution creation, and originalism, among others.

Readings will come from primary sources (e.g., the Articles of Confederation, the Constitution, selected Supreme Court cases, selected writings from historical figures of the time period(s) studied) and secondary sources (e.g., book(s), book chapters, and scholarly articles) about the topics and time periods studied.

*Dec. 6, 2017*

**§ 2-421b. Constitutional History and Theory II (1877–Present) (7262, #3##).**

- (a) Constitutional History and Theory II is an elective course for two or three semester hours of graded credit.
- (b) This course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination and/or a final paper (that need not satisfy the Rigorous Writing Requirement set forth in Section 2-501), or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501. In the instructor's discretion, methods of evaluation may differ by student in the same semester.
- (c) There are no prerequisites for this course, and students may take this course concurrently with American Constitutional Order or First Amendment and Individual Rights.
- (d) In publications, the description of the course shall be approximately as follows:

This course will survey selected topics in American constitutional history from the end of the nineteenth century to the present and selected theoretical topics in constitutional design and interpretation.

Regarding constitutional history, the course will begin by examining selected topics in constitutional history at the end of the nineteenth century. It will then survey topics regarding the early twentieth century, Holmes and his influence, the World War II era, the Warren Court, the individual rights revolution, and how the presidency has shaped and been shaped by the Constitution.

Regarding constitutional design and interpretation, the course will cover topics such as: textualism, interpretivism, amendment and change of the Constitution, among others.

Readings will come from primary sources (e.g., the Constitution, selected Supreme Court cases, selected writings from historical figures of the time period(s) studied) and secondary sources (e.g., book(s), book chapters, and scholarly articles) about the topics and time periods studied.

**Contract Drafting (8316, 8354).**

- (a) Contract Drafting is an elective course for three semester hours of graded credit.
- (b) The course satisfies the Advanced Practicum Component of the Professional Development requirement set forth in Section 2-601.
- (c) The receiving of credit in Legal Reasoning, Writing & Research and in Legal Analysis & Persuasion is a prerequisite for enrollment in this course.
- (d) The instructor of the course shall have the discretion not to give a final examination.
- (e) The course will be capped at 16 students.
- (f) In publications, the description of the course shall be approximately as follows:

In this course, students will learn principles of drafting business contracts, how to design and draft entire contracts, and how transactional lawyers translate a business deal into contractual provisions. Topics covered may include (1) drafting entire contracts, (2) drafting clauses for inclusion in complex contracts, (3) commenting on and editing contracts or clauses written by others, (4) drafting memoranda to clients and letters to opposing counsel, (5) writing letters of intent, and (6) creating term sheets. The course may also include simulated negotiations. Students will learn these concepts and skills through a combination of lecture, hands-on drafting exercises, formative and summative feedback from the instructor, and self-evaluation. This course is not intended to cover litigation documents.

**Current Issues in Criminal Law (8252).**

- (a) Current Issues in Criminal Law is an elective course for two semester hours of graded credit.
- (b) The course shall be a seminar. The instructor shall have the discretion not to give a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

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

**Dean Fellow (8117).**

- (a) Dean Fellow is an upper-division elective course offered for one hour of credit per year. One half credit is earned each semester served.
- (b) In this offering, each student shall receive a grade of “P” or “1.00” or “0.00.”
- (c) Students must receive permission from the Assistant Dean of Students to enroll in this course.
- (d) Prerequisites for taking this offering are the first-year required courses listed in sections 2-101(b) and 2-102(a).
- (e) In publications, the description of the offering shall be approximately as follows:

This offering is for upper level law students selected by the Assistant Dean of Students. Dean Fellows have a genuine commitment to Faulkner Law, maintain at least a 2.5 cumulative GPA, and exhibit strong leadership potential. Students who are selected as Dean Fellows work directly with the Academic Success Program, under the supervision of the director of the Academic Success Program, to provide academic assistance to first year students beginning at Mini Prep and continuing until the Spring semester final examinations.

**Dispute Resolution Processes (7347).**

- (a) Dispute Resolution Processes is an elective course for three semester hours of graded credit.
- (b) The instructor of the course shall have the discretion not to give a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

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

**Education Law (8273, 8339).**

- (a) Education Law is an elective course for two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) In publications, the description of the course shall be approximately as follows:

Education Law is a study of constitutional and statutory issues that arise in public schools. Topics may include the following: racial integration; gender equality; speech protection; discipline; religious practices; parental choice; “No Child Left Behind”; and disability accommodation.

**Elder Law Clinic (7375).**

- (a) The Elder Law Clinic is an elective offering for three semester hours of credit.
- (b) Taking this offering satisfies the Experiential Learning Component of the Professional Development Requirement.
- (c) In this offering, each student shall receive a grade of either “P,” “1.00,” or “0.00.”
- (d) The prerequisite for taking this offering is Professional Responsibility. Students are strongly encouraged to complete or take simultaneously with the Elder Law Clinic at least one of the following courses: Wills & Trusts; or Administrative Law. Students must be certified as a legal intern (3L card) to participate in the Elder Law Clinic. Prior to registering for the course, students must have submitted their Application for Registration as a Law Student to the Alabama State Bar.
- (e) A student may not take more than one clinic in the same semester. A student may not take Elder Law Clinic and a Field Placement in the same semester.
- (f) The instructor of the course shall have the discretion not to give a final examination.
- (g) In publications, this shall be the approximate description of the course:

The Elder Law Clinic provides opportunities for law students to represent and counsel low-income, elderly citizens in Montgomery, Autauga, and Elmore counties. Third Year law students counsel and represent clients with

diverse legal needs: guardianships, advanced directives for health care, powers of attorney, simple wills, basic estate planning, public benefit applications, appeals from benefit denials, long-term care, 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 the Central Alabama Aging Consortium, Montgomery Area Council on Aging, Brooks-Sellers One Place Family Justice Center, and Legal Services Alabama. Students must be certified as a legal intern (3L card) to participate in the Elder Law Clinic. Prior to registering for the course, students must have submitted their Application for Registration as a Law Student to the Alabama State Bar. A student may not take more than one clinic in the same semester. A student may not take Elder Law Clinic and a Field Placement in the same semester.

#### **Employment Law (8387).**

- (a) Employment Law is an elective course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course 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).**

- (a) Environmental Law is an elective course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course consists of 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.

**Family Law (7342).**

- (a) Family Law is an elective course for three semester hours of graded credit.
- (b) Prerequisites for taking the course are Contracts and Torts.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

This course 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 (7372).**

- (a) Family Violence Clinic is an elective offering for three hours of credit.
- (b) This offering satisfies the Experiential Learning component of the Professional Development Requirement.
- (c) In this offering, each student shall receive a grade of either “P” or “1.00” or “0.00.”
- (d) Prerequisites for taking the offering 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. Students who are eligible for limited-practice authority (the 3L Card) must acquire it.
- (e) The instructor of the course shall have the discretion not to give a final examination.
- (f) In publications, the description of the course shall be approximately as follows:

Operating as an on-site partner of the Brooks-Sellers One Place Family Justice Center, the Family Violence Clinic provides pro bono services for victims of domestic violence. Third Year law 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 must be certified as a legal intern (3L card) to participate in the Family Violence Clinic. Prior to registering for the course, students must have submitted their Application for Registration as a Law Student to the Alabama State Bar. A student may not take more than one clinic in the same semester. A student may not take Family Violence Clinic and a Field Placement in the same semester.

**Federal Income Tax (7373).**

- (a) Federal Income Tax is an elective course for three semester hours of graded credit.
- (b) Prerequisites for taking the course are Contracts and Torts.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

This course 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.

**Field Placement Clinic Program.**

The Field Placement Clinic Program has two components: the classroom component (Field Placement Class) and the fieldwork component (Field Placement Hours). Credits earned in the Field Placement Clinic Program count toward completion of the Experiential Learning component of the Professional Development Requirement. A student may take no more than two semesters in the Field Placement Clinic Program.

**(1) Field Placement Class (8108).**

- (a) Field Placement Class is an elective offering for one semester hour of credit.
- (b) Multiple sections may be offered in any given semester. The instructor, in consultation with students and the Associate Dean for Academic Affairs, may group students who are in similarly-situated placements and may tailor the sections accordingly.
- (c) In this offering, each student shall receive a grade of "P" or "1.00" or "0.00."

- (d) Prerequisites for taking this offering are a cumulative grade point average of at least 2.00 and the successful completion of at least 28 semester hours. Field Placement Hours (8229, 8309, 8496, 8501) is a co-requisite for taking this offering.
- (e) The instructor shall have the discretion not to give a final examination.
- (f) In publications, the description of this offering shall be approximately as follows:

Participants in the Field Placement Class supplement their placement fieldwork experience by exploring ethical, professional, and practical issues in a specific arena within the legal profession. Students in similar placements meet weekly to reflect upon and glean lessons from the fieldwork experience, focusing on professional development and the daily realities of law practice. This offering must be taken in conjunction with Field Placement Hours. Consent of the instructor is required to register for this offering.

**(2) Field Placement Hours (8229, 8309, 8496, 8501).**

- (a) Field Placement Hours is an elective offering for two (8229), three (8309), four (8496), or five (8501) semester hours of credit.
- (b) Each semester hour of credit requires 60 hours of fieldwork.
- (c) In this offering, each student shall receive a grade of “P” or “1.00” or “0.00.”
- (d) Prerequisites for taking this offering are a cumulative grade point average of at least 2.00 and the successful completion of at least 28 semester hours. The Field Placement Class (8108) is a co-requisite for taking this offering.
- (e) The instructor shall have the discretion not to give a final examination.
- (f) In publications, the description of this offering shall be approximately as follows:

Participants in the Field Placement Clinic Program work under the supervision of qualified and experienced practicing attorneys and judges who provide guidance and training in professional lawyering skills. Each semester hour of credit for Field Placement Hours requires 60 hours of fieldwork. Thus, students who register for two credits of Field Placement Hours must work at least 120 hours in their field placement over the course of the semester. This offering must be taken in conjunction with the Field Placement Class, unless the student is permitted by the instructor to omit the classroom

component. Consent of the instructor is required to register for this offering.

**Freedom of Expression (8262).**

- (a) Freedom of Expression is an elective course for two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) Unless waived by the Associate Dean for Academic Affairs, prerequisites for taking the course are Constitutional Law I and II.
- (d) In publications, the description of the course shall be approximately as follows:

This course is a study of the history and theory of the constitutional doctrine of freedom of expression. The study will center 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).**

- (a) Gaming Law Seminar is an elective course for two semester hours of graded credit.
- (b) This course shall be offered as a seminar. When it is a seminar the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by final examination or by a substantive paper that satisfies the rigorous writing requirement set forth in Section 2-501.
- (c) In publications, the description of the course shall be approximately as follows:

This course is an in-depth study of the current issues relating to gambling including gaming distinctions and gambling regulations. The course will examine 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).**

- (a) Health Law is an elective course for two or three semester hours of graded credit.
- (b) This course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) In publications, the description of the course shall be approximately as follows:

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 OBRA's and COBRA's, and ERISA.

**Immigration Law (8268).**

- (a) Immigration Law is an elective course for two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) In publications, the description of the course shall be approximately as follows:

This course will survey 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 will involve 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).**

- (a) Independent Study is an elective offering for one, two, or three semester hours of graded credit. The offering shall be taken for two or three semester hours unless it is taken as an add-on to a course, in which case it shall be taken for only one semester hour.
- (b) Prerequisites for taking Independent Study are approval of the Associate Dean for Academic Affairs, a cumulative grade point average of at least 2.75, and completion of at least 60 semester hours.
- (c) The supervising professor of each Independent Study must be a full-time member of the faculty.
- (d) A student may earn credit for only one Independent Study.
- (e) No professor may supervise more than two Independent Studies per semester.
- (f) The goals of Independent Study shall be:
  - (1) To enhance the student's research skills;
  - (2) To enhance the student's legal analysis skills;
  - (3) To enhance the student's writing skills; and
  - (4) To provide the student an opportunity to produce a writing sample that can be shown to prospective employers.
- (g) The Independent Study paper shall show evidence of thorough legal research and sound legal analysis and shall be footnoted or end-noted in a form approved by the supervising professor.
- (h) If the Independent Study paper is prepared in 12-point type and is double-spaced, the paper must be at least thirty pages in length, including footnotes or end-notes. This length shall be adjusted as appropriate for papers that are not prepared in 12-point type and/or double-spaced.
- (i) The following procedures shall apply to each Independent Study:
  - (1) The student shall apply to the Associate Dean for Academic Affairs for permission to do an independent study, and shall obtain the signed approval of the supervising professor. Before the student is given approval to do the Independent Study, he or she shall submit to the supervising professor a 100-200 word executive summary of the proposed paper, explaining the nature of the subject and how he or she plans to cover it.

- (2) The student shall submit an outline of the proposed paper, which the supervising professor shall examine and approve.
- (3) Before submitting the final paper, the student shall submit at least one draft of the paper which the supervising professor shall critically examine.
- (4) Before submitting the final paper, the student shall confer with the supervising professor at least twice, and more times if required by the professor.
- (j) If the student chooses to use the Independent Study to fulfill the Rigorous Writing Requirement, he or she must follow all procedures and fulfill all requirements for the Rigorous Writing Requirement as well as those required herein for Independent Study.
- (k) In publications, the description of the offering shall be approximately as follows:

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

**Insurance Law (8386).**

- (a) Insurance Law is an elective course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course 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).**

- (a) Intellectual Property is an elective course for two or three semester hours of graded credit.

(b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper which satisfies the Rigorous Writing Requirement set forth in Section 2-501.

(c) In publications, the description of the offering shall be approximately as follows:

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).**

(a) International Business Litigation is an elective course for three semester hours of graded credit.

(b) The course shall have a final examination.

(c) In publications, the description of the course shall be approximately as follows:

This advanced course combines lecture and problem solving, taking a litigation approach to the study of international business transactions. The course addresses the 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); sovereign immunity; etc. The goal of the course is to give a rounded appreciation of the interplay between national and international rules which influence private international litigation.

#### **International Law (8251, 8328).**

(a) International Law is an elective course for two or three semester hours of graded credit.

(b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final

examination or by a substantive paper which satisfies the Rigorous Writing Requirement set forth in Section 2-501.

- (c) In publications, the description of the course shall be approximately as follows:

This course 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).**

- (a) Interviewing, Counseling, and Negotiation is an elective course for three semester hours of graded credit.
- (b) The course satisfies the Advanced Practicum component of the Professional Development requirement.
- (c) The instructor of the course shall have the discretion not to give a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

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).**

- (a) Jurisprudence is an elective course for two or three semester hours of graded credit.
- (b) This course may be a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) In publications, the description of the course shall be approximately as follows:

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.

### **Jury Selection, Voir Dire, and Jury Instructions (8118)**

- (a) Jury Selection, Voir Dire, and Jury Instructions is an elective course for one hour of graded credit.
- (b) The instructor shall have the discretion not to give a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This intensive, week-long course is designed to provide students with hands-on experience in the art of jury selection and jury instructions. The course will outline the many purposes of voir dire and the legal and procedural standards and rules pertaining to jury selection and jury instructions.

### **Land Planning (8239, 8322).**

- (a) Land Planning is an elective course for two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) The prerequisite for taking the course is Property.
- (d) In publications, the description of the course shall be approximately as follows:

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).**

- (a) Law and Bioethics is an elective course for two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) Prerequisites for taking the course are Torts, Contracts, and Property.
- (d) In publications, the description of the course shall be approximately as follows:

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 the following: 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).**

- (a) Law and Christian Theology is an elective course for two or three semester hours of graded credit.
- (b) This course may be a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper which satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) In publications, the description of the course shall be approximately as follows:

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 will address 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 in this course should expect to confront and analyze a number of conflicting Christian perspectives on these issues.

**Law and Literature (8345).**

- (a) Law and Literature is an elective course for three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have discretion not to give a final examination. When not so offered, the instructor shall have discretion to grade students in this course by a final examination or by a series of substantive papers addressing the issues covered in the course.
- (c) In publications, the description of the course shall be approximately as follows:

This course examines the intersection of law and literature, by extensive reading and analysis of judicial opinions referencing literature and of works of literature depicting or addressing the law, lawyers, the justice system or issues of law. The course aims to heighten students' understanding of rhetoric, language and narrative structure; to explore the influence of literature on law, public policy and popular opinion; to frame the meaning of law to individuals and society; and to hone students' understanding of the role of lawyers in society.

**Law and Public Policy (8269, 8342).**

- (a) Law & Public Policy is an elective course for two or three semester hours of graded credit.
- (b) This course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) In publications the description of the course shall be approximately as follows:

Law & Public Policy examines the relationship between legal doctrine and public policy. In this course 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; (4) the consequences of the subsequent change in the law.

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

- (a) Students selected for membership on the staff of Jones Law Review shall earn credit as follows:
- (1) *Junior Staff*: Credit for being on the Junior Staff shall be earned by students who are candidates for Law Review membership and who are in their first year of Law Review membership. Based upon performance criteria set forth in the Law Review Constitution and Bylaws, the faculty advisor for the Law Review shall assign to Junior Staff one semester hour of credit for the fall semester and one semester hour of credit for the spring semester, except as provided in subsection (4) hereof.
  - (2) *Senior Staff*: Credit for being on the Senior Staff shall be earned by students who are in their second year of Law Review membership. Based upon performance criteria set forth in the Law Review Constitution and Bylaws, the faculty advisor for the Law Review shall assign to Senior Staff one semester hour of credit for the fall semester and one semester hour of credit for the spring semester, except as provided in subsections (3), (4), and (5) hereof.
  - (3) *Editorial Board*: Credit for being on the Editorial Board shall be earned by students who are in their second year of Law Review membership. Based upon performance criteria set forth in the Law Review Constitution and Bylaws, the faculty advisor for the Law Review shall assign to members of the Editorial Board two semester hours of credit for the fall semester and two semester hours of credit for the spring semester, except as provided in subsection (4) and (5) hereof.
  - (4) *Executive Editor-Elect and Executive Editor*: The Executive Editor-Elect shall be elected during his or her first year of Law Review membership and shall serve as Executive Editor-Elect until his or her second year of Law Review membership when, unless unqualified under the criteria set forth in the Law Review Constitution and Bylaws, he or she shall ascend to the office of Executive Editor. Based upon performance criteria set forth in the Law Review Constitution and Bylaws, the faculty advisor for the Law Review shall assign to the Executive Editor-Elect one semester hour of credit for the fall semester and two semester hours of credit for the spring semester, and shall

assign to the Executive Editor two semester hours of credit for the fall semester and two semester hours of credit for the spring semester.

(5) *Editor-in-Chief*: Credit shall be earned by the Editor-in-Chief of the Law Review. Based upon performance criteria set forth in the Law Review Constitution and Bylaws, the faculty advisor for the Law Review shall assign three semester hours of credit for the fall semester and two semester hours of credit for the spring semester.

(b) For all credit earned for work on the Law Review, each student shall receive a grade of either "P" or "1.00" or "0.00."

(c) In publications, the description of the offering shall be approximately as follows:

This offering is available only to students selected for membership on the staff of Law Review. Credit is earned upon the basis of performance criteria set forth in the Law Review Constitution and Bylaws and the requirements of each office as determined from time to time by the Law Review Editorial Board.

#### **Legal and Investigative Research (7160).**

(a) Legal and Investigative Research is an elective course for either one or two hours of graded credit.

(b) The receiving of credit in Legal Reasoning, Writing & Research and in Legal Analysis & Persuasion is a prerequisite for enrollment in this course.

(c) The instructor shall have the discretion not to give a final examination.

(d) In publications, the description of the course shall be approximately as follows:

This course covers resources and tools necessary to perform legal and investigative research for free or at a low cost. Students learn methodologies for efficiently and effectively locating primary and secondary materials from websites and online databases other than Lexis Advance, Westlaw, and Bloomberg. The class introduces high quality free services, such as Casemaker, Google Scholar, and the Social Science Research Network. It also teaches proper search techniques on free services and examines methods to circumvent known problems in free research (*e.g.*, lack of citators, lack of editorial features such as headnotes, and limited searching capabilities). The course covers how to find secondary sources, case law, legislative and administrative materials, ethical opinions, sample forms and litigation documents, and public records.

**Legislation (8321).**

- (a) Legislation is an elective course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course is about American legislative institutions and the processes they employ to consider and enact legislation. The material will deal specifically with the Alabama Legislature at the state level and the United States Congress at the federal level. There is 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).**

- (a) Mediation Clinic is an elective offering for three semester hours of credit.
- (b) The offering satisfies the Experiential Learning Requirement as set forth in § 2-601.
- (c) Successful receiving of credit in Dispute Resolution Processes is a prerequisite for this clinic.
- (d) In this offering, each student shall receive a grade of either "P" or "1.00" or "0.00."
- (e) The instructor of the offering shall have the discretion not to give a final examination.
- (f) A student may not take more than one clinic in the same semester effective Fall 2017.
- (g) In publications, the description of the offering shall be approximately as follows:

This is a clinical offering that contains a classroom component as well as "hands on" mediation experiences under the supervision of a faculty member. Students co-mediate disputes in District Court in Montgomery, Autauga, and surrounding counties and engage in analytical debrief sessions post-mediation. 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.

**Mediation Competition Team (7171, 7248).**

- (a) Mediation Competition Team is an elective course offered for one or two hours of credit.
- (b) In this offering, each student shall receive a grade of either “P” or “1.00” or “0.00.”
- (c) Students must receive authorization from the Director of Advocacy in order to enroll in this course.
- (d) In publications, the description of the offering shall be approximately as follows:

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

**Mediation Theory and Practice (72xx, 7351).**

- (a) Mediation Theory and Practice is an elective course that may be offered for either two or three semester hours of graded credit.
- (b) The instructor of the course shall have the discretion not to give a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course explores the various theories underpinning and practices basic to mediation. To establish the context for the study of mediation, students learn major non-litigated dispute resolution processes, with particular emphasis on negotiation theory and bargaining styles. The curriculum addresses the role of the mediator, core principles of mediation, mediator styles, and mediator ethics generally and under Alabama State law. The course teaches mediator techniques and skills, including how to address high emotion, psychological barriers, and party impasse. The study of the mediation process is organized into a series of stages, and basic mediation skills and techniques appropriate to each stage are identified and cultivated. Simulations and experiential exercises provide students with an opportunity to develop proficiency as mediators and to analyze appropriate roles and behavior as mediators and/or advocates in mediation taking into account legal, ethical, and public policy issues surrounding the practice of mediation.

**Moot Court Competition Team (7170, 7243).**

- (a) Moot Court Competition Team is an elective course offered for one or two more semester hours of credit.
- (b) In this offering, each student shall receive a grade of either “P” or “1.00” or “0.00.”
- (c) Prerequisites for taking this offering are Torts, Contracts, and Legal Research and Writing I and II.
- (d) Students must receive authorities from the Director of Advocacy in order to enroll in this course.
- (e) This offering satisfies the Rigorous Writing Requirement as described in § 2-501(b)(3) of this manual.
- (f) In publications, the description of the offering shall be approximately as follows:

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.

**Nonprofit Law Clinic (7377).**

- (a) Nonprofit Law Clinic is an elective offering for three semester hours of credit.
- (b) Taking this offering satisfies the Experiential Learning requirement.
- (c) In this offering, each student shall receive a grade of either “P,” “1.00,” or “0.00.”
- (d) The prerequisites for taking this offering are Business Associations and Professional Responsibility. Students are strongly encouraged to complete or take simultaneously with the Nonprofit Law Clinic at least one of the following courses: Employment Law; Intellectual Property; Contract Drafting; Federal Income Tax; or Taxation of Business Enterprises. Students must be certified as a legal intern (3L card) to participate in the Nonprofit Law Clinic. Prior to registering for the course, students must have submitted their Application for Registration as a Law Student to the Alabama State Bar.
- (e) A student may not take more than one clinic in the same semester. A student may not take Nonprofit Law Clinic and a Field Placement in the same semester.

- (f) The instructor of the course shall have the discretion not to give a final examination.
- (g) In publications, this shall be the description of the course:

The Nonprofit Law Clinic is a three-credit, one semester, transactional legal clinic. It provides legal assistance to churches and other non-profit organizations that cannot afford to retain private counsel. Third Year law students help non-profit organizations, nascent and established, with the process of organization and incorporation; draft and negotiate contracts; obtain tax exemption; advise on governance, communications and compliance matters; and solve related issues. The Nonprofit Law Clinic also hosts informational programs and workshops on topics such as employment law, safe church policies, intellectual property law, and the like. During the course of the semester, students will develop fundamental analytical, drafting, counseling, planning and negotiation skills in the context of live projects as well as classroom work. Students must be certified as a legal intern (3L card) to participate in the Nonprofit Law Clinic. Prior to registering for the course, students must have submitted their Application for Registration as a Law Student to the Alabama State Bar. A student may not take more than one clinic in the same semester. A student may not take Nonprofit Law Clinic and a Field Placement in the same semester.

**Pretrial Practice (8312).**

- (a) Pretrial Practice is an elective course for three semester hours of graded credit.
- (b) The course satisfies the Advanced Practicum Requirement of the Professional Development Requirement.
- (c) Prerequisites for taking the course are Civil Procedure I and II.
- (d) The instructor of the course shall have the discretion not to give a final examination.
- (e) In publications, the description of the course shall be approximately as follows:

This is a problem-oriented course focusing 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).**

- (a) Products Liability is an elective course for three semester hours of graded credit.

- (b) Prerequisites for taking the course are Contracts and Torts.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

This course 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 also 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).**

- (a) Professional Malpractice is an elective course for two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When not so offered, the course shall have a final examination. When it is a seminar, the instructor shall have the discretion not to give a final examination.
- (c) Prerequisites for taking the course are Civil Procedure I and II and Torts. Unless waived by the Associate Dean of Academic Affairs, an additional prerequisite is Evidence.
- (d) In publications, the description of the course shall be approximately as follows:

This 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 will analyze and discuss plaintiff's rights and defenses to claims against doctors, hospitals, drug companies, lawyers, and other professionals.

**Property and Economic Justice (8281, 83xx)**

- (a) Property and Economic Justice is an elective course for two or three semester hours of graded credit.

(b) This course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.

(c) In publications the description of the course shall be approximately as follows:

This course is about the nature of economic justice and its relationship to property law. It critically examines the major schools of thought about economic justice and their critiques of property law. It considers whether property law, and law generally, should serve justice and, if so, what justice requires. It critically examines the norms and institutions of Anglo-American property law in order to consider how well they serve the demands of justice and by what means they do so, if at all. And it explores some implications of these studies for law and policy makers.

**Psychology and Dispute Resolution (82xx, 83xx).**

(a) Psychology and Dispute Resolution is an elective course that may be offered for either two or three semester hours of graded credit.

(b) Unless waived by the Associate Dean for Academic Affairs, prerequisite for taking the course is the receiving of credit in Dispute Resolution Processes.

(c) The instructor of the course shall have the discretion not to give a final examination.

(d) In publications, the description of the course shall be approximately as follows:

This course is the study of the psychological and other cognitive barriers that influence the resolution of legal and other disputes. Among other topics, the course materials explore the interplay of perception, memory and concepts of justice with decision-making and persuasion in the context of negotiation and mediation.

**Public Health Law (8290, 8348).**

(a) Public Health Law is an elective course for two or three semester hours of graded credit.

(b) This course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final

examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.

- (c) In publications, the description of the course shall be approximately as follows:

This course studies the role of law and government regulation in the area of public health. Among the topics addressed are the concepts of public health and public health law; the law governing the practice of public health by state, local, and federal agencies; the roles of health care professionals and institutions in public health; the means of public health regulation and promotion; the tension between public health regulation and individual rights; and the role of public health law in regulating such matters as sanitation, infectious disease, tobacco use, obesity, guns, and bioterrorism.

**Race, Poverty, and the Death Penalty (8265).**

- (a) This course is an elective course for two semester hours of graded credit.
- (b) The course shall be taught as a seminar. The instructor shall have the discretion not to have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course is an in-depth study of the interrelationship of poverty, race, and the death penalty. The course will focus 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).**

- (a) Real Estate Practice is an elective course for three hours of graded credit.
- (b) The prerequisite for taking this course is Property.
- (c) The course shall have a final examination.
- (d) In publications, the description of the course shall be approximately as follows:

A course in the practical application of real property law covering deeds, mortgages, leases, land contracts, real estate closings, and all forms of conveyances. Drafting and analyzing of real property documents.

**Religion and the Constitution (8264).**

- (a) Religion and the Constitution is an elective course for two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) Unless waived by the Associate Dean for Academic Affairs, prerequisites for taking the course are Constitutional Law I and II.
- (d) In publications, the description of the course shall be approximately as follows:

This course 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 will address the history and theory of the Religion Clauses as well as their interpretation by the U.S. Supreme Court. Students will 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.

**Smart Growth Seminar (8259).**

- (a) Smart Growth Seminar is an elective course for two semester hours of graded credit.
- (b) This course shall be offered as a seminar. When it is a seminar the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by final examination or by a substantive paper that satisfies the rigorous writing requirement set forth in Section 2-501.
- (c) In publications, the description of the course shall be approximately as follows:

This course 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).**

- (a) Sports Law is an elective course for two or three semester hours of graded credit.
- (b) The course may be offered as a seminar. When it is a seminar, the instructor shall have the discretion not to give a final examination. When not so offered, the instructor shall have the discretion to grade students in this course by a final examination or by a substantive paper that satisfies the Rigorous Writing Requirement set forth in Section 2-501.
- (c) Prerequisites for taking the course are Civil Procedure I and II, Contracts, Property, and Torts.
- (d) In publications, the description of the course shall be approximately as follows:

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).**

- (a) Taxation of Business Enterprises is an elective course for three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

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).**

- (a) Trial Advocacy is an elective course for three semester hours of graded credit.

- (b) The course satisfies the Advanced Practicum Requirement of the Professional Development Requirement.
- (c) Prerequisites for taking the course are Civil Procedure I and II and Evidence.
- (d) The instructor of the course shall have the discretion not to give a final examination.
- (e) In publications, the description of the course shall be approximately as follows:

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

**Trial Advocacy for Competition (7374).**

- (a) Trial Advocacy for Competition is an elective course for three semester hours of graded credit.
- (b) The course satisfies the Advanced Practicum Requirement of the Professional Development Requirement.
- (c) Evidence is a co-requisite.
- (d) Students enrolled will need the approval of and be selected by the instructor(s) or Advocacy Director.
- (e) The course will be capped at sixteen students.
- (f) The instructor of the course shall have the discretion not to give a final examination.
- (g) A student enrolled in this course is precluded from taking Trial Advocacy, § 2-464 (7368).
- (h) In publications, the description of the course shall be approximately as follows:

This is a practice-oriented course intended to develop the students' 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).**

- (a) Trial Competition is an elective offering for one semester hour of credit.
- (b) In this offering, each student shall receive a grade of either “P” or “1.00” or “0.00.”
- (c) Prerequisites for taking the offering are Civil Procedure I and II, Contracts, Legal Research and Writing I and II, Property, Torts, and Evidence.
- (d) The offering shall not have a final examination.
- (e) In publications, the description of the offering shall be approximately as follows:

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 (7169, 7242, 7371).**

- (a) Trial Competition Team is an elective offering for one, two or three semester hours of credit.
- (b) In this offering, each student shall receive a grade of either “P” or “1.00” or “0.00.”
- (c) Prerequisites for taking the offering are Trial Advocacy or Advanced Trial Advocacy for Competition and selection for one of the school’s trial competition teams.
- (d) The instructor of the course shall have the discretion not to give a final examination.
- (e) In publications, the description of the offering shall be approximately as follows:

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 (7335).**

- (a) Wills and Trusts is an elective course for three semester hours of graded credit.

- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

This course examines: intestate succession; the essential elements and formalities for making, revoking, or altering a will; will contests; and the 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.

**Workers' Compensation (8256, 8329).**

- (a) Workers' Compensation is an elective course for either two or three semester hours of graded credit.
- (b) The course shall have a final examination.
- (c) In publications, the description of the course shall be approximately as follows:

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

## CURRICULUM INVENTORY

The following courses have been offered in the past. They have not been offered for the last two years, and/or there is no set sequencing schedule for these courses. Although it is possible that these courses will be offered again, students should not expect that any course on this list will be offered.

- (1) Admiralty Law
- (2) Advanced Torts Seminar
- (3) Alabama Civil Procedure
- (4) Alabama Constitutional Law
- (5) Animal Law
- (6) Antitrust
- (7) Banking Law
- (8) Commercial Law: Sales & Negotiable Instruments
- (9) Comparative Constitutional Law
- (10) Corporate Governance
- (11) Education Law
- (12) Estate and Gift Tax
- (13) Estate Planning
- (14) First Amendment
- (15) Gender and the Law
- (16) Gospel Jurisprudence
- (17) International Business Litigation
- (18) International Law
- (19) Law and Literature
- (20) Law and Public Policy
- (21) Law Office Management
- (22) Litigation Technology
- (23) Military Justice
- (24) Nonprofit Law Clinic
- (25) Race, Poverty, and the Death Penalty
- (26) Securities Regulation
- (27) Smart Growth Seminar
- (28) Sports Law
- (29) Toxic Torts

**CURRICULAR PATHWAYS &  
PROFESSIONAL DEVELOPMENT RECOMMENDED COURSES**

The curricular pathways are designed to assist students interested in particular practices or areas of the law. The faculty created these five pathways in order to identify recommended courses to acquire knowledge and skills that will be helpful in particular practice areas. The pathways include recommendations for particular courses that qualify as Advanced Practicum or Experiential Learning counting toward the Professional Development Requirement for graduation.

<b>Career Pathway</b>	<b>Advanced Practicums (3 hrs)*</b>	<b>Experiential Learning (3 hrs)*</b>	<b>Electives</b>
Law Practice & Entrepreneurship	<ul style="list-style-type: none"> <li>-Advanced Legal Research</li> <li>-Contract Drafting</li> <li>-Interviewing, Counseling, and Negotiation</li> <li>-Pretrial Practice (Civil or Criminal)</li> <li>-Trial Advocacy <i>or</i> Trial Advocacy for Competition</li> </ul>	<ul style="list-style-type: none"> <li>-Elder Law Clinic</li> <li>-Family Violence Clinic</li> <li>-Mediation Clinic</li> <li>-Field Placement (Access to Justice, Judicial, Prosecution)</li> </ul>	<ul style="list-style-type: none"> <li>-Accounting for Lawyers</li> <li>-Advanced Criminal Procedure</li> <li>-Bankruptcy</li> <li>-Children’s Rights</li> <li>-Commercial Law: Negotiable Instruments</li> <li>-Commercial Law: Secured Transactions</li> <li>-Conflicts of Laws</li> <li>-Employment Law</li> <li>-Family Law</li> <li>-Federal Income Taxation</li> <li>-Law Office Management</li> <li>-Taxation of Business Enterprises</li> <li>-Wills &amp; Trusts</li> </ul>
Criminal Law & Public Interest	<ul style="list-style-type: none"> <li>-Appellate Advocacy</li> <li>-Interviewing, Counseling, and Negotiation</li> <li>-Pretrial Practice (Criminal)</li> <li>-Trial Advocacy <i>or</i> Trial Advocacy for Competition</li> </ul>	<ul style="list-style-type: none"> <li>-Elder Law Clinic</li> <li>-Family Violence Clinic</li> <li>-Field Placement (Access to Justice, Judicial, Legislation &amp; Policy, Prosecution)</li> </ul>	<ul style="list-style-type: none"> <li>-Advanced Criminal Procedure</li> <li>-Advanced Topics in Family Law</li> <li>-Children’s Rights</li> <li>-Civil Rights seminar</li> <li>-Current Topics in Criminal Law</li> <li>-Education Law</li> <li>-Environmental Law</li> <li>-Family Law</li> <li>-Federal Crimes</li> <li>-Freedom of Expression</li> <li>-Immigration Law</li> <li>-Law &amp; Public Policy</li> <li>-Legislation</li> <li>-Race, Poverty, and the Death Penalty</li> <li>-Sentencing Reform</li> </ul>

Advocacy & Dispute Resolution	<ul style="list-style-type: none"> <li>-Advanced Legal Research</li> <li>-Appellate Advocacy</li> <li>-Interviewing, Counseling, and Negotiation</li> <li>-Contract Drafting</li> <li>-Pretrial Practice (Civil)</li> <li>-Trial Advocacy <i>or</i> Trial Advocacy for Competition</li> </ul>	<ul style="list-style-type: none"> <li>-Family Violence Clinic</li> <li>-Mediation Clinic</li> <li>-Field Placement (Access to Justice, Judicial, Prosecution)</li> </ul>	<ul style="list-style-type: none"> <li>-Advanced Torts seminar</li> <li>-Arbitration</li> <li>-Conflict of Laws</li> <li>-Corporate Governance</li> <li>-Dispute Resolution Processes</li> <li>-Employment Law</li> <li>-Family Law</li> <li>-Products Liability</li> </ul>
Regulatory & Government Affairs	<ul style="list-style-type: none"> <li>-Advanced Legal Research</li> <li>-Appellate Advocacy</li> <li>-Contract Drafting</li> </ul>	<ul style="list-style-type: none"> <li>-Elder Law Clinic</li> <li>-Field Placement (Government Practice, Legislation &amp; Policy)</li> </ul>	<ul style="list-style-type: none"> <li>-Education Law</li> <li>-Employment Law</li> <li>-Environmental Law</li> <li>-Federal Crimes</li> <li>-Federal Income Taxation</li> <li>-Freedom of Expression</li> <li>-Gaming Law</li> <li>-Health Law</li> <li>-Health Law—Fraud and Abuse</li> <li>-Immigration Law</li> <li>-International Law</li> <li>-Land Planning</li> <li>-Law &amp; Public Policy</li> <li>-Legislation</li> <li>-Professional Malpractice</li> <li>-Public Health Law</li> <li>-Taxation of Business Enterprises</li> <li>-Workers Compensation</li> </ul>
Business & Nonprofit Law	<ul style="list-style-type: none"> <li>-Advanced Legal Research</li> <li>-Interviewing, Counseling, and Negotiation</li> <li>-Contract Drafting</li> <li>-Pretrial Practice (Civil)</li> </ul>	<ul style="list-style-type: none"> <li>-Mediation Clinic</li> <li>-Field Placement (Government Practice)</li> </ul>	<ul style="list-style-type: none"> <li>-Accounting for Lawyers</li> <li>-Bankruptcy</li> <li>-Commercial Law: Secured Transactions</li> <li>-Corporate Compliance</li> <li>-Employment Law</li> <li>-Federal Income Taxation</li> <li>-Insurance Law</li> <li>-Intellectual Property</li> <li>-Nonprofit Organizations</li> <li>-Real Estate Practice</li> <li>-Taxation of Business Enterprises</li> </ul>

\* The Law Review editor-in-chief, members of the Law Review editorial board, and students who receive credit for inter-scholastic advocacy competitions may be allowed to satisfy the Professional Development requirement with 6 hours of Advanced Practicum.

## **COURSE CLUSTERS**

The guide below lists courses recommended by the faculty and gives details about the sequencing of courses within particular fields of law. These “course clusters” reflect more specific guidance related to more discrete practice areas than are reflected in the five curricular pathways above.

### **ALTERNATIVE DISPUTE RESOLUTION (ADR)**

These courses detail methods of settling disputes other than through a trial. Students may earn a Certificate in Dispute Resolution upon completion of the twelve hours in the courses specified 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 Course:**

Dispute Resolution Processes (certificate course) (3 hours)

#### **Advanced Courses:**

Interviewing, Counseling, and Negotiation (certificate course) (3 hours)

Mediation Clinic (certificate course) (3 hours)

Arbitration (certificate course) (3 hours)

Mediation Theory and Practice (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 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)  
Contract 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:**

Jury Selection, Voir Dire, and Jury Instructions (1 hour)  
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)  
Contract 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:**

Land Planning (3 hours)

Property and Economic Justice (2 hours)  
Real Estate Practice (3 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:**

Pretrial Practice (3 hours)  
Trial Advocacy (3 hours)  
Employment Law (3 hours)  
Environmental Law (3 hours)  
Contract Drafting (3 hours)  
Legislation (3 hours)  
Interviewing, Counseling, and Negotiation (3 hours)

### **Additional Courses for Students with Particular Interests:**

Land Planning (3 hours)  
Jury Selection, Voir Dire, and Jury Instructions (1 hour)  
Appellate Advocacy (3 hours)  
Advanced Torts (2 hours)  
Civil Rights (2 or 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 Course:**

Employment Law (3 hours)

### **Additional Courses for Students with Particular Interests:**

Arbitration (3 hours)  
Workers' 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 law, and law related to 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)

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 Courses:**

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)

Contract Drafting (3 hours)

Pretrial Practice (3 hours)

**Additional Courses for Students with Particular Interests:**

- Legal and Investigative Research (1 hour)
- Appellate Advocacy (3 hours)
- Law Review (1, 2 or 3 hours)
- Moot Court Competition Team (1 or 2 hours)

**LITIGATION SKILLS**

Whether a lawyer represents a plaintiff or defendant, 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 Processes (3 hours)
- Pretrial Practice (3 hours)
- Trial Advocacy (3 hours)
- Jury Selection, Voir Dire, and Jury Instructions (1 hour)

**Additional Courses for Students with Particular Interests:**

- 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:**

- 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:**

Pretrial Practice (3 hours)  
Advanced Criminal Procedure (3 hours)  
Family Law (3 hours)  
Wills and Trusts (3 hours)  
Secured Transactions (3 hours)  
Contract 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:**

Accounting for Lawyers (3 hours)  
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 Courses:**

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

#### **Additional Courses for Students with Particular Interests:**

Accounting for Lawyers (3 hours)  
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:**

Pretrial Practice (3 hours)

Trial Advocacy (3 hours)

Jury Selection, Voir Dire, and Jury Instructions (1 hour)

### **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 on 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 their academic performance 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 5% of their class. Alternatively, students who received the best paper award in either Legal Reasoning, Writing & Research or Legal Analysis and Persuasion will be invited to join Law Review if they are ranked in the top 35% of their class. Students who write-on must be ranked in the top 50% of their class and participate in the writing competition. All students must complete a citation and editing exercise before they are invited to join Law Review.

### **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. Each year, among other things, the Board of Advocates hosts the Mockingbird Challenge, an interscholastic mock trial competition involving schools from across the country.

#### **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 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 alternative-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 DEVELOPMENT REQUIREMENT

### Professional Development Requirement.

- (a) Among the requirements for the J.D. degree is the satisfactory fulfillment of the Professional Development Requirement. The purpose of the Professional Development Requirement is to give each student a challenging experience in the development of professional skills to prepare students for the practice of law. "Professional skills" means skills that the American Bar Association has identified as necessary for effective and responsible participation in the legal profession. In order to graduate a student must complete at least six (6) credit hours of Professional Development courses, identified in subsections (b) and (c) below. Except for the Law Review Editor-in-Chief and other members of the Law Review Editorial Board and students who receive credit for inter-scholastic advocacy competitions, a student must complete at least three (3) credit hours of Advanced Practicum courses and at least three (3) credit hours of Experiential Learning courses.
- (b) The Advanced Practicum Requirement may be satisfied in any of the following courses:
- (1) Advanced Legal Research
  - (2) Appellate Advocacy
  - (3) Interviewing, Counseling, and Negotiation
  - (4) Contract Drafting
  - (5) Pretrial Practice
  - (6) Trial Advocacy
  - (7) Trial Advocacy for Competition
  - (8) Moot Court competition team
  - (9) Mediation competition team
  - (10) Trial competition team
- (c) The Experiential Learning Requirement may be satisfied in any of the following courses:
- (1) Elder Law Clinic
  - (2) Family Violence Clinic
  - (3) Field Placement
  - (4) Mediation Clinic
  - (5) Non-Profit Clinic

Faculty Policies Manual § 2-601.

## 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 been 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 Issues 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) Property and Economic Justice
- (21) Professional Malpractice
- (22) Race, Poverty, and the Death Penalty
- (23) Religion and the Constitution
- (24) Smart Growth
- (25) Sports Law

## **CLINICS**

The Law School currently 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 provides opportunities for law students to represent and counsel low-income, elderly citizens in Montgomery, Autauga, and Elmore counties. Third Year law students counsel and represent clients with diverse legal needs: guardianships, advanced directives for health care, powers of attorney, simple wills, basic estate planning, public benefit applications, appeals from benefit denials, long-term care, 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 the Central Alabama Aging Consortium, Montgomery Area Council on Aging, Brooks-Sellers One Place Family Justice Center, and Legal Services Alabama. Students must be certified as a legal intern (3L card) to participate in the Elder Law Clinic. Prior to registering for the course, students must have submitted their Application for Registration as a Law Student to the Alabama State Bar. A student may not take more than one clinic in the same semester. A student may not take Elder Law Clinic and a Field Placement in the same semester.

The Elder Law Clinic is a three hour, Pass/D/Fail course, and it satisfies the Experiential Learning Requirement of the Professional Development Requirement. The prerequisite for taking this offering is Professional Responsibility. Students are strongly encouraged to complete or take simultaneously with the Elder Law Clinic at least one of the following courses: Wills & Trusts or Administrative Law.

## **FAMILY VIOLENCE CLINIC**

Operating as an on-site partner of the Brooks-Sellers One Place Family Justice Center, the Family Violence Clinic provides pro bono services for victims of domestic violence. Third-year law 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 must be certified as a legal intern (3L card) to participate in the Family Violence Clinic. Prior to registering for the course, students must have submitted their Application for Registration as a Law Student to the Alabama State Bar. A student may not take more than one clinic in the same semester. A student may not take Family Violence Clinic and a Field Placement in the same semester.

The Family Violence Clinic is a three-hour, Pass/D/Fail course that satisfies the Experiential Learning Requirement of the Professional Development Requirement. Prerequisites for taking this course are Evidence and Professional Responsibility. Students are strongly encouraged to take Family Law prior to or simultaneously with the Family Violence Clinic.

## **MEDIATION CLINIC**

In the Mediation Clinic, students learn the theory and practice of mediation and alternative dispute resolution then mediate cases at the Montgomery and Autauga County District Courts and report their experiences during analytical debrief 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 Experiential Learning Requirement of the Professional Development Requirement. This clinic is open to second- and third-year students. The prerequisite for taking this offering is Dispute Resolution Processes. A student may not take more than one clinic in the same semester. Note: The Mediation Clinic typically begins with an intensive weekend of instruction known as the mediation “boot camp.” Students should expect to be in classes the first or second weekend of the semester.