

ELECTIVE (ELECT)

ELECT 901: Agricultural Law

3 Credits

This course will survey agricultural law issues including labor issues, land and water use, and food animal production and welfare. In addition, the course will focus heavily on the regulation of food production, food safety and food labeling. Finally, the course will review the emerging agriculture of medical cannabis and industrial hemp production.

ELECT 902: Antitrust

3 Credits

This course is principally an examination of antitrust law and policy in the U.S. as evolved through prosecutions by the U.S. Department of Justice and the Federal Trade Commission. There is brief coverage of leading market regulatory schemes such as those affecting marketing of foods, drugs, textiles, toxic substances, securities, and consumer products. In the antitrust area, commercial conduct alleged to violate price fixing, market allocation, tying, exclusive dealing, asset acquisition, and price discrimination norms are considered at length with some attention to state antitrust law.

ELECT 903: Banking Regulation

2 Credits

This course will focus on banks as financial intermediaries and compare them to both the securities and insurance industries. The dual banking system of state and federal regulation will be explored as to bank formation, supervision and regulation. The course will explore the ownership and control issues affecting banks and the supervision and regulation of bank holding companies and their subsidiaries engaged in nontraditional banking activities. The causes of the financial crisis of 2007-2009, together with the reaction of financial institutions, the states, the U.S. Congress and the regulators to the crisis, will also be examined. The course will include an assessment of the deposit insurance system and the problems associated with troubled and failed banks. The course will emphasize the potential administrative enforcement, civil and criminal exposure of both regulated entities and individuals involved within those industries.

ELECT 904: Bankruptcy

3 Credits

The rights, duties, and remedies of both debtor and creditor are examined. The course covers the collection process, enforcement of money judgments, and insolvency proceedings. Federal bankruptcy law is emphasized.

ELECT 906: Comparative International Tax Law

2-3 Credits

This course treats the unique problems of Home country taxation of foreign income and operations of resident persons and enterprises and Host country taxation of foreign persons and enterprises from the perspective of many nation's perspectives.

Prerequisite: BAR 904

ELECT 907: Construction Law

2 Credits

This course examines the peculiar legal problems encountered on construction projects. It covers contract, tort and statutory law as adapted specifically to the construction industry. It analyzes the perspectives of an owner, developer, architect/engineer, contractor, subcontractor and bonding company, both in the context of private and public construction projects, commercial and residential. The principal areas of inquiry are contract structure, public bidding, theories of liability, payment and security mechanisms, claims related to time, disruption and extra work, and claims arising from construction defects.

ELECT 908: Education Law

3 Credits

This course covers the basic premises of compulsory education; issues concerning exclusion of students; school control of student behavior and curriculum; teacher employment problems; and issues of funding, minority rights, and school liability. The course will also examine the law applicable to higher education.

ELECT 909: Elder Law

3 Credits

This course presents a survey of the legal issues associated with aging, including introduction to national and global demographics on population aging; comparative policies on Social Security; quality of health care, including care under Medicare and Medicaid (and alternative forms of payment systems for health care and long term care); age discrimination in employment; housing for older adults, including nursing homes, assisted living and continuing care facilities; advance health care decision making; and fiduciary duties of agents and family members.

ELECT 910: Energy Law and Policy

3 Credits

This course is the introductory course in the regulation of energy in the United States. It also considers some of the international impact of U.S. energy policy. The course examines each significant form of energy (oil, natural gas, nuclear power, electricity, coal and renewables) in terms of the manner in which each form is regulated by various government institutions. To understand the various forms of regulation, we will also consider a substantial amount of economic, political and socio/psychological information.

ELECT 911: Environmental Law

2-3 Credits

This course introduces some of the most important concepts, issues, and statutes in environmental law. After discussing the economic and ethical bases for environmental law and briefly reviewing the relevant principles of constitutional and common law, students examine a representative selection of federal statutes, including the National Environmental Policy Act, the Endangered Species Act, "Superfund," and the Clean Air Act.

2 Elective (ELECT)

ELECT 912: Estate Planning

3 Credits

Studies the concepts and techniques required to develop estate plans. Topics include the initial client interview, drafting of wills and trusts, powers of attorney, living wills, disability planning and income taxation of trusts and estates. The psychological and ethical aspects of estate planning will be covered. The course will also survey the federal gift, estate and generation skipping taxes. The course is intended to be an introduction to estate planning, valuable to both the person intending to specialize in the field and the general practitioner.

Prerequisite: BAR 904

ELECT 913: Gender and Sexuality Law

3 Credits

This course will focus on how the law treats issues concerning gender and sexuality. The doctrinal themes that will be explored include constitutional notions of privacy/liberty, equality and expression as applied to categories based on gender, sexuality and/or sexual orientation. For example, topics might include the right to sexual privacy (including access to birth control and abortion); discrimination on the basis of gender and sexual orientation (including sodomy laws and same sex marriage); evolving theories of sexuality (including the rights of transgender persons and intersexuals; transsexuals, and the gay gene); identity speech and the First Amendment (including the gay prom case and sexual harassment cases); military exclusions; and the privatization of family law and family formation. The course will examine the relationship between gender and sexuality, based on a multi-disciplinary approach informed by history, medicine, science and broader social and political theories.

ELECT 914: Health Care Law and Policy

3 Credits

This is a survey course focused primarily on how the law influences the delivery and financing of health care in the United States. The course will examine an array of legal and policy issues related to our health care system, including: the legal structure of the patient-physician relationship; professional licensure and competence; health care privacy, decision-making, and autonomy; the legal and corporate structure of health care enterprises; regulatory and market-based approaches to improving the quality of health care delivery; payment and financing systems including the Medicare and Medicaid programs, insurance, charitable care, managed care, ERISA, and private payment; and enforcement mechanisms, including federal and state civil and criminal statutes and regulations aimed to combat health care fraud and abuse. The course also will focus on the challenges facing the U.S. health care delivery system and proposals for systemic reform, including an in-depth examination of the Patient Protection and Affordable Care Act (PPACA) and its potential impacts on health care access, delivery, cost, and quality.

ELECT 915: Insurance Law

3 Credits

This course is designed to introduce students to the basic principles governing the creation, sale and enforcement of the most common forms of insurance in the U.S. Students will be introduced to the following insurance lines: personal liability, professional liability, commercial general liability, homeowners, automobile, life and casualty, and health.

The peculiarities of each line will be discussed as well as the problems common to all lines: moral hazard, adverse selection and outright fraud. The social function of insurance as well as historical anomalies are covered in order to give the student the broadest possible exposure to the issues lawyers confront regularly in this area of practice.

ELECT 916: International Law

2-3 Credits

This course introduces students to key concepts and doctrines of international law. It examines the sources of international law such as custom and treaty, the bases of international jurisdiction, issues of statehood, recognition and succession, nationality, international agreements, and U.S. participation in the international legal system. The course provides students with the basics needed for both public and private international law practice.

ELECT 918: Juvenile Law

3 Credits

This course examines the legal position of the child in society and the extent to which the child may be legally controlled by parent(s) or state. Subject matters include the right of the child to control reproductive decision-making, child support and paternity issues, child abuse and neglect, foster care, termination of parental rights, adoption, medical treatment of juveniles, and medical experimentation on juveniles. The course also examines the delinquency jurisdiction of juvenile court, the constitutional protections afforded the child accused of criminal activity, adjudications of delinquency, punishment or placement of the child in the dispositional phase of juvenile proceedings, and treatment of the child as an adult offender.

ELECT 919: Law and Medicine

3 Credits

This course focuses on the law concerning the physician-patient relationship as well as bioethical issues that arise in that relationship. It covers the duty to treat, informed consent, confidentiality, medical malpractice, refusal of life-sustaining medical treatment, physician-assisted suicide, experimental medical treatment, and more.

ELECT 920: Law of Individuals with Disabilities

3 Credits

This course will address legal issues and concepts for people living with disabilities. It will cover issues surrounding civil rights discrimination, and public benefits ranging from employment, housing, income supplements, health, and education. Students will review legislation, case law, and rules, and will focus on the practical and social concerns of individuals living with disabilities.

ELECT 921: Law of the Sea

2 Credits

The course aims to offer thorough instruction on the foundations and sources of the law of the sea, the principle types of maritime jurisdiction, the principles of resource management, and approaches to the settlement of maritime disputes.

ELECT 923: Legal Competencies & Law Practice Management Skills

3 Credits

This course is designed to give students a basic understanding of the management of a legal services organization. Attention is paid to the operation of a law practice as a business, including entity formation, internal organization, quality control, business development and finance. The course also is designed to provide a complement to other parts of the curriculum in which students can continue to develop their professional identities.

COREQUISITE: BAR 906

ELECT 924: Poverty Law

2 Credits

This course is an introduction to law relevant to assisting people in poverty including law addressing public benefits, housing, consumer issues, custody, domestic violence, and private rights of action. It will also address realities of existence for people in poverty and consider historical and policy perspectives. Finally, the course will focus on some practical skills, and students will participate in mock hearings and/or mock interviews.

ELECT 926: Sports Law

2 Credits

This course explores how various areas of the law impact the sports industry. The "law" that is used by most sports lawyers is principally the application of settled principles of other legal fields to the sports industry: contract law, labor law, tax law, products liability law, intellectual property law, etc. The course then focuses on important areas that provide the foundational principles that drive the outcome of most legal disputes arising in the sports and entertainment industry. The course also examines aspects of antitrust, labor, and constitutional law, that have specific and unique applications to sports.

ELECT 927: State and Local Taxation

2 Credits

Beginning with historical and constitutional aspects, students will analyze in detail recent developments in state and local taxation and their impact on client representation. Attention will be concentrated on corporate, sales and use and other business taxes, death duties, and property taxes and exemptions.

ELECT 932: Elder Law Financing I

1 Credits

This 1-credit Elder Law Course will focus on Financing Issues.

ELECT 933: Elder Law Capacity I

1 Credits

This 1-credit Elder Law course will focus on capacity issues.

ELECT 934: Elder Law Comparative II

1 Credits

This 1-credit Elder Law course will focus on comparative issues.

ELECT 935: Race, Racism & American Law

2 Credits

This course explores the role law has played in both the subordination and promotion of the rights of people of color in America. Subjects for discussion will include: how law helped create the social construct of race, race and the American criminal justice system, affirmative action policies, and the quest for effective schools. This course examines critical race theory which posits that we all harbor at least subconscious racial bias, and that due to our racist past as a nation, racial inequality has been locked into American institutions.

ELECT 936: Elder Law Financing: Medicaid

1 Credits

This course focuses on Medicaid planning for long-term care.

ELECT 937: Elder Law Capacity: Guardianship

1 Credits

This course will focus on guardians of the person or estate under state laws.

ELECT 938: Elder Law Comparative: End of Life Decisions

1 Credits

This course will focus on statutory grounds for end-of-life decision making.

ELECT 939: Corporate Finance

2 Credits

Corporate Finance is a survey course that focuses on how corporations use legal instruments to raise capital. The course uses an interdisciplinary approach that focuses on both the economics of valuation (risk/return, asset valuation) and the legal structure of capital instruments (stocks, bonds). Students will walk away with an understanding of how businesses raise capital, the strategic differences between capital sources and the role of lawyers in guiding these critical business decisions.

Prerequisite: BAR 906 Recommended Preparations: CERT 914

ELECT 940: Law of Treaties

2 Credits

Treaties are the foundation of public and private international law and national foreign affairs law. This course examines: historical development of law of treaties; concept of treaty; treaty as source of international and national law; stages of concluding treaty; reservations; accession to treaties, functions of depositary; publication of treaties; breach of treaty obligations; invalidity, termination, and suspension of treaties; denunciation and other withdrawal from treaties; treaties and jus cogens; treaties and customary rules of international law; treaties and third States; treaties and municipal law; interpretation of treaties; languages and authentic texts of treaties.

ELECT 941: Women's Suffrage & 19th Amendment

2 Credits

The course will provide a discrete summary of the relevant history preceding the ratification of the 19th Amendment, specifically touching on the American Revolutionary period, the antebellum period, the Civil War, and the Post-Civil War Reconstruction Act and Amendments. The course discussion will center on the splintered movement to grant suffrage for African American men at the national level before achieving women's suffrage, while also examining the further splintering of the movement that effectively sought to continue the disenfranchisement of non-whites, with specific emphasis on African-American women, resulting from the imposition of Black Codes and Jim Crow. The purpose of this course is to unveil the fundamental tenet that voting is an act of political and social self-determination, specifically for those who lack political power and/or who are among the most vulnerable in our society.

ELECT 942: Government Special Counsel

1 Credits

This course will explore, in depth, the institution of the government special counsel from Teapot Dome, to Watergate, Iran-Contra, Whitewater and the Mueller investigation into Russian interference in the 2016 Presidential Election. It will also explore the history of and the constitutional legal basis for the independent counsel, prior enactment of the Independent Counsel statute, the special separation of powers problems posed by their appointment and supervision, the conflicts encountered during parallel congressional probes (including complications arising from invocation of the Fifth Amendment) and the novel legal issues presented by investigating and charging an incumbent President (and collateral issues arising from the pardon power).

ELECT 943: Innocence & Wrongful Convictions

2-3 Credits

This course is designed to provide students with an overview of the issues and case law related to wrongful convictions. The goal of the course is that students will gain an understanding of this dynamic and quickly growing area of law. The students will study issues related to federal and state postconviction law, constitutional issues in this area, and study in-depth the causes of wrongful convictions.

ELECT 944: Administrative Law

3 Credits

This course is an introduction to the law of the administrative state; to the constitutional, statutory and judge-made rules governing what agencies may do, the procedures they must follow, and how they can be held to account. Topics include mechanisms for control of agencies by the legislative and executive branches; the constitutional basis for, and limits on, governance by agencies; the availability and effects of judicial review over agency action; and the features of agency rulemaking and adjudication.

ELECT 945: Advanced Federal Income Tax

3 Credits

This course examines the treatment of those taxation principles applicable to investment and business operations applicable to all

taxpayers from a perspective that emphasizes tax planning and tax avoidance.

Prerequisite: BAR 904

ELECT 946: Basic Federal Income Tax

3 Credits

The focus of this course is the federal income tax law and the tax policy considerations that inform the design of the structure of the law.

ELECT 947: Employment Discrimination

3 Credits

This course will provide an overview of significant doctrinal issues in employment discrimination law, and will seek to develop students' skills through a rigorous examination of statutory law, regulations and court decisions. It will introduce students to the fundamental legal theories underlying the substantive coverage of the most significant federal equal employment opportunity laws, and legal issues regarding their application.

ELECT 948: Payment Systems

2 Credits

Recommended Preparation: Because this course requires familiarity with the Uniform Commercial Code, students should take another Uniform Commercial Code course prior to or concurrently with this course. In the modern economy commercial parties use a variety of payment mechanisms. This course provides an overview of different payment systems, the credit system, and the devices that enhance creditworthiness (including guaranties and letters of credit). Classroom discussion is devoted almost exclusively to developing analyses of written problems contained in the course text.

ELECT 949: Elder Law Financing II

1 Credits

This 1-credit course on Elder Law will focus on financing issues.

ELECT 950: Elder Law Capacity II

1 Credits

The 1-credit Elder Law course will focus on Capacity.

ELECT 951: Elder Law Comparative II

1 Credits

This 1-credit Elder Law Course will focus on Comparative Issues.

ELECT 997: Special Topics

1-3 Credits/Maximum of 9

The course is for special topics that are taught on a one-time basis. Subject matter will vary.