

**WIDENER LAW COMMONWEALTH COURSE DESCRIPTIONS
SPRING 2017**

LAW 530: ADMINISTRATIVE LAW (3 Credits)

This course studies the law governing administrative agencies, including executive departments, in the task of carrying out governmental programs. Topics include interrelations of legislative, executive and judicial agencies in development of public policy; decision-making processes and internal procedures of administrative agencies and legislative, executive and judicial controls on them.

LAW 788: ADVANCED TRIAL METHODS (2 Credits)

This course is designed to provide students interested in trial practice with an opportunity to study and participate in the various aspects of a trial. Students will develop a thorough understanding of each aspect of a trial, including jury selection, opening and closing statements, introduction of evidence, and examination of witnesses. Case theory, courtroom ethics and professionalism will be discussed.
Pre-requisite: Trial Methods or ITAP

LAW 879: ALTERNATIVE DISPUTE RESOLUTION (2 CREDITS)

This course considers all the alternatives to traditional adversarial state and federal court adjudication, such as arbitration, mediation, negotiation, dispute prevention, conciliation, neutral facilitators, and private judging. It also examines court-annexed dispute resolution, such as mediated court settlement, summary jury trials, mini-trials and the use of referees and masters. Having identified and examined the emerging alternative techniques, the various methods are examined for effectiveness in light of the growing acceptance of ADR by the courts in all areas, including public policy questions. The course consists of a combination of lectures and class discussions, videos, and guest speakers. All students will participate in simulations or "mock" interviewing and counseling, negotiation, and mediation sessions.

Prerequisites: Course is open to second, third, and fourth year students.

LAW 738: BANKRUPTCY (3 Credits)

This course will address state law creditor collection remedies such as garnishment and execution, and state law priorities among competing creditors. After examining state law remedies and priorities, we will focus on the federal Bankruptcy Code. We will discuss elements common to all (business and consumer) bankruptcies, and the principal focus of the course will be Chapter 7 liquidations in the consumer context and Chapter 13 wage-earner payout plans. At the end of the course, we will discuss some issues particular to Chapter 11 business bankruptcies.

LAW 631: BUSINESS ORGANIZATIONS (3 Credits)

A.J.D./LL.M survey course that analyzes the conduct of business in each of the principal forms of business organization, and the relative rights and liabilities of the members of such organizations and third persons. The course reviews the uniform partnership statutes, the Model Business Corporation Act, and the Delaware General Corporation Law, and considers the legal principles governing agency and partnership relationships as well as corporations. The course introduces the federal securities laws and the state statutes governing limited liability companies, limited partnerships and limited liability partnerships.

LAW 504: CIVIL PROCEDURE II (3 Credits)

A continuation of Civil Procedure I, this course studies civil litigation procedure, with emphasis on modern federal practice. Topics include subject matter jurisdiction, personal jurisdiction, venue, joinder, the Erie doctrine, and related concepts.

LAW 664: CLIMATE CHANGE (2 Credits)

Human-induced climate change is one of the great environmental, economic, ethical, social and legal challenges facing the world, and has already produced a large body of international, national, state, and local climate law while transforming other legal subjects including, for instance, energy law and refugee law. This seminar will examine (a) the science, ethics, and legal implications of human-induced climate change (b) the major elements of the international climate change law that have developed since the 1992 United Nations Framework Convention on Climate Change (UNFCCC), (c) the major elements of US federal climate change law, (d) the major legal developments in response to climate change at the state, regional, and local level in the United States, and (e) the most significant issues that yet need to be resolved to create an adequate international climate change legal regime in light of the December 2015 Paris Agreement on climate change. The students will write a paper to prepare to participate in a mock United Nations debate on issues that will be considered in the next international climate negotiations that will take place in in December 2017.

LAW 803: CLINICAL EXTERNSHIPS (2-4 Credits)

This course provides an extern clinical assignment in the practice of law with cooperating agencies such as a district attorney, public defender; legal aid society, etc. A weekly classroom component is also part of the externship program.

Pre-requisite: Evidence

Co-requisite: Professional Responsibility

LAW 508: CONTRACTS II (2 Credits)

A continuation of Contracts I, this course studies the law governing contracts and contractual relationships. The course introduces the student to contract formation, performance, and non-performance, and explores the role of contract law in a market society.

LAW 505: CRIMINAL LAW (3 Credits)

This course studies the general principles that underlie statutory criminal liability, including a consideration of their judicial application in the context of selected offenses and defenses.

LAW 506: CRIMINAL PROCEDURE (3 Credits)

This course provides In-depth consideration of the Fourth Amendment's protection against unreasonable search and seizure, the Fifth Amendment's right against compulsory self-Incrimination, and the Sixth Amendment's right to counsel, all with particular emphasis on the judicial Interpretation of the application of these constitutional provision's within the context of police Investigation of crime.

LAW 798/799: DIRECTED RESEARCH (1-2 Credits)

Students may write research papers for credit under the supervision of a full-time member of the faculty. The faculty member must approve the subject.

Pre-requisite: Successful completion of one Seminar

LAW 765: DISABILITY LAW (3 Credits)

The course includes an overview of the major federal statutes governing the field, such as the Americans with Disabilities Act, the Rehabilitation Act, the Individuals with Disabilities Education Act, the Fair Housing Act Amendments, the Air Carrier Access Act, and the Architectural Barriers Act. The course will also focus on the application of these acts to such areas of life as employment, education, public accommodations, public services and programs, and housing.

LAW 832: EMPLOYMENT DISCRIMINATION LAW (2 Credits)

This course studies federal law governing discrimination in employment on the basis of race, color, sex, religion, national origin, age, and disability. The course explores theories of discrimination and covers litigation under Title VII of the Civil Rights Act of 1964, as amended, as well as selected topics under other employment discrimination and civil rights statutes.

LAW 831: ENVIRONMENTAL LAW (3 Credits)

This course surveys the federal and state statutes and regulatory programs which attempt to limit water pollution, air pollution, environmental degradation, species extinction, hazardous waste, and chemical regulation problems. The course will examine how and why these statutes and programs are structured the way that they are, how the laws work, and the extent to which our environmental laws achieve their goals.

LAW 636: FAMILY LAW (3 Credits)

This course considers state and constitutional issues relating to the regulation of sexual and family relationships. Among the areas that may be covered are defining what constitutes a family, entry into marriage, divorce, and its economic consequences (alimony, property distribution and child support) and child custody. The course draws on constitutional principles, statutes, and the common law to study the family in the legal system.

LAW 810: FIRST AMENDMENT (2 Credits)

This course focuses on constitutional rights involving speech, press, and religion. Rights of political participation, wartime limits on civil liberties, state action, associational freedoms, and constitutional and prudential limits on judicial powers are also potential topics.

Pre-requisite: Constitutional Law

LAW 690: FUNDAMENTALS OF THE BAR EXAM (2 Credits)

Fundamental of the Bar Exam is a pre-bar review skills-development course that uses bar examination materials to familiarize students with techniques for answering the multiple choice, essay, and performance test questions found on the bar examination. The course focus on bar exam skills and is not a comprehensive review of the substantive law tested on the bar exam. Students will be required to work collaboratively in class and will have regular homework assignments to complete. This course is not a substitute for a commercial bar preparation course.

LAW 819: GOVERNMENT CONTRACTING (1 CREDIT)

This course provides a discussion of the elements, practices and processes of government contracting dealing with applicable statutes, regulations and policies. Topics include authority of government agents to contract, methods of procurement, issues of disputes and claims, socioeconomic programs, contract changes and terminations, debarment and suspension, and procurement ethics.

LAW 6035: GOVERNMENT LAW COLLOQUIUM (1 Credit)

This seminar will consider the special areas of law that are involved in litigation by or against a state or local agency. It will review such substantive areas of law as mandamus; statutory construction; when the existence of a statutory procedure precludes other forms of litigation, such as a declaratory judgment action; and a constitutional challenge to a state statute on procedural, as opposed to substantive grounds. The seminar will consider real life litigation, such as the pursuit of a zoning board appeal or a workers' compensation claim.

LAW 511: INTENSIVE LEGAL ANALYSIS (I.L.A.) (2 Credits)

This course provides students with the opportunity to develop and refine their legal reasoning and analysis skills. Topics include: identifying an individual's learning style and problem-solving skills, critical reading of legal authorities, simple and complex rule-based reasoning, and methods of deconstructing legal rules and organizing the analysis of new legal questions. Exam-style essays and "in-basket" projects are used to practice and reinforce analytical skills.

LAW 772: INTERSCHOLASTIC COMPETITION (1 Credit)

Students may earn one or two credits for participation in interscholastic moot court, trial advocacy and other competitions sanctioned by the law school as appropriate interscholastic competitions. The list of approved interscholastic competitions includes but is not limited to National Moot Court, Jessup International Moot Court, Douglas Moot Court, Patent Moot Court, Polsky Moot Court, American Trial Lawyers Association Competition, Texas Trial Lawyers Competition, American Bar Association Client Counseling Competition and like events.

LAW 678: INTERSCHOLASTIC TRIAL COMPETITION COLLOQUIUM (1 Credit)

This course is required for all students who wish to participate in interscholastic trial advocacy competitions. Enrollment is permitted only with permission of the Trial Advocacy Honor Society advisor. This intensive course will cover the basics of trial competition from case preparation through courtroom performance. This course will be graded on a pass/fail basis.

Prerequisite/Corequisite: LAW 836: Evidence

LAW 809: JUDICIAL EXTERNSHIP (2-4 Credits)

Students enrolled in the Judicial Externship Program are assigned to selected state and federal trial and appellate judges for a maximum of two semesters. Externs prepare legal memoranda, conduct legal research and perform duties normally assigned to a law clerk under the supervision of the assigned judge and the judge's graduate law clerk. The program is designed to enhance the student's writing and research skills, familiarize the student with court procedures, permit observation of court proceedings and enable the student to learn the operation of judicial chambers. Students will meet with the faculty supervisor for mid-semester and end-of-semester reviews. Students are required to keep a daily log and retain a copy of all written work produced for the court. Graded Pass/No Pass.

Pre-requisite: Evidence

Co-requisite: Professional Responsibility

LAW 770: LAW REVIEW BOARD (1-2 Credits)

Please contact Widener Law Review for more information.

LAW 763: LAW REVIEW STAFF (1 Credits)

Please contact Widener Law Review for more information.

LAW 510: LEGAL METHODS II (2 Credits)

This course expands on the analysis, writing and research skills introduced in Legal Methods I, and introduces new skills. Students will learn basic techniques of persuasive legal arguments, and will draft persuasive documents such as a trial memorandum and an appellate brief. Students will also learn how to research court rules, and will prepare and deliver an appellate oral argument.

LAW 512: LEGAL METHODS III – ADVANCED LEGAL ANALYSIS (2 Credits)

This course focuses on developing skills in legal analysis, reasoning, and writing. It provides students with the opportunity to work on critical reading, synthesis, study skills, and exam taking. Students develop and refine analytical and writing skills that are necessary for problem solving not only across the curriculum, but also in the profession. Exam-style essays and writing projects are used to practice and reinforce analytical skills.

Pre-requisites: Legal Methods I & II

Enrollment: Limited to 20 students

LAW 512: LEGAL METHODS III – ADVANCED LEGAL RESEARCH (2 Credits)

This course will build upon basic legal research skills. The tools of legal research, including technology based sources, will be investigated in detail. Legislative History, research in specialized areas of law, and non-legal research will be covered. Emphasis will be placed on research techniques and sources that students will need to rely upon their practice of law.

Pre-requisites: Legal Methods I & II

Enrollment: Limited to 20 students

LAW 512: LEGAL METHODS III – CONTRACT DRAFTING (2 Credits)

This course provides students with the opportunity to learn and practice the basic principles of contract drafting and interpretation. Emphasis will be placed on drafting agreements that effectuate clients' need and anticipate potential legal problems. Students will be required to work collaboratively in class, will have regular homework assignments to complete, and will individually draft several written contracts.

Pre-requisites: Legal Methods I & II

LAW 645: LEGISLATION (2 Credits)

This course studies the enactment and interpretation of statutes, principally on the national level. As such, the course is one of separation of powers, as we consider the exercise of governmental power by, and the relationship between, the legislative, executive, and judicial branches. Students will learn tools for interpreting statutes and for arguing in favor of one interpretation over another; the course is not designed to teach doctrinal lessons. Students should have a basic familiarity with the legislative process and the separation of powers before beginning the course, which one can learn by reading an introductory text.

LAW 767: MOOT COURT HONOR BOARD (1 Credit)

Please contact Moot Court Honor Society for more information.

LAW 6070X: MOOT COURT INTERSCHOLASTIC COLLOQUIUM (1 Credit)

LAW 902: MOOT COURT INTERSCHOLASTIC COMPETITION (1-2 Credits)

Please contact Moot Court Honor Society for more information.

LAW 6044X: OIL AND GAS LAW (2 Credits)

This course is a comprehensive introduction to the dynamic area of oil and gas law with a particular focus on the nature of oil and gas interests, oil and gas leasing and key provisions, implied covenants in oil and gas leases, principles governing the lessor-lessee relationship, pooling and unitization, a multitude of common law doctrines peculiar to oil and gas, oil and gas conservation statutes, and contemporary environmental challenges associated with oil and gas exploration and development.

LAW 925: PA CIVIL CLINIC (3-6 Credits)

The Pennsylvania Civil Clinic is a one-semester client service clinical program offering an opportunity to study and to undertake actual cases in general civil litigation in the Pennsylvania courts on behalf of clients who are unable to afford legal services from traditional private sources. Clinical participants interview and counsel clients; frame legal issues and prepare for litigation; and participate in negotiations, non-judicial dispute resolution and litigation on behalf of clients before administrative agencies and state and federal trial courts. Students may also assist in appellate cases before state and federal courts. Clients are represented by clinical interns under the supervision of the Clinical Director.

Pre-requisites: Evidence & Professional Responsibility

LAW 926: PA CIVIL CLINIC LEADER (2 Credits)

The Pennsylvania Civil Clinic Leader is a one semester client service clinical program offered to selected students who have completed one semester in the Pennsylvania Civil Clinic. Students who are selected as Clinic Leader will continue to participate in the representation of actual clients in the general civil practice of the clinic. In addition, Clinic Leaders assist in the management of the Civil Clinic by ensuring that the materials used by the Clinic comply with applicable rules. The Clinic Leader also assists in supervising students by helping them in their research as well as their preparation for court proceedings. Clinic Leaders may also be asked to continue representation of clients from prior semesters or to work on special projects that may arise in the Civil Clinic from time to time.

Pre-requisites: Evidence, Professional Responsibility, and Pennsylvania Civil Clinic

LAW 702: PROFESSIONAL RESPONSIBILITY (3 Credits)

This course examines the duties of lawyers toward clients, courts, and society. Ethical problems which confront the lawyer are raised and discussed in terms of the Model Rules of Professional Conduct, the Model Code of Professional Responsibility and case law. The areas covered include confidentiality, conflicts of interest, competence and unauthorized practice.

LAW 516: PROPERTY II (2 Credits)

A continuation of Property I, this course studies the basic elements of the law of real and personal property. Topics in personal property may include ownership and possession, finders' rights, bailment, bona fide purchasers, gifts, bank accounts, and accession. Topics involving real property include adverse possession, estates and future interests, marital interests, concurrent ownership, and landlord-tenant law. The course may also include other topics which are covered in more detail in upper level electives: nuisance law, zoning, constitutional limitations on public land use regulations, eminent domain, private land use restrictions (easements, licenses, servitudes), and real estate conveyancing and recording.

LAW 655: REMEDIES (3 Credits)

This course examines the various forms of relief available to prevailing parties in civil actions, primarily actions based in contract or tort. Thus, it covers damages, restitution, and equitable relief (specific performance and injunctions). The course also treats the use of the contempt power to enforce court orders.

LAW 638: SEM: INSURANCE (2 Credits)

Studies the law of the insurance enterprise including insurance marketing, theories of insurable interest, measures of recovery, subrogation, protected parties, nature of loss, warranties, representations, concealment, and rights at variance with policy provisions.

LAW 909X: SEM: VOTING RIGHTS AND ELECTION LAW (2 Credits)

Though we often think of the electoral process as central to the shaping of law, the political process itself is governed by laws that affect the outcome of elections and, by extension, public policy. This course examines those foundational laws, whether they be constitutional or statutory. Topics include the right to vote; First Amendment rights of candidates, voters, political speakers, and parties; the Voting Rights Act's and the Constitution's constraints on the drawing of district lines; and the place of money in the electoral process.

Pre-requisite: Constitutional Law

LAW 699: SPECIAL PROBLEMS IN LEGAL ETHICS (1 CREDIT)

This special problems course will utilize lecture, debate, role-play and a written assignment to take an in-depth look at real and serious professional responsibility challenges which are frequently encountered in the everyday practice of law. The seminar is intensive and requires quite substantial pre-class reading and the highest degree of preparation. We will move the consideration of professional responsibility from the theoretical study of moral codes to the application of those codes in light of other law, moral and professional considerations and the individual student's own sense of proper action. The ultimate purpose of the course is to arm the student with a sophisticated understanding of the workings of the moral and professional rules applicable to law practice, to train the student in identification of the ethical questions which frequently arise in law practice and thus to enhance the value of the student to him/herself and to the employing firm or organization. (Inter-semester; 2-days, 1 credit)

Pre-requisite: Professional Responsibility

LAW 850: STARTING YOUR OWN FIRM (Small Firm Practice & Management) (2 Credits)

This course focuses on the creation and management of solo or small-firm legal practices. Topics covered include marketing of a legal practice (both traditional and internet), important organizational agreements and documents, leasing office space, malpractice insurance and controlling risk, time management software, billing and collections, and other topics. This 2-credit course is graded.

LAW 800: STATE ADMINISTRATIVE LAW (3 Credits)

This course examines the practice of administrative law in the states with particular emphasis on Pennsylvania. Building on the foundation of the first-year federal administrative law course, State Administrative Law has two objectives: (1) To help students develop a pragmatic orientation in preparation for the practice of state administrative law. State administrative practice and/or litigation will be a major focus. The student will be asked to examine one state agency (of the student's interest and choice) and explain in a general way what its objectives, powers and method of operation are. Students will also have the opportunity to prepare a fairly complex application to an agency. Several agency experts will offer advice and guidance on selected topics. (2) To examine differences between state and federal administrative law. First, state procedural due process and separation of powers law are different, and frequently litigated. Second, the text of the Pennsylvania Constitution itself is unique, which has led to major variations from federal administrative law. Third, Pennsylvania has its own statutory administrative code, which is different from the federal Administrative Procedure Act. Fourth, some areas of administrative law are more pervasive in the states. For example, licensing application, renewal, suspension and renovation practice and procedure are major parts of state law. The course will examine all these areas in length.

LAW 520: TORTS II (3 Credits)

A continuation of Torts I, this course examines and analyzes the general theories of tort liability for injuries to persons or property: intentional misconduct, negligence, and strict liability. The course may also introduce principles and theories of products liability. Defenses to all theories of liability are also covered.

LAW 762: WIDENER JOURNAL OF LAW, ECONOMICS & RACE NOTE (1 credit)

Please contact Widener Journal of Law, Economics & Race for more information.

LAW 763: WIDENER JOURNAL OF LAW, ECONOMICS & RACE STAFF (1 credit)

Please contact Widener Journal of Law, Economics & Race for more information.

LAW 834: WILLS & TRUSTS (4 Credits)

The course covers in testate succession; testamentary capacity; execution, revocation and component parts of wills; interpretation of wills; constructive trusts; will substitutes; creation and interpretation of inter vivo and testamentary trusts; future interests; the Rule Against Perpetuities; and ethical and practical considerations in drafting wills and trusts. The course may cover charitable trusts; powers of appointment; fiduciary responsibility; administration of trusts and estates; introduction to estate and gift tax law.