

**WIDENER LAW COMMONWEALTH COURSE DESCRIPTIONS
SUMMER & FALL 2016**

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 784: ADVANCED CRIMINAL PROCEDURE (3 Credits)

This course surveys the criminal justice process from arrest through appeal. Constitutional provisions, statutes, rules of criminal procedure, and practice strategies concerning prosecutorial discretion, initial appearance, pre-trial release or detention, preliminary hearing, grand jury procedure, plea bargaining and selected trial and appellate issues are considered.

Prerequisites: Criminal Law and Criminal Procedure.

LAW 631: BUSINESS ORGANIZATIONS (3 Credits)

A.J.D./L.L.M survey course that analyzes the conduct of business in each of the principle 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 503: CIVIL PROCEDURE I (3 Credits)

This course studies civil litigation procedure, with emphasis on the development of modern federal practice. Topics include subject matter and personal jurisdiction, venue, joinder, pleadings, motions, discovery, summary judgment and related concepts.

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.

Prerequisite: Professional Responsibility and Evidence.

LAW 602: CONSTITUTIONAL LAW (4 Credits)

This course introduces the United States Constitution as a source of law, largely through decisions of the United States Supreme Court. It examines foundational theories of government and individual rights from historical as well as contemporary perspectives. Topics may include judicial review, federalism, congressional power, executive power, due process, equal protection, and freedom of expression.

LAW 507: CONTRACTS I (3 Credits)

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 734: COPYRIGHT AND TRADEMARK (3 credits)

This course surveys primarily the laws and policies of copyright and trademark law, with a secondary

emphasis on related areas of law such as trade secret, rights of publicity, unfair competition, contractual protection of ideas and patent protection of inventions in varying degrees. Topics to be covered include the subject matter of copyright and trademark; ownership and transfer of copyrights and trademarks; the rights afforded to copyright and trademark owners; duration of protection; infringement; and remedies.

LAW 798/799: DIRECTED RESEARCH (1 or 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 6104X: E-DISCOVERY TECHNOLOGIES AND METHODS (1 Credit)

Lawyers increasingly must use advanced technologies and software to address the proportionally-large volumes of electronic materials in eDiscovery. This course introduces students to the technical aspects of technology-assisted-review (TAR) tools such as keyword search and newer, machine learning or “predictive coding.” Combining learning-by-doing and lectures, students gain key insights into how to distinguish various TAR tools, how TAR technologies work, when TAR is appropriate, and what are some limitations of TAR. Students actually use “predictive coding” software in class during a hands-on, eDiscovery simulation.

Note: Students must bring a modern laptop to class to complete the graded simulation

LAW 7002X: ESSENTIAL BUSINESS CONCEPTS (1 Credit)

This course is designed to demystify business concepts so that students beginning courses in corporate and commercial law have some familiarity with the language of business. Although business lawyers do not keep their clients’ financial books and records or model the financial effects of acquisition transactions, they need a basic understanding of accounting and finance in order to understand and find solutions to their clients’ problems. This course will provide students with a basic knowledge of essential business and finance concepts such as the balance sheet, the time value of money, valuation of a business, and the difference between debt and equity.

LAW 836: EVIDENCE (3 Credits)

This course studies the law governing proof of disputed factual matters in criminal and civil trials, including, but not limited to, issues of relevancy, competency, hearsay and other exclusionary rules, and the privileges of witnesses.

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 747: FEDERAL COURTS (3 Credits)

This course explores the role of the federal judiciary in our system of government. First, it examines the tensions inherent in the separation of powers between the political branches of the federal government and the judiciary. Second, the course explores the complicated issues of federalism presented by the existence of two sets of courts – state and federal. This course combines the study of constitutional theory with the reality of politics and jurisdictional practice in the federal courts. Topics that may be covered include standing, mootness, ripeness, the political question doctrine, Congressional power to

limit federal court jurisdiction, the Eleventh Amendment, abstention, habeas corpus, 1983 civil rights actions, and other important jurisdictional doctrines not covered in the basic Civil Procedure courses.

LAW 610: FEDERAL INCOME TAX (3 Credits)

This course surveys and analyzes the federal system of income taxation. Topics include gross receipts, gross income, exclusions, gain-seeking and personal deductions, credits, rates and tax accounting.

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 709: HEALTH LAW (2 Credits)

This course is intended as an introduction and overview of the emerging specialty of health law, looking at cost controls and promotion of access to health care through private and public law. It provides a look at the history of American health care. The course looks at ways of measuring quality; and the role of physician licensing malpractice litigation, and health care. The course will explore the concept of 'informed consent,' reproductive rights and issues of death and dying. Finally, the course considers the traditional role of public health bodies

LAW 703: IMMIGRATION AND NATURALIZATION LAW (3 Credits)

This three-credit course is a survey of the Immigration and Nationality Act, Title 8 of the U.S. Code, and related case law and regulations. The course includes an introduction to the historical and statutory evolution of current immigration law as well as a review of the major subtopics within the law, such as legal immigration, immigration and employment, non-immigrant classifications, inadmissibility and deportability, constitutional issues and limitations, refugee and asylum matters, citizenship, illegal immigration and employer sanctions. The course addresses current issues and controversies as well as the political and public policy factors reflected by U.S. immigration law.

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 779: INTENSIVE TRIAL ADVOCACY PROGRAM (I.T.A.P.) (3 Credits)

Intensive Trial Advocacy is a three-credit, seven-day NITA-style trial advocacy training program, adapted from the NITA Regional Trial Advocacy course designed for young practitioners. Students develop trial advocacy skills by seeing live and videotape demonstrations of proper trial advocacy techniques, which are followed by small group simulations taught by experienced trial practitioners and trial advocacy teachers. THIS IS THE EQUIVALENT TO TRIAL METHODS. A STUDENT MAY NOT TAKE BOTH.

Pre-requisite: 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 or 2 Credit)

Please contact Widener Law Review for more information.

LAW 763: LAW REVIEW STAFF (1 Credit)

Please contact Widener Law Review for more information.

LAW 509: LEGAL METHODS I (3 Credits)

This course introduces basic techniques of legal analysis, writing and research. Course requirements include substantial writing assignments.

LAW 512: LEGAL METHODS III – JUDICIAL OPINION WRITING (2 CREDITS)

This course provides students with the opportunity to develop the skills necessary to draft effective judicial opinions. The course will focus on writing judicial opinions through a process that involves sound legal research, logical reasoning and organization, and self-revision. Students will also diagnose their individual weaknesses as writers and will work to correct these problems. Professionalism will be emphasized and ethical considerations unique to the judiciary will be introduced. Students will be evaluated on a series of written assignments, including at least one appellate opinion. This course may be of particular interest to students who will be judicial law clerks or will be engaged in appellate practice.

Pre-requisites: Legal Methods I & II

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

LAW 512: LEGAL METHODS III – APPELLATE ADVOCACY (2 CREDITS)

This course will provide students with the opportunity to develop and refine their legal research, analysis and writing skills while drafting an appellate brief and presenting a formal oral argument before a panel of judges. Students will be introduced to the appellate litigation process and standards of appellate review, and will learn more sophisticated forms of argument and persuasion. By writing multiple drafts, students will learn how to evaluate, review and edit their own work.

Pre-requisites: Legal Methods I & II

LAW 767: MOOT COURT HONOR BOARD (1 Credit)

Please contact Moot Court Honor Society for more information.

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

Please contact Moot Court Honor Society for more information.

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

Please contact Moot Court Honor Society for more information.

LAW 650: PAYMENT SYSTEMS (2 Credits)

This course introduces the student to the law of negotiable instruments, primarily checks and promissory notes, and other methods of payment, including electronic checks, credit and debit cards and electronic funds transfers. The course will cover Uniform Commercial Code Articles 3 (Negotiable Instruments); 4 (Bank Deposits and Collections) and Article 4A (Electronic Funds Transfers) and other state and federal statutes covering electronic payments. Topics covered will include negotiability of instruments and holder-in-due course doctrine; liability for payments; loss allocation for forgery, credit and debit card theft and check fraud schemes; availability of deposits; and relationships between banks and their

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.

Prerequisites: Evidence & Professional Responsibility

LAW 743: PA CRIMINAL PRACTICE (2 Credits)

This course provides an examination of various statutes, court decisions, procedural rules and defense and prosecution strategies involved in the journey of a criminal case through the Pennsylvania court system, including arrest, preliminary hearing, discovery, pre-trial motions, trial, sentencing, and appeal.

LAW 786: PRE TRIAL METHODS (2 Credits)

Pre-Trial Methods is a semester-long simulation course focusing on litigation document preparation, discovery and motion practice. The course emphasizes motion practice and discovery skill, and includes written drafting exercises as well as oral deposition simulations and oral motion arguments. Pre -Trial Methods is graded A through F.

Prerequisites: Evidence

LAW 652: PRODUCTS LIABILITY (3 Credits)

This course studies the development of liability of the distributors (manufacturers, vendors and other suppliers) for harm caused by defective products. Emphasis is placed on the development and nature of theories of strict liability in tort, negligence, misrepresentation, and warranty liability under the UCC.

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 515: PROPERTY I (4 Credits)

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, bailments, 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 760: REAL ESTATE TRANSACTIONS (2 Credits)

This course covers real estate conveyancing and financing. Principal topics include the roles of the attorney and broker in a real estate transaction, conveyancing issues, mortgage financing, and title protection. The course may also cover several of the following topics: environmental issues, bankruptcy issues, shared facilities ownership (condominiums, co-ops and homeowner associations) and shopping center development.

Pre-requisites: Property I and II

LAW 646: SALES AND LEASES (3 Credits)

This course covers Articles 2 and 2A of the Uniform Commercial Code. Coverage generally includes all the stages of contracts for the sale and lease of goods from formation to breach and remedies. Documents of title (Article 7) and payment by means of letters of credit (Article 5) may also be covered. The course may also include comparisons and contrasts with the Convention on Contracts for the International Sale of Goods.

LAW 600: SECURED TRANSACTIONS (3 Credits)

This course provides an introduction to the law governing contractually created interests in personal property used

to secure payment or performance of obligations. The course involves a study of the creation, perfection, priority and enforcement of security interests in personal property under Article 9 of the Uniform Commercial Code. The course also includes an examination of relevant provisions of the Bankruptcy Code and some other state and federal statutes that affect security interests.

LAW 6084: SEM - CITIES IN CRISIS (2 Credits)

The financial crisis that precipitated our recent Great Recession affected cities as well as individuals and businesses. In the past few years, an unprecedented number of municipalities, including the City of Harrisburg, have taken the rare step of filing for bankruptcy. In this seminar, we will explore the causes of municipal financial distress and well as solutions on the state and federal levels. During the semester, we will discuss how cities are governed and how they raise money to pay for their operations, as well as the stresses caused by the migration of residents and businesses to the suburbs. Because many states, including Pennsylvania, are reconsidering their programs to relieve municipal financial distress and because there are many open questions regarding the efficacy of Chapter 9, the federal bankruptcy procedure to resolve such distress, we will discuss the benefits and limitations of existing laws and try to develop solutions. Each student's grade will be based on written work, a presentation, and class

LAW 6097X: SEMINAR - SUSTAINABILITY LAW PRACTICUM (2 Credits).

Sustainable development is the internationally and nationally recognized framework for reconciling development with environmental protection and restoration. Sustainable development provides clients with more choices, can reduce their costs, and will enable them to better address climate change and resource constraints. Lawyers who understand the decision-making tools and skills of sustainable development will be better able to help clients than those who do not. In this class, students learn the purpose and basic decision-making tools of sustainable development, and then draft model sustainability ordinances on topics chosen by local governments. The class involves significant interaction between students and representatives of local government. Satisfactory student papers will also be posted on the law school's website for use by local governments. A student can use this class to help satisfy the experiential requirement or satisfy the writing requirement, but not both. There will be no exam.

LAW 773: STATE CONSTITUTIONAL LAW (2 Credits)

This course examines the significance of state constitutions, their role in our federal system, and competing approaches to their interpretation. Particular emphasis is placed on the importance of state declarations of rights in providing guarantees in addition to, and different from, federal guarantees of individual rights, and on separation of powers issues. Other topics include local government, public education, state and local taxation, limits on debt and expenditures, and the processes of amending or revising state constitutions.

Pre-requisite: Constitutional Law

LAW 972: TAXATION OF BUSINESS ENTERPRISE (3 Credits)

This course surveys the federal income tax consequences associated with doing business as a partnership, limited liability company, corporation, and S corporation. It examines the tax issues arising upon the formation, operation, sale, and liquidation of the business entity. Students will spend significant time on statutory interpretation.

Pre-requisite: Federal Income Tax

LAW 519: TORTS I (2 Credits)

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 781: TRIAL METHODS (2 Credits)

Trial Methods is a semester-long course focusing on oral trial practice skills and on strategy and planning for civil or criminal trials. One hour each week will be devoted to lectures and demonstrations of trial skills. Two hours each week will be devoted to simulation exercises under the supervision of experienced practitioners and judges. The course will conclude with a short jury trial. Trial Methods is graded pass/fail. Students may not take both Trial Methods and I.T.A.P.

Prerequisite: Law 836: Evidence. (Pre-Trial Methods is not a prerequisite for Trial Methods.)

LAW 770: JOURNAL OF LAW, ECONOMICS & RACE BOARD (1 to 2 Credits)

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

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

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

LAW 745: WORKERS' COMPENSATION (2 Credits)

This course studies the development and application of workers' compensation statutes, combining theoretical and practical approaches. Among the topics that will be covered are: statutory elements of a claim for an accident to be work-related and compensable; defenses, burdens of proof, and procedure; distinctions among occupational injury, disease, and stress claims; different types of compensation on civil actions and related claims for damages and disability; and current legislative proposal.