

WIDENER COMMONWEALTH
FALL 21 COURSE DESCRIPTIONS

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 684: ANIMAL LAW (2 CREDITS)

In this course we will address various topics in the rapidly developing field of animal law. The course will focus on the history of animal cruelty laws; Pennsylvania's anti-cruelty statute; dog bite liability; search warrants; government regulation of animals; animal fighting; and legal analysis of recent cases.

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 733: BUSINESS PLANNING (2 CREDITS)

Selected practical problems involving the planning of business transactions, with emphasis upon the small business enterprise, are examined. Topics include: organization of close corporations, partnerships and LLCs; employee compensation; sexual harassment and discrimination issues; executive hiring negotiations; and raising capital. This course is strongly suggested for anyone who plans on representing businesses.

Pre-requisite: Federal Income Tax

Corequisite: Business Organizations

LAW 925: CENTRAL 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: CENTRAL 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 503: CIVIL PROCEDURE I (3 CREDITS)

This course studies civil litigation procedure, with emphasis on modern federal practice. Topics include pleadings, motion practice, discovery, joinder, summary judgment, and related topics.

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 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 (2 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 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 7026X: DEAL SKILLS: MERGER & ACQUISITION DOCUMENTATION
& NEGOTIATION (1 CREDIT)**

This class will introduce students to the legal issues and role of the lawyer in the documentation and negotiation of merger and acquisition (“M&A”) transactions. Students will study and analyze the key legal issues and legal approvals required for M&A transactions and understand the key provisions in M&A documentation. At the end of the semester, students will participate in an interclass negotiation exercise where they will apply the knowledge and skills that they have learned to a M&A transaction. This course is also a prerequisite to participating in transactional “moot court” negotiation competitions.

LAW 798/799: DIRECTED RESEARCH (1 OR 2CREDITS)

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

7020X: ESSENTIAL LEGAL SKILLS (1 CREDIT)

This course aids students in developing skills that are essential for success in law school, on the bar exam, and in legal practice.

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 7011X: FEDERAL CRIMINAL PRACTICE (2 CREDITS)

The course meets the requirements for experiential learning and will focus on federal criminal proceedings from a practice-based perspective while introducing students to the different stages of a federal criminal prosecution. Topics covered will include the initiation of a federal prosecution, bail and detention hearings, pretrial discovery and motion practice in federal criminal cases, litigating suppression motions, plea negotiation and federal sentencing practice and procedure. Participatory simulations requiring both oral and written advocacy will be incorporated into the curriculum. Depending on student availability, attending criminal proceedings in federal court and meeting with participants in the federal criminal justice system (federal prosecutors, defense lawyers, ex-offenders) may be scheduled.

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 focuses 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 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 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 779: INTENSIVE TRIAL ADVOCACY PROGRAM (I.T.A.P.) (2 CREDITS)

Intensive Trial Advocacy is a two-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 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 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 7022X: LAW & MINDFULNESS (2 CREDITS)

Mindfulness and The Law explores how mindfulness and mindful practices can improve the underlying qualities lawyers need to succeed in law and that assist in developing essential lawyering skills including problem solving, counseling, analysis, and advocacy. The course focuses on giving you tools to allow you to develop a consistent practice of mindfulness. This is a personally-engaging class involving self-reflection, journaling, and meditation – both in class and on your own. Drawing upon your experience with mindfulness, you will research and write a paper on the application of mindfulness to the practice of law.

LAW 6015X: LAW & POLICY OF SENTENCING AND CORRECTIONS (2 CREDITS)

A course that will prepare students to represent a client in a sentencing procedure and to negotiate plea agreements. The course will focus on teaching the lawyerly skills necessary to work with sentencing guidelines, state mandated minimum sentences and alternatives to sentencing, and developing sentencing strategies for clients as prosecutor or defense counsel.

LAW 770: LAW REVIEW BOARD (1 OR 2 CREDITS)

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. Students will learn how to read legal authorities, conduct legal research, analyze legal problems, and draft predictive legal memoranda. Course requirements include substantial writing assignments.

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

Enrollment: Limited to 20 students

LAW 512: LEGAL METHODS III – WRITING FOR THE BAR EXAM (2 CREDITS)

This course helps jumpstart students' preparation for the essay and performance tests on the bar exam. In this course, students will enhance their legal writing, analytical, and organizational skills through intensive studying and writing practice. Students' legal and factual analytical reasoning skills and writing skills will be developed through multiple practice essay exams and performance tests. This course is designed to help students develop the skills needed to succeed on the bar exam and as newly admitted attorneys. This course is not a substitute for a bar preparation course. Students are encouraged to take this course in the year immediately preceding graduation.

LAW 645: LEGISLATION (3 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 7019X: MEDICAL MARIJUANA LAW (2 CREDITS)

This course gives students a real-world look at what it means to represent a medical marijuana grower, processor, dispensary, or laboratory client. As such, students will study the conflict between state and federal law and its impacts on industry participants. Students will also draft and defend proposed regulations, participate in mock regulatory appeals, and study the impact this emerging law has on other areas of law.

LAW 7012X: MID PENN LEGAL SERVICES PRACTICUM (1 CREDIT)

Extended Division students will have the opportunity to participate in an externship placement in partnership with MidPenn Legal Services, the legal service provider for low income clients in our region. The practicum will be made up of several opportunities to learn the law in the area of public interest representation, interviewing and counseling experience with client contact, and working with clients in clinical settings both in Dauphin and Perry counties. In addition to this experience, the first group of participating students will be involved in creating a new clinical program that MidPenn wishes to embark upon. Pardon Clinics operate in relatively few areas of the Commonwealth but provide great benefits for the recipients. The process is set forth by the PA Board of Pardons but often is not easily managed by those seeking a pardon. Creating an efficient, accessible process where individuals have guidance is an opportunity for students to build a program that can be put into place in 2019. MidPenn will be the umbrella organization but WLC students will be able to be active "practitioners" in the program as part of their externship experience. Students will participate in the practicum as part of the current Clinical Externship program and will be required to comply with the requirements of that course.

LAW 902: MOOT COURT INTERSCHOLASTIC COMPETITION (1 CREDIT)

Please contact Moot Court Honor Society for more information.

LAW 650: PAYMENT SYSTEMS (3 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 customers.

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.

Pre-requisites: Evidence

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 629: SECURITIES REGULATION (2 CREDITS)

A three-credit survey course which examines the federal securities issues implicated by the public distribution of securities under the Securities Act of 1933, including analysis of the definitions of "security" and "exempted securities", private, limited offering and intrastate exemptions, and offerings by underwriters and dealers. The course also examines select issues in the trading of securities as governed by the Securities Exchange Act of 1934, including examination of the obligations of underwriters, brokers and dealers in the securities markets, the rights and obligations of parties to a tender offer of public securities, the implication of a private right of action under the federal securities laws, and the duties and obligations of persons who trade in securities on the basis of non-public information.

Pre-requisite: Business Organizations

LAW 843: SEM: CAPITAL PUNISHMENT (2 CREDITS)

This seminar provides a study of capital punishment beginning with the Supreme Court's reinstatement of the death penalty in 1976 and with a heavy emphasis on the Eighth Amendment. Coverage includes current issues around capital punishment; critiques of and justifications for the penalty; substantive limitations on its imposition; procedural concepts governing its use; the roles of the jury and the judge; ineffective assistance of counsel; discrimination; and methods of execution. Offered as course or seminar; students may not take both.

LAW 6045X: SEM: LAW AND SUSTAINABILITY (2 CREDITS)

Sustainable development is the internationally and nationally recognized framework for reconciling development (economic development, social wellbeing, and peace and security) with environmental protection and restoration. This is a skills class. Lawyers are using sustainable development in a variety

of different ways, and are almost certainly going to use sustainable development even more in the future. 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. This class will discuss in detail the decision-making tools of sustainable development (such as integrated decision-making, precautionary approach). It will also discuss specific approaches to sustainable development in law practice. Students will write one or more practice-oriented papers. There will be no exam.

Note: This class will count toward the Certificate in Environmental Law

LAWH 7024: SEM: SEPARATION OF POWERS (2 CREDITS)

This seminar examines the U.S. Constitution's division of authority between the three branches of the national government, with special attention to conflicts between Congress and the President. Particular topics may include the lawmaking process, impeachment, executive privilege, control over subordinate executive officials, and powers over foreign relations.

LAW 850: STARTING YOUR OWN FIRM (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 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 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 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 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. *Students may not take both Trial Methods and I.T.A.P.*

Pre-requisite: Law 836: Evidence.

Note: Pre-Trial Methods is not a Pre-requisite for Trial Methods

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.