

COMMONWEALTH LAW COURSE DESCRIPTIONS
SUMMER & FALL 2019

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 field of animal law, including criminal prosecutions for animal cruelty and the special procedural issues encountered in animal cruelty cases; the law regarding the use of animals in sport and entertainment; intentional torts against animals, product liability, and veterinary malpractice; and constitutional law issues such as standing, due process, and First Amendment cases which relate to animals. The course will include significant focus on commercial uses of animals, including both animals raised and slaughtered for food and animals used in scientific research.

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.

LAW 925: CENTRAL PA LAW CLINICS (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 LAW CLINICS 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 classroom component is also part of the externship program. Graded Pass/No Pass.

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 (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 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 7005X: DEAL SKILLS: THE DOCUMENTS (1 CREDIT)

This class will introduce students to the legal processes and various documents commonly used to close a business deal, such as commitment letters, term sheets, “the deal” agreement, and promissory notes. The course will also familiarize students with the business and legal issues that an attorney must understand when drafting and negotiating documents for business deals. The class will use a large business loan closing for the basis of its discussion but the processes and documents are broadly applicable to mergers, acquisitions, real estate transactions, and other deals. Students are required to have read all of the assigned course materials prior to the first day of class.

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 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 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.

Pre-requisite: Constitutional Law

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

Please contact Widener Law Review for more information.

LAW 763: WIDENER LAW REVIEW STAFF (1 CREDIT)

Please contact Widener Law Review for more information.

LAW 7015X: LEGAL ISSUES FOR CORPORATE COUNSEL (1 CREDIT)

This course will give you a general overview of a typical day in the life of a corporate General Counsel. It will touch on a variety of topics including: employment law, contract review, public company filings, management of outside counsel, investigations and many other topics. A General Counsel needs to be well-versed in many areas of the law to be able to advise and guide the corporation's management team and this course will provide valuable insight to those students who are interested in potentially going in-house with a public or privately-held company.

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

LAW 512: LEGAL METHODS III – TECHNOLOGY & COMMUNICATION (2 CREDITS)

This course focuses on how technology can be used to enhance legal communication, both in writing and orally. In this course, students will learn how to create professional documents and presentations with the most commonly used technology—Microsoft Word, Excel, and PowerPoint. For example, students will learn how to use styles effectively, create tables, add cross references, collaborate on documents, perform calculations, and merge Excel data into Word (to name just a few Microsoft Office topics that will be covered). This course will also cover how other technologies are used in the legal profession. Students will be evaluated on numerous writing assignments/exams and presentations, at least some of which will require legal research. Because most legal employers use PCs, not Macs, this course will cover all concepts on a PC only. This course may be of particular interest to students who are unfamiliar with much of the detailed functionality of Microsoft Office products or who will be in solo practice or in a small firm.

Pre-requisites: Legal Methods I & II

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 7012X: MIDPENN 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 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 6007X : NATIONAL SECURITY: COUNTERTERRORISM (3 credits)

An in-depth look at counterterrorism in the United States. The course examines the competing conceptions and definitions of terrorism at the national level and the institutions and processes designed to execute the national security on terrorism. It includes the study of the balance between national security interests and civil liberties found in the following topical areas: relevant Supreme Court decisions, legislative provisions in response to acts of terrorism, operational counter-terrorism considerations (including targeted killing), intelligence gathering (including interrogations), policy recommendations, the use of military tribunals or civil courts in trying suspected terrorists, the emerging law regarding enemy combatants and their detention, and the arguable need for new self-defense doctrines at the global level.

LAW 889: NEGOTIATION (2 CREDITS)

This course provides an overview of negotiation theories and techniques. Through lectures and simulation exercises, students learn to identify their negotiating styles, to negotiate effectively and to use negotiation skills in the practice of law.

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 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 customers.

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.

Co-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.

LAWH 7016: SEMINAR: SEXUALITY, GENDER, AND THE LAW (2 CREDITS)

This seminar addresses cutting-edge issues in the law's treatment of people on the basis of sex, gender, gender identity, sexual orientation, and sexual behavior. We will focus on the Constitution's protection of personal liberty; harassment and other forms of discrimination; and family law's response to changing attitudes about sexuality; and similar topics. We will also consider the conflict between the protection of sexual minorities' liberty and the protection of others' liberties, including the rights to free speech and the free exercise of religion.

LAW 60497: SEM: SUSTAINABILITY LAW PRACTICUM (2 CREDITS)

Sustainable development is an internationally and nationally recognized framework for reconciling development (economic development, social wellbeing, and peace and security) with environmental protection and restoration. This course will examine the historical origin of this framework, its meaning, the enormous environmental and poverty challenges that sustainable development is intended to overcome, and its actual and potential effect on international, national, state and local law. The course will emphasize, but not be limited to, the effect of sustainable development on the United States. The course will include a detailed examination of specific sectors where sustainable development ideas are taken more seriously (e.g., local governance, business and industry, green building, and (to some degree) climate change) and will examine the theoretical and practical implications of those developments for law.

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

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 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.*

Co-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.