

WIDENER COMMONWEALTH LAW SCHOOL
SUMMER / FALL 2024 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 839: BIOETHICS & THE LAW (2 CREDITS)

Due to advances in medical technology, society is faced with increasingly complex decisions regarding life and death. This course will explore the nexus between law, medicine and ethics, and will examine case law, statutes and other materials that attempt to grapple with these issues. Topics may include procreation and reproductive technology (artificial insemination, in vitro fertilization, surrogate parenting, genetic screening, donor-conceived children, etc.); neonatal care; allocation of scarce medical resources; organ transplantation and donation; human genetic information; testing and discrimination (including the Human Genome Project); and the right to die.

LAW 7002: BUSINESS BASICS (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 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 925: CENTRAL PENNSYLVANIA LAW CLINICS (2-6 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 PENNSYLVANIA 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 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: INVESTIGATION (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 & ACQUISITIONS (2 CREDITS)

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: DIRECTED RESEARCH (1 CREDIT)

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 799: DIRECTED RESEARCH (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 7020: 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. Its emphases are on these four areas:

1. Critical reading and analysis. Students will be instructed in techniques of extracting and deconstructing the law from cases, statutes, rules, and other legal materials.

2. Communication of legal analysis. Students will be instructed in the effective, organized, written presentation of legal analysis built on reasoning and logic. Emphasis will be placed on the cogent application of legal rules to particular factual scenarios and the appropriate ways to use and respond to counter-arguments.
3. Learning as much as possible in each class session. Students will be instructed in techniques of class-preparation and note-taking, including identifying the most important parts of lessons.
4. Synthesis of lessons from readings and class to achieve a fuller understanding of the law. Students will learn techniques of self-directed learning so that they are better able to prepare themselves for examinations in both essay and multiple-choice

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.

Pre-requisite: Constitutional Law

Co-requisite: Administrative 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 810: FIRST AMENDMENT (3 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 focuses on bar exam skills and is not a comprehensive review of the substantive law tested on the bar exam. 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 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 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 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 & Professional Responsibility

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

LAWH 7022X: LAW & MINDFULNESS (2 CREDITS)

Law and Mindfulness examines how mindfulness and mindful practices can both improve the underlying qualities lawyers need to succeed in law and that assist in developing essential lawyering skills including creative problem solving, communication, analysis, and advocacy and the benefits of mindfulness for stress reduction and resiliency. In this course, you will learn not only the why of mindfulness, but will explore specific mindful practices allowing you to develop a consistent practice. You will also engage in the development of your own professional vision that answers the questions of how you want to live and who you want to be in the practice of law. 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. There may be an activity scheduled on a weekend day for which attendance and payment of a small fee (up to \$35) will be required.

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: 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 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 – 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

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 512: LEGAL METHODS III—FAMILY LAW PRACTICE (2 CREDITS)

The goal of this course is to enhance students' written and oral skills in the context of Family Law. Employing more sophisticated forms of analysis, presentation, and persuasion than are taught in Legal Methods I and II, students will research, draft, and edit written documents commonly used in a specific practice area. These documents may include business plans, client letters, office memoranda, trial-related pleadings or memoranda, or appellate briefs. Students will also give an oral presentation related to their written work product. This oral presentation may be a presentation to a client or in-house counsel, a mediation, or an argument before a trial or appellate court.

Pre-requisites: Legal Methods I & II; concurrent registration with appropriate subject matter course might be helpful, but is not required.

LAW 512: LEGAL METHODS III – WRITING FOR THE BAR (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 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 902: MOOT COURT INTERSCHOLASTIC COMPETITION (1 CREDIT)

Please contact Moot Court Honor Society for more information.

LAW 889: NEGOTIATION (1 CREDIT)

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 845: NONPROFIT ORGANIZATIONS (1 CREDIT)

This course examines the formation, organization and operation of tax-exempt entities including charitable organizations and private foundations. The course will analyze a myriad of topics including, but not limited to, the following: distinctions between non-profit and tax exempt statutes; income taxation of exempt organizations; private vs. state related classifications and the scope of judicial review; structuring relationships with non-profit affiliates and for-profit business organizations; liability and responsibility of agents, officers and directors; comparisons of the Delaware and Pennsylvania statutory schemes; and considerations in acquisitions, mergers and liquidations of exempt organizations.

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 7021X: PRIVACY & CYBERSECURITY (2 CREDITS)

The constant evolution of technology enables access to nearly every piece of data about every person. Its protection, and appropriate use, should concern each one of us, and certainly concerns all of our potential clients. Please join us in an immersion into privacy and cybersecurity law, which is among the fastest-growing areas of law in the nation and the world. We will examine a myriad of legal issues as they related to privacy and cybersecurity, including intellectual property, communications and national security.

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 confronting 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 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.

Prerequisite: Property I

LAW 7025: SEMINAR: CUTTING EDGE GOVERNMENT LAW (2 CREDITS)

This seminar will examine pressing legal issues affecting the operation of government. Topics may include the use of artificial intelligence in governing, the rise of executive power, the role of race in governing, the need to improve the mass adjudication of government benefits, and issues currently before the US Supreme Court.

Prerequisite: Administrative Law

Satisfies Admin Law/Con Law and Legislation writing requirement

LAWH 7033: SEM: LAW & BUSINESS EVOLUTION (2 CREDITS)

The world of business law is dynamic, complex, and omnipresent. Business law evolves and changes rapidly, both in the United States and across the Globe. Business practices, technology, global political situations, etc. are all affecting how business law changes and interacts with business. Students in this class will study the impact of the U.S. constitution, Federal, state, and local statutes and regulations, judicial precedents on confronting and affecting business practices, industries, and trade. Students will write a 20 page seminar paper on a topic of their choosing (80% of their grade). Students will make a 10 minute presentation to students about their paper (20% of their grade). Students will also write short reflections (2 paragraphs) about each class (reflections are graded pass/fail).

LAW 7027: SEMINAR: PANDEMIC LEGAL ISSUES (2 CREDITS)

The COVID-19 Pandemic affected almost all aspects of life and raised novel as well as long-standing legal issues in controlling pandemics. Students will prepare a 20 -25 page paper and a 15 minute presentation (followed by a Q&A) on their particular topic. Examples of class discussions and paper topics regarding pandemic legal issues include, among other possibilities, the following: Public Health Law (vaccine and mask mandates, lockdowns); Health Care Rationing; Religious and Medical Exemptions; Business Powers to Regulate Employee Pandemic Related Issues; Free Speech and Disinformation; Immigration and Travel Restrictions; Intellectual Property and Vaccines; Product Liability and Vaccines; Regulation of the Supply Chain; Liability under Business Interruption Insurance for Pandemic Lockdown Closures; Historical Legal Approaches to Pandemics; Statutory Reforms to Prevent Future Pandemics.

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.

Co-requisite: Evidence.

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