

**COURSE DESCRIPTIONS**  
**Fall Semester, 2009**  
**(as of September 30, 2009)**

**ADVANCED LEGAL RESEARCH (PS)**

**LAW 878 (2)**

**This course satisfies the Professional Skills Requirement**

This course provides advanced instruction on how to develop a research plan, and how to make economic decisions about using electronic or print resources or a suitable combination of both. Weekly print and online assignments provide concentrated practice in using print and electronic federal and state statutory, judicial, and regulatory materials; and in finding reliable Internet and subscription sites for legal research. Students will gain experience in in-depth analysis of electronic search results; and learn the organization and use of both print and on-line topical current awareness services. The grade will be based on weekly assignments, class attendance, one comprehensive in-class exam, and one individual research project. Students may anticipate spending approximately 2 hours a week on the weekly assignments. Enrollment limited to 24. Students register through on-line Web Registration Form. (McDermott, Casey, Hartke, Kullman/Fall 2009)

**AMERICAN LEGAL HISTORY (H)**

**LAW 716 (3)**

This course explores major themes in the history of American law from the colonial period to the present: how American legal culture emerged out of an imperial background, was transformed amidst national expansion in the nineteenth century, and evolved in response to ideological and social pressures in the twentieth. The course focuses on law internally, looking at its personnel and sources, as well as externally, or how it relates to the larger social and political cultures around it. Recurrent themes include the adaptation of law as people move across space, the professional identity of the lawyer, the changing literary sources of law, the relative autonomy of law in relation to other cultural phenomena, and the power of law as an agent of social transformation (Walker/Fall 2009)

**ANTITRUST LAW**

**LAW 782 (3)**

Antitrust is a study of the laws governing private restrictions on competition and efforts to promote competitiveness in the economy. Areas include: restraints of trade (e.g., price fixing, boycotts, market allocations); monopolization and attempted monopolization; mergers; remedies and enforcement. The course will examine the tension between competition and regulation and special issues raised by economic conditions. The course also introduces students to the basic concepts (and limitations) of employing economic analysis in the law; however, no previous study of economics is required. (Greaney/Fall 2009)

**APPLIED MEDIATION CLASS (PS)**

**LAW 983 (1)**

**This course satisfies the Professional Skills Requirement**

Students enrolled in this course must enroll concurrently in the Mediation Clinic (LAW-993). The course addresses common issues faced in mediation settings. The focus will be on negotiation techniques and skills. Mediation in the context of family law cases and landlord-tenant law will be stressed. Students receive a letter grade in this course based on performance on a series of written assignments, exercises and short essay tests. Students register through the Clinic. (Magruder/Fall 2009)

**APPLIED MEDIATION CLINIC**

**LAW 993 (3)**

**Pre-requisites:** (LAW 800) Civil Procedure I  
(LAW 801) Civil Procedure II  
(LAW 760) Property  
(LAW 745) Family Law  
(LAW 705) Legal Profession

This clinic is open to students who have completed at least 46 credits or one-half of their legal education. Students enrolled in this clinic must enroll concurrently in the Applied Mediation Skills course (LAW 983). Students attend a 40 hour mediation training program, work 9 hours a week observing ADR processes conducted by court-appointed neutrals, and conducting landlord tenant mediations in housing court and conciliation mediations in family court. Grades in this course are recorded on the student's transcript as Pass/Fail. Students register through the Clinic. (Magruder/Fall 2009)

**BANKRUPTCY**

**LAW 736 (3)**

We will study the laws governing the relationship between debtors and creditors with primary focus on the Bankruptcy Code. This course examines debtor-creditor relations in both business and individual settings and includes a study of the causes of financial distress, the goals of debt restructuring and rehabilitation of individual debtors, and the rights of creditors and others affected by the Bankruptcy process. (Korybut/Fall 2009)

**BUSINESS ASSOCIATIONS**

**LAW 780 (4)**

Business Associations is a survey course designed to provide an introduction to the law of agency, general partnerships, limited liability companies, and corporations. Both state and federal regulation of corporations will be studied, including state fiduciary duty law and federal securities regulation. Materials used will include state and federal court decisions, statutes, regulations, and organizational documents of various types of business associations. Both planning and litigation issues arising in the law of business associations will be covered. (Fogel,Scarlett,Wagner/Fall 2009)

**CIVIL ADVOCACY CLINIC I**

**LAW 991 (3 or 4)**

**Pre-requisites:** LAW-800 (Civil Procedure I)  
LAW-801 (Civil Procedure II)  
LAW-705 (Legal Profession)

**Others may be required, see description below.**

**Pre or Co-requisite:** LAW-890 (Civil Practice)

This clinic is open to students who have completed at least 46 credits or one-half of their legal education. Students enrolled in this clinic must enroll concurrently in the Civil Advocacy course (LAW-981). Students work in the Saint Louis University School of Law Clinic where they will be assigned their own caseload to prepare under the supervision of full-time clinic faculty. Opportunities for students interested in **Litigation** include: representing defendants before landlord-tenant courts, representing the homeless in municipal courts; participating in litigation on civil rights, public benefits, and consumer fraud; and working as guardian ad litem for children, and representing clients in custody cases, orders of protection, and other family law matters. Participation requires completion of Civil Procedure I and II, Legal Profession, Evidence, and Civil Practice. Depending on caseload preference, students may be required to have completed Family Law and/or Trial Advocacy. Opportunities for students interested in **Transactional** work include: preparing real estate closings, drafting estate planning documents, and drafting documents and providing counseling for nonprofit organizations. Participation requires completion of Legal Profession. Depending on caseload preference, students may be required to have completed Real Estate Transactions, Business Associations, and/or Trusts and Estates. Opportunities for students interested in **Administrative** law practice include representing clients in administrative cases including immigration, unemployment compensation, welfare, food stamps, Medicaid, Medicare, and Special Education for disabled children. Participation requires completion of Civil Procedure I and II, Legal Profession, Evidence, and Administrative Law. Depending on caseload preference, students may be required to have completed Immigration Law or Environmental Law.

Students may enroll in Civil Advocacy Clinic I for 3 or 4 credits. For each clinic credit hour, a student must work 3 hours each week. Grades in this course are recorded on the student's transcript as Pass/Fail. Students register through the Clinic. (Ammann, Gilchrist, Harrison/Fall 2009)

**CIVIL ADVOCACY COURSE (PS)**

**LAW 981 (2)**

**This course satisfies the Professional Skills Requirement**

Students enrolled this course must enroll concurrently in Civil Advocacy Clinic I (LAW 991). The course addresses common issues lawyers face in a variety of civil cases including practical and strategic considerations as well as ethical dilemmas. The focus is on Missouri and Illinois law relating directly to the Civil Advocacy Clinic work. Students receive a letter grade in this course based on performance on a series of written assignments, exercises, and short essay tests. Students register through the Clinic. (Ammann, Harrison/Fall 2009)

**CIVIL PRACTICE (PS)**

**LAW 890 (3)**

**This course satisfies the Professional Skills Requirement**

**Pre-requisites: LAW 800 (Civil Procedure I)**

**LAW 801 (Civil Procedure II)**

Civil Practice focuses on practical, theoretical, and ethical issues in pre-trial civil litigation practice through lecture and discussion and emphasizes the development of practice skills through simulation exercises in client interviewing, fact investigation, pleading, formal discovery (depositions, interrogatories, etc.), pre-trial motion practice, negotiation, and jury instructions. Simulation exercises are conducted in small groups under the supervision of adjunct faculty. Class meets for 1 hour in a large group, and 2 hours each week in a small group. Small groups are selected at the first meeting. Civil Practice is a co- or prerequisite for Civil Clinic. (Ammann/Fall 2009)

**CIVIL PROCEDURE I**

**LAW 800 (2)**

This course provides a basic introduction to the process of civil litigation. During fall semester, students will learn about basic notions of procedural law and judicial authority. The main topics discussed include personal jurisdiction, subject matter jurisdiction, venue, and the Erie doctrine. In the spring semester, students will concentrate more on the procedural rules governing different stages in the federal civil litigation process – from initial pleadings through final judgment and appeal. (Redding, Wolff/Fall 2009)

**CIVIL PROCEDURE I**

**LAW 800 (2)**

This course provides a basic introduction to the process of civil litigation. During fall semester students will learn about the procedural rules governing different stages in the litigation process – from initial pleadings through final judgment. The main topics to be covered are: pleading, discovery, and adjudication without trial, trial and appeal. In the spring we will address: personal jurisdiction, subject matter jurisdiction, venue, Erie doctrine, res judicata and joinder. (Pendo, Petroski, Scarlett/Fall 2009)

**CLIENT COUNSELING (PS)**

**LAW 891 (1)**

**This course satisfies the Professional Skills Requirement**

The objective of this course is development of client interviewing and counseling skills through simulation exercises. The course meets 2-hours each week for seven (7) weeks from August 24 to October 12. Enrollment in this course is required for students interested in competing in the school's client counseling competition. The competition is part of the course, and performance in the competition determines a large part of the grade for the course. Attorneys from the community judge the competition. The best team from the school's competition proceeds to the regional ABA competition. Enrollment limited. (Harrison/Fall 2009)

**COMMERCIAL TRANSACTIONS**

**LAW 730 (3)**

This course covers the law of commercial paper (checks, drafts, and other negotiable instruments under the Uniform Commercial Code; commercial terms, commercial aspects of performance and remedies under Article 2; Negotiable Instruments (Article 3); and Bank Deposits and Collections (Article 4). (Dobbins/ Fall 2009)

**COMPARATIVE AND TRANSNATIONAL CRIMINAL LAW**

**LAW 822-0J (2)**

The first part of this course will be devoted to comparative law: starting with the functions, methods and limits of comparing the law of different national jurisdictions, to be continued with special topics of criminal law and procedure in particular by comparing common and civil law. The second part will deal with the novel development of a supranational European criminal law. The third part will be focused on the application of national criminal law on extraterritorial crimes (so-called "classical" international criminal law) and the international assistance in criminal affairs (as, in particular, extradition and collection of evidence abroad). The final part on supranational criminal law will describe the development and main structures of international criminal tribunals, their relationship with national jurisdictions and the basic element of responsibility in international criminal law. (Eser/Fall 2009)

**CONFLICT OF LAWS**

**LAW 850 (3)**

This course covers the choice-of-law issue; recognition of judgments of other states. The emphasis will be on conflicts of law problems in the United States, but some international problems may also be considered. Jurisdiction may be included. (Jordan,Rohlik/Fall 2009)

**CONSTITUTIONAL LAW I**

**LAW 819 (3)**

Constitutional Law is the study of the Supreme Court's authority, justiciability, national powers, (the Commerce Clause, other powers of Congress), states' power to regulate commerce, intergovernmental immunities and separation of powers through analysis of the Supreme Court's process of constitutional interpretation. (Williams/Fall 2009)

**CONSTITUTIONAL LAW II**

**LAW 820 (3)**

This course will cover the incorporation controversy, substantive and procedural due process, the Contract and Taking Clauses, equal protection; state action and Congressional enforcement powers under the civil rights amendments analyzed through decisions of the Supreme Court. (Goldman, Howard/Fall 2009)

**CONSUMER CREDIT**

**LAW 826 (2)**

The course will provide an understanding of consumer finance and the laws that regulate consumer finance, including various forms of consumer protection and consumer bankruptcy. It will look closely at automobile loans, first and second home mortgages, credit card lending and payday loans and will examine the effect of consumer bankruptcy and consumer protection laws on each of these types of credit. (Lander/Fall 2009)

**CONTRACTS I**

**LAW 720 (3)**

This course covers the legal principles of formation of simple contracts, consideration, offer and acceptance. (Bodie,Chan,Fitzgibbon,Walsh/Fall 2009)

**CONTRACTS I (Evening)**

**LAW 720 (2)**

This course covers the legal principles of formation of simple contracts, consideration, offer and acceptance. (Walsh/Fall 2009)

**CORPORATE TAXATION**

**LAW 794 (3)**

**Pre-requisite: LAW 790 (Taxation)**

Students who have not completed and are not currently enrolled in Business Association require the consent of the instructor to enroll in Corporate Taxation. This course introduces students to basic federal income tax characteristics of operating in corporate form: organization; capital structure; distributions; sales of shares; share redemptions; liquidations; tax research; tax planning opportunities and objectives; and, time permitting, tax deferred corporate reorganizations. The course in Partnership taxation and not this course covers Subchapter S of the Internal Revenue Code. (Ordower/Fall 2009)

**CRIMINAL DEFENSE ADVOCACY (PS)**

**LAW 984 (2)**

**Pre-requisites: LAW-705 (Legal Profession)**

**LAW-822 (Criminal Law)**

**LAW-823 (Criminal Procedure I)**

**LAW-810 (Evidence)**

**This course satisfies the Professional Skills Requirement**

Students enrolled in this course must enroll concurrently in the Criminal Defense Clinic (LAW-994). This course covers the theoretical and practical issues in a criminal defense practice, including client interviewing, bail and pre-trial release, investigations, motion practice, discovery, preliminary examinations, plea-bargaining, post-verdict proceedings and sentencing. The focus is on Missouri law relating directly to work in the Criminal Defense Clinic. Students receive a letter grade in this course based on performance on a series of written assignments, exercises, and short essay tests. Students register through the Clinic. (McGraugh/Fall 2009)

**CRIMINAL DEFENSE CLINIC**

**LAW 994 (4)**

**Pre-requisites: LAW-822 (Criminal Law)**  
**LAW-823 (Criminal Procedure I)**  
**LAW-810 (Evidence)**  
**LAW-705 (Legal Profession)**

This clinic is open to students who have completed at least 46 credits or one-half of their legal education. Students enrolled in this clinic must enroll concurrently in the Criminal Defense Advocacy course (LAW-984). Students work with the Office of the Public Defender for 12 hours weekly representing indigent criminal defendants. Students conduct client and witness interviews, preliminary hearings, miscellaneous pre-trial motions, juvenile trials and motions, misdemeanor trial, and occasionally assist a Public Defender in the trial of felony cases. Students may also represent defendants before various municipal courts. Grades in this course are recorded on the student's transcript as Pass/Fail. Students register through the Clinic. (McGraugh/Fall 2009)

**CRIMINAL LAW**

**LAW 822 (3)**

The goals of punishment, principles of criminal responsibility, and selected specific crimes will be approached via study and analysis of the Model Penal Code as well as of the Common Law doctrine. (Branham, Miller, Walker, Thaman, Flanders/Fall 2009)

**CRIMINAL PROCEDURE II – (ADJUDICATION)**

**LAW 825 (2)**

This course will cover constitutional and statutory laws relating to the criminal trial such as pre-trial release, the decision to prosecute, preliminary hearing, grand jury, discovery and disclosure, guilty pleas, trial and appeal. (Miller,Thaman/Fall 2009)

**DISABILITY DISCRIMINATION**

**LAW 783 (3)**

This course emphasizes both how the law defines a “disability” and how specific laws address both intentional and unintentional discrimination against people with disabilities in the areas of employment, education, and public access. The course will focus on statutory and common law but will also introduce extralegal texts to provide a broader perspective for discussing these issues. The grade will be based upon a final examination. (Pendo/Fall 2009)

**ELDER LAW**

**LAW 719 (2)**

This course will address legal issues of particular interest to the elderly, including Medicare and Medicaid, guardianships, health care decision-making and other issues related to incapacity, long-term care, income benefits and pension issues. Students are encouraged to take Health Law prior to or concurrently with this course. (Gilchrist/Fall 2009)

**ENVIRONMENTAL DUE DILIGENCE IN REAL ESTATE  
TRANSACTIONS (PS) LAW 777 (1)**

This mini-course will explore the environmental issues which are present in a commercial real estate contract. The course will focus on the basis of environmental liability, the technical requirements for avoiding liability, negotiating and drafting of contracts with consultants, drafting of environmental provisions for real estate contracts, and strategies for understanding technical data associated with sampling at a site, including lab reports and sampling strategies. The grade will be based upon the drafting work performed by the student. The student will, by the end of the course, have samples of contracts provisions applicable to environmental due diligence. There is no pre-requisite for this course, though some understanding of real estate transactions is helpful. (Schmittgens, fall 2009)

**ENVIRONMENTAL LAW LAW 766 (3)**

This course will cover legal problems of the environment; rational allocation of natural resource use; approaches to the regulation of pollution; statutory and common law solutions; judicial and administrative regulation; economic, political and social aspects of regulation; focus on air pollution control. (Williams/Fall 2009)

**ESTATE PLANNING (PS) LAW 778 (2)**

**Pre-requisites:** LAW 774 (Trusts and Estates);  
LAW 790 (Taxation) and,  
LAW 798 (Fiduciary Taxation)

**Strongly Recommended:** LAW 793 (Income Tax of Trusts and Estates)

This course satisfies the Professional Skills Requirement  
This course will examine problems arising in the inter vivos and testamentary disposition of property with emphasis on the tax problems of such disposition; use of trusts in an estate plan; other methods for disposition of estates; administration of the decedent's estates; drafting exercises. Students register through the on-line Web Registration Form. (Blase/Fall 2009)

**EVIDENCE LAW 810 (4)**

This course will cover the origin and effect of rules governing the admission and exclusion of evidence, competence of witnesses and function of court and jury with emphasis on the Federal Rules of Evidence. (Goldner, Lewis, O'Brien/Fall 2009)

**EXTERNSHIP CLINIC I**

**LAW 995 (4)**

**Pre-requisites: LAW-800 (Civil Procedure I)  
LAW-801 (Civil Procedure II)  
LAW-705 (Legal Profession)**

This externship clinic is open to students who have completed 46 credits or one-half of their legal education. Students enrolled in this clinic must enroll concurrently in the Lawyering Practice course (LAW-985). Students work in civil, criminal, or corporate placements in the community under the supervision of a licensed attorney, and the direction of a full-time faculty member. Past civil and criminal externships include placements with the Equal Employment Opportunity Commission, Land of Lincoln Legal Assistance, Family Court, Legal Services of Eastern Missouri, and the District Counsel of the IRS, local prosecutors, the U.S. Attorney's Office, and the Attorney General's Office. Past corporate placements include in-house counsel for BJC Health Systems, Sisters of Mercy, and Saint Louis University General Counsel's Office. Depending on the particular externship placement, students may also be required to complete additional prerequisites such as Administrative Law, Business Associations, Criminal Procedure I, Employment Discrimination, Evidence, Family Law, Health Law, Taxation, or Trial Advocacy. Certain placements may satisfy the Health Law Certificate's Practice Externship requirement. Students may take this course for 3 or 4 credits. For each externship credit hour, a student must work 3 hours each week. Grades in this course are recorded on the student's transcript as Pass/Fail. Students register through the Clinic. (Hacking/Fall 2009)

**FEDERAL COURTS**

**LAW 802 (3)**

This course considers the role of the federal courts within the federal governmental system. In part, the class studies the allocation of power among governmental institutions and the relationships between the states and the federal government. In related part, the class examines the institutional design of the federal courts themselves – the scope and limits of their power, the structure of the judicial system, the practice and procedure followed in the federal courts, and the challenges confronting federal courts today. Topics covered will include the original and appellate jurisdiction of the federal courts, Congressional power to limit the jurisdiction of the federal courts, Congressional power to create “legislative courts” outside of Article III, Supreme Court review of judgments, state sovereign immunity, abstention, and federal habeas corpus. Other concepts will be addressed as well. This course builds on the skills and knowledge gained in other law school classes – particularly Civil Procedure and Constitutional Law I. (McCormick/Fall 2009)

**FIDUCIARY TAX**

**LAW 798 (3)**

**(formerly Estate & Gift Taxation)**

**Pre-requisite: LAW 790 (Taxation)**

**LAW 774 (Trusts and Estates)**

This course will examine problems in Federal estate, gift and generation skipping taxation; income taxation of trusts and estates; special emphasis on tax planning affecting intra-family transfers, both inter vivos and testamentary; related problems presented by such transfers. (Ryan/Fall 2009)

**FORENSIC EVIDENCE (PS)**

**LAW 928 (2)**

**(This course satisfies the Professional Skills Requirement)**

**Pre-requisites: LAW 810 (Evidence)**

**LAW 705 (Legal Profession)**

**LAW 894 (Trial Ad I)**

This course is designed to appeal to students who are interested in pursuing careers in litigation. The course will cover the science of forensic evidence, including topics such as fire investigation, DNA, and issues in product liability; and, the law surrounding the admission of forensic evidence at trial. Students will learn how to use forensic evidence in litigation, including drafting interrogatories, preparing motions and conducting a mock deposition of an expert. Enrollment is limited to 12 students. (McGraugh/Fall 2009)

**FRAUD, ABUSE & HEALTH CARE REGULATION (PS) LAW 912 (2)**

**Pre-Requisite: LAW 757 (Health Care Law)**

**This course satisfies the Professional Skills Requirement**

This course will focus on a variety of regulatory schemes relevant to the health care industry from the institutional to individual level. In particular, this course will focus on the Health Insurance Portability and Accountability Act of 1996 (1996) and associated regulations governing privacy and security of health information, federal and state Anti-Kickback prohibitions, Civil Monetary Penalties Law ("CMP Law"), the Stark Law (limitation on physician referrals), and, as time permits or as involved in relevant discussions, other federal and state laws regulating health care providers and transactions. The course will meet two hours per week and students will be expected to participate in class discussions and to complete and turn in proposed solutions to weekly problem sets using the relevant statutory provisions, regulations and guidance. The problems and solutions are evaluated by the professors, who are practitioners in the area of health care law. In addition, students will have a take home exam as part of the course grade. No more than twenty students will be permitted to enroll in this limited enrollment course (initially limited to 16 J.D. and 4 LL.M. students) (Killgore, Randolph/Fall 2009)

**HEALTH CARE FINANCING AND BUSINESS PLANNING**

**LAW 759 (2)**

**Co-requisite: LAW 757 (Health Care Law)**

This course will focus on regulatory and business aspects of health care practice. Particular attention will be placed on bringing to bear various areas of law (e.g., business associations, tax, antitrust, insurance regulation Stark Law, fraud and abuse, etc.) in advising clients on structuring health care relationships and organizations. The course will also examine closely various state and federal health reform proposals. The course will meet two hours per week and students. There will be a final exam and students may also be required to do brief writing exercises in addition to the exam. Students must have either completed Health Care Law prior to enrolling in this course or be enrolled in Health Law during the same semester in which they take Health Care Financing. (However the former is recommended). For the Fall 2009 semester, the course is offered for 2 credits. (Greaney/Fall 2009)

**HEALTH CARE LAW**

**LAW 757 (3)**

Health Care Law will focus on the legal regulation and liability of physicians and other health personnel; legal regulation of hospitals and other health institutions; government regulation of the cost and quality of health care; financing health care delivery; legal aspects of medical ethics. (Gatter /Fall 2009)

**HEALTH LAW MOOT COURT (PS)**

**LAW 909 (1)**

**This course satisfies the Professional Skills Requirement**

In this course, students will focus on appellate advocacy as specifically applied to issues of health law. A group of two teams, each with 2-3 members, will participate in the National Health Law Moot Court Competition in November. Students will prepare briefs and oral arguments surrounding the health law problem released by the National Competition in mid-August. Students enrolled in the course must be available to work on the problem, at least remotely, approximately one week before the commencement of the fall semester. There will be weekly class meetings in preparation for brief submission and oral arguments. Enrollment is limited. One credit hour of pass/fail credit will be awarded. Students are registered by Professor Dineen. (Heater/Fall 2009)

**INSURANCE LAW**

**LAW 722 (2)**

Students will examine and discuss the principles underlying risk-shifting through contracts of insurance as these principles have evolved through court interpretation and industry practice. The common types of insurance including life, fire, automobile, health, and general liability will be surveyed. The course will also examine how insurance affects a lawyer's practice, e.g. who will pay the damages your client seeks. Other topics include insurable interests, subrogation, the regulation of insurance, and the selection and control of risks. (Hall/Fall 2009).

**INTELLECTUAL PROPERTY SURVEY** **LAW 702 (3)**

This course will provide a broad based introduction to the three traditionally recognized categories of intellectual property: patent, trademark, and copyright. Students will be exposed to the types of protection the legal system offers for inventions, creative expressions, and indications of origin. The course will cover basic issues presented in each area, and will deal with the prevailing justifications for offering the various modes of protection and analyze recurring themes, such as the trade-off between incentive to create and public access. (Liebesman/Fall 2009)

**INTERNATIONAL BANKING AND FINANCE LAW** **LAW 776 (2)**

**(Aug. 17 – Sept. 12 & Nov. 2 – Nov. 21: Monday, Wednesday 8:00 – 9:50 p.m.)**

The course involves a comparative study of European and U.S. law dealing with cutting-edge issues in international banking law. After introducing a number of major international financial institutions, the course will examine the risks inherent in international banking operations, followed by an examination of the law applicable to international banking transactions, including conflict of jurisdictions. Significant attention will be paid to important issues of international bankruptcy. (Kenfack/Fall 2009)

**INTERNATIONAL LAW** **LAW 842 (3)**

Nature, development, sources and scope of international law and organization of the modern community of nations; international agreements; rights and duties of states; nationality; jurisdiction; international claims; pacific settlement of disputes; law of the sea; use of force. (Dore/Fall 2009)

**JUDICIAL PROCESS EXTERNSHIP (PS)** **LAW 998 (3)**

**Pre-requisites: LAW-800 (Civil Procedure I)**

**LAW-801 (Civil Procedure II)**

**Pre or Co-requisite: LAW-705 (Legal Profession)**

**This course satisfies the Professional Skills Requirement**

This externship clinic is open to students who have completed at least 46 credits or one-half of their legal education. Students enrolled in this clinic must enroll concurrently in the Judicial Ethics and Court Procedures course (LAW-988). Students are placed with judges in state and federal trial and appellate courts where they work as part-time law clerks, performing extensive legal research; drafting a series of legal memoranda relevant to cases under submission by the courts; and observing hearings, trials and other court proceedings. Students must commit to working 9 hours a week for 14 weeks. Grades in this course are recorded on the student's transcript as Pass/Fail. Students register through the Clinic. (Hacking/Fall 2009)

**JURISPRUDENCE (H)** **LAW 710 (2)**

Generally, this course focuses on the study of the leading legal philosophers and schools of jurisprudence; the application of basic legal theories of the various schools to the solutions of contemporary legal problems; and on analysis of current decisions for their jurisprudential premises. Individual faculty members may focus on particular schools of jurisprudence. (Griesbach/Fall 2009)

**LABOR LAW**

**LAW 830 (3)**

This course will focus on the establishment of the collective bargaining relationship and the collective bargaining process, including selection of the union representative, grievance procedures under the labor contract, duty to bargain in good faith, security of employment, wages, hours, overtime premium pay, vacations and union security; legal status of labor contracts; legality of strikes, lockouts, picketing and secondary pressure; injunctions and damage suits in labor disputes; state and national legislation. (FitzGibbon,Bodie/Fall 2009)

**LAW PRACTICE MANAGEMENT, PROFESSIONALISM & ETHICS (PS)**

**LAW 929 (3)**

**This course satisfies the professional skills requirement.**

This course covers principles relating to management of the law firm, management of the legal work, and management of the individual as a professional person. The course will consist of in-class lectures, in-class reports and presentations, and attendance at the occasional assigned workshop. Two credit hours will be on a “graded, grade calculated in GPA” basis and one credit hour will be pass/fail. Grades are based on written assignments, written and oral reports, class participation (including attendance at assigned sessions of the Missouri Bar assigned workshops), and a final project. Registration for the seminars will be paid by the School of Law; transportation, lodging, and meals are the responsibility of the student. The course qualifies for the Civil Advocacy and Criminal Defense Certificates, and is limited to 15 students. (Mahadevan/Fall 2009)

**LAWYERING PRACTICE (PS)**

**LAW 985 (2)**

**(This course satisfies the Professional Skills Requirement)**

**Pre-requisite: LAW-705 (Legal Profession)**

Students enrolled in this course must enroll concurrently in Externship Clinic I (LAW 995). This course addresses common practice issues including practical and strategic considerations as well as ethical dilemmas. Students receive a letter grade based on performance on a series of written assignments, exercises, and short essay tests. Students register through the Clinic. (Hacking/Fall 2009)

**LEGAL RESEARCH AND WRITING I**

**LAW 880 (3)**

## Fall 2009 Course Descriptions

Introduction to the legal system; analysis of the judicial, legislative and administrative processes; basic legal sources; techniques of legal research; use of digests, reporters, encyclopedias, annotated cases, statutes, citators and reference books; methods of legal analysis and approaching research problems; writing style and technique; various memoranda and appellate briefs, oral arguments. (LRW/Fall 2009)

### **MEDIA LAW**

### **LAW 805 (2)**

This course covers the law as it affects the mass media including both print and broadcast media. There is some emphasis on copyright, antitrust, spectrum allocation, licensing and new technologies including and beyond cable television. The Right of Privacy and some substantive first amendment freedom areas may be covered. Topics which may be examined include prior restraint, obscenity, commercial speech, defamation and access to both information and judicial proceedings. (Wymore/Fall 2009)

### **MOOT COURT I (PS)**

### **LAW 897 (2)**

**This course satisfies the Professional Skills Requirement**

Appellate Advocacy – Moot Court I is the study of relationships and communications between the appellate judiciary and the attorneys practicing before appellate courts. In the fall semester, students will primarily focus on learning the process and art of appellate brief writing. There will be 2 hours of class meetings each week for the first 10 weeks of the semester. Students will research a problem, prepare and submit drafts of various portions of the brief which will be reviewed by the professor, as well as prepare and submit a final brief. In addition, students will engage in oral argument exercises critiqued by the professor prior to final oral arguments before members of the local legal community. Enrollment is limited to 20 students maximum. Two hours graded credit. The one credit hour currently earned for Moot Court II would remain unchanged. (Canfield, Herndon, Kutnik-Bauder/Fall 2009)

### **MOOT COURT II**

### **LAW 898 (1)**

As a result of the first semester competition, a group of at least eight teams will be chosen to participate in the second semester advanced competition. In addition, the winners of the second semester competition are sponsored by the School of Law at a national or regional competition in the fall semester of the following year. Students are registered by Professor Rollins. (Rollins/Fall 2009)

### **MOOT COURT COMPETITION**

### **LAW 900 (1)**

Open to members of the National Moot Court Team. 1 hour P/F credit awarded subject to faculty approval. (Schramm/Fall 2009)

**NEGOTIATIONS (PS)**

**LAW 718 (2)**

**This course satisfies the Professional Skills Requirement**

Most lawyers spend a large part of their time negotiating. This course gives students hands-on experience negotiating, as well as a grounding in negotiation theory. Students participate in a variety of negotiation simulations, as well as in analyzing negotiation problems. Students are observed while negotiating and receive feedback. The negotiation simulations cover a wide range of situations, including business contracts, neighborhood disputes, personal services contracts and international disputes. In addition to the class meeting one afternoon each week, those enrolled will be required to meet with other students outside class hours to negotiate or to prepare for negotiations. It is crucial that all students attend all class sessions (except when ill). Class is limited to 12 students (Needham/Fall 2009)

**PATENT LAW**

**LAW 870 (3)**

This course will focus on the historical background of patent law, classes of patentable subject matter, conditions of patentability, ownership, infringement, and infringement defenses and remedies. (Hejlek/Fall 2009)

**PRODUCTS LIABILITY**

**LAW 742 (2)**

Products Liability examines the common law liability and federal regulatory regimes affecting the manufacture, distribution and sale of harm-producing products. The course examines the various theories of liability and their resulting doctrinal mechanisms. Strict tort liability is heavily featured along with automobile crashworthiness and toxic tort issues. (Terry/Fall 2009)

**PROPERTY**

**LAW 760 (4)**

Legal concepts of ownership and possession; finding; bailment; adverse possession; relationship of landlord and tenant; concurrent ownership; restraints on transferability of land; common law estates and future interests; private limits on the use of land; nuisance; easements and profits; licenses; covenants running with the land; introduction to public control of land use, zoning, eminent domain; introduction to intellectual property. (Weinberger/Fall 2009)

**PUBLIC HEALTH LAW**

**LAW 748 (2)**

This course examines the constitutional foundation for public health regulation in the United States, addressing both the governmental powers to protect the public's health and individual rights that limit those powers. Additionally, the course will probe conflicts between public health and civil liberties that arise in injury and disease surveillance, in mandatory programs of screening, treatment and quarantine, in medical labeling and advertising, and in the regulation of commerce and property. The final grade will be

based on an open book, timed exam. Prior or concurrent enrollment in Health Care Law and Con Law II is recommended. (Gatter/Fall 2009)

**REAL ESTATE TRANSACTIONS** **LAW 770 (3)**

Contractual, financing, title and tax considerations of residential and commercial real estate transactions; problems in the development, financing, leasing and disposition of real estate; brief consideration of bankruptcy and environmental law issues; use of planning and legal concepts to accomplish land development objectives in a transactional setting; introduction to the drafting and negotiation of real estate documentation. (Weinberger/Fall 2009)

**REMEDIES** **LAW 816 (3)**

Problems in legal and equitable remedies, including damages, restitution, injunction and contempt. (Needham/Fall 2009)

**SECURED TRANSACTIONS** **LAW 732 (2)**

A study of the laws governing secured credit transactions with primary focus on the Uniform Commercial Code. This course examines debtor-creditor relations in both business and individual settings and includes a study of creation and perfection of security interests, default and enforcement issues, documentation concerns, and other devices to enhance credit quality. (Korybut,Dobbins/Fall 2009)

**SPORTS LAW: LABOR WRANGLING ENDORSEMENTS AND THE ART OF THE DEAL (PS)** **LAW 741 (2)**

**(This course satisfies the Professional Skills requirement)**

This course examines the legal and regulatory environment of professional and amateur sports, with a special focus on labor law issues and negotiation. The lawyer's expanding opportunities and responsibilities are explored in this \$60 billion a year industry commanding expertise in numerous and diverse practice areas. A working knowledge of labor and contract law will be established and applied as class projects call students to "represent" sports clients, such as: athletes, teams, coaches, leagues, etc. These class projects will heavily emphasize the students' negotiation skills and comfort with collective bargaining. Although this course is not a seminar, enrollment is limited and students register through the on-line seminar registration process. (Hipskind,Todd/Fall 2009)

**STATE AND LOCAL GOVERNMENT LAW** **LAW 835 (3)**

Exercise of state and local government powers in a federal system; sources of and limitations on these powers; impact of federal domestic policy shifts from grants to program devolution on local government power and integrity; resolution of

intergovernmental conflicts; alternative solutions to metropolitan problems; contemporary problems of dissolution, annexation, fiscal operation, governmental liability, personnel matters, and citizen participation. (Salsich/Fall 2009)

## **TAXATION**

### **LAW 790 (3)**

Federal income tax problems of individuals; gross income; exclusions; deductions; employee benefits; gains and losses; taxable persons; rates and returns; practice and procedure. Introduction to a comprehensive statutory scheme, a methodology for approaching that scheme; tax planning, tax research, and business terminology and time value. (Kaufman,Ordower/Fall 2009)

## **TORTS**

### **LAW 740 (4)**

Development and analysis of accident liability systems. Historical roots of common-law liability. Strict liability systems, including nuisance, trespass, respondeat superior. Negligence, with attention to standards of conduct, proof of breach, causation, "proximate cause," affirmative defenses and immunities. Functional approach to accident law doctrine. Explanatory structure developed wherein "strict liability, negligence, intentional torts" appear as rough benchmarks along a continuum rather than as warring, alien, liability systems. Damages, liability of owners and occupiers of land, assault, battery, false imprisonment, malicious prosecution and other "intentional torts," liability of suppliers of goods and remote contractors, misrepresentation, and defamation. The explanatory structure of torts is further developed in analyzing legal treatment of various "accident types," with increasing focus upon "legal process" topics, issue characterization, burden allocation, and the relations among tort, contract, and administrative allocation systems. (Griesbach,Watson,Wilson, Parasidis, Hall,Kelley/Fall 2009)

## **TRIAL ADVOCACY I (PS)**

### **LAW 894L (3)**

**Pre-requisite: LAW 810 (Evidence)**

**This course satisfies the Professional Skills Requirement**

This course will cover the preparation and trial of a simulated case from the pleadings to verdict and judgment. The work in the course is divided into three parts. A two-hour weekly class meeting, a two-hour small group meeting and the complete trial of a simulated case. The class meetings consist primarily of lectures, discussions, and demonstrations. In the small group meetings, students perform exercise in trial skills. The full trials are held in the courtroom and conducted before judges and juries. Small group sections must be selected at time of registration. (Stewart/Fall 2009)

## **TRIAL ADVOCACY II**

**LAW 895 (2)**

**Pre-requisite: LAW 894 (Trial Advocacy I)**

Focus is on preparation for trial, and course will build on the knowledge and skills acquired in Trial Advocacy. Course enrollment is limited to 10 students. (Kessler, Stewart/Fall 2009)

## **TRUSTS AND ESTATES**

**LAW 774 (4)**

**(Formerly Estates and Administration)**

Intestate succession; family protection and restrictions on freedom of testation; execution of wills; problems of incorporation by reference and extrinsic evidence; revocation and revival of wills; problems of construction in the distribution of estates; contracts to make wills; will substitutes; the nature, use and varieties of trusts; elements of a trust; creation of trusts; the nature of a trust beneficiary's interest; modification and termination of trusts; charitable trusts; fiduciary administration; probate and contest of wills; rights and duties of estate and trust fiduciaries. (Fogel, Ryan/Fall 2009)

## **UNIONS AND THEIR MEMBERS**

**LAW 831 (2)**

Legal relations between unions and their members, admission, discipline, officers, elections and finances; relationship between parent and local organizations; Landrum-Griffin Act; duty of fair representation; union security arrangements; preemption and labor relations; unions and antitrust. (Martin/Fall 2009)

## **URBAN HOUSING & DEVELOPMENT**

**LAW 772 (2-3 credits)**

This course will explore current issues in housing and community development law, as exemplified by homelessness, scarcity of affordable housing for lower income families, and problems in the development/redevelopment of cities. The course is divided into three "units" of: Federal and State Housing Programs, Urban Development Process, and Housing Discrimination. **Students must identify on their registration form, which units they want to enroll in.**

**While students have the option of choosing 2 or 3 of the units described below, they MUST attend the first class session on Aug 17. All students are expected to attend the first class session, regardless of which sections they are taking.**

Federal and State Housing Programs: This unit will explore basic concepts of housing markets and the use of subsidies to close financing gaps, the theories underlying federal and state housing programs, the concepts of demand side and supply side subsidies and review the history of federal and state housing programs. Special attention will be paid to legislative and administrative responses to the current foreclosure crisis.

The Urban Development Process: This unit will explore the use of the police power in

community development and rehabilitation programs, including housing codes, the use of eminent domain to acquire property, problems of displacement and the use of the community development block grant program (CDBG) to encourage creation of public-private development partnerships.

Housing Discrimination: This unit will explore the federal Fair Housing Act and the related problems of preventing housing discrimination and encouraging the development of integrated communities.

Students are expected to submit a research paper 10-15 pages on a topic to be selected in consultation with the professor for each unit they take. (Salsich/Fall 2009)

### **URBAN ISSUES SYMPOSIUM**

### **LAW 707 (3)**

The Housing Issues Symposium is an interdisciplinary program that offers opportunities for law students to work with graduate students in the schools of business, public policy, and social service at Saint Louis University, and architectural and social work students from Washington University. Students and faculty from these schools work in teams to respond to hypothetical and live requests for proposals (RFP's) for housing and neighborhood development projects. Each student team prepares a collaborative paper responding to an RFP. In addition, students make formal oral presentations of their proposals in a session that is open to the public. Faculty members from the participating disciplines conduct regular two-hour class sessions on multi-disciplinary aspects of housing and neighborhood development, such as low income housing tax credit financing, neighborhood collaborative planning and asset building, use of design principles to help gain community acceptance, and negotiation of public-private partnership agreements. Student teams, with at least one member from each participating discipline, meet regularly outside of class to discuss and prepare their team's response to the RFP they have chosen. The grade for this course is not calculated in the G.P.A. Enrollment is limited to 10 law students. Students register using the on-line seminar registration form. (Sise/Fall 2009)