

HARRISBURG COURSE DESCRIPTIONS MASTER FILE

LAW 879: ALTERNATIVE DISPUTE RESOLUTION (2 CREDITS)

This course considers all the alternatives to traditional adversarial state and federal court adjudication, such as arbitration, mediation, negotiation, dispute prevention, conciliation, neutral facilitators, and private judging. It also examines court-annexed dispute resolution, such as mediated court settlement, summary jury trials, mini-trials and the use of referees and masters. Having identified and examined the emerging alternative techniques, the various methods are examined for effectiveness in light of the growing acceptance of ADR by the courts in all areas, including public policy questions. The course consists of a combination of lectures and class discussions, videos, and guest speakers. All students will participate in simulations or "mock" interviewing and counseling, negotiation, and mediation sessions.

LAW 738: BANKRUPTCY (3 CREDITS)

This course will address state law creditor collection remedies such as garnishment and execution, and state law priorities among competing creditors. After examining state law remedies and priorities, we will focus on the federal Bankruptcy Code. We will discuss elements common to all (business and consumer) bankruptcies, and the principal focus of the course will be Chapter 7 liquidations in the consumer context and Chapter 13 wage-earner payout plans. At the end of the course, we will discuss some issues particular to Chapter 11 business bankruptcies.

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 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 + 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 700: CONFLICT OF LAWS (3 CREDITS)

This course examines important issues peculiar to civil actions with multi-state elements, in both the state and federal courts. The principal topics include choice-of-law (determining which

state's law applies), the *Erie* doctrine (determining whether state or federal law applies in federal diversity cases), personal jurisdiction, and recognition of sister-state judgments.

LAW 602: CONSTITUTIONAL LAW (4 CREDITS)

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

LAW 507: CONTRACTS I (3 CREDITS)

This course studies the law governing contracts and contractual relationships. The course introduces the student to contract formation, performance, and non-performance, and explores the role of contract law in a market society.

LAW 734: COPYRIGHT AND TRADEMARK (3 credits)

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

LAW 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 506: CRIMINAL PROCEDURE (3 CREDITS)

This course provides In-depth consideration of the Fourth Amendment's protection against unreasonable search and seizure, the Fifth Amendment's right against compulsory self-Incrimination, and the Sixth Amendment's right to counsel, all with particular emphasis on the judicial Interpretation of the application of these constitutional provision's within the context of police Investigation of crime.

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

Students may write research papers for credit under the supervision of a full-time member of the faculty. The faculty member must approve the subject.

Pre-requisite: Successful completion of one Seminar

LAW 858: ELDER LAW AND PRACTICE (2 CREDITS)

This survey course examines "elder law" with practical applications. Topics in the textbook (*Elder Law: Cases and Materials*, 5th Ed., by Frolik & Barnes), supplemented by online resources, include special laws and needs, retirement benefits, Social Security, acute and chronic health care provisions, long-term residential care, the Medicare and Medicaid systems, senior housing and supports, mental capacity issues, surrogate healthcare decision-making, powers of attorney and guardianship, protective trusts, financial elder abuse, and ethical issues in representation of older clients. A community-oriented, partnered, mid-term project with individual class presentation, will illuminate what life is like for older Americans in residential facilities. The final project involves written advice after client interactions, and personal document drafting for an elderly client.

LAW 832: EMPLOYMENT DISCRIMINATION LAW (3 CREDITS)

This course studies federal law governing discrimination in employment on the basis of race, color, sex, religion, national origin, age, and disability. The course explores theories of discrimination and covers litigation under Title VII of the Civil Rights Act of 1964, as amended, as well as selected topics under other employment discrimination and civil rights statutes.

LAW 915: ENVIRONMENTAL LAW CLINIC (4 CREDITS)

The Environmental and Natural Resources Law Clinic provides you the opportunity to prepare for the practice of law through helping clients navigate the substantive and procedural aspects of environmental law. Under the guidance of the Clinic Director, you will provide assistance to individuals with environment-related legal issues throughout the State of Pennsylvania via the Widener Citizens' Environmental Help Line and, if appropriate, through direct representation of citizens in environmentally-related permit or legal proceedings. You will receive hotline phone calls, participate in client interviews, conduct follow-up legal research, prepare appropriate response documents, and, when appropriate, engage in litigation. This class includes a weekly seminar in which you will explore legal and practical issues pertaining to the representation of environmental clients in general as well as the operational aspects of the Clinic's representation of its clients.

Prerequisite: 2.3 or higher cumulative GPA; C or better in Professional Responsibility

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 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 (2 or 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 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.) (3 CREDITS)

Intensive Trial Advocacy is a three-credit, seven-day NITA-style trial advocacy training program, adapted from the NITA Regional Trial Advocacy course designed for young practitioners.

Students develop trial advocacy skills by seeing live and videotape demonstrations of proper trial advocacy techniques, which are followed by small group simulations taught by experienced trial practitioners and trial advocacy teachers. THIS IS THE EQUIVALENT TO TRIAL METHODS. A STUDENT MAY NOT TAKE BOTH.

Pre-requisite: Evidence.

LAW 772: INTERSCHOLASTIC COMPETITION (1 CREDIT)

Students may earn one or two credits for participation in interscholastic moot court, trial advocacy and other competitions sanctioned by the law school as appropriate interscholastic competitions.

The list of approved interscholastic competitions includes but is not limited to National Moot Court, Jessup International Moot Court, Douglas Moot Court, Patent Moot Court, Polsky Moot Court, American Trial Lawyers Association Competition, Texas Trial Lawyers Competition, American Bar Association Client Counseling Competition and like events.

LAW 678: INTERSCHOLASTIC TRIAL COMPETITION COLLOQUIUM (1 CREDIT)

This course is required for all students who wish to participate in interscholastic trial advocacy competitions. Enrollment is permitted only with permission of the Trial Advocacy Honor Society advisor. This intensive course will cover the basics of trial competition from case preparation through courtroom performance. This course will be graded on a pass/fail basis.

Prerequisite or Corequisite: LAW 836: Evidence

LAW 849: INTERVIEWING AND COUNSELING (2 CREDITS) This course develops the practical lawyering skills involved in client interviewing and counseling. Classroom time includes lecture/discussion and role playing/practical exercises. This is a course where you can become actively involved. You are expected to actively participate in the role playing and exercises to develop your skills in the practical application of talking with a potential or engaged client and counseling a potential or engaged client.

LAW 6083X : INTRODUCTION TO IMMIGRATION LAW AND PRACTICE (1 CREDIT)

This course introduces students to immigration law practice skills necessary to prepare applications for complex immigration benefits. Students will build practical skills while also gaining detailed knowledge of one or two areas of substantive immigration law. Students will learn to identify the statutory and regulatory requirements for obtaining certain immigration benefits, to communicate those requirements to clients, to engage with clients to confirm a client is eligible for the benefit, and how to persuasively argue to the government that the client is eligible for the immigration benefit. The immigration law survey course is not a prerequisite, but it is recommended that students interested in immigration law take both courses because each course conveys different knowledge and skills. Also, the skills gained through this intensive

course are transferrable to other areas of administrative law that involve applications for benefits.

LAW 809: JUDICIAL EXTERNSHIP (2+ 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 JOURNAL BOARD (1 OR 2 CREDITS)

Please contact Widener Law Journal for more information.

LAW 763: WIDENER LAW JOURNAL STAFF (1 CREDIT)

Please contact Widener Law Journal 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 ANALYSIS (2 CREDITS)

This course focuses on developing skills in legal analysis, reasoning, and writing. It provides students with the opportunity to work on critical reading, synthesis, study skills, and exam taking. Students develop and refine analytical and writing skills that are necessary for problem solving not only across the curriculum, but also in the profession. Exam-style essays and writing projects are used to practice and reinforce analytical skills.

Pre-requisites: Legal Methods I & II.

Enrollment: Limited to 20 students.

LAW 512: LEGAL METHODS III – CONTRACT DRAFTING (2 CREDITS)

This course provides students with the opportunity to learn the basic principles of contract drafting, interpretation, and negotiation. Emphasis will be placed on drafting contractual agreements that effectuate clients' need and anticipate potential legal problems. Students will be required to work independently and collaboratively to negotiate and draft a series of written contracts.

Pre-requisites: Legal Methods I & II.

Enrollment: Limited to 20 students.

LAW 512: LEGAL METHODS III – CONSUMER PROTECTION SPECIALIZATION (2 CREDITS)

Students will study the fundamentals of law involving transactions in which one party is a consumer. The course will explore substantive areas such as unfair and deceptive acts and practices, Truth in Lending, credit reporting, unfair debt collection practices, and activities

connected with motor vehicle sales and financing. Students will represent a fictional consumer in a case which spans the semester and will write a variety of legal pleadings, motions, memoranda and briefs consistent with that representation.

Pre-requisites: Legal Methods I & II;

Enrollment: Limited to 20 students.

LAW 767: MOOT COURT HONOR BOARD (1 or 2 credits)

Please contact Moot Court Honor Society for more information.

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

Please contact Moot Court Honor Society for more information.

LAW 6070X: MOOT COURT INTERSCHOLASTIC COMPETITION COLLOQUIUM (1 credit)

Please contact Moot Court Honor Society for more information

LAW 925: PA CIVIL CLINIC (3-6 CREDITS)

The Pennsylvania Civil Clinic is a one-semester client service clinical program offering an opportunity to study and to undertake actual cases in general civil litigation in the Pennsylvania courts on behalf of clients who are unable to afford legal services from traditional private sources. Clinical participants interview and counsel clients; frame legal issues and prepare for litigation; and participate in negotiations, non-judicial dispute resolution and litigation on behalf of clients before administrative agencies and state and federal trial courts. Students may also assist in appellate cases before state and federal courts. Clients are represented by clinical interns under the supervision of the Clinical Director.

Pre-requisites: Evidence & Professional Responsibility

LAW 926: PA CIVIL CLINIC LEADER (2 CREDITS)

The Pennsylvania Civil Clinic Leader is a one semester client service clinical program offered to selected students who have completed one semester in the Pennsylvania Civil Clinic. Students who are selected as Clinic Leader will continue to participate in the representation of actual clients in the general civil practice of the clinic. In addition, Clinic Leaders assist in the management of the Civil Clinic by ensuring that the materials used by the Clinic comply with applicable rules. The Clinic Leader also assists in supervising students by helping them in their research as well as their preparation for court proceedings. Clinic Leaders may also be asked to continue representation of clients from prior semesters or to work on special projects that may arise in the Civil Clinic from time to time.

Pre-requisites: Evidence, Professional Responsibility, and Pennsylvania Civil Clinic.

LAW 743: PA CRIMINAL PRACTICE (2 CREDITS)

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

LAW 786: PRE-TRIAL METHODS (2 or 3 CREDITS)

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

Pre-requisites: Evidence

LAW 702: PROFESSIONAL RESPONSIBILITY (3 CREDITS)

This course examines the duties of lawyers toward clients, courts, and society. Ethical problems which confront the lawyer are raised and discussed in terms of the Model Rules of Professional Conduct, the Model Code of Professional Responsibility and case law. The areas covered include confidentiality, conflicts of interest, competence and unauthorized practice.

LAW 515: PROPERTY I (4 CREDITS)

This course studies the basic elements of the law of real and personal property. Topics in personal property may include ownership and possession, finders' rights, bailments, bona fide purchasers, gifts, bank accounts, and accession. Topics involving real property include adverse possession, estates and future interests, marital interests, concurrent ownership, and landlord-tenant law. The course may also include other topics which are covered in more detail in upper level electives: nuisance law, zoning, constitutional limitations on public land use regulations, eminent domain, private land use restrictions (easements, licenses, servitudes), and real estate conveyancing and recording.

LAW 760: REAL ESTATE TRANSACTIONS (3 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 655: REMEDIES (3 CREDITS)

This course examines the various forms of relief available to prevailing parties in civil actions, primarily actions based in contract or tort. Thus, it covers damages, restitution, and equitable relief (specific performance and injunctions). The course also treats the use of the contempt power to enforce court orders.

LAW 646: SALES AND LEASES (3 CREDITS)

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

LAW 629: SECURITIES REGULATION (2 OR 3 CREDITS)

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

Pre-requisites: Business Organizations.

LAW 843: SEM: CAPITAL PUNISHMENT (2 CREDITS)

This seminar provides a survey of capital punishment beginning with the Supreme Court's striking and reinstatement of the death penalty in mid-1970. Coverage includes political dimensions of capital punishment, substantive limitations on its imposition; procedural concepts governing its use and the law of habeas corpus. Offered as course or seminar; students may not take both.

LAW 6084X: SEM: CITIES IN CRISIS (2 CREDITS)

The financial crisis that precipitated our recent Great Recession affected cities as well as individuals and businesses. In the past few years, an unprecedented number of municipalities, including the City of Harrisburg, have taken the rare step of filing for bankruptcy. In this seminar, we will explore the causes of municipal financial distress and well as solutions on the state and federal levels. During the semester, we will discuss how cities are governed and how they raise money to pay for their operations, as well as the stresses caused by the migration of residents and businesses to the suburbs. Because many states, including Pennsylvania, are reconsidering their programs to relieve municipal financial distress and because there are many open questions regarding the efficacy of Chapter 9, the federal bankruptcy procedure to resolve such distress, we will discuss the benefits and limitations of existing laws and try to develop solutions. Each student's grade will be based on written work, a presentation, and class participation. There are no prerequisites for this seminar – any student who has completed the first year has a sufficient foundation for this course. *Please note: This course will satisfy the Law & Government Certificate Writing Requirement.*

LAW 752: SEM: INTERNATIONAL ENVIRONMENTAL LAW (2 CREDITS)

This seminar will examine the rapidly growing law of international environmental protection, and how public international law both affects and is shaped by environmental law in the United States, and another countries and regions of the world. The role of law in responding to the international problems of global warming, ozone depletion, trans-boundary water and air pollution, hazardous chemicals and wasters, biological diversity, tropical deforestation, and natural resource exploitation and conservation will be explored. Within the context of these international environmental concerns, the course will consider the effectiveness of various regulatory techniques, the tension between environmental quality and economic development, the distinctions between less developed and developed nations, and the impact of this rapidly developing field of law on the practice of law in the United States.

LAW 909X: SEM: VOTING RIGHTS AND ELECTION LAW (2 CREDITS)

Though we often think of the electoral process as central to the shaping of law, the political process itself is governed by laws that affect the outcome of elections and, by extension, public policy. This course examines those foundational laws, whether they be constitutional or statutory. Topics include the right to vote; First Amendment rights of candidates, voters, political speakers, and parties; the Voting Rights Act's and the Constitution's constraints on the drawing of district lines; and the place of money in the electoral process.

Pre-requisite: Constitutional Law

LAW 950: SEM: TAX POLICY

This seminar will provide instruction in federal income tax research materials and methods and will explore the tax legislative process and tax policy analysis that drives the development of tax law. Students will be required to prepare answers to research interrogatories and, with individualized supervision, a major tax research paper.

LAW 800: STATE ADMINISTRATIVE LAW (2 CREDITS)

This course examines the practice of administrative law in the states with particular emphasis on Pennsylvania. Building on the foundation of the first-year federal administrative law course, State Administrative Law has two objectives. One goal is to help students develop a pragmatic orientation in preparation for the practice of state administrative law. The second objective of the course is to examine differences between state and federal administrative law. First, state procedural due process and separation of powers law are different, and frequently litigated. Second, the text of the Pennsylvania constitution itself is unique, which has led to variations from federal administrative law. Third, Pennsylvania has its own statutory administrative code, which is different from the federal Administrative Procedure Act. Fourth, some areas of administrative law are more pervasive in the states. For example, licensing application, renewal, suspension and revocation practice and procedure are major parts of state law. The course will examine all of these areas at length.

Pre-requisite: Administrative 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 or 3 CREDITS)

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

Co-requisite: Law 836: Evidence. (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 vivos 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.