



# The University of Georgia®

University Council  
Athens, Georgia 30602

August 21, 2013

## UNIVERSITY CURRICULUM COMMITTEE – 2013-2014

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Undergraduate Student Representative

Graduate Student Representative

Dear Colleagues:

The attached proposal to offer the existing major in Law under the Master of Legal Studies (M.L.S.) degree will be an agenda item for the August 28, 2013, Full University Curriculum Committee meeting.

Sincerely,

David E. Shipley, Chair  
University Curriculum Committee

cc: Interim Provost Libby V. Morris  
Dr. Laura D. Jolly

**FORMAL PROPOSAL FOR A NEW DEGREE PROGRAM**  
*(Traditional/Face-to-Face Delivery)*

Institution: University of Georgia School of Law

Approval by President or Vice President for Academic Affairs:

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Date:

School/Division: Law

Department: N/A

Departmental Contact: Dean Rebecca Hanner White (706 542 7140)

Name of Proposed Program/Inscription: Master of Legal Studies

Degree: Master of Legal Studies

Major: Law

CIP Code:

Anticipated Implementation Date: Fall Term 2014

Approval by Chief Business Officer (or designee):

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Contact Information:

Approval by Chief Facilities Officer or designee (if different from CBO):

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Contact Information:

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1. Description of the program's fit with the institutional mission, existing degrees and majors.

A Master of Legal Studies program is a non-thesis graduate program for individuals interested in developing a general understanding of the legal system and, in many cases, a particular field that intersects with their other interests. This program, described in greater detail in Part 2(b) *infra*, fits squarely within the institutional mission of the University of Georgia. The law school provides first-class instruction in a variety of fields, ranging from employment law to environmental law. The proposed program expands the availability of these diverse offerings, currently limited to J.D. and LL.M. students, to include graduate students who seek some knowledge of the law but do not aspire, necessarily, to become lawyers. Recipients of the degree are not eligible to sit for the bar exam anywhere in the United States. In this respect, the proposed program complements the existing ones, while neither detracting from those programs nor requiring an entirely new curriculum. Rather, master's candidates, upon completion of an orientation course on the American legal system, take courses alongside J.D. and LL.M. candidates and, under the guidance of an advisor, design a course package suited to their particular interests.

At the suggestion of the Graduate Council's Program Committee, it should be stressed – and will be stressed in the application materials – that the American Bar Association (ABA), a key credentialing organization for the law school, presently does not allow credits earned in the M.L.S. program to satisfy the requirements of a Juris Doctor degree in the event a master's student subsequently wishes to enroll in a J.D. program.

2. Program Description and Goals:

- a. Institutional Priority: Describe how the proposed program is aligned with the institution's academic strategic plan. Indicate where this program falls in terms of the institution's top priorities for new degrees.

The proposed program fits within the University's strategic plans in several ways. First, it helps to implement the University's overall goal of expanding graduate-level offerings. Second, it responds to the needs of the professional marketplace. Numerous recent reports have indicated that employers increasingly are requiring the specialized knowledge imparted by a master's degree in jobs where bachelor's degrees previously might have sufficed. Third, the proposed program diversifies the range of students who can benefit from the first-rate offerings of the Law School.

The proposed degree is the Law School's number one priority for new degrees.

- b. Brief description of the program and how it is to be delivered

A Master of Legal Studies program is a non-thesis, graduate program for individuals interested in developing a general understanding of the legal system and, in many cases, a particular field that intersects with their other

interests. It primarily serves recent graduates from an undergraduate program (perhaps in connection with a second degree) or professionals whose work would benefit from a greater understanding of the role of law in their area of work (such as a human resources officer at a company who wishes to learn more about employment law or a real estate agent who wishes to learn more about property and contract law).

The program will be delivered “face-to-face” on the Athens campus. At the commencement of their studies, students attend an intensive course on the American legal system. Thereafter, they enroll in existing courses currently offered to J.D. and LL.M. students. It should be stressed, however, that this program is not a “back door” to admission to the Juris Doctor program. Admission to that program is based on a different application process, and, as noted above, no credits earned in the M.L.S. program may be later used to satisfy the requirements of a Juris Doctor degree.

c. Goals/objectives of the Program

The objective of this non-thesis program is to equip students both with a general understanding of the American legal system and a specific knowledge of one or more fields of law tied to their particular interests. The specific field or fields may relate to a broader course of graduate study or, alternatively, to the student’s present or intended profession.

d. Location of the program – main campus or other approved site

The program will be located entirely on the main campus and housed at the Law School.

3. Curriculum: List the entire course of study required and recommended to complete the degree program. Provide a sample program of study that would be followed by a representative student. Include Area F requirements (if applicable).

The course of study will require 30 credit hours of course work to be completed in one year for full-time students or up to three years for part-time students. All students will be required to take a single introductory class on the American legal system. The remaining courses will consist of course work relevant to the student’s profession or area of interest and chosen in consultation with an advisor who helps the students select courses around their interests or professions. (Sample programs of study have been provided, *see* Attachment 1) This is a non-thesis program, though students will have the option of obtaining some of their credits through the completion of a substantial piece of written research under faculty supervision.

It should be noted that this program, like the LL.M. program, will follow the Law School calendar which differs slightly from the calendar of many other units in the University.

- a. Clearly differentiate which courses are existing and those that are newly developed courses. Include course titles as well as acronyms and credit hour requirements associated with each course.

With one exception, all courses will be existing courses. The one exception will be the intensive introductory course on the American legal system. That program is being developed. Attachment 2 lists course titles, acronyms and credit hour requirements associated with each course.

- b. Append course descriptions for all courses (existing and new courses).

Descriptions for existing courses are attached. *See* Attachment 2.

Here is the description for the one new course: Introduction to the American Legal System. This course will introduce M.L.S. students to core concepts within the American legal system and prepare them to take advanced courses in the law school. Coverage will include the structure of the American government; sources of American law; judicial and court processes; legal reasoning; the role of the lawyer; and foundational legal issues related to tort, contract, criminal, and property law.

- c. When describing required and elective courses, list all course prerequisites.

Attachment 2 indicates when a course has a prerequisite. The intensive introductory course on the American legal system will not have a prerequisite.

- d. Provide documentation that the program and all courses in the proposed curriculum have been approved by all relevant campus curriculum governance bodies.

With one exception, all courses potentially taken by students in this program have previously received the requisite approvals and already are part of the J.D and LL.M. curricula. The one exception is the intensive introductory course on the American legal system. On advice of the University's curriculum officials, this course is being submitted through the faculty governance course approval process at the University.

- e. Append materials available from national accrediting agencies or professional organizations as they relate to curriculum standards for the proposed program.

These materials are included in Attachment 3.

- f. Indicate ways in which the proposed program is consistent with nationally accepted trends and standards in the discipline.

The proposed program is entirely consistent with nationally accepted trends in the discipline. Approximately twenty law schools currently administer (or are building) such programs. These include, but are not limited to, Emory University, Wake Forest University, Ohio State University, the University of Pittsburgh, the University of Nebraska and Arizona State University. A complete list of universities offering such programs is attached. *See Attachment 4.*

The proposed program also comports with nationally accepted standards in the discipline. In material respects—including program focus, curricular requirements, application requirements, grades, target audience and part-time options—the program’s structure both follows and builds on the approach taken by other schools currently offering such degrees.

- g. If internships or field experiences are required as part of the program, provide information documenting internship availability as well as how students will be assigned, supervised, and evaluated.

The program does not require either internships or field experiences.

- h. Indicate the adequacy of core offerings to support the new program.

Core offerings adequately support the program. In a typical year, the law school offers approximately 125 courses. These courses cover diverse areas ranging from criminal procedure to securities law. Consequently, students will have both a sufficient number and a sufficient range of courses from which they can choose.

- i. Indicate the method of instructional delivery.

The method of instructional delivery will be lecture format, consistent with the method used for current J.D. and LL.M. students and used in master’s programs at other schools.

- 4. Admissions criteria. Please include required minima scores on appropriate standardized tests and grade point average requirements

Admission will be based on a portfolio of information, including an application form, undergraduate transcripts from an accredited school, a personal statement that speaks to the applicant’s interest in the program, a resume, two letters of recommendation and a standardized test score (such as the LSAT, GMAT, MCAT or GRE). Applicants will be expected to meet the minimum GPA and standardized test requirements for other graduate programs at the University. Students will be expected to have received a bachelor’s degree from an accredited institution by the time they enroll in the master’s program.

Students enrolled in the program will be expected to comply with the Graduate School's continuous enrollment policy.

5. Availability of assistantships (if applicable).

Not applicable

6. Evaluation and Assessment:

- a. Provide the student learning outcomes and other associated outcomes of the proposed program.

The precise outcomes will vary by course but, collectively, will be measured along the following lines:

1. Mastery of content – classroom performance\*, in-class and take-home exercises, examinations and/or papers
2. Articulate communication (written and oral) – classroom participation and exercises, in-class and take-home exercises, examinations and papers
3. Independent and cooperative work – in-class small-group exercises
4. Knowledge of and respect for differences – classroom performance
5. Development of values and ethics – classroom performance, in-class and take-home exercises, examinations and/or papers
6. Critical and creative thinking – classroom performance, in-class and take-home exercises, examinations and/or papers
7. Multiple literacies – classroom performance
8. Self-Reflections/Life Skills – in-class small-group exercises and papers
9. Career performance outcomes – All students should be able to transfer directly this education to success in their professional lives. Graduates of the law school are contacted following graduation to learn about their employment status.

\* - At the suggestion of the Graduate Council's Program Committee, it should be noted here that the use of the classroom performance measure will vary with the nature and, especially, size of the class. Many classes, especially upper-level seminars, are relatively small (20 students or fewer) and therefore can lend themselves to small-group, in-class exercises like mock arguments or negotiations that the professor observes. Other classes, particularly first-year courses, have

relatively larger enrollments (approximately 60-70 students), so the “classroom performance” measure may be limited to a marginal grade adjustment based on the student’s ability to answer questions propounded by the professor during lecture.

- b. Describe how the institution will monitor and ensure the quality of the degree program.

The proposed program will use several tools to monitor and to ensure the quality of the program:

- Course evaluations – students will be asked to evaluate each course and each instructor. These evaluations are reviewed annually.
- Faculty program evaluations – the entire law faculty will evaluate this program three years after its creation.
- Annual report – the program administrator will provide an annual report to the Dean about the program and its performance. He or she will meet personally with the Dean after submitting this report.

7. Administration of the program:

- a. Indicate where the program will be housed within the academic units of the institution.

The program will be housed entirely within the Law School.

- b. Describe the administration of the program inclusive of coordination and responsibility.

The primary individual responsible for administration of the program shall be a single individual hired specifically to run this program. She or he will oversee admissions, advise students on course selections, teach the above-described introductory course and liaise with faculty members to discuss how their courses might dovetail with the students’ interests. Based on our review of existing programs, it is envisioned that this will be a .75 FTE position.

At the suggestion of the Graduate Council’s Program Committee, it should be noted that the “advising” performed by the proposed administrator will occur throughout the individual’s course of study. As the administrator will be involved in the admissions process, he or she will develop an early understanding of the applicant’s intellectual interests. As the primary point of contact for assisting admitted students, he or she will speak with students following their admission to help them choose their initial courses. As the person responsible for teaching the proposed introductory course, he or she will have a first-hand opportunity to work with all master’s students in the classroom and, thereby, assist them in their course selections in later semesters.



8. Waiver to Degree-Credit Hour (if applicable): If the program exceeds the maximum credit hour requirement at a specific degree level, then provide an explanation supporting the increase of hours (NOTE: The maximum for bachelor's degrees is 120-semester credit hours and the maximum for master's degrees is 36-semester credit hours).

Not applicable

9. Accreditation (if applicable): Describe the program's alignment with disciplinary accreditation requirements and provide a time line for pursuing accreditation. Indicate the source of institutional funding that will be used, if needed, for the accreditation process.

The program does not entail "disciplinary accreditation requirements." It will require acquiescence from the ABA, whose sole requirement is that the program must not detract from the institutional commitment to the Juris Doctor program. To ensure compliance with that sole criterion, the proposed program has been developed following a study of existing programs that already have received ABA approval.

10. External Reviews (This item only applies to doctoral level programs): Provide a list of five to eight reviewers, external to the System, from aspirational or comparable programs/institutions. This list should contain contact information for each reviewer, and include an explanation of why the reviewer was suggested. The list should not include individuals for whom the department or institution has consulted during the process of program proposal development. *Not applicable*

11. Enrollment Projections and Monitoring:

- a. Provide projected enrollment for the program during the first three years of implementation. (NOTE: These projections will be used to monitor enrollment following program implementation.)

We project an enrollment of 5 students in the first year and 10 students in the second and third years.

- b. Explain the specific methodology used to determine these projections and verify their accuracy, especially if new student enrollment will be needed to sustain funding for the program. Indicate whether enrollments will be cohort-based.

The methodology used to determine these projections is based on two primary considerations. First, we examined the enrollment of several existing programs, taking note of the fact that enrollment in college towns tended to be lower than enrollment in major urban areas. Second, we deliberately capped enrollment at fifteen students per year. This cap took into account the ABA's requirement that new graduate programs must not detract from the existing Juris Doctor program.

	First FY	Second FY	Third FY	Fourth FY
<b>I. ENROLLMENT PROJECTIONS</b>				
<b>Student Majors</b>				
Shifted from other programs	0	0	0	0
New to the institution	5	10	10	Tbd
<b>Total Majors</b>				
<b>Course Sections Satisfying Program Requirements</b>				
Previously existing	125	126	126	126
New	1	0	0	0
<b>Total Program Course Sections</b>	126	126	126	126
<b>Credit Hours Generated by Those Courses</b>				
Existing enrollments	17704*	17704*	17704*	17704*
New enrollments	150	300	300	tbd
<b>Total Credit Hours</b>	17854	18004	18004	tbd

\* Figures for credit hours and course sections are calculated by reference to data for the 2012-13 academic year. While these figures obviously will vary in “out years,” they are reasonable estimates for planning purposes.

12. Provide the year when the program is expected to be reviewed in the institution’s comprehensive program review process.

It is expected that the law school will review the program in accordance with the University’s standard review process. The law faculty will assess the program three years after its creation.

13. Describe anticipated actions to be taken if enrollment does not meet projections.

If enrollment does not meet projections, the Law School would either reduce budgetary projections or eliminate the program. It should be noted, though, that the program does not require a significant investment of new resources beyond the employment of the single administrator described above. Therefore, enrollment need not be high in order for the program to cover its costs.

14. Faculty Qualifications & Capacity:

- a. Provide an inventory of faculty directly involved with the program. On the list below indicate which persons are existing faculty and which are new hires. For each faculty member, provide the following information:

Faculty Name	Rank	Highest Degree	Degrees Earned	Academic Discipline	Area of Specialization	Current Workload
See below*						

\* Insofar as master’s students will be enrolled in classes alongside J.D. and LL.M. students, the entire law faculty, including both full-time and part-time instructors, potentially will play a role in the program. Following consultations with University curriculum officials, a list of full-time faculty has been supplied. *See Attachment 5.* Additional information is available upon request.

Total Number of Faculty: As noted throughout this report and previously discussed with University curriculum officials, this program potentially involves the entire law faculty, both full-time tenured and tenure-track professors (totaling 37) as well as numerous full-time, non-tenure track instructors and adjunct professors. It is expected that the bulk of classes taken by master’s students will be taught by tenured and tenure-track professors.

- b. If it will be necessary to add faculty to support the program, give the desired qualifications of the persons to be added, and a timetable for adding new faculty.

The program will require only the employment of the above-described administrator whose responsibilities will include teaching the intensive introductory course. This individual will not be on a tenure track. It is envisioned that this individual will have a Juris Doctor. The individual will be hired shortly following approval of this degree so that he or she can undertake curriculum planning, marketing of the new program and the other administrative tasks associated with its creation.

- c. If existing faculty will be used to deliver the new program, include a detailed faculty load analysis that explains how additional courses in the new program will be covered and what impact the new courses will have on faculty current

workloads. (For example, if program faculty are currently teaching full loads, explain how the new course offerings will be accommodated.)

Existing faculty will deliver the new program, but the program will not affect their course load. Instead, as noted above, students will register for courses already offered by the law faculty. Consequently, the program will result simply in a slight marginal increase in enrollment in those courses.

15. Budget – Complete the form below and **provide a narrative to address the following**:

a. For Expenditures:

- i. Provide a description of institutional resources that will be required for the program (e.g., personnel, library, equipment, laboratories, supplies, and capital expenditures at program start-up and recurring).

The program will require only the employment of the above-described administrator who will be responsible for overseeing it and teaching the introductory course.

- ii. If the program involves reassigning existing faculty and/or staff, include the specific costs/expenses associated with reassigning faculty and staff to support the program (e.g. cost of part-time faculty to cover courses currently being taught by faculty being reassigned to the new program or portion of full-time faculty workload and salary allocated to the program).

The program will not require reassigning existing faculty or staff.

b. For Revenue:

- i. If using existing funds, provide a specific and detailed plan indicating the following:
  1. Source of existing funds being reallocated.
  2. How the existing resources will be reallocated to specific costs for the new program.
  3. The impact the redirection will have on units that lose funding.

Not applicable

- ii. Explain how the new tuition amounts are calculated.

Master's students will be charged the same tuition as J.D. students. The rationale is that they will be taking classes alongside J.D. students and, therefore, should not be charged a different price. Tuition calculations, detailed in the table below, are based on the most recent available figures (2012-2013).

- iii. Explain the nature of any student fees listed (mandatory fees, program fees, etc.).

Student fees will not differ from those currently charged J.D. and LL.M. students (which, according to the Bursar's Office, are identical). Fee calculations, set forth in the table below, are based on the most recent available figures (2012-2013).

- iv. If revenues from Other Grants are included, please identify each grant and indicate if it has been awarded.

Not applicable

- v. If Other Revenue is included, identify the source(s) of this revenue and the amount of each source.

Not applicable

- c. When Grand Total Revenue is not equal to Grand Total Costs:

- i. Explain how the institution will make up the shortfall.

Not applicable

- ii. If the projected enrollment is not realized, provide an explanation for how the institution will cover the shortfall.

<b>I. EXPENDITURES</b>	First FY Dollars	Second FY Dollars	Third FY Dollars	Fourth FY Dollars
<b>Personnel – reassigned or existing positions</b>				
Faculty (see 15.a.ii)	0	0	0	0
Part-time Faculty (see 15 a.ii)	0	0	0	0
Graduate Assistants (see 15 a.ii)	0	0	0	0
Administrators(see 15 a.ii)	0	0	0	0
Support Staff (see 15 a.ii)	0	0	0	0
Fringe Benefits	0	0	0	0
Other Personnel Costs	0	0	0	0
<b>Total Existing Personnel Costs</b>	0	0	0	0

<b>EXPENDITURES (Continued)</b>				
<b>Personnel – new positions (see 15 a.i)</b>				
Faculty	0	0	0	0
Part-time Faculty	0	0	0	0
Graduate Assistants	0	0	0	0
Administrators	50,000	50,000	50,000	tbd
Support Staff	0	0	0	0
Fringe Benefits	0	0	0	0
Other personnel costs	0	0	0	0
<b>Total New Personnel Costs</b>				
<b>Start-up Costs (one-time expenses) (see 15 a.i)</b>				
Library/learning resources	0	0	0	0
Equipment	0	0	0	0
Other	0	0	0	0
Physical Facilities: construction or renovation (see section on Facilities)	0	0	0	0
<b>Total One-time Costs</b>	0	0	0	0
<b>Operating Costs (recurring costs – base budget) (see 15 a.i)</b>				
Supplies/Expenses	0	0	0	0
Travel	0	0	0	0
Equipment	0	0	0	0
Library/learning resources	0	0	0	0
Other	0	0	0	0
<b>Total Recurring Costs</b>	0	0	0	0

<b>GRAND TOTAL COSTS</b>	50,000	50,000	50,000	tbd
<b>III. REVENUE SOURCES</b>				
<b>Source of Funds</b>				
Reallocation of existing funds (see 15 b.i)	0	0	0	0
New student workload			0	0
New Tuition (see 15 b.ii)	79310	158620	158620	tbd
Federal funds	0	0	0	0
Other grants (see 15 b.iv)	0	0	0	0
Student fees (see 15 b.iii)	10980	21960	21960	tbd
Other (see 15 b.v)	0	0	0	0
New state allocation requested for budget hearing	0	0	0	0
<b>Nature of Funds</b>				
Base budget	42310	84620	84620	tbd
One-time funds	0	0	0	0
<b>GRAND TOTAL REVENUES (see 15 c.i &amp; c.ii)</b>	90290	180580	180580	tbd

16. Facilities—Complete the table below.

			Total GSF
a.	Indicate the floor area required for the program in gross square feet (gsf). When addressing space needs, please take into account the projected enrollment growth in the program over the next 10 years.		0
b.	Indicate if the new program will require new space or use existing space. (Place an “x” beside the appropriate selection.)		
	Type of Space	Comments	
i.	Construction of new space is required	n/a	
ii.	Existing space will require modification	n/a	
iii.	If new construction or renovation of existing space is anticipated, provide the justification for the need.	n/a	
iv.	Are there any accreditation standards or guidelines that will impact facilities/space needs in the future? If so, please describe what the impact will be.	n/a	
v.	Will this program cause any impacts on the campus infrastructure, such as parking, power, HVAC, etc. If so, indicate the nature of the impact, estimated cost and source of funding.	n/a	

vi.	Existing space will be used as is	x	The only space needed will be an office for the administrator and lockers for the students. The Law School currently has both.	
<b>c. If new space is anticipated, provide information in space below.</b>				
i.	Estimated construction cost	n/a		
ii.	Estimated total project budget cost	n/a		
iii.	Proposed source of funding	n/a		
iv.	Availability of funds	n/a		
v.	When will the construction be completed and ready for occupancy? (Indicate semester and year).	n/a		
vi.	How will the construction be funded for the new space/facility?	n/a		
vii.	Indicate the status of the Project Concept Proposal submitted for consideration of project authorization to the Office of Facilities at the BOR. Has the project been authorized by the BOR or appropriate approving authority?	n/a		
<b>d. If existing space will be used, provide information in space below.</b>				
Provide the building name(s) and floor(s) that will house or support the program. Indicate the campus, if part of a multi-campus institution and not on the main campus. Please do not simply list all possible space that could be used for the program. We are interested in the actual space that will be used for the program and its availability for use.				
Hirsch Hall, First Floor				
<b>e. List the specific type(s) and number of spaces that will be utilized (e.g. classrooms, labs, offices, etc.)</b>				
i.	<b>No. of Spaces</b>	<b>Type of Space</b>	<b>Number of Seats</b>	<b>Assignable Square Feet (ASF)</b>
	15	Classrooms (all law school classrooms)	1018	19401
	n/a	Labs (dry)	n/a	n/a
	n/a	Labs (wet)	n/a	n/a
	n/a	Meeting/Seminar Rooms	n/a	n/a
	1	Offices (single office for new administrator)		180
	n/a	Other (specify)		n/a
<b>Total Assignable Square Feet (ASF)</b>				<b>19582</b>



ii.	If the program will be housed at a temporary location, please provide the information above for both the temporary space and the permanent space. Include a time frame for having the program in its permanent location.	
	n/a	
<b>Chief Business Officer or Chief Facilities Officer Name &amp; Title</b>	<b>Phone No.</b>	<b>Email Address</b>
	<b>Signature</b>	
<i>Note: A Program Manager from the Office of Facilities at the System Office may contact you with further questions separate from the review of the new academic program.</i>		

# **ATTACHMENT 1**

## **Addendum to Formal Proposal For a New Degree Program**

### **Question 3 - Sample program of study – STUDENT NOT UTILIZING PAPER OPTION**

**N.B.: Courses are part of the JD program and are comparable to 5000 and 6000 level courses in a graduate program of study.**

**JURIS \_\_\_\_** Introduction to the American Legal System (3 hours)

**JURIS 4090** Property (4 hours)

**JURIS 4210** Corporations (3 hours)

**JURIS 4030** Contracts I (3 hours)

**JURIS 4780** Real Estate Transactions (3 hours)

**JURIS 4910** Natural Resource (3 hours)

**JURIS 4790** Land Use (3 hours)

**JURIS 4900** State and Local Government (3 hours)

**JURIS 4851** Document Drafting Survey (3 hours)

**JURIS 5000** State and Local Taxation (2 hours)

Question 3 - Sample program of study - STUDENT UTILIZING PAPER OPTION

**N.B.: Courses are part of the JD program and are comparable to 5000 and 6000 level courses in a graduate program of study.**

**JURIS \_\_\_\_** Introduction to the American Legal System (3 hours)

**JURIS 4120** Torts I (3 hours)

**JURIS 5585** Bioethics (3 hours)

**JURIS 5622** Public Health Law (3 hours)

**JURIS 5623** Law and Medicine (3 hours)

**JURIS 5625** Health Law Seminar (2 hours)

**JURIS 5626** Health Care Financing and Regulation (3 hours)

**JURIS 5720** Elder Law (2 hours)

**JURIS 5735** ADR Seminar (2 hours)

**JURIS \_\_\_\_** Supervised Written Work (6 hours)

# **ATTACHMENT 2**

## COURSES AVAILABLE TO CANDIDATES IN THE PROPOSED MASTERS OF LAW PROGRAM

Not all listed courses are offered each semester. Periodically, other courses are offered. Descriptions of these other courses will be posted on official bulletin boards. Unless otherwise noted, all law courses carry the prefix "JURI."

### **Civil Procedure I. 4010/6010. 3 hours**

This course focuses on the scope and nature of courts' constitutional and statutory authority to decide cases. Topics include statutory and constitutional constraints on judicial power to render an enforceable judgment against a defendant, subject-matter jurisdiction in federal court, venue, and the determination of the applicable law in certain federal cases under the Rules of Decision Act, the Rules Enabling Act and the famous *Erie* doctrine. Issues of separation of powers, federalism and forum shopping are also discussed.

### **Civil Procedure II. 4020/6020. 3 hours**

This course focuses on the life cycle of a lawsuit in federal court, with principal reference to the Federal Rules of Civil Procedure. Topics include pleading and the rules governing the content (and timing) of pleading-based defenses, joinder, discovery, summary judgment, trial and post-trial motions, and the constitutional right to a jury trial. Also addressed is the preclusive effect of final judgments. The course also deals with rule and constitutional interpretation and analysis of the strategic decisions litigators must make throughout the life of a case.

### **Contracts and Sales I and II. 4030/6030, 4040/6040. 3 hours each.**

An introduction to the law of legally enforceable promises including offers and their acceptance; duration and termination of offers; consideration; requisites of contracts under seal; parties affected by contracts; parole evidence rule; statute of frauds; performance of contracts; effect of illegality; discharge of contracts.

### **Criminal Law. 4050/6050. 3 hours.**

The historical development of criminal law as well as the analysis of the necessary elements of crimes and the consideration of the principal classes of crimes.

### **Legal Research I and II. 4070/6070, 4080/6080. 2 hours each.**

An intensive one-year course in legal bibliography, research methods, and writing. Instruction is by lecture and clinical methods, with assignments including library exercises, memoranda, and an appellate brief (with oral argument). Assignments are supervised and critiqued. Introduces concept of authorities and analysis of authorities, as well as research and technical writing forms.

### **Torts I and II. 4120/6120, 4130/6130. 3 hours each.**

These courses explore the basic principles underlying the law of civil liability for conduct causing damage to others. Topics include intentionally inflicted harm to a person's physical or emotional well-being, negligently inflicted harm and liability resulting from use and misuse of products.

### **The Law and Ethics of Lawyering. 4300/6300. (formerly Legal Profession). 3 hours.**

Study of the organization of the profession and its standards of professional conduct as set forth in the Code of Professional Responsibility of the ABA and the State Bar of Georgia.

## COURSES AVAILABLE TO CANDIDATES IN THE PROPOSED MASTERS OF LAW PROGRAM

### **Property. 4090/6090. 4 hours.**

The concept of property; acquisition of possessory rights in personal and real property; extent of possessory rights in land; the estate system of present and future interests, co-ownership and marital property; landlord and tenant; easements and servitude; transfer of property; introduction to land transactions; introduction to public control of land use.

### **Constitutional Law I. 4180/6180. 3 hours.**

This course addresses the meaning and impact of the Constitution of the United States, particularly with regard to the subjects of federalism, separation of powers, the judicial function and due process of law.

### **Constitutional Law II. 4190/6190. 3 hours. Prerequisite. JURI 4180/6180.**

This course focuses on constitutional protections of liberty and equality apart from protections that stem from principles of substantive and procedural due process. Subjects typically covered in the course include the Contract Clause, equal protection, freedom of expression, the right to free exercise of religion and the prohibition of laws respecting an establishment of religion.

### **Corporations. 4210/6210. 3 hours.**

Examination of problems in the organization and functioning of a corporation, including such matters as disregard of the corporate entity, management and control, federal regulation of insider trading, proxy solicitation and shareholder voting, derivative actions, and special problems of the close corporation.

### **Evidence. 4250/6250. 4 hours.**

Covers rules governing admission and exclusion of testimony, documents, exhibits, expert proof and experiments in criminal and civil cases. Also concerned with mechanics of proof, proper form of objections, order of proof, and burden of proof in criminal and civil trials. The subjects of hearsay, relevancy, character evidence and the law of witness impeachment and cross-examination are explored in detail.

### **Federal Income Tax. 5120/7120. 4 hours.**

Introduction to policy and practice of federal income taxation of individuals, including determination of gross income, allowance of deductions and credits, sales and dispositions of property, capital gains and losses, and problems of attribution of income.

### **Trusts and Estates I and II. 4280/6280, 4290/6290. 3 hours each. JURI 4280/6280 is prerequisite for T&E II.**

Substantive and procedural rules concerning holding and gratuitous disposition of wealth, including intestate succession, wills, will substitutes and inter vivos and testamentary trusts; substantive law of express and charitable trusts; remedies for wrongs relating to disposition of wealth; fiduciary powers, duties and liabilities; construction problems relating to future interests and powers of appointment.

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### **Legal Accounting. 4385/6385. 3 hours.**

This class is designed for law students who have little or no prior experience with accounting or finance course work, and it is intended to provide a general understanding of the basic accounting and finance information needed to make economic decisions about businesses. The course has three parts, with part 1 providing an introduction to accounting and the fundamentals of a general set of financial statements including the balance sheet, income statement, and cash flow statement, as well as the process followed to create financial statements and basics of financial statement analysis. Part 2 will cover the principles of finance and valuation including the cost of using money, assessing risk and return, valuation basics, and economics of the firm. Part 3 will cover financial instruments (debt, equity, and derivatives), capital markets, and corporate transactions. The class is not designed to make you an expert accountant or finance professional, but it should enable you to 1) make intelligent use of accounting and financial information, and 2) raise appropriate questions about the accounting and financial information developed by the experts in your company.

### **Administrative Law. 4320/6320. 3 hours.**

Focuses on law controlling federal and state administrative action. Along with constitutional restraints, student is asked to consider statutory and judicially formulated rules for the administrative process. Control over administrative discretion and enforced accountability are major themes. Attention is devoted to federal and state Administrative Procedure Acts.

### **ADR Seminar. 5735. 2 hours.**

This course introduces the law and practices of negotiation, mediation, and arbitration through in-class discussions and role-playing exercises that simulate the work of lawyers in these contexts. Each student will be graded on class participation in the role-playing exercises and on a paper submitted at the end of the semester.

### **Special Legal Studies. 5590/7590. 1 hour.**

Part one of the course explores the question of who should make corporate law. Specifically, we will discuss scholarly theories addressing whether the states or the federal government would best regulate corporate matters, and explaining Delaware's prominence in corporate law. Part two examines Delaware statutory and judicial corporate law. We will discuss the inner workings of expedited and summary litigation, problems in the organization and functioning of a corporation (focusing on management and control), and mergers and transfers of control (including hostile acquisitions, tender offers, going private transactions, and defensive tactics). Part three provides hands on experience in litigating corporate cases. Students will participate in two oral arguments as advocates and judges. Grades in this course will be based on a take home written exam that focuses on the course materials and class lectures. Class attendance and participation are required.

### **Advanced Evidence Seminar. 5980/7980. 2 hours. Prerequisite: JURI 4250/6250.**

Advanced study and writing work on evidence and litigation topics, including subjects like hearsay, experts, final arguments, and motions for a new trial. Involves study and discussion of problem areas and research, writing, and preparation as well as defense of a major paper on a specific litigation problem. Potential paper topics include matters like husband/wife privilege, expert witness standards in federal and Georgia practice, and the limits of closing argument. At



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the election of the student, the paper can be prepared in a manner which will fulfill the Advanced Writing Requirement of the law school.

### **American Legal History. 4870/6870. 3 hours.**

This course will examine the role that law and legal institutions have played in American history from Reconstruction until the 1980s. We will examine the Civil War Amendments and federalism, laissez-faire formalism and economic regulation, the growth of legal liberalism, and the rights revolution.

### **Life Cycle of a Mergers and Acquisitions Deal. 4215/6215. 3 hours. Prerequisite: JURI 4210/6210 or JURI 5940/7940.**

Provides overview of typical asset sale transaction and the attorney's role. Students will acquire an understanding of the transaction process and related legal and business issues. Students will review, draft, and negotiate typical transaction documents. Evaluation will be based primarily on drafting projects in lieu of a final exam.

### **Antitrust Law. 4340/6340. 3 hours.**

This course examines the development and current state of American antitrust law, with an emphasis on the major policy objectives supporting antitrust law enforcement. We will closely analyze milestone cases, federal statutes, and administrative pronouncements to determine which policy objectives have found favor in Congress, the enforcement agencies, and the courts. We will thereby develop an analytical framework to enable an antitrust lawyer to make reasoned predictions about the probable legality of varied business practices and to construct antitrust compliance programs for clients. Informal economic analysis is a staple and the cases and commentaries, and is therefore a staple of the course.

### **Banking Law. 5470/7470. 3 hours.**

This course will survey the evolution of banking regulation, as well as recent developments that have intensified scrutiny on banks. The primary focus will be on Federal regulation of banks in regard to both traditional and non-traditional banking activities as well as the potential conflicts between state and Federal law. Desired course outcomes: 1) learn the complex laws under which banks operate and why banks have traditionally been regulated much more heavily than other industries; 2) understand how those regulations are structured, how compliance is monitored, and how to recognize potential regulatory issues that arise in banking environment; 3) appreciate the ethical responsibilities that banks have to customers and the communities that they serve.

### **Bankruptcy. 4360/6360. 3 hours.**

This survey course is intended not only for aspiring bankruptcy lawyers, but to allow future litigators and corporate lawyers to become familiar with both consumer and corporate bankruptcy. Students develop competency in both liquidation and reorganization of corporations, as well as the competing elections available to consumers in bankruptcy.

### **Bioethics. 5585/7585. 3 hours.**

Examines legal, ethical, and social problems generated by advances in health, medicine and biotechnology. Some of the issues covered include human cloning and stem cell research, gene-

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based therapies, death and dying, reproductive technologies, experimentation with human subjects, and societal limits on scientific developments.

### **The Law of Business Crime. 5660/7660. 2 hours.**

This course will cover corporate and individual responsibility for violations of the principal federal statutes regularly used by the government in corporate and white collar crime cases. A variety of offenses will be covered, including conspiracy, mail and securities fraud, obstruction of justice, false statements, bribery and environmental crimes. The course will also cover organizational compliance programs as a means of preventing violations of the law and mitigating organizational legal liability.

### **Business Ethics Seminar. 5665/7665. 2 hours. Prerequisite: JURI 4210/6210.**

Corporate scandals make the headlines, but businesses face ethical challenges every day, even in situations that are legally compliant. This course will examine ethical issues confronted by businesses in a variety of contexts, from legal activities to those on the "slippery slope" to outright corruption. Students will consider different approaches to ethical decision-making and the lawyer's role in advising business clients. This is a year-long course open to 3L students only.

### **Business Negotiations. 4211/6211. 2 hours.**

This course will focus on negotiations theory, strategy, skills, and style in the context of business transactions as well as business disputes. Students will participate in simulated negotiations and will prepare written assignments and a comprehensive appraisal in lieu of a final exam.

### **Business Reorganization in Bankruptcy. 4225. 2 hours. Prerequisite JURI 4360/6360 or JURI 4950/6950.**

This course examines corporate reorganizations under Chapter 11 of the Bankruptcy Code, exploring key decisions made by businesses before filing, first day motions and orders, and intermediate steps that arise in a case, examining business ethical issues and negotiating strategy and elements necessary for conformation of consensual and non-consensual plans.

### **Capital Punishment. 5840/7840. 3 hours.**

An in-depth examination of the legal and social issues surrounding capital punishment. Surveys a variety of legal issues in areas of criminal law and procedure, constitutional law and ethics which confront attorneys in capital cases. The course will encourage students to synthesize the social and legal facets to objectively evaluate the complex issues involved in capital punishment.

### **Lawyering for Children. 4755. 2 hours.**

Many aspects of international law concern issues related to children. The 1989 Convention on the Rights of the Child contains a catalog of ways that countries have pledged to protect children. Other treaties deal with specific topics; for instance, intercountry adoption, cross-border abduction, child labor, trafficking in children, and recruitment and use of child soldiers. The obligations set forth in those treaties are implemented both in national legislation and through global institutions including the United Nations, the International Labour Organization, and the International Criminal Court. This seminar will explore these developments at the intersection of family, labor, criminal justice, and international law. Grading will be based on students' research papers, which can satisfy the Advanced Writing Requirement.

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### **Children and the Law. 4750/6750. 3 hours**

This course will focus on the legal status, rights, and disabilities of children in the American legal system. Initial emphasis will be on the condition of children in America, the development of the juvenile and family courts, and the development of children's constitutional rights in the home, in school, and in public. Significant attention will then be given to issues concerning child welfare, medical treatment, and juvenile delinquency. Other subjects that may be covered include status-based offenses and the representation of children. Grading will be based heavily on class participation in addition to a final examination.

### **Civil Tax Practice and Procedure. 5610/7610. 3 hours.**

Study of practice before Internal Revenue Service and various tax forums, including audit process, procedures relating to determination of tax liability and tax collection, and extraordinary procedures, such as jeopardy and termination assessment.

### **Comparative Constitutional Rights. 4185/6185. 2 hours.**

This course examines how democratic systems of government deal with the problem of balancing the civil rights and liberties of individuals against the power of legislative majorities to govern. It does so by considering how different constitutional texts, governmental structures and social and legal traditions shape juridical responses to common questions about rights. The course will begin with a basic introduction to the legal systems of various countries. The readings will include hate speech cases from Germany, Israel and the United States; religious freedom cases from Turkey, France and the United Kingdom; abortion cases from Germany, France and the United States; and political speech cases from Israel and Turkey. Students will be evaluated based on class participation and a final paper. The course meets the substantial writing requirement. Students participating in the 2013 Oxford Program may not enroll in this course .

### **Complex Litigation. 5560/7560. 3 hours.**

This course examines the theory and practice of complex multiparty cases. In particular, it examines the major procedural and substantive issues in nationwide class actions and non-class aggregation. Our readings and discussions will focus on class actions (including the requirements for class certification, dueling state and federal class actions, and the strategic implications involved in settlement) and other advanced procedural topics including joinder, multidistrict litigation, phased trials, and preclusion.

### **Constitutional Litigation Seminar. 4420/6420. 3 hours.**

Addresses a number of issues arising in damages actions brought under 42 U.S.C. Section 1983, which authorizes a cause of action against persons who violate constitutional rights under color of state law. Topics covered may include distinction between common law and constitutional torts, scope of governmental liability, official immunity, damages, causation, state court suits, procedural defenses, attorney's fees, and meaning of "under color of." Suits against federal officers, under principle established in *Bivens v. Six Federal Narcotics Agents*, may also be discussed.

### **Constitutional Theory. 4196/6196. 2 hours. Prerequisite: JURI 4180/6180.**

This course will investigate the history and theory surrounding the creation and ratification of the American Constitution. Attention will focus on the work of Madison, Hamilton, and other

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leading thinkers at the time of the founding. Areas of study will include the Constitutional Convention, the ratification process, and the activities of anti-federalist critics of the Constitution. Readings will be drawn from both original and secondary materials, with special emphasis placed on The Federalist Papers. Student responsibilities will include regular attendance at, thoughtful preparation for and active participation in class sessions. The major determinant of the student's grade will be work done in connection with a written project concerning the founding period, to be approved by the professor and presented to the class in the final weeks of the semester. The paper will be designed to satisfy the law school's writing requirement. **Those who have taken JURI 4573, The Federalist Papers, are ineligible for this course.**

### **Consumer Law. 4177. 3 hours.**

This course considers numerous legal issues concerning consumers' commercial transactions, including the following key topics: disclosure of information to consumers, consumer credit, predatory-lending prohibitions, consumer-credit reporting, privacy related to consumer transactions (both online and offline), consumer-product warranties, debt collection, and dispute-resolution methods.

### **Contemporary Issues in Business Law. 4365/6365. 2 hours. Prerequisite JURI 4210/6210 and/or an undergraduate degree in business, economics, or finance.**

This seminar examines contemporary issues that are prevalent in the regulation of business organizations and activities. At the beginning of the semester, each student registered for the class will select a research topic from a menu of choices provided by the course instructor. The student will then meet with the course instructor to discuss research plans and schedule a time for an in-class presentation of the topic. Each student is required to submit a presentation outline before his or her presentation, and a final paper on the chosen topic at the end of the semester.

### **Copyright Law. 4430/6430. 3 hours.**

Focus is upon various methods to protect literary, musical, and artistic work under law of copyright. Copyright is a statutory subject based upon Copyright Act of 1909 and its amendments and Copyright Act of 1976. The course deals with what can be copyrighted, infringement actions, rights enjoyed by the copyright proprietor, jurisdiction and various remedies. Students in the class of 2013 and later are encouraged to take the IP Survey course before taking this course. **NOTE: One cannot take the IP Survey (JURI 5050) after having taken any two of the following courses: Copyright Law (JURI 4430), Patent Law (JURI 4920), or Trademark Law (JURI 4930). If the IP Survey course is taken first, any or all three of the advanced intellectual property courses can be taken.**

### **Corporate Finance. 4441/6441. 3 hours.**

This course teaches concepts and methodologies used by corporations in major financing activities, as well as legal issues that may arise in those activities. Course materials are divided into four parts: equity financing, debt financing, valuation methodologies, and financial derivatives. For equity financing, discussions will focus on the IPO process, ADRs and GDRs, rights offerings and stock repurchases. For debt financing, discussions will focus on bond features and trading environment, bond issuance, valuation and risk management, convertible bonds, key provisions in an indenture and legal implications, characteristics of medium term

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notes and commercial paper programs. For valuation methodologies, discussions will focus on discounted cash flows, net present values, and dividend discount models. For financial derivatives, discussions will focus on options trading, pricing and risk management, the futures market and interest rate swaps.

### **Labor Law and Corporate Restructuring. 4765/6765. 1 hour.**

The great economist and Nobel Laureate Milton Friedman famously stated that a corporation has "one and only one social responsibility - to increase its profits." Is this true today? As evidenced by the passage of the landmark Dodd-Frank legislation in 2010, the conduct and performance of several of America's leading corporations in recent years have seriously undermined confidence in U.S. businesses and their leaders. This course will explore contemporary trends in corporate governance and will examine whether a responsible corporation can integrate relevant societal concerns, such as environmental matters, and actually strengthen long-term shareholder value and the sustainability of both the corporation and the society in which it exists.

### **Federal Income Taxation of Corporations and Shareholders. 4600/6600. 3 hours.**

Taxation of corporations; taxation of shareholders and corporations on formation of the corporation, distributions from the corporation to shareholders, redemption of stock and liquidation of the corporation; taxable acquisitions and tax free reorganizations; Subchapter S.

### **Criminal Procedure I. 4460/6460. 3 hours.**

A study of criminal process from pre-arrest investigation to trial. Emphasis on pretrial rights of suspects, including privilege against self-incrimination, right to be free from unreasonable search and seizure, and due process and other rights attaching to pre-trial confrontation between accused and the witnesses against him. In addition, guilty pleas will be examined.

### **Criminal Procedure II. 4470/6470. 3 hours.**

A study of criminal process beginning with bringing of formal charges and concluding with adjudication of the guilt or innocence of the accused. Emphasis on prosecutorial discretion; preliminary hearing and grand jury procedures; joinder and severance; plea bargaining; criminal discovery; right to speedy trial, assistance of counsel, confrontation, and trial by jury; double jeopardy; and sentencing. Criminal Procedure I is not a prerequisite.

### **Cybercrimes. 5584. 3 hours.**

This course will explore how changes in technology challenge the law's traditional approaches to combating criminal activity, enforcing criminal law, and balancing the rights of the public against the demands of justice. Topics will include electronic surveillance, the Fourth Amendment and technology, cybersecurity, hacking, cyberbullying, criminal copyright law, personal and data privacy, jurisdiction, and civil liberties online. No technical background is necessary. The primary evaluative mechanism for this course will be an examination.

### **Design and Construction Law. 5530. 2 hours.**

This course examines the legal framework of the design and construction process. The course focuses on application of tort and contract law to contract formation and performance issues, and will examine legal remedies available to construction project participants. Course will have a final exam.

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### **Dispute Resolution and Systems Design. 5730/7730. 3 hours.**

In a world of settlement, this course prepares students to effectively represent clients through an understanding of the design and strategic election between ADR processes, and development of best practices as counsel in each process. Both private processes (arbitration, negotiation, mediation) and public tribunals (domestic and international) are studied.

### **Document Drafting: Contracts. 5850/7850. 3 hours.**

An introduction to drafting, analyzing, and revising contracts. You cannot take this course if you are currently taking or have taken Legal Drafting for Transactional Practice.

### **Document Drafting: Litigation. 5455/7455. 3 hours.**

This course will provide an introduction to and overview of the litigation process leading up to trial, with an emphasis on the written work product that attorneys must generate during the course of litigation, including pleadings, discovery, and selected procedural and substantive motions.

### **Document Drafting: Survey. 4851. 3 hours.**

An overview of drafting non-litigation documents. Develops the skills required to draft statutes, wills, and contracts. The course also focuses on gathering information to provide a factual basis for the preparation of such documents and drafting such documents within the existing legal framework.

### **Law, Public Policy, and the Elderly. 5720/7720. 2 hours.**

Aspects of federal and state elderly programs and problems; special risk populations; significance of older population growth; representation of elderly clients; guardianship; lifetime estate management; testamentary estate disposition; living wills and "right to die" debate; health and long-term care; housing, transportation and employment policies; public assistance.

### **Education Law. 5781/7781. 3 hours.**

This course covers numerous legal and policy questions related to the American educational system. Relevant sources of law include the U.S. Constitution and state and federal statutes and administrative materials. Topics include school funding, school choice, student and teacher speech rights, policy debates, and others. The course will be conducted with an emphasis on developing practical lawyering skills.

### **Special Legal Studies. 5590/7590. 1 hour.**

This course examines the relationships between law, elections, and government focusing on Georgia law. It will cover laws and regulations governing political candidates, their campaigns, state campaign finance, public officials, ethics in government, and the regulation of the political process. Regulation of lobbyists will be examined, as will independent committees and political action committees. Additionally, the course will look at the process of Georgia judicial campaigns and appointments, and the regulation of public officials once in office.

### **Employment Discrimination. 4990/6990. 3 hours.**

Examines law regulating distinctions in the employment relationship. The emphasis is on federal

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statutory law regulating race, sex, religion, national origin, age and disability discrimination in employment.

### **Employment Law. 5650/7650. 3 hours.**

Examines legal regulation of the employment relationship, focusing on the erosion of the employment-at-will doctrine through various tort and contract theories, law of employee mobility including non-competes and trade secrets, protection of employee privacy and speech interests, entitlement to overtime under the Fair Labor Standards Act, and the regulation of health and pension benefits under ERISA. Excludes the union/management issues covered in Labor Law and statutory discrimination issues covered in Employment Discrimination.

### **Entertainment Law. 5570/7570. 3 hours.**

Examines variety of legal issues affecting the entertainment industries. Beginning with an overview of contractual and right of publicity issues, it also examines topics such as digital media, music, film, television, and publishing. Also covered are relationships within the industries, and relevant intellectual property aspects.

### **Environmental Dispute Resolution. 5870/7870. 2 hours.**

Conflict management, anatomy of negotiation, planning and conduct of negotiations, and resolving multiparty environmental disputes.

### **Environmental Law. 5280/7280. 3 hours.**

State, Federal, and International legal response to problems of air pollution, water pollution, solid waste, pesticides, noise, and radiation. Emphasis on public regulation, but some consideration given to private remedies.

### **Legal Topics Seminar. 5595/7595. 2 hours. Minicourse (pass/fail)**

Examines the right to legal representation for people accused of crimes who cannot afford a lawyer. It will examine the situations when a defendant is constitutionally entitled to counsel, various systems for providing representation, issues of independence and ethics for lawyers who represent the poor, the quality of counsel provided, the resources available to poor people accused of crimes for investigative and expert assistance and whether the legal system is making good on the promise of "equal justice under law."

*This course will begin on September 24, 2013 and conclude on November 14, 2013.*

### **Estate Planning Seminar. 4560/6560. 3 hours. Prerequisite: JURI 4280/6280 and JURI 4590/6590.**

Planning effective and tax-efficient transfers of property interests based on client type, intended beneficiary, type of transfer, and asset type. Attention is given to preparation of estate plans and drafting of appropriate instruments. Focus on restrictions imposed by client goals, economic environment, and the law of trusts, wills, and federal taxation.

### **Federal Taxation of Estates, Gifts, and Trusts. 4590/6590. 3 hours. Prerequisite: Either (JURI 4280/6280 or JURI 5120/7120) and JURI 4090/6090.**

Focuses on federal tax law and policy affecting the transfer of wealth, including the gift tax, the estate tax, and the generation skipping transfer tax. Statutes, regulations and interpretative

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materials and their application to hypothetical problems are addressed to lay a foundation for the study of estate planning.

### **Family Law. 5330/7330. 3 hours.**

Significant aspects of family law, including marriage, divorce, separation, custody, and non-traditional families.

### **Federal Courts. 4570/6570. 3 hours.**

This course will focus on the structure, jurisdiction, and powers of federal courts. Coverage will include: development of the federal court system; selection of judges; the judicial power under Article III; justiciability and the case-or-controversy requirement (standing, ripeness, mootness, political questions); the Erie doctrine; federal common law; challenges to jurisdiction; federal question jurisdiction; diversity jurisdiction; venue and transfer; special problems of removal jurisdiction.

### **Foreign Affairs and the Constitution. 4425/6425. 3 hours. Prerequisite: JURI 4180/6180.**

Examines how U.S. law both constrains and is constrained by U.S. foreign relations and the foreign policy-making process. The course considers issues relating to separation of powers, federalism, individual rights, and the influence of international norms on US constitutional development.

### **Georgia Practice and Procedure. 4620/6620. 3 hours.**

An advanced course in Civil Procedure. Explores in depth the Georgia Civil Practice Act and Long-Arm Statute, as interpreted by Georgia appellate court decisions, along with selected constitutional and statutory provisions allocating jurisdiction among trial courts, venue, and validity of judgments.

### **Global Governance. 5885/7885. 3 hours. Prerequisite: JURI 4640/6640 or JURI 5360/7360 or JURI 4670/6670.**

In a globalizing world, the range of issues with cross-border implications only expands, from finance to trade, environment to human rights, food safety to sports. This upper-level course in International Law examines how and why different legal regimes have developed to govern these issues and when they succeed or fail.

### **Health Care Financing and Regulation. 5626/7626. 3 hours.**

Examination of the United States health care delivery system as a regulated industry. A survey of a variety of legal issues affecting health care providers and their interactions with commercial insurers, government health care programs, and state and federal regulators.

### **Health Law Seminar. 5625/7625. 2 hours.**

This seminar will examine the central issues faced by health care attorneys, with emphasis on in-house counsel who undertake to represent hospitals and health systems in the United States. Among the topics examined will be the statutory and regulatory frameworks designed to reduce and penalize fraud and abuse of the Federal health care programs. Statutory frameworks to be studied will include: the Federal Physician Self-Referral Prohibition, known as the Stark Law that provides civil penalties against physicians that refer patients to entities to which they have a



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financial interest; the Federal Anti-Kickback Statute that provides civil and criminal penalties for anyone that pays or receives kick-backs for health care referrals; and the Civil Monetary Penalties Act as they relate to health reimbursement and business development. Also considered will be the Emergency Medical Treatment and Active Labor Act, EMTALA, known as the patient anti-dumping law; the Health Insurance Portability and Accountability Act, HIPAA; and Disproportionate Share Hospital (DSH) programs.

### **Housing Law Seminar. 5540/7540. 3 hours.**

The course covers selected issues in housing law and policy, drawn from both the private and public sectors. The course accommodates a number of different perspectives and interest areas, including non-legal disciplines related to housing. The course will be run seminar style, with assigned readings, directed discussion, and guest lectures. Each student will prepare a major research paper on a topic related to housing and will make an oral presentation of the paper to the class. There is no final exam. Satisfactory completion of the course requirements will fulfill the Advanced Writing Requirement of the law school.

### **Immigration Law. 5890/7890. 2 hours.**

This course will examine American immigration law and policy. Topics considered include source and scope of Congressional power to regulate immigration; procedures for entry, exclusion, and deportation; refugees and asylum; current immigration law reform; and the role of states in regulating migrants. This course is intended both for those who are considering immigration law as a career and for those who want a general introduction to an important area of law that intersects with many areas of practice, including administrative, criminal, family, employment, and international.

### **Independent Project. 5510/7510. 1 or 2 hours.**

Independent projects provide student with flexible opportunity to independently explore legal issues or questions sometimes not found in any course or seminar and without following format of a formal research paper. Projects must involve significant legal, social, or empirical research or experience.

### **Insurance Law. 4630/6630. 2 hours.**

Survey of law governing insurance and insurance litigation. The course will include a review of current and recurring issues in liability insurance, including commercial general liability insurance, professional liability insurance, directors and officers insurance, and umbrella and excess insurance. Within this context, coverage for subjects such as environmental claims, construction defect claims, and claims against corporate officers and directors for breach of fiduciary duty and mismanagement will be discussed. The course will also include a review of current and recurring issues under property policies and life insurance policies. Within this general context, the course will also survey emerging insurance coverage issues, such as coverage for cyber liability claims and claims related to alleged climate change. The course will have a two-hour open book in-class exam.

### **Intellectual Property Survey. 5050/7050. 3 hours.**

This course provides an introduction to the four primary types of intellectual property protection: copyright, patent, trademark, and trade secret. Students gain a basic understanding of the various

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grounds for and limitations of such protections. This course serves as both an introduction to the field for those anticipating further study and a survey of the area for those planning to focus on a different area of law. **NOTE: One cannot take the Intellectual Property Survey (JURI 5050/7050) after having taken any two of the following courses: Copyright Law (JURI 4430/6430), Patent Law (JURI 4920/6920), or Trademark Law (JURI 4930/6930). If the Intellectual Property Survey course is taken first, any or all three of the advanced intellectual property courses can be taken.**

### **International Commercial Arbitration. 4720/6720. 3 hours.**

This course will examine the legal regime governing international commercial arbitration. Topics will include the enforcement of arbitration agreements, arbitral procedure and the enforcement of arbitral awards. The course also will consider how to draft arbitral clauses.

### **International Business Transactions. 4675/6675. 3 hours.**

This course will examine the legal regime governing a variety of international business transactions. Topics include international sales, international finance, and anti-corruption legislation.

### **International Civil Litigation. 5810/7810. 3 hours.**

Globalization has increased the frequency of transboundary civil disputes, whether between two companies like Microsoft and Sony or in business dealings with sovereigns like China. More than ever, the next generation of lawyers needs to know the law governing topics such as personal jurisdiction over foreign companies, forum nonconveniens, discovery in international disputes, forum selection clauses and foreign judgments.

### **International Criminal Law. 4270/6270. 3 hours.**

Examined will be the development and jurisprudence of international criminal law: its origins in post-World War II Nuremberg and Tokyo war crimes tribunals; its evolution in post-Cold War tribunals for the former Yugoslavia, Rwanda, Sierra Leone, Cambodia, and Lebanon; and its siblings, noncriminal efforts like truth commissions. A focus will be the 10-year-old permanent International Criminal Court: its core crimes and ways persons may be held liable or defend against liability; the roles of actors including ICC prosecutors and defenders, judges, victims, partner organizations like NATO and the United Nations, and countries that belong to the ICC; and the relationship between the ICC and nonmember countries like the United States

### **International Environmental Law. 5750/7750. 3 hours.**

Interdisciplinary introduction to international environmental law and policy, focusing on how international environmental regimes emerge, develop and influence behavior. Selected case studies on topics such as acid rain, global warming, whaling, deforestation, and trade in endangered species.

### **International Human Rights. 4670/6670. 3 hours.**

Study of international human rights law and international and regional organizations, states and private actors in field. Examines instruments and institutions forming sources of human rights law (UN system, including Charter and treaties, European, African and Inter-American human rights regimes), role of NGOs and interaction between domestic and international law.

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### **International Intellectual Property Seminar. 4261/6261. 3 hours.**

This seminar will explore the principles and policies supporting the international protection of intellectual property rights, as well as the sources of those rights. We will focus on the international treaty arrangements for copyright, patent, and trademark protection, as well as on questions of enforcement, jurisdiction, and choice of law. The course will also examine the function of international intellectual property organizations, recent developments in the European Union, and issues relating to establishing and enforcing intellectual property rights in less developed nations. No background in science, engineering, or international law is required for this course.

### **International Law Colloquium. 5205/7205. 2 hours. Prerequisite: JURI 4640/6640 (waived by Professor Amann).**

This course will consist of presentations of substantial works-in-progress on a variety of international law topics by prominent scholars from other law schools, as detailed at <http://www.law.uga.edu/node/195>. In addition to reading the manuscripts and actively participating in classroom discussion of the work with the presenters, students will be expected to write a 3-4 page reaction paper on each of the colloquium papers. This course is limited to 12 students. The course is repeatable; however, priority will be given to students who have not previously taken the course.

### **Special International Law Studies I. 5380/7380. 1 hour.**

Researching international and foreign law requires materials and methods different from those employed in researching U.S. law. This short course provides an overview of international law, with an emphasis on the resources and skills used to locate relevant international and foreign resources. Although students and researchers of international and comparative law should find this course particularly useful, non-specialists will also find it helpful in an increasingly global legal arena. Class discussions will include the differences between public international law, private international law, and municipal (foreign) law, important research tools, UN and other intergovernmental organizations (IGOs), non-governmental organizations (NGOs); European Union & other regional organizations. Weekly research exercises provide hands-on experience in locating materials.

### **Current Issues in Torts Seminar. 4135/6135. 2 hours.**

This seminar will focus on current issues in the tort field, such as tort reform, medical malpractice policy, facets of products liability litigation, torts and terrorism etc.

### **Special Legal Studies. 5590/7590. 1 hour.**

The course will analyze the law of international sales from the perspective of the 1980 UN Convention on the International Sale of Goods (CISG), which is presently in force in 78 states (including the USA and most developed nations). In selected issues, the CISG will also be compared to US law or other national law rules. The course will be conducted in a seminar format; students should be willing to present a case dealing with CISG to the class.

### **International Taxation. 4710/6710. 2 hours.**

Considers role of American lawyer acting as tax planner in context of transnational business transactions; U.S. income taxation consequences of foreign corporations and individuals doing

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business and investing in U.S.; similar tax consequences of American companies and individuals doing business and investing in foreign countries.

### **International Trade Laws. 5360/73620. 3 hours.**

Examines national and international policies and laws relating to international trade and investment.

### **Electronic Commerce. 5582. 3 hours.**

Introduction to the legal and policy issues raised by computers and the Internet. This course will explore how the Internet's digital and networked environment changes the nature of regulation, unleashes innovation, and refashions the relationships among public and private actors. Topics will include jurisdiction, free speech, privacy, intellectual property, e-commerce, and internet governance. No technical background is necessary.

### **Interviewing, Counseling, Negotiating. 5420/7420. 3 hours.**

Addresses three fundamental skills of lawyering from both a practical and a theoretical standpoint. The course makes two arguments: that effective practice of all these skills underlies any effective practice of law, whether litigational or transactional and that law as a profession demands translation of legal theory into effective action in the form of questioning, advising, and persuading. Uses simulated interviewing, counseling and negotiation exercises to expose students to the issues faced in these areas by practicing attorneys.

### **Labor Arbitration. 4770/6770. 2 hours.**

This course is organized in three distinct parts. Part I will explore the historical and legal development of labor arbitration and its relationship to collective bargaining. Part II will address common issues including evidence, discipline and discharge, and contract interpretation. Part III will consist of three simulated, mock arbitration hearings. In each mock arbitration, students will take on the role of union counsel, management counsel, and arbitrator. Counsel will write post-hearing briefs and arbitrators will write awards. There is no final exam in this course. Student grades will be based on a combination of class participation (10%), and the 3 mock arbitrations (25% for the first, 30% for the second, and 35% for the third.) Grades for the mock arbitrations will be based on post-hearing briefs by the advocates and decisions by the arbitrators in each mock arbitration.

### **Labor Law. 4760/6760. 3 hours.**

Examines National Labor Relations Act, focusing on history and evolution of labor relations laws, union organizational activity, collective bargaining, economic weapons, the duty of fair representation, and federalism and labor relations.

### **Land Use Planning. 4790/6790. 3 hours.**

Analysis of the legal and administrative aspects of the regulation of land use for development and the problems and techniques of urban planning. Particular attention is given to zoning, subdivision controls, public acquisition of land and urban redevelopment.

### **Corporations Seminar-Mergers and Acquisitions. 4220/6220. 2 hours.**

This seminar examines approximately 10-14 landmark corporate law cases (or topics such as

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fiduciary duties, insider trading, shareholder voting and the business judgment rule). Students will write a paper and make a presentation.

### **Landmark Cases in Criminal Procedure. 4275/6275. 2 hours.**

The course examines an array of notable Supreme Court criminal procedure and evidence cases by deeply delving into the litigation and surrounding stories that accompany each case. The course will cover approximately 10-14 landmark cases commonly reviewed in Evidence and Criminal Procedure I and II (Katz, Miranda, Terry, Batson, and Powell, to name a few). Students will be expected to write a paper as well as do a presentation. Laptops are not permitted in class.

### **Law and Medicine. 5623. 3 hours.**

Focuses on the relationship between health care providers and patients. Topics include: the treatment relationship, professional liability, licensing, access to care (including EMTALA), quality of care, privacy and confidentiality (including HIPAA), and informed consent.

### **Law and Religion Seminar. 4200/6200. 2 hours.**

This course will examine the historical origin of religious liberty in the United States and the contemporary constitutional and statutory law of religious liberty. Themes will include the relationship between the Establishment Clause and the Free Exercise Clause, the influence of religion on government, and the influence of government on religion. The course will also seek to understand the American religious liberty regime by contrast with foreign regimes. There will be an eight hour take-home exam.

### **Law, Science, and Technology. 5580/7580. 3 hours.**

Emerging technologies present an intrinsic challenge as new discoveries frequently extend the beyond the reality anticipated by existing laws and regulations. The use of science in the courtroom or legislation (e.g., climate change) is often problematic as parties put forth competing claims as to what the law should regard as valid scientific evidence. Further, sometimes scientists view the law as a prior restraint to research and development (e.g., trial of Galileo, "Scopes monkey trial," ban on human cloning) and in other instances they may view it as driving innovation (patent laws, academic technology transfer policies). In summary, this seminar will examine the complicated relationship between law and science on both applied and philosophical grounds. Students are required to write and present a research paper relevant to this seminar as well as actively participate in classroom discussion.

### **Laws of War. 4645/6645. 3 hours.**

Examined in this course will be laws and customs intended to regulate war - not only when and whether law permits resort to armed conflict, but also national and international legal rules and regimes governing how war is to be waged and when actors may be sanctioned for violating those rules.

### **Lawyering for Children. 4755. 2 hours.**

This seminar will explore the responsibilities of lawyers for children and the factors that influence their interactions with child clients and lawyering decisions. We will focus on representation in child welfare, status offense, delinquency, and criminal cases. This course will not emphasize substantive law but rather lawyering theory and methods resulting from legal,

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social, policy, practical, and ethical considerations. Source materials may include judicial opinions, statutes, model rules/standards, scholarly research, case studies, and other materials, both legal and non-legal. Grading will be based on satisfaction of the advanced writing requirement as well as class participation, including weekly responses to the readings and acting as a class discussion leader.

### **Legal Accounting. 4385/6385. 2 hours.**

Accounting is the language of business and knowledge of accounting is important to lawyers in various practice areas. This course covers basic accounting terminology, financial statements, accounting principles and auditing standards, financial statement analysis, and accounting issues that arise in business and the practice of law. Not recommended for students who have taken more than two accounting classes.

### **Legal Drafting for Transactional Practice. 4212/6212. 3 hours.**

This course focuses on the development of both basic and advanced contract drafting techniques in the context of a wide range of business transactions. Through simulated client interviews, students will learn to understand and analyze a business transaction and then to translate the business deal into contract concepts. The course will include weekly readings, simulated client interviews, and drafting exercises. Students will also participate in a negotiation with "opposing counsel" followed by a contract drafting exercise to reflect the results of that negotiation.

### **Legislation and Regulation. 4883. 3 hours.**

Our legal system comprises many institutions, all tasked with making and interpreting various kinds of laws. This course ventures beyond common law courts to examine legislatures, executive agencies, and other kinds of lawmakers. It will ask why and how we regulate and how lawmaking institutions are related to one another

### **Statutory Interpretation and the Legislative Process. 4880/6880. 3 hours.**

This basic survey course has two major goals. First, though we think of ourselves as a common law country, most of our laws come from statutes. Lawyers, in whatever kind of law practice they engage, find themselves confronted regularly with statutes which must be made sense of. Therefore, the ability to read, interpret, and argue from statutes is a fundamental skill for any attorney. The first goal of this course, then, is to introduce the practical skills and basic theory for working with statutes. Second, and more broadly, students may have noticed that "law school" might be better described as "court school." That is, there is much education about courts, judges, and judicial process, but far less about how most of our laws are made. The second goal of this course, then, is to explore the legislative process and to begin to understand how the three branches of the federal government (and most states, as well) speak to one another. The course will combine standard law school teaching methods (lecture and Socratic discussion) with interactive classroom exercises. Most of the course grade will be based on an exam, but classroom engagement and perhaps one or two (very very short) written assignments will factor in as well.

### **Life Cycle of the Corporation. 5080/7080. 3 hours.**

This class follows the life-cycle of a corporation from inception through venture financing, IPO, M&A, and bankruptcy, aiming to provide an overview of corporate practice. The class

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incorporates Harvard Business School cases and emphasizes group work and participation. Beyond the substantive coverage, the course introduces students to the various kinds of drafting a corporate practice requires. Students are evaluated on class participation, 3 drafting exercises, and a final paper and presentation.

### **Legal Topics Seminar. 5595/7595. 1 hour.**

This course introduces students to major works in legal theory---books that change the way experts within a legal subject approach the field. Students will read seven books over the course of the school year. The goal of the course is to give interested students an opportunity to think more deeply about complex legal ideas, and to discuss those ideas with a variety of professors. This course is pass/fail.

### **Mass Tort Litigation. 4143. 3 hours.**

This course focuses on the legal problems and issues associated with the unique, growing phenomenon of mass torts, e.g., the B.P. Oil Spill, the 9/11 litigation, tobacco, Agent Orange, Dalkon Shield, breast implants, asbestos personal injury litigation, Holocaust litigation etc. We will examine such issues as consolidation of state and federal litigation in one forum, judicial determination of who should appropriately manage the litigation for both plaintiffs and defendants, how courts determine legal causation, strategic and ethical considerations for plaintiffs and defendants, strategies for litigation funding, alternatives to judicial resolution, and issues associated with Congressional intervention. This class will explore the overriding question of whether the courts can dispense individual justice in cases involving thousands of litigants.

### **Media Law. 5576/7576. 3 hours.**

Examines a variety of legal issues affecting the news media. After an introductory examination of traditional constitutional issues arising out of the First Amendment and a philosophical look at the justifications for free speech protection, the course explores how these traditional principles are balanced against competing interests not only in constitutional law but also in common law and statutory regulations. Issues dealt with include prior restraint, defamation, privacy, access to court proceedings, access to government meetings and documents, the reporter's privilege, and intellectual property issues affecting the press. In addition this course addresses issues specific to electronic media, although it focuses on the communicative, as opposed to the administrative or regulatory aspects of this emerging area of law.

### **Mediation Practicum. 5975/7975. 3 hours.**

The course consists of in-class, simulation-based training, including interactive training on the mediation process, the role and competencies of the mediator, ethical and regulatory rules governing mediation and a series of specific topics of mediation practice. It also includes an introduction to small claims court and to the primary legal issues that students will encounter in practice. This course is designed to satisfy the requirements of the Georgia Office of Dispute Resolution ("GODR") for the training of court-certified mediators.

### **Special Legal Studies. 5590/7590. 1 hour**

A nuts and bolts approach to medical malpractice law and litigation in Georgia. Taught by practicing attorneys, plaintiff and defense perspectives are offered. While the focus is on substantive law, the procedural aspects of such cases are also covered.

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### **Military Law. 4390/6390. 2 hours.**

The course will focus on the system of military justice in the United States, and its sources of authority under the U.S. Constitution, the Uniform Code of Military Justice (UCMJ), and the Manual for Courts-Martial (MCM). The course will also address the history of military justice in the United States and particularly the UCMJ since its enactment in 1951; the complementary relationship between military discipline and the UCMJ; scope of military jurisdiction; the different types of crimes established in the UCMJ; military trial practice and procedure, including a comparison between the evidentiary and procedural rules under the UCMJ/MCM and the civilian federal courts; the appellate courts established under the UCMJ; the role of the military lawyer and the organization and role of the several Judge Advocate General departments within DoD; the role of the military commander under the UCMJ; significant military cases reaching the U.S. Supreme Court and other federal courts; discussion of the use of military commissions in the Global War on Terror and a comparative analysis of military justice systems of other nations.

### **Modern American Legal Theory. 4199. 3 hours.**

This is a study in the theories that animate modern legal scholarship and practice. The course surveys classic articles and book excerpts and reviews to provide a basic understanding of the dominant theoretical movements and their development.

### **Natural Resources. 4910/6910. 3 hours.**

The law governing the acquisition and use of natural resources, with particular regard to natural resources on publicly owned lands.

### **Partnership Taxation. 5090/7090. 2 hours. Prerequisite: JURI 5120/7120.**

Deals with impact of federal income tax on formation and operation of businesses conducted in partnership form. Special emphasis on tax ramifications of sale of partnership interest, death or retirement of partner, and dissolution of partnership.

### **Patent Law. 4920/6920. 3 hours.**

This course addresses the basics of obtaining and enforcing U.S. patent protection for useful inventions. We consider how the patent laws foster innovation through the grant of exclusionary rights to inventors by undertaking a detailed examination of both the substantive requirements for patentability (utility, novelty, and nonobviousness) and the requirements defining an adequate disclosure of the invention (written description, enablement, and claim definiteness). We also explore the complementary implementation roles played by the U.S. Patent & Trademark Office, on the one hand, and the federal courts (especially the U.S. Court of Appeals for the Federal Circuit) on the other. NOTE: One cannot take the IP Survey (JURI 5050) after having taken any two of the following courses: Copyright Law (JURI 4430), Patent Law (JURI 4920), or Trademark Law (JURI 4930). If the IP Survey course is taken first, any or all three of the advanced intellectual property courses can be taken.

### **Public Health Law. 5622/7622. 3 hours.**

This course offers an overview of Public Health Law. The course begins by defining public health law with historic, contemporary and international comparative law-policy perspectives, discusses the government entities most involved in public health domestically and



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internationally, and then surveys a range of applications. Coverage encompasses reproductive health, vaccination, biodefense, integration of genomics (study of gene function) and population genetics into public health policy and practice, and international public health.

### **International Law I. 4640/6640. 3 hours.**

This introductory course will examine the doctrine, theory, and evolution of International Law. Once focused narrowly on relations between nation-states, the field now encompasses myriad legal norms and mechanisms regulating the global activities not only of states, but also of human beings, corporations, and intergovernmental and nongovernmental organizations.

### **Race and Law. 4821/6821. 3 hours.**

This course takes a Critical Race Theory perspective on legislative and judicial treatment of racial issues in the United States. The reading emphasizes the historical treatment of racial minorities, starting with Native Americans and the beginnings of racially defined slavery and continuing through the post civil war constitutional amendments, legally enforced racial segregation, the civil rights movement, and the post-civil rights jurisprudence of the modern era. The classroom approach is a mixture of lecture and discussion.

### **Real Estate Development. 5490/7490. 3 hours. Prerequisite: JURI 4780/6780.**

Commercial real estate acquisition; development and financing of subdivisions, condominiums, planned developments, and income property; negotiation of financing provisions for income property, including nonrecourse clauses, guaranties, environmental indemnities, and opinions of borrower's counsel; ground leasing and sale-leaseback transactions.

### **Real Estate Transactions. 4780/6780. 3 hours.**

Residential and commercial real estate transactions, including contracts of sale, brokerage arrangements, deeds of conveyance, the recording system, and methods of title assurance; financing of real estate acquisition, including installment land contracts, mortgages, and other financing methods.

### **Regulation of Information. 4588/6588. 3 hours.**

This is a study of the latest academic thinking and doctrinal development of the regulation of knowledge through information controls. From privacy to insider trading to state secrets, our law regulates information to prevent the harms arising from undesirable distributions of knowledge.

### **Regulation of the Human Body. 4832/6832. 2 hours.**

This seminar examines the ways in which we regulate the human body and its uses, treatment, and materials. As we study these regulations, we will also examine the underlying cultural assumptions embodied in the laws. The exact topics covered will vary by semester.

### **Special Legal Studies. 5590/7590. 1 hour.**

Exploration of the challenges of contemporary environmental regulation. After examining the concept of regulation and its theoretical justifications, an exploration of some of the basic concepts of the economic and philosophical theory of regulation including public goods, externalities and coordination. An examination of some of the basic instruments of modern

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regulation, distinguishing between command and control mechanisms, economic instruments, final demand instruments and liability rules. Drawing on national and transnational cases studies, an inquiry into basic principles of modern environmental law - sustainable development, precautionary action, the polluter pay principle – and an examination of the extent to which they can be used to guide regulatory action. We will explore their underlying philosophies and contrast them to the dominant capitalist ethos. Other topics touched on: climate change (particular emphasis will be directed to the use of economic instruments and the role of the Intergovernmental Panel on Climate Change), the invocation of the precautionary principle (case study: the regulation of radiation from mobile phones) and the environmental liability of multinational enterprises. The course will be graded on an A-F basis and there will be a take-home final.

### **Equitable Remedies. 4550/6550. 3 hours.**

Remedies is a transubstantive course that crosses the traditional boundaries within private law, and between private and public law. The course requires students to reconsider from a new perspective the fundamental tort, property and contract law doctrines they learned in their first-year. In particular, they are asked to focus on the relief they are seeking for their clients and the alternative forms of relief that might be available. After all, remedies are the denominator common to every area of the law that imposes liability. The objective of this course is gain an understanding of the relationship between liability and remedy across many areas of the law, looking at both regularities and divergences.

### **Secured Transactions. 4950/6590. 3 hours.**

Security interests in personal property and fixtures, focusing on Article 9 of the Uniform Commercial Code; financing sales of goods and financing arrangements based on goods, fixtures, intangibles, and proceeds as collateral.

### **Securities Litigation and Enforcement. 5430/7430. 3 hours. Prerequisite: JURI 4210/6210**

This course examines private, SEC, and criminal enforcement of the federal securities laws. Topics considered include fraud on the market, market manipulation, international reach of the fraud provisions, and securities arbitration, as well as developments under the Private Securities Litigation Reform Act and the Sarbanes-Oxley Act. This course is altogether distinct from, and does not presuppose knowledge of, the course in securities regulation.

### **Securities Regulation. 4960/6960. 3 hours. Prerequisite: JURI 4210/6210**

This overview of the federal securities laws focuses primarily on the Securities Act of 1933. Topics covered include the definition of a security, the registration of securities offerings with the Securities & Exchange Commission, exemptions from registration, secondary distributions, and civil liabilities.

### **Sentencing. 4256. 3 hours.**

This course will introduce students to the evolving field of U.S. Sentencing Law. The United States has the highest documented incarceration rate in the world. At the moment, there are over 7.3 million people in the U.S. on probation, in jail or prison, or on parole. This equals 3.2% of U.S. adult residents (equivalent to 1 out of every 31 people in the U.S.). Further, 2.3 million U.S. adult residents are incarcerated (which equals 1% of U.S. adult residents). This class will

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broadly examine the principles and practices of sentencing. While federal sentencing law has received the most attention in recent years, particularly since the creation of the Federal Sentencing Guidelines, it is impossible to understand the current dynamics or the likely future trends of federal sentencing without also looking more broadly. As such, along with federal sentencing, this course will examine state sentencing systems and alternatives to sentencing in both the federal and state systems. Furthermore, as incarceration is the central tenet of American sentencing law, this course will introduce students to the U.S. prison system.

### **Sexual Orientation Law. 4822/6822. 2 hours.**

Examination of laws and regulations relating to sexual orientation and sexual identity, and the effect of laws on homosexuals and members of other sexual minorities. Focuses on relevant constitutional law (e.g., equal protection, due process, privacy, political, and First Amendment rights), family law, property law, immigration law and federal, state and local laws protecting, or discriminating against, sexual minorities. In the process, the course will examine how social mores and changes are reflected in laws and legal developments, and vice versa. This course will also present a practical guide to representing sexual minorities by offering creative approaches to couples and individuals whose needs are not recognized under current legal paradigms. Course will incorporate historical, comparative, international and scientific perspectives where appropriate.

### **Sociology of Law. 4820/6820. 3 hours.**

Characterized by a scientific rather than normative emphasis, legal sociology focuses on empirical patterns of legal behavior, such as initiation and winning of law suits, origins and content of rules, and the development of legal institutions. Most literature has addressed case-level variation and the course will reflect this. But instead of analyzing cases in terms of the applicable rules and policies, lectures and readings will invoke the social characteristics of participants (e.g., social ties, status, marginality, reputation and organizational affiliations) to predict and explain case outcomes. Sociological techniques by which social differentials in cases (discrimination) might be minimized will also be studied. Modern American materials will be emphasized.

### **State and Local Government. 4900/6900. 3 hours.**

This course examines the relationships between local governments, states, and the Federal government. Issues to be addressed include the role of local government in our constitutional structure, the source of local government power, and the advantages and disadvantages of decentralized decision making. These questions will be explored generally and in the context of specific subject areas, such as school funding, municipal regulatory authority, and state constitutional interpretation. Georgia case law will be used when it is unique, disputed, or particularly informative.

### **State and Local Taxation. 5000/7000. 2 hours.**

A study of principles and problems of state and local taxation in our federal system. Examines ad valorem property taxes, corporate and personal income taxes, sales and use taxes, and other state and local taxes imposed on business. Federal constitutional limitations on state tax power explored in detail and considerable attention is devoted to problems of dividing income of multi-jurisdictional corporations among the states.

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### **Supervised Research. 5190/7190. 2 hours.**

Supervised Research involves an in-depth written analysis of a legal issue under close faculty tutoring and supervision. It requires significant legal research, original thinking and analysis, and must produce final paper of a kind and quality similar to that found in law review articles.

### **Sustainable Business: Transactions and Strategy. 5667/7667. 2 hours. Pre-requisite JURI 4210/6210.**

This course will introduce students to the concept of environmental sustainability, the legal challenges facing businesses in attaining environmental sustainability, the incentives for business to achieve sustainable commerce, and possible means that governments may have to encourage or stimulate environmentally sustainable commerce.

### **Criminal Tax Practice and Procedure. 5611/7611. 2 hours.**

Criminal tax investigations and prosecutions; constitutional defenses to the compulsory production of evidence; attorney-client privilege, confidentiality and other defenses available to taxpayers and third parties.

### **The Federalist Papers. 4573. 2 hours. Pre-requisite JURI 4180/6180.**

This course focuses on the framing and ratification of the United States Constitution and the role of The Federalist Papers in that process. This class will NOT satisfy the writing requirement.

### **The Past, Present, and Future of Same-Sex Marriage. 5331/7331. 2 hours.**

This course will consider where we are presently in the legal and social battles over same-sex marriage, how we got here, and where we will go from here. There is no pre-requisite for this course; however, Constitutional Law is preferred.

### **The Press and the Constitution. 4197. 2 hours. Prerequisites: JURI 5576/7576 or JURI 4190/6190.**

This seminar will take an in-depth look at the constitutional rights of the "press." Our primary focus will be on the proper interpretation of the First Amendment's guarantee that "Congress shall make no law ... abridging the freedom ... of the press." Topics of discussion will include the history of the Press Clause, the relationship between the Speech Clause and the Press Clause, the definition of the "press" under the Constitution, and the various rights and protections available to the press. Course requirements will include class participation, a presentation, and the completion of a research paper.

### **The Supreme Court. 4585/6585. 3 hours.**

The Supreme Court of the United States is a unique institution with its own history, personalities and appellate practice. This course examines the Court including an in-depth look at the current nine justices. Students then argue cases from the Court's current docket and write an opinion in a case.

### **Timing Concepts of Federal Income Taxation. 5640/7640. 2 hours. Prerequisite: JURI 5120/7120.**

Timing issues of income tax law: when an item of income should be included and a deduction taken. Includes integrity of the taxable year, tax accounting methods, inventory, depreciation,

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installment sales provisions, net operating losses, tax benefit rule, claim of right doctrine, and equity compensation.

### **Advanced Torts Seminar. 5790/7790. 2 hours.**

This seminar will use the John Grisham novel, *The Litigators*, as a springboard for exploring issues of substantive law, jurisdiction, civil procedure, evidence, and ethics that arise in the context of mass tort litigation. The assigned text will be "The Litigators." Students will research, prepare papers, and lead discussions of various issues raised in the novel. We will also discuss these issues with plaintiff and defense counsel who litigate mass tort cases, an executive of an insurance company regarding liability coverage for mass torts, and a judge who presides over such cases.

### **Trademark Law. 4930/6930. 2 hours.**

Acquisition of trademark rights, registration, infringement, false advertising, dilution, remedies, and international aspects of trademark law. Students in the class of 2013 and later are encouraged to take the IP Survey course before taking this course. NOTE: One cannot take the IP Survey (JURI 5050) after having taken any two of the following courses: Copyright Law (JURI 4430), Patent Law (JURI 4920), or Trademark Law (JURI 4930). If the IP Survey course is taken first, any or all three of the advanced intellectual property courses can be taken.

### **Agency, Partnerships, and Limited Liability Companies. 4000/6000. 2 hours.**

This course deals with the agency relationship and provides an introduction to partnership, limited liability partnerships, and limited liability companies. In addition to a final exam, students will engage in several exercises designed to provide future transactional lawyers with the basic skills to help clients structure their business relationships to achieve the client's business and financial goals.

### **Visual Arts and the Law. 5575/7575. 2 hours.**

This seminar explores contemporary legal, ethical, and policy issues that involve visual artists (primarily painters and sculptors) and art collectors, museums, dealers, and auction houses. It tackles diverse issues by examining the complex roles of multiple participants, including artists; art patrons and consumers; government officials; art experts, such as museums, historians, and critics; as well as the "bad guys," such as looters, thieves, and forgers. We consider the relationships between art institutions and those who produce, collect, protect, and "deal" in art. We also examine the international movement of art in times of war and peace, as well as the preservation and protection of art as a form of cultural heritage. There is no formal prerequisite for the course, although prior enrollment in either IP Survey or Copyright is useful. Students will have a choice of either taking a final exam or writing a significant paper.

### **Wage and Hour Law and Litigation. 5955/7955. 2 hours.**

This course examines present trends in wage and hour litigation, the single dominant subject area in current labor and employment law practice. The course examines the history of the Fair Labor Standards Act (FLSA) and also treats wage and hour law in the states, both statutory and common law. Because multi-plaintiff litigation under the FLSA proceeds on a collective, or opt-in, basis, the course will examine the differences between opt-in and Rule 23 opt-out class

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actions, including increasingly successful efforts to use the two approaches simultaneously in wage and hour claims.

### **Water Law. 4828/6828.**

The allocation, management, and protection of water resources. Water law is more substantially developed in arid Western states, but is increasingly important in Eastern states that are facing water scarcity. Water law focuses on allocation, access, and use.

### **Whistleblower Litigation Seminar. 5644. 2 hours.**

This seminar focuses on the major Federal whistleblower statute -- the civil False Claims Act (FCA) -- which in recent years has resulted in billions of dollars of recoveries for the U.S. Government and various states, and huge rewards for the private whistleblowers instigating these cases. The FCA creates a unique partnership among private plaintiffs, their counsel, and Government lawyers, and is spawning an ever expanding number of Federal and state investigations. We will examine the evolution of the FCA from the Civil War era through its modern amendments, and the key substantive and strategic issues in pursuing and defending FCA cases today. The course will also briefly review the new whistleblower reward program at the Securities and Exchange Commission and the recently enhanced program at the Internal Revenue Service. This class is limited to 20 students.

### **Wilderness Law and Policy. 5275. 3 hours.**

This course will provide an in-depth look at the federal lands managed under the Wilderness Act of 1964 and subsequent enactments, as well as the regulations that the federal land management agencies employ in governing these lands. In addition, systems of state, private and international wilderness protection will be discussed.

### **Workers Compensation. 5060/7060. 3 hours.**

Analyzes law governing workplace accidents and diseases and its relationship to orthodox tort doctrine. Among topics studied are substantive limitations on coverage, administrative process in handling claims, and various approaches toward computing compensation awards.

# **ATTACHMENT 3**

# CHAPTER 3

## Program of Legal Education

### Standard 301. OBJECTIVES

- (a) A law school shall maintain an educational program that prepares its students for admission to the bar, and effective and responsible participation in the legal profession.
- (b) A law school shall ensure that all students have reasonably comparable opportunities to take advantage of the school's educational program, co-curricular programs, and other educational benefits.

#### *Interpretation 301-1*

*A law school shall maintain an educational program that prepares its students to address current and anticipated legal problems.*

#### *Interpretation 301-2*

*A law school may offer an educational program designed to emphasize certain aspects of the law or the legal profession.*



**Interpretation 301-3**

*Among the factors to be considered in assessing the extent to which a law school complies with this Standard are the rigor of its academic program, including its assessment of student performance, and the bar passage rates of its graduates.*

**Interpretation 301-4**

*Among the factors to consider in assessing compliance with Standard 301(b) are whether students have reasonably comparable opportunities to benefit from regular interaction with full-time faculty and other students, from such co-curricular programs as journals and competition teams, and from special events such as lecture series and short-time visitors.*

**Interpretation 301-5**

*For schools providing more than one enrollment or scheduling option, the opportunities to take advantage of the school's educational program, co-curricular activities, and other educational benefits for students enrolled under one option shall be deemed reasonably comparable to the opportunities of students enrolled under other options if the opportunities are roughly proportional based upon the relative number of students enrolled in various options.*

**Interpretation 301-6 [For further guidance regarding compliance with 301-6 and for the explanation of the application of 301-6 for provisionally approved schools, see Appendix 3.]**

A. *A law school's bar passage rate shall be sufficient, for purposes of Standard 301(a), if the school demonstrates that it meets any one of the following tests:*

- 1) *That for students who graduated from the law school within the five most recently completed calendar years:*
  - (a) *75 percent or more of these graduates who sat for the bar passed a bar examination, or*
  - (b) *in at least three of these calendar years, 75 percent of the students graduating in those years and sitting for the bar have passed a bar examination.*

*In demonstrating compliance under sections (1)(a) and (b), the school must report bar passage results from as many jurisdictions as necessary to account for at least 70% of its graduates each year, starting with the jurisdiction in which the highest number of graduates took the bar exam and proceeding in descending order of frequency.*

- 2) *That in three or more of the five most recently completed calendar years, the school's annual first-time bar passage rate in the jurisdictions reported by the school is no more than 15 points below the average first-time bar passage rates for graduates of ABA-approved law schools taking the bar examination in these same jurisdictions.*

*In demonstrating compliance under section (2), the school must report first-time bar passage data from as many jurisdictions as necessary to account for at least 70 percent of its graduates each year, starting with the jurisdiction in which the highest number of graduates took the bar exam and proceeding in descending order of frequency. When more than one jurisdiction is reported, the weighted average of the results in each of the reported jurisdictions shall be used to determine compliance.*

- B. *A school shall be out of compliance with the bar passage portion of 301(a) if it is unable to demonstrate that it meets the requirements of paragraph A (1) or (2).*
- C. *A school found out of compliance under paragraph B and that has not been able to come into compliance within the two year period specified in Rule 13(b) of the Rules of Procedure for Approval of Law*

*Schools, may seek to demonstrate good cause for extending the period the school has to demonstrate compliance by submitting evidence of:*

- (i) The school's trend in bar passage rates for both first-time and subsequent takers: a clear trend of improvement will be considered in the school's favor, a declining or flat trend against it.*
- (ii) The length of time the school's bar passage rates have been below the first-time and ultimate rates established in paragraph A: a shorter time period will be considered in the school's favor, a longer period against it.*
- (iii) Actions by the school to address bar passage, particularly the school's academic rigor and the demonstrated value and effectiveness of the school's academic support and bar preparation programs: value-added, effective, sustained and pervasive actions to address bar passage problems will be considered in the school's favor; ineffective or only marginally effective programs or limited action by the school against it.*
- (iv) Efforts by the school to facilitate bar passage for its graduates who did not pass the bar on prior attempts: effective and sustained efforts by the school will be considered in the school's favor; ineffective or limited efforts by the school against it.*
- (v) Efforts by the school to provide broader access to legal education while maintaining academic rigor: sustained meaningful efforts will be viewed in the school's favor; intermittent or limited efforts against it.*
- (vi) The demonstrated likelihood that the school's students who transfer to other ABA-approved schools will pass the bar examination: transfers by students with a strong likelihood of passing the bar will be considered in the school's favor, providing the school has undertaken counseling and other appropriate efforts to retain its well-performing students.*
- (vii) Temporary circumstances beyond the control of the school, but which the school is addressing: for example, a natural disaster that disrupts the school's operations or a significant increase in the standard for passing the relevant bar examination(s).*
- (viii) Other factors, consistent with a school's demonstrated and sustained mission, which the school considers relevant in explaining its deficient bar passage results and in explaining the school's efforts to improve them.*

## **Standard 302. CURRICULUM**

**(a) A law school shall require that each student receive substantial instruction in:**

- (1) the substantive law generally regarded as necessary to effective and responsible participation in the legal profession;**
- (2) legal analysis and reasoning, legal research, problem solving, and oral communication;**
- (3) writing in a legal context, including at least one rigorous writing experience in the first year and at least one additional rigorous writing experience after the first year;**
- (4) other professional skills generally regarded as necessary for effective and responsible participation in the legal profession; and**
- (5) the history, goals, structure, values, rules and responsibilities of the legal profession and its members.**

(b) A law school shall offer substantial opportunities for:

- (1) live-client or other real-life practice experiences, appropriately supervised and designed to encourage reflection by students on their experiences and on the values and responsibilities of the legal profession, and the development of one's ability to assess his or her performance and level of competence;
- (2) student participation in pro bono activities; and
- (3) small group work through seminars, directed research, small classes, or collaborative work.

**Interpretation 302-1**

*Factors to be considered in evaluating the rigor of writing instruction include: the number and nature of writing projects assigned to students; the opportunities a student has to meet with a writing instructor for purposes of individualized assessment of the student's written products; the number of drafts that a student must produce of any writing project; and the form of assessment used by the writing instructor.*

**Interpretation 302-2**

*Each law school is encouraged to be creative in developing programs of instruction in professional skills related to the various responsibilities which lawyers are called upon to meet, using the strengths and resources available to the school. Trial and appellate advocacy, alternative methods of dispute resolution, counseling, interviewing, negotiating, problem solving, factual investigation, organization and management of legal work, and drafting are among the areas of instruction in professional skills that fulfill Standard 302(a)(4).*

**Interpretation 302-3**

*A school may satisfy the requirement for substantial instruction in professional skills in various ways, including, for example, requiring students to take one or more courses having substantial professional skills components. To be "substantial," instruction in professional skills must engage each student in skills performances that are assessed by the instructor.*

**Interpretation 302-4**

*A law school need not accommodate every student requesting enrollment in a particular professional skills course.*

**Interpretation 302-5**

*The offering of live-client or real-life experiences may be accomplished through clinics or field placements. A law school need not offer these experiences to every student nor must a law school accommodate every student requesting enrollment in any particular live-client or other real-life practice experience.*

**Interpretation 302-6**

*A law school should involve members of the bench and bar in the instruction required by Standard 302(a)(5).*

**Interpretation 302-7 [Reserved]****Interpretation 302-8**

*A law school shall engage in periodic review of its curriculum to ensure that it prepares the school's graduates to participate effectively and responsibly in the legal profession.*

**Interpretation 302-9**

*The substantial instruction in the history, structure, values, rules, and responsibilities of the legal profession and its members required by Standard 302(a)(5) includes instruction in matters such as the law of lawyering and the Model Rules of Professional Conduct of the American Bar Association.*

**Interpretation 302-10**

*Each law school is encouraged to be creative in developing substantial opportunities for student participation in pro bono activities. Pro bono opportunities should at a minimum involve the rendering of meaningful law-related service to persons of limited means or to organizations that serve such persons; however volunteer programs that involve meaningful services that are not law-related also may be included within the law school's overall program. Law-related pro bono opportunities need not be structured to accomplish any of the professional skills training required by Standard 302(a)(4). While most existing law school pro bono programs include only activities for which students do not receive academic credit, Standard 302(b)(2) does not preclude the inclusion of credit-granting activities within a law school's overall program of pro bono opportunities so long as law-related non-credit bearing initiatives are also part of that program.*

**Standard 303. ACADEMIC STANDARDS AND ACHIEVEMENTS**

- (a) **A law school shall have and adhere to sound academic standards, including clearly defined standards for good standing and graduation.**
- (b) **A law school shall monitor students' academic progress and achievement from the beginning of and periodically throughout their studies.**
- (c) **A law school shall not continue the enrollment of a student whose inability to do satisfactory work is sufficiently manifest so that the student's continuation in school would inculcate false hopes, constitute economic exploitation, or detrimentally affect the education of other students.**

**Interpretation 303-1**

*Scholastic achievement of students shall be evaluated by examinations of suitable length and complexity, papers, projects, or by assessment of performances of students in the role of lawyers.*

**Interpretation 303-2**

*A law school shall provide academic advising to students to communicate effectively to them the school's academic standards and graduation requirements, and guidance regarding course selection and sequencing. Academic advising should include assisting each student with planning a program of study consistent with that student's goals.*

**Interpretation 303-3**

*A law school shall provide the academic support necessary to assure each student a satisfactory opportunity to complete the program, graduate, and become a member of the legal profession. This obligation may require a school to create and maintain a formal academic support program.*

**Standard 304. COURSE OF STUDY AND ACADEMIC CALENDAR**

- (a) A law school shall have an academic year of not fewer than 130 days on which classes are regularly scheduled in the law school, extending into not fewer than eight calendar months. The law school shall provide adequate time for reading periods, examinations, and breaks, but such time does not count toward the 130-day academic year requirement.
- (b) A law school shall require, as a condition for graduation, successful completion of a course of study in residence of not fewer than 58,000 minutes of instruction time, except as otherwise provided. At least 45,000 of these minutes shall be by attendance in regularly scheduled class sessions at the law school.
- (c) A law school shall require that the course of study for the J.D. degree be completed no earlier than 24 months and no later than 84 months after a student has commenced law study at the law school or a law school from which the school has accepted transfer credit.
- (d) A law school shall require regular and punctual class attendance.
- (e) A law school shall not permit a student to be enrolled at any time in coursework that, if successfully completed, would exceed 20 percent of the total coursework required by that school for graduation (or a proportionate number for schools on other academic schedules, such as a quarter system).
- (f) A student may not be employed more than 20 hours per week in any week in which the student is enrolled in more than twelve class hours.

**Interpretation 304-1**

*This Standard establishes a minimum period of academic instruction as a condition for graduation. While the academic year is typically divided into two equal terms of at least thirteen weeks, that equal division is not required. The Standard accommodates deviations from a conventional semester system, including quarter systems, trimesters, and mini-terms.*

**Interpretation 304-2**

*A law school may not count more than five class days each week toward the 130-day requirement.*

**Interpretation 304-3**

*In calculating the 45,000 minutes of "regularly scheduled class sessions" for the purpose of Standard 304(b), the time may include:*

- (a) coursework at a law school for which a student receives credit toward the J.D. degree by the law school, so long as that work itself meets the requirements of Standard 304;
- (b) coursework for which a student receives credit toward the J.D. degree that is work done in a foreign study program that qualifies under Standard 307;
- (c) law school coursework that meets the requirements of Standard 306(c);

- (d) in a seminar or other upper-level course other than an independent research course, the minutes allocated for preparation of a substantial paper or project if the time and effort required and anticipated educational benefit are commensurate with the credit awarded; and
- (e) in a law school clinical course, the minutes allocated for clinical work so long as (i) the clinical course includes a classroom instructional component, (ii) the clinical work is done under the direct supervision of a member of the law school faculty or instructional staff whose primary professional employment is with the law school, and (iii) the time and effort required and anticipated educational benefit are commensurate with the credit awarded.

A law school shall not include in the 45,000 minutes required by Standard 304(b) to be by attendance in regularly scheduled class sessions at the law school any other coursework, including but not limited to (i) work qualifying for credit under Standard 305; (ii) coursework completed in another department, school or college of the university with which the law school is affiliated or at another institution of higher learning; and (iii) co-curricular activities such as law review, moot court, and trial competitions.

#### **Interpretation 304-4**

Law schools may find the following examples useful. Law schools on a conventional semester system typically require 700 minutes of instruction time per "credit," exclusive of time for an examination. A quarter hour of credit requires 450 minutes of instruction time, exclusive of time for an examination. To achieve the required total of 58,000 minutes of instruction time, a law school must require at least 83 semester hours of credit, or 129 quarter hours of credit.

If a law school on a semester system offers classes in units of 50 minutes per credit, it can provide 700 minutes of instruction in 14 classes. If such a law school offers classes in units of 55 minutes per class, it can provide 700 minutes of instruction in 13 classes. If such a law school offers classes in units of 75 minutes per class, it can provide 700 minutes of instruction in 10 classes.

If a law school on a quarter system offers classes in units of 50 minutes per class, it can provide 450 minutes of instruction in 9 classes. If such a law school offers classes in units of 65 minutes per class, it can provide 450 minutes of instruction in 8 classes. If such a law school offers classes in units of 75 minutes per class, it can provide 450 minutes of instruction in 6 classes.

In all events, the 130-day requirement of Standard 304(a) and the 58,000-minute requirement of Standard 304(b) should be understood as separate and independent requirements.

#### **Interpretation 304-5**

Credit for a J.D. degree shall only be given for course work taken after the student has matriculated in a law school. A law school may not grant credit toward the J.D. degree for work taken in a pre-admission program.

#### **Interpretation 304-6**

A law school shall demonstrate that it has adopted and enforces policies insuring that individual students satisfy the requirements of this Standard, including the implementation of policies relating to class scheduling, attendance, and limitation on employment.

#### **Interpretation 304-7**

Subject to the provisions of this Interpretation, a law school shall require a student who has completed work in an LL.M. or other post J.D. program to complete all of the work for which it will award the J.D. degree

*following the student's regular enrollment in the school's J.D. program. A law school may accept transfer credit as otherwise allowed by the Standards.*

*A law school may award credit toward a J.D. degree for work undertaken in a LL.M. or other post J.D. program offered by it or another law school if:*

- (a) that work was the successful completion of a J.D. course while the student was enrolled in a post-J.D. law program;*
- (b) the law school at which the course was taken has a grading system for LL.M. students in J.D. courses that is comparable to the grading system for J.D. students in the course, and*
- (c) the law school accepting the transfer credit will require that the student successfully complete a course of study that satisfies the requirements of Standards 302(a)-(b) and that meets all of the school's requirement for the awarding of the J.D. degree.*

### **Standard 305. STUDY OUTSIDE THE CLASSROOM**

- (a) A law school may grant credit toward the J.D. degree for courses or a program that permits or requires student participation in studies or activities away from or outside the law school or in a format that does not involve attendance at regularly scheduled class sessions.**
- (b) Credit granted shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.**
- (c) Each student's academic achievement shall be evaluated by a faculty member. For purposes of Standard 305 and its Interpretations, the term "faculty member" means a member of the full-time or part-time faculty. When appropriate a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program.**
- (d) The studies or activities shall be approved in advance and periodically reviewed following the school's established procedures for approval of the curriculum.**
- (e) A field placement program shall include:**
  - (1) a clear statement of the goals and methods, and a demonstrated relationship between those goals and methods to the program in operation;**
  - (2) adequate instructional resources, including faculty teaching in and supervising the program who devote the requisite time and attention to satisfy program goals and are sufficiently available to students;**
  - (3) a clearly articulated method of evaluating each student's academic performance involving both a faculty member and the field placement supervisor;**
  - (4) a method for selecting, training, evaluating, and communicating with field placement supervisors;**
  - (5) periodic on-site visits or their equivalent by a faculty member if the field placement program awards four or more academic credits (or equivalent) for field work in any academic term or if on-site visits or their equivalent are otherwise necessary and appropriate;**
  - (6) a requirement that students have successfully completed one academic year of study prior to participation in the field placement program;**

- (7) opportunities for student reflection on their field placement experience, through a seminar, regularly scheduled tutorials, or other means of guided reflection. Where a student can earn four or more academic credits (or equivalent) in the program for fieldwork, the seminar, tutorial, or other means of guided reflection must be provided contemporaneously.

**Interpretation 305-1**

*Activities covered by Standard 305(a) include field placement, moot court, law review, and directed research programs or courses for which credit toward the J.D. degree is granted, as well as courses taken in parts of the college or university outside the law school for which credit toward the J.D. degree is granted.*

**Interpretation 305-2**

*The nature of field placement programs presents special opportunities and unique challenges for the maintenance of educational quality. Field placement programs accordingly require particular attention from the law school and the Accreditation Committee.*

**Interpretation 305-3**

*A law school may not grant credit to a student for participation in a field placement program for which the student receives compensation. This Interpretation does not preclude reimbursement of reasonable out-of-pocket expenses related to the field placement.*

**Interpretation 305-4**

- (a) *A law school that has a field placement program shall develop, publish and communicate to students and field instructors a statement that describes the educational objectives of the program.*
- (b) *In a field placement program, as the number of students involved or the number of credits awarded increases, the level of instructional resources devoted to the program should also increase.*

**Interpretation 305-5**

*Standard 305 by its own force does not allow credit for Distance Education courses.*

**Standard 306. DISTANCE EDUCATION**

- (a) **A law school may offer credit toward the J.D. degree for study offered through distance education consistent with the provisions of this Standard and Interpretations of this Standard. Such credit shall be awarded only if the academic content, the method of course delivery, and the method of evaluating student performance are approved as part of the school's regular curriculum approval process.**
- (b) **Distance education is an educational process characterized by the separation, in time or place, between instructor and student. It includes courses offered principally by means of:**
- (1) **technological transmission, including Internet, open broadcast, closed circuit, cable, microwave, or satellite transmission;**
  - (2) **audio or computer conferencing;**
  - (3) **video cassettes or discs; or**
  - (4) **correspondence.**



- (c) A law school may award credit for distance education and may count that credit toward the 45,000 minutes of instruction required by Standard 304(b) if:
- (1) there is ample interaction with the instructor and other students both inside and outside the formal structure of the course throughout its duration; and
  - (2) there is ample monitoring of student effort and accomplishment as the course progresses.
- (d) A law school shall not grant a student more than four credit hours in any term, nor more than a total of 12 credit hours, toward the J.D. degree for courses qualifying under this Standard.
- (e) No student shall enroll in courses qualifying for credit under this Standard until that student has completed instruction equivalent to 28 credit hours toward the J.D. degree.
- (f) No credit otherwise may be given toward the J.D. degree for any distance education course.
- (g) A law school shall establish a process that is effective for verifying the identity of students taking distance education courses and protects student privacy. If any additional student charges are associated with verification of student identity, students must be notified at the time of registration or enrollment.

***Interpretation 306-1***

*To allow the Council and the Standards Review Committee to review and adjust this Standard, law schools shall report each year on the distance education courses that they offer.*

***Interpretation 306-2***

*Distance education presents special opportunities and unique challenges for the maintenance of educational quality. Distance education accordingly requires particular attention from the law school and by site visit teams and the Accreditation Committee.*

***Interpretation 306-3***

*Courses in which two-thirds or more of the course instruction consists of regular classroom instruction shall not be treated as "distance education" for purposes of Standards 306(d) and (e) even though they also include substantial on-line interaction or other common components of "distance education" courses so long as such instruction complies with the provisions of subsections (1) and (2) of Standard 306(c).*

***Interpretation 306-4***

*Law schools shall take steps to provide students in distance education courses opportunities to interact with instructors that equal or exceed the opportunities for such interaction with instructors in a traditional classroom setting.*

***Interpretation 306-5***

*Law schools shall have the technological capacity, staff, information resources, and facilities required to provide the support needed for instructors and students involved in distance education at the school.*

***Interpretation 306-6***

*Law schools shall establish mechanisms to assure that faculty who teach distance education courses and students who enroll in them have the skills and access to the technology necessary to enable them to participate effectively.*

**Interpretation 306-7**

Faculty approval of credit for a distance education course shall include a specific explanation of how the course credit was determined. Credit shall be awarded in a manner consistent with the requirement of Interpretation 304-4 that requires 700 minutes of instruction for each credit awarded.

**Interpretation 306-8**

A law school that offers more than an incidental amount of credit for distance education shall adopt a written plan for distance education at the law school and shall periodically review the educational effectiveness of its distance education courses and programs.

**Interpretation 306-9**

"Credits" in this Standard means semester hour credits as provided in Interpretation 304-4. Law schools that use quarter hours of credit shall convert these credits in a manner that is consistent with the provisions of Interpretation 304-4.

**Interpretation 306-10**

Methods to verify student identity as required in 306(g) include, but are not limited to: (i) a secure login and pass code; (ii) proctored examinations; and (iii) new or other technologies and practices that are effective in verifying student identity. As part of the verification process, a law school must verify that the student who registers for a class is the same student that participates and takes the exam for the class.

**Standard 307. PARTICIPATION IN STUDIES OR ACTIVITIES IN A FOREIGN COUNTRY**

A law school may grant credit for student participation in studies or activities in a foreign country only if the studies or activities are approved in accordance with the Rules of Procedure and Criteria as adopted by the Council.

**Interpretation 307-1**

In addition to studies or activities covered by Criteria adopted by the Council, a law school may grant credit for (a) studies or activities in a foreign country that meet the requirements of Standard 305 and (b) brief visits to a foreign country that are part of a law school course approved through the school's regular curriculum approval process.

**Standard 308. DEGREE PROGRAMS IN ADDITION TO J.D.**

A law school may not establish a degree program other than its J.D. degree program without obtaining the Council's prior acquiescence. A law school may not establish a degree program in addition to its J.D. degree program unless the school is fully approved. The additional degree program may not detract from a law school's ability to maintain a J.D. degree program that meets the requirements of the Standards.

**Interpretation 308-1**

Reasons for withholding acquiescence in the establishment of an advanced degree program include:

- (1) Lack of sufficient full-time faculty to conduct the J.D. degree program;

- 
- (2) *Lack of adequate physical facilities, which has a negative and material effect on the education students receive;*
  - (3) *Lack of an adequate law library to support both a J.D. and an advanced degree program; and*
  - (4) *A J.D. degree curriculum lacking sufficient diversity and richness in course offerings.*

***Interpretation 308-2***

*Acquiescence in a degree program other than the first degree in law is not an approval of the program itself, and, therefore, a school may not announce that the program is approved by the American Bar Association.*

# **ATTACHMENT 4**

## **Addendum to Formal Proposal for a New Degree Program**

### Question 3f – List of Universities offering Master of Legal Studies or similar programs

Yale

Emory

Wake Forest

University of Pittsburgh

OSU

Georgetown

ASU

Albany

Vermont

Hastings

Dayton

UCSF

San Diego

Baltimore

Nebraska

Several additional schools have indicated that they are planning to offer such programs in the near future.

# **ATTACHMENT 5**

**LAW SCHOOL TENURED AND TENURE-TRACK FACULTY (AS OF FALL 2013)**

Amann, Diane Marie

Appel, Peter A.

Baradaran, Mehrsa

Barnett, Kent H.

Beck, J. Randy

Brown, Lonnie T.

Burch, Elizabeth

Cade, Jason (Effective, Fall 2013)

Chapman, Nathan (Effective, Fall 2013)

Coenen, Dan T.

Cohen, Harlan G.

Cook, Julian

Dennis, Andrea L.

Dodge, Jaime

Eaton, Thomas A.

Hall, Matthew

Hashimoto, Erica

Hellerstein, Walter

Khan, Fazal

Leonard, Elizabeth Weeks

Levin, Hillel

Meyer, Timothy L.

Miller, Joe

Milot, Lisa

Mulligan, Christina (Effective, Fall 2013)

Ringhand, Lori

Rodrigues, Usha

Rutledge, Peter B. (Bo)

Sachs, Margaret V.

Sawyer, Logan E.

Scherr, Alexander W.

Shiple, David E.

Smith, James C.

Turner, Christian M.

Watson, Camilla E.

Wells, Michael L.

West, Sonja R.

White, Rebecca H.