

UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW
UPPER-LEVEL COURSE DESCRIPTIONS
FALL 2010

ADMINISTRATIVE LAW **LAWS 709**
PROF. POWELL **3 HRS (F)**

COURSE DESCRIPTION

Government agencies regulate almost every area of our lives. Many lawyers work for government agencies and many other lawyers work for people whose lives are affected by these agencies. Virtually every lawyer needs to know how government agencies operate. That is the subject of this course. The course is recommended for students interested in the general practice of law as well as those who intend to specialize in substantive areas, such as environmental law, health-care law, and securities law (to name a few).

BASIS OF GRADE: Final examination and classroom participation
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 58

ADVANCED LEGAL WRITING **LAWS 540**
PROF. EICHHORN **3 HRS (F)**

COURSE DESCRIPTION

This course will ask students to draft several different types of documents, with an emphasis on documents related to the litigation process. Drafting assignments may cover office memoranda, motion memoranda, client opinion letters, pleadings, jury instructions, and orders. Throughout the course, students will receive instruction regarding both the formats of various documents and the editing skills necessary to produce clear, concise, correct prose.

BASIS OF GRADE: Weekly written assignments during the semester. After an initial grade, all papers may be revised until they ultimately meet the instructor's satisfaction.
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 16
NOTE: A student may elect to have this course satisfy the skills course graduation requirement or the graduation writing requirement, but not both.

APPELLATE ADVOCACY **LAWS 683**
MR. BOCKMAN **3 HRS (F)**

COURSE DESCRIPTION

An intensive study of appellate litigation with a view to developing appellate practice skills, including formulation of strategies on appeal, use of the appellate record, brief writing, and oral advocacy. The course will focus on South Carolina appellate practice although federal practice will be included. Emphasis will be placed on individual learning and development.

BASIS OF GRADE: Learning by doing, class discussion, individual critique, written and oral work throughout the course. No final examination
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 16

NOTE: In the spring semester 2L members of the moot court board will be given priority. This course satisfies the skills course graduation requirement.

ANTITRUST LAW & TRADE REGULATION **LAWS 711A**
MR. WHEELER **2 HRS (F)**

COURSE DESCRIPTION

The course will focus on Sections 1 and 2 of the Sherman Antitrust Act, as well as selected other federal trade regulation statutes, including the Clayton Act (as amended by the Robinson-Patman Act). Topics typically covered may include monopolization and attempted monopolization, conspiracies in restraint of trade, *e.g.*, price-fixing and bid-rigging, tying arrangements, the essential facilities doctrine, price discrimination, and merger review. The course will also cover how a heightened pleading standard has changed the civil antitrust litigation landscape."

Basis of Grade: Final Examination
Form of Grade: Letter Grade
Prerequisites: None
Limitation on Enrollment: 25

BUSINESS CORPORATIONS **LAWS 600**
PROF. BURKHARD **4 HRS (F)**

COURSE DESCRIPTION

A study of the formation, structure, and characteristics of enterprises organized to do business in the corporate form. Areas discussed include shareholder and promoter liability, division of enterprise ownership, powers and control, duties of management, and securities regulation.
BASIS OF GRADE: Exam. Class participation may be taken into account.
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 80
NOTE: Rising 2Ls have registration priority. Students who have taken the three-credit-hour Corporations in summer school may not register for Business Corporations.

CIVIL PROCEDURE II **LAWS 546**
PROF. STRAVITZ **3 HRS (F)**

COURSE DESCRIPTION

An analysis of the procedural steps in the prosecution and defense of a civil case with emphasis on the Federal Rules of Civil Procedure, including pleading, motions directed to pleadings, amendment, joinder, complex joinder devices, obtaining information from other parties through discovery, trial and post-trial motions and standards for appeal. Special issues in federal procedure including subject matter jurisdiction, removal, jurisdiction limitations on procedural devices, transfer between courts, class actions and multi-district litigation and appellate issues and the relationship of the federal and state courts may also be explored. At the discretion of the professor some individual drafting problems may be assigned.

BASIS OF GRADE: Exam and possibly drafting assignments
FORM OF GRADE: Letter grade
PREREQUISITE: Civil Procedure I
LIMITATION ON ENROLLMENT: 80
NOTE: Required for graduation for students entering in Fall 2009. Rising 2Ls have registration priority. Subject to block preregistration.

COMMERCIAL SPEECH SEMINAR LAWS 837
MR. BENDER 3 Hrs (F)

COURSE DESCRIPTION

In Valentine v. Chrestensen, 316 U.S. 52 (1942), the United States Supreme Court said, "We are ... clear that the Constitution imposes no ... restraint on government as respects purely commercial advertising." Since 1942, however, speech that is "commercial" has been afforded greater constitutional protection against government regulation. This seminar will explore whether commercial speech is different from other speech and whether the identity of the speaker matters in determining the extent to which commercial speech may be regulated. The course will trace the development of the "commercial speech doctrine" and seek to provoke inquiry into the consequences of providing full First Amendment protection for commercial speech.

BASIS OF GRADE: Paper

FORM OF GRADE: Letter grade

PREREQUISITES: None

LIMITATION ON ENROLLMENT: 20

NOTE: This course satisfies the graduation writing requirement.

CONSTITUTIONAL LAW II LAWS 526
PROF. BROWN § 1 3 Hrs (F)
PROF. BROWN § 2
PROF. PATTERSON § 3

COURSE DESCRIPTION

The second-half of the required year-long Constitutional Law sequence. This class focuses on provisions of the United States Constitution that guarantee and protect individual rights against government encroachment. Among the topics covered are: equal protection, due process, freedom of speech, and freedom of religion.

BASIS OF GRADE: Exam

FORM OF GRADE: Letter grade

PREREQUISITE: Constitutional Law I

LIMITATION ON ENROLLMENT: 80

NOTE: Rising 2Ls have registration priority. Subject to block registration, required for graduation.

CONSTRUCTION LAW & LITIGATION LAWS 689
MR. L. MELTON 2 Hrs (F)

COURSE DESCRIPTION

This course covers the substantive issues that arise in litigation concerning major public and private construction projects. The course addresses the rights and liabilities of owners, lenders, prime contractors, subcontractors, suppliers, sureties, insurers, and design professionals arising under contracts, statutes, professional liability and certain business related torts such as misrepresentation. The course also address the use of litigation, arbitration, and mediation to resolve construction disputes.

BASIS OF GRADE: Exam

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 20

NOTE: This course will be of interest to students interested in a career in state or federal government, construction contracting and litigation, or business litigation. Students with background in engineering, architecture, or construction management are encouraged to enroll.

CRIMINAL PRACTICE CLINIC LAWS 757
PROF. GAINES 3 Hrs (F)

COURSE DESCRIPTION

The clinic will afford participating students an opportunity to gain first-hand, closely supervised training and experience in the representation of real clients and the practice of the arts/skills of litigation planning, client counseling, fact development, negotiation and courtroom advocacy. The vehicle for such training and experience is the planning, preparation and presentation of the legal defense in actual cases involving allegations of criminal conduct. All casework will be done under the supervision of a clinical professor. In addition to the cases, there will be assigned readings, lectures, discussions and demonstrations. Criminal Practice Clinic places emphasis on jury trial practice before the Municipal Court for the City of Columbia and Richland County Central Court.

BASIS OF GRADE: Performance on casework and participation in class discussions and exercises.

FORM OF GRADE: Letter grade

PREREQUISITE: Evidence and Criminal Procedure. Also, students must have taken or be enrolled in Professional Responsibility or Problems in Professional Responsibility

LIMITATION ON ENROLLMENT: Limited to 10 students. Students must be in their third year, and must be in academic good standing and eligible for certification under the Student Practice Rule. (Rule 401 of South Carolina Appellate Court Rules). Students must be available to meet with clients Monday through Friday. Anyone having questions about the clinic or their eligibility should contact Prof. Gaines. Students clerking for the Solicitor's Office cannot take this clinic.

NOTE: Subject to Client Contact Clinic Lottery. This course satisfies the skills course graduation requirement.

DEATH PENALTY SEMINAR LAWS 798
PROF. HAMILTON 3 Hrs (F)

COURSE DESCRIPTION

A survey of the history, law, and policy underlying the capital punishment system in the US. Topics will include the eligibility of offenders and offenses for the possibility of death, procedural issues in death sentencing, and methods of execution.

BASIS OF GRADE: Paper

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 15

NOTE: This course satisfies the graduation writing requirement.

ESTATE & GIFT TAX LAWS 649
PROF. HELLWIG 3 Hrs (F)

COURSE DESCRIPTION

Analysis of principles and application of federal estate and gift tax law, regulations and rules effecting (1) various methods for interviews and testamentary transfers including consideration of

typical estate planning devises such as gifts, wills, trusts. Insurance, and other death benefits, (2) post-mortem planning, and (3) drafting techniques.

BASIS OF GRADE: Exam and class participation

FORM OF GRADE: Letter grade

PREREQUISITE: Income Taxation and Wills, Trusts and Estates

CO-REQUISITE: Wills, Trusts and Estates with permission of instructor

LIMITATION ON ENROLLMENT: 50

EVIDENCE LAWS 671
PROF. FLANAGAN 3 HRS (F)

COURSE DESCRIPTION

Preparation and presentation of various kinds of evidence, including: proof of writings; qualifications and examination of witnesses; privilege; opinion testimony; demonstrative, experimental, scientific evidence; determination of relevancy; and application of the hear-say rule.

BASIS OF GRADE: Exam

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 80

NOTE: Rising 2Ls have registration priority.

FAMILY LAW LAWS 759
PROF. ZUG 3 HRS (F)

COURSE DESCRIPTION

Analysis of legal requirements and limitations on creation, maintenance and dissolution of family relationships.

BASIS OF GRADE: Final exam. The instructor may adjust grades ½ letter to reflect class participation.

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 75

FEDERAL CONSTITUTIONAL CONVENTION LAWS 835
DEAN PRATT 3 HRS (F)

COURSE DESCRIPTION:

This seminar will focus on the debates at the Federal Constitutional Convention of 1787, concentrating on the delegates to the Convention, their arguments during the Convention, and the compromises thought necessary to secure the Constitution's approval.

BASIS OF GRADE: Paper

FORM OF GRADE: Letter Grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 15

NOTE: This course qualifies as a perspective course. It satisfies the graduation writing requirement. A student taking this course may not also take The Constitution.

FEDERAL ENVIRONMENTAL LAW LAWS 731
PROF. CARLARNE 3 HRS (F)

COURSE DESCRIPTION

This is an introductory course in environmental law. The purpose is to give interested students a background in a number of federal environmental statutes, including NEPA (National Environmental Policy Act) CERCLA (Comprehensive Environmental Response, Compensation and Liability Act) ESA (Endangered Species Act) and

CWA (Clean Water Act).

BASIS OF GRADE: Exam; research paper may be required

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 50

FEDERAL INDIAN LAW LAWS 838
PROF. ZUG 2/3 HRS (F)

COURSE DESCRIPTION

This seminar explores the basic legal principles that govern the relationship between American Indian tribes, the federal government, and the state governments. Topics covered will include jurisdictional issues arising between those governments, the source and scope of Indian sovereignty, and the recognition and enforcement of Indian land and treaty rights.

BASIS OF GRADE: Paper

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 20

NOTE: This course satisfies the perspective course requirement. It satisfies the graduation writing requirement if taken for 3 hours..

FEDERAL LITIGATION CLINIC LAWS 656
PROF. FLYNN 3 HRS (F)

COURSE DESCRIPTION

Students will represent clients in cases presenting problems in civil Federal litigation. The casework will focus on problems of pleading, discovery and motion practice in the Federal Courts. Caseload will be limited and students will work on cases in teams under the supervision of clinical faculty; all aspects of client representation will be closely supervised. A one hour per week classroom component will address specific procedural and substantive problems in the context of individual student cases. Group discussion and decision-making will be employed to expose all students to the problems presented by the various cases.

BASIS OF GRADE: Grades based on evaluation of student performance on casework as well as class attendance, preparation and participation.

FORM OF GRADE: Letter grade

PREREQUISITE: Evidence. Students must have completed or be enrolled in Professional Responsibility or Problems in Professional Responsibility

LIMITATION ON ENROLLMENT: 10

Students must be in academic good standing and qualify under the Student Practice Rules of the S.C. Supreme Court and the U.S.

District Court which restrict participation to third year students (December graduates are eligible in the Spring semester of their second year). Enrollment will be limited to 10 students. Students must be available to meet with clients Monday through Friday

NOTE: Subject to Client Contact Clinic Lottery. This course satisfies the skills course graduation requirement.

FEDERAL PRACTICE LAWS 659
PROF. STRAVITZ 3 HRS (F)

COURSE DESCRIPTION

A study of the role of the federal courts in the operation of the federal system. The course is designed to cover the constitutional and statutory role of federal courts, including their relationship to other branches of the federal government, the interplay of federal

and state law, and the distribution of judicial power between federal and state courts. Specific topics to be covered include: Congressional Power to control Federal Jurisdictional, supplemental and Removal Jurisdiction, Jurisdictional Amount, State Sovereign Immunity, Absention, the Anti-Injunction Act and current Concepts of Federalism. If time permits, the course will also cover Habeas Corpus and Civil Rights Removal.

BASIS OF GRADE: Exam

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 55

FIDUCIARY ADMINISTRATION LAWS 647
PROF. MEDLIN 2 HRS (F)

COURSE DESCRIPTION

Survey of the probate of wills, the appointment of Personal Representatives of decedents' estates, the administration of decedents' estates (duties and powers of Personal Representatives), and the administration of trusts generally (duties and powers of Trustees). South Carolina emphasis.

BASIS OF GRADE: Exams, class attendance, and participation

FORM OF GRADE: Letter grade

PREREQUISITE: Wills, Trusts & Estates

LIMITATION ON ENROLLMENT: 55

HEALTH LAW & POLICY LAWS 676
PROF. FOX 3 HRS (F)

COURSE DESCRIPTION

This introductory health law and policy course surveys current regulatory schemes governing the provision of healthcare. The class focuses on major themes such as quality of care, access to care, cost containment and the role of the public health. The goal of this course is to familiarize students with the laws and recurrent policy concerns that arise in health law by analyzing a broad spectrum of health law areas. Areas studied include malpractice, the provider-patient relationship, informed consent, the regulation of healthcare facilities, the regulation of health insurers and managed care providers, Medicare/Medicaid, and the power of the state during a health emergency.

BASIS OF GRADE: TBA

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 40

IMMIGRATION LAW LAWS 627
PROF. SAID 2 HRS (F)

COURSE DESCRIPTION

This course will examine the legal framework and criteria that govern who can legally enter, reside, and become a citizen in the polity of the United States, a country that has attracted large numbers of immigrants throughout its history and continues to do so today. Drawing on the Immigration and Nationality Act, attention will be paid to judicial, legislative, and regulatory construction of those provisions of immigration law relevant to defining who is allowed into the United States and in what category, who may be removed, and the more recent focus on security/terrorism concerns and immigration as a political issue.

BASIS OF GRADE: Exam

FORM OF GRADE: Letter

PREREQUISITE: NONE

LIMITATION ON ENROLLMENT: 25

INCOME TAXATION LAWS 633
PROF. QUIRK 3 HRS (F)

COURSE DESCRIPTION

Basic concepts of income taxation of individuals; gross income, adjusted gross income, applicable deductions, credits, gains and losses and nonrecognition transactions. Examination of concepts of capital gains and losses, including questions of basis, nonrecognition in certain exchanges and carry-over of losses.

BASIS OF GRADE: Exam, class participation, or problems as announced in class

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 80

NOTE: Rising 2Ls have registration priority. Subject to block preregistration

INDIVIDUAL EMPLOYMENT LAW LAWS 630
PROF. SEINER 3 HRS (F)

COURSE DESCRIPTION

Legislatures and courts have steadily increased regulation of employment relationships in recent decades. The new regulations consist of a mixture of contract, tort, criminal, and administrative law. This course explores those developments, and we will study many of the statutory and common law rules governing the establishment and termination of the employment relationship and regulating the conditions of employment. Given the breadth of the subject matter, Individual Employment Law will be useful for students considering general practice or corporate law as well as those planning to practice labor and employment law.

BASIS OF GRADE: Class participation and final exam

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 50

INTELLECTUAL PROPERTY LAWS 724
PROF. BARTOW 3 HRS (F)

COURSE DESCRIPTION

This survey course will provide a basic grounding in the law of Copyrights, Patents, and Trademarks. Subject covered will include the acquisition, maintenance and duration of intellectual property protections; the right and obligations of intellectual property owners; and causes of action and remedies for infringing activities.

BASIS OF GRADE: Exam

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 40

NOTE: Students who have taken Patent Law and Copyright Law may register for Intellectual Property.

INTERNATIONAL ENVIRONMENTAL LAW LAWS 666
PROF. LINNAN 2/3 HRS (F)

COURSE DESCRIPTION

Environmental concerns transcend national borders, but present distinctly different issues to differing groups of countries in an area where soft law predominates. This course looks at the nature of the

international law process in the area (with its limited number of treaty and substantive law principles), economic perspectives on natural resource usage, state sovereignty and abiding tensions between industrialized and developing countries concerning pollution problems (beyond prohibitions, to technology transfer and the who pays question). Since established law is minimal, this course examines the public international law framework for international environmental law *de lege ferenda*.

BASIS OF GRADE: Primarily the final examination and tutorials

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 20

NOTE: Satisfies the Perspective Course requirement. Students may elect to satisfy the writing requirement with instructor's permission. An overnight out-of-town field trip may be required.

INTERNATIONAL LITIGATION	LAWS 765
PROF. SAMUELS	3 HRS (F)

COURSE DESCRIPTION

This course combines substantive instruction with a significant skills component in the form of drafting and oral advocacy. It will focus on litigation in US courts involving international parties. Topics include Jurisdiction, Choice of Forum, Choice of Law, and International Judicial Assistance (including the Recognition and Enforcement of Foreign Judgments).

BASIS OF GRADE: Written and oral skills exercise & projects. Importance will also be given to classroom performance.

FORM OF GRADE: Letter grade

CO- OR PRE-REQUISITES: Civil Procedure II is a pre-requisite or co-requisite with permission of instructor. Although not required, Transnational Law, Conflict of Laws and Federal Courts will be useful.

LIMITATION ON ENROLLMENT: 20

NOTE: Satisfies Perspective Course requirement and skills course graduation requirement.

INTERNATIONAL TRADE LAW	LAWS 665
PROF. LINNAN	2/3 HRS (F)

COURSE DESCRIPTION

This course focuses on the law of international trade, sometimes also called international economic law, which is a specialized area of public international law of growing importance because of economic groupings like NAFTA (representing a regional free trade area approach) and the WTO (representing the worldwide multilateral free trade approach) as well as foreign direct investment law. The world is in the early stage of another multilateral trade liberalization round (aka the Doha Round), and beyond existing law we shall look at how things are shaping up. This course will be taught using website materials (no book). This will be a shared video conferenced course taught together with foreign universities to make you work through trade law problems together with foreign students.

BASIS OF GRADE: Primarily paper

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 15

NOTE: This course satisfies the perspective course requirement. It may be taken for 3 credit hours and satisfaction of the graduation writing requirement with the prior permission of the instructor

INTERVIEWING, COUNSELING & NEGOTIATION	LAWS 771
PROF. BURKE	3 HRS (F)

This course provides an introduction to interviewing, negotiation, and counseling in a variety of legal contexts. Emphasis is placed on helping students improve those skills which are essential to accomplish these tasks competently, particularly problem-solving skills.

METHODOLOGY: Classroom discussions, and outside-of-class assignments involving written exercises and student performances in lawyering roles. Students work in teams on some assignments.

BASIS OF GRADE: Simulations (in class and out of class), papers and class participation

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 20

NOTE: This course satisfies the skills course graduation requirement.

LEGAL DRAFTING	LAWS 538
MR. KOZLAREK	3 HRS (F)

COURSE DESCRIPTION

Students will learn the basic techniques of legal drafting - researching the document, finding the appropriate legal concepts to express the client's wishes, organizing the document, then actually writing the document. Students will then use these techniques to draft a variety of types of documents - including private law documents (contracts, releases, etc.), and public law documents (statutes and regulations), and a few pleading documents. The primary focus will be on form and style rather than on the substantive content of the documents.

BASIS OF GRADE: Exercises and documents drafted during the semester will be graded on a pass/fail basis. You will, however, keep revising them until your work meets the instructor's approval. The grade will be based on a final drafting assignment.

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 16

NOTE: This course satisfies the skills course graduation requirement.

LEGISLATIVE PROCESS	LAWS 769
MR. REID	2 HRS (F)

COURSE DESCRIPTION

This course will examine the law making process at the state and federal levels from the source of an idea for a legislative proposal through its ultimate publication as a statute. Among the issues addressed will be constitutional parameters limiting legislative power, legislative structure and procedures, legislative advocacy, and regulation of lobbyists. Practical exposure to the legislative process will be gained through guest lecturers.

BASIS OF GRADE: Weekly quizzes (30%) and exam (70%). Class participation may be taken into account.

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 25

NOTE: Students who complete this course may not register for legislation.

NON-PROFIT ORGANIZATIONS CLINIC	LAWS 716
PROF. CHERRY	3 HRS (F)

COURSE DESCRIPTION

This Clinic provides legal assistance to nonprofit organizations of all types addressing the various needs of the community. Because many of these organizations lack the financial resources to retain private legal counsel, students provide legal assistance in transactional matters that include incorporation, preparation of by-laws, preparation and filing of 501(c)(3) applications, contract review and negotiation, real estate, intellectual property and land use issues. Students may attend board meetings, provide legal assistance to start up organizations or organizations that are merging, converting or spinning off new ventures. The nature of the clinic allows for experience touching many different legal disciplines and helps provide for the stabilization of these organizations so that they can better serve the community.

BASIS OF GRADE: Performance on casework and participation in class discussions and exercises.

FORM OF GRADE: Letter grade

PREREQUISITE: Have taken Problems in Professional Responsibility or Professional Responsibility.

LIMITATION ON ENROLLMENT: 10. Students must be in their third year and must be in academic good standing and eligible for certification under the Student Practice Rule. (Rule 401 of South Carolina Appellate Court Rules). Students must be available to meet with clients Monday through Friday.

NOTE: This course satisfies the skills course graduation requirement.

PARTNERSHIP & LLC TAXATION LAWS 637 PROF. HELLWIG 3 HRS (F)

COURSE DESCRIPTION

An examination of the classifications, organization, operation, and dissolution of partnerships for federal income tax purposes; basis of partnership interests; determination of partnership income; sales of partnership interests; death and retirement of a partner.

BASIS OF GRADE: Exam and, to some extent class participation

FORM OF GRADE: Letter grade

PREREQUISITE: Income Tax (no waivers will be granted)

LIMITATION ON ENROLLMENT: 40

PAYMENT SYSTEMS LAWS 657 PROF. P. LACY 3 HRS (F)

COURSE DESCRIPTION

This course is an introduction to the laws that govern the means by which parties satisfy obligations by payment. The course considers the legal and economic implications of the use of checks and other negotiable instruments as a payment system, including the collection process and loss allocation principles under Articles 3 and 4 of the Uniform Commercial Code. The course also covers federal regulation of funds availability, credit cards, electronic funds transfers and wholesale wire transfers.

BASIS OF GRADE: Final exam

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 80

POVERTY LAW LAWS 770 PROF. PATTERSON 2/3 HRS (F)

COURSE DESCRIPTION

This course will examine the law and policy relating to public

assistance and related programs in the United States, with particular attention to the shift in policy represented by the welfare reform initiatives of 1988 and 1996. Issues related to poverty, public benefit programs, work, and child support will be examined through a policy lens, with attention to different socio-political philosophies and theories, social and economic data, and empirical studies, as well as legal rules and parameters in the United States and elsewhere.

BASIS OF GRADE: Exam

FORM OF GRADE: Letter grade

CO-PREREQUISITE: None

LIMITATION ON ENROLLMENT: 20

NOTE: Qualifies as a perspective course. Up to five students may register for 3 hours credit and complete the writing requirement in this class, with the prior permission of the instructor. Students may not have also taken Welfare Law.

PRINCIPLES OF LABOR LAW LAWS 626 PROF. SEINER 2 HRS (F)

COURSE DESCRIPTION

This course will address the basic principles and labor protections found in the National Labor Relations Act (NLRA). The NLRA – and the foundations of labor law generally address various aspects of collective activity, including the right to organize and join labor organizations, and the regulation of strikes, boycotts and picketing. Additionally, this course will examine the timely issues of labor law, and explore the direction that this field is heading.

BASIS OF GRADE: Letter Grade, determined by a final examination, class participation, and a class presentation.

PREREQUISITES: None

LIMITATION OF ENROLLMENT: 40

PROBLEMS IN PROFESSIONAL RESPONSIBILITY LAWS 554 PROF. ADAMS § 1 3 HRS (F)

PROF. POWELL § 2

COURSE DESCRIPTION

A problem-based course that focuses on lawyers' ethical obligations in various areas of practice: criminal defense and prosecution, civil litigation, office practice, government, and the judiciary. The course also examines significant issues facing the profession, including limitations on practice, restrictions on the adversary model and regulation of the profession. A central theme of the course is the need for students and lawyers to develop a philosophy of lawyering.

BASIS OF GRADE: Exam

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 80

NOTE: Rising 2Ls have registration priority Subject to block pre-registration. Satisfies Professional Responsibility requirement for graduation. Must earn a "C" or better to satisfy the graduation requirement. Students who have taken Professional Responsibility may not take this course.

PRODUCTS LIABILITY LAWS 690 PROF. OWEN 3 HRS (F)

COURSE DESCRIPTION

A study of the law governing legal responsibility for losses caused by defective products.

BASIS OF GRADE: Exam. Class participation may be considered.
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 60

REAL ESTATE TRANSACTIONS I LAWS 652
MS. MANNING 3 HRS (F)

COURSE DESCRIPTION

This is a course on the substantive law of real estate transactions. The key focus of the course will be the law of this state relating to four critically important real estate documents: (1) the contract of sale (2) the deed (3) the mortgage (4) the real estate listing agreement.

BASIS OF GRADE: Exam
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 75

SALES LAWS 732
PROF. NELSON 3 HRS (F)

COURSE DESCRIPTION

This course examines Uniform Commercial Code Article 2 governing sales of goods and Article 2A governing leases of goods. Through statutory and case analysis and problem solving, students will develop skill in planning for and resolving disputes involving transactions in goods, as well as the critical skill necessary to evaluate goals of the law of sales and leases of goods.

BASIS OF GRADE: Exam and possibly written exercises
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 50

S.C. ADMINISTRATIVE LAW LAWS 828
JUDGE GEATHERS AND MR. LOWELL 2 HRS (F)

Course Description: This course provides an overview of practice and procedure before administrative agencies in South Carolina. It will introduce administrative law concepts such as notice and due process, rulemaking, the South Carolina Administrative Procedure Act, and associated case law, as well as provide a survey of state agencies, their jurisdiction, and specific agency statutes such as the Revenue Procedures Act. Practical information on practice and procedure before adjudicative administrative bodies such as the Administrative Law Court will be an integral part of the course.

Basis of Grade: Take-Home Examination
Form of Grade: Letter Grade
Prerequisites: None
Limitation on Enrollment: 30

Note: Students may take both this course and Administrative Law. This course does not satisfy the Administrative Law requirement of Vermont Law School for students in the dual-degree program.

S.C. WORKER'S COMPENSATION LAWS 697
MR. S. LACY 2 HRS (F)

COURSE DESCRIPTION

Historical background of Worker's Compensation Legislation; Rights

of workers and dependents; injuries within worker's compensation law; employers and employees covered under the South Carolina Act; disability benefits; death or dependency benefits; common law actions; miscellaneous provisions of the South Carolina procedure, practice and appeals in compensation cases.

BASIS OF GRADE: Exam
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 50

SECURED TRANSACTIONS LAWS 615
PROF. P. LACY 3 HRS (F)

COURSE DESCRIPTION

An analysis of secured transactions under Article 9 of the Uniform Commercial Code. Topics to be considered include creation, perfection and priority of security interests; the impact of bankruptcy on secured transactions; and default foreclosure.

BASIS OF GRADE: Take home exam
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 85

SECURITIES REGULATION LAWS 606
PROF. MCWILLIAMS 3 HRS (F)

COURSE DESCRIPTION

A general review of the securities markets, including private actions and government regulation, with a particular focus on the Securities Act of 1933 and the Securities Exchange Act of 1934.

BASIS OF GRADE: Final exam
FORM OF GRADE: Letter grade, class participation may be taken into consideration.
PREREQUISITE: Corporations or Business Corporations
LIMITATIONS ON ENROLLMENT: 40

THE CONSTITUTION LAWS 669
PROF. QUIRK 3 HRS (F)

COURSE DESCRIPTION

A study of the structure and theory of the U.S. Constitution as described in the organic laws and founding documents without the judicial exegesis. Specifically, we will examine the Colonial Charters; The Declaration of Independence (1776); The Articles of Confederation (1777); the Treaty of Paris (1783); The Northwest Ordinance (1787); Madison's Notes on the Philadelphia Convention (1789); the Proposal of the 11th Amendment by the Third Congress (1794); and the Virginia and Kentucky Resolutions (1798). The founders' ideas of self-rule, federalism, separation of powers, and man's relation to society will be traced back to Enlightenment writers such as Hume and Montesquieu and developed through the writings of Thomas Jefferson, James Madison and John Adams.

BASIS OF GRADE: Paper
FORM OF GRADE: Letter grade
PREREQUISITE: None
LIMITATION ON ENROLLMENT: 20, Registration only with permission of instructor. Students interested in enrolling in this course should submit a resume' and a statement of their reasons for taking the course to Prof. Quirk.

NOTE: Satisfies perspective course requirement. Students who have enrolled in Federal Constitutional Convention may not also enroll in this course.

TRADEMARKS AND UNFAIR COMPETITION LAWS 713
PROF. BARTOW 3 Hrs (F)

COURSE DESCRIPTION

A survey of federal and state trademark and unfair competition law with an emphasis on the nature, scope and enforcement of trademark rights.

BASIS OF GRADE: Class participation and final exam

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 40

TRANSNATIONAL LAW LAWS 784
PROF. SAMUELS 3 Hrs (F)

COURSE DESCRIPTION

A survey course focusing on the actors, sources, and principles of international or transnational law. The transnational law course introduces students to the basic contours of public international law, private international law, domestic (U.S.) law on international issues, supranational law, and comparative law, with a particular focus on the former three categories. The course will provide foundations for further in-depth study in any of these areas and will also provide ample background in these concepts for students who may only take one international law course during their law school careers.

BASIS OF GRADE: Exam

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 80

NOTE: Satisfies the perspective course requirement.

TRIAL ADVOCACY LAWS 679
MR. MORRISON & MR. WILLIS § 1 2 Hrs (F)
MR. STARKES § 2
MR. MOISE § 3

COURSE DESCRIPTION

An in-depth consideration of the skills of the trial lawyer ranging from trial preparation to litigation strategy. Students are trained in direct examination, cross examination and other litigation oriented skills.

This course provides in-depth training in the skills of a trial lawyer, ranging from trial preparation to litigation strategy. Students perform direct and cross examinations, introduce exhibits, impeach witnesses, and deliver opening statements and closing arguments. Students may also be required to conduct a full mock trial.

BASIS OF GRADE: Class exercises

FORM OF GRADE: Pass/Fail

PREREQUISITE: Evidence

LIMITATION ON ENROLLMENT: 16

NOTE: This course satisfies the skills course graduation requirement.

VETERANS' RIGHTS ADVOCACY SEMINAR LAWS 829
MS. PATRICK 2 Hrs (F)

COURSE DESCRIPTION

This seminar teaches practical advocacy necessary to represent the interests of military veterans in administrative, legislative, litigation

and other matters. Students learn advocacy skills through interaction with simulated clients and decision makers. This course is a prerequisite for participating in the Veterans' Rights Clinic, but is not limited to those students. Enrollment in this course does not ensure later enrollment in the Veterans' Rights Clinic.

BASIS OF GRADE: Simulations, paper, and class participation

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 15

NOTE: Does not satisfy the graduation writing requirement.

WILLS, TRUSTS, & ESTATES LAWS 641
PROF. MEDLIN 3 Hrs (F)

COURSE DESCRIPTION

Disposition of property upon death by intestacy, by will and by will substitute, including consideration of the related problems of limitations upon the testamentary power and contests of testamentary disposition; inter vivos disposition of property by gift and trust; brief survey of administration and probate.

BASIS OF GRADE: Exam, class attendance, and participation

FORM OF GRADE: Letter grade

PREREQUISITE: None

LIMITATION ON ENROLLMENT: 80

NOTE: Rising 2Ls have registration priority.