

GENERAL UPPER LEVEL COURSE DESCRIPTIONS

ACCOUNTING FOR ATTORNEYS 688 (1 hour) An introduction to the principles of accounting, including the theory and function of the balance sheet and the income statement, and the sources of authoritative accounting principles. Other concepts studied will include internal controls, auditing, materiality, and financial analysis (financial ratios). Law firm accounting and escrow accounting will also be covered.

ADMINISTRATIVE LAW 709 (3 hours) A study of the administrative process with emphasis on judicial control of the administrative decision-making process and the role of administrative agencies in the overall governmental structure, both Federal and State. Recommended for students interested in further course work involving administrative law problems such as labor law and environmental law.

ADVANCED LEGAL PROFESSION 556 (3 hours) An in-depth study of selected problems confronting the legal profession. Topics will include legal malpractice, the disciplinary system, law firms and their lawyers, the business of the practice of law, ethics and professionalism in litigation, office practice, and other issues of current interest. Instruction in the course will be by faculty members, practicing lawyers and judges with expertise in the topics addressed.

ADVANCED LEGAL RESEARCH 562 (2 hours) The purpose of this course is to teach methods of doing complex, advanced level legal research. The course will build on the legal research training received in the first year. We will focus on the sophisticated use of primary material (statutes, court decisions, regulations), and various research techniques and tools such as: legislative histories, federal and state regulatory publications, loose leaf services, records and briefs, journals and treatises. We will consider sources of international and foreign law. We will discuss sources of information that lie outside the Law Library. Significant attention will be paid to the use of automated research systems such as LEXIS, WESTLAW, NEXIS, DIALOG, VU/TEXT, and Dow Jones News Retrieval. We will consider how these systems along with other media, such as microforms, are integrated with traditional legal research. Each student will be expected to achieve a basic level of proficiency in the use of LEXIS and WESTLAW.

ADVANCED LEGAL WRITING 540 (2 hours) Instruction and practice in drafting legal documents, with emphasis on litigation practice. Students will draft pleadings, interrogatories, and requests for production of documents, jury instructions, orders, and various motions. Students may also draft simple contracts, releases, settlement agreements, fee agreement letters, and memoranda.

ADVANCED TRIAL ADVOCACY 754 (2 hours) This course will build on the skills learned in basic trial advocacy courses. Focus will be on more complex advocacy problems. Areas covered will include direct and cross examination, qualifying and examining expert witnesses, problems in jury selection, trial motions, offers of proof, and other means of preventing or preserving trial error. Other topic will include use of demonstrative evidence, including foundations for sophisticated exhibits, and taking and the use of depositions and other discovery at trial.

AGENCY, PARTNERSHIP & LIMITED LIABILITY COMPANIES 611 (3 hours) The course will be taught primarily as a planning and drafting course. Group and individual projects will form a component of the grade. Projects may include such things as:

1. Independent Contractor Agreement
2. Power of Attorney
3. Law Firm Partnership Agreement
4. Real Estate Partnership Agreement
5. Limited Partnership Agreement

Besides the traditional emphasis on substantive agency and partnership concerns, to a limited degree, securities and tax matters will be considered. This course will be structured for both those students who anticipate going into a smaller " general practice " and also those who intend to pursue a more rigorous business practice.

ALTERNATIVE DISPUTE RESOLUTION 629 (3 hours) This course will survey and critically analyze alternatives to trials. Relatively few legal disputes should or do end up in court. For most cases non-judicial resolutions are preferable, yet law schools give little attention to other forums. Among other things, this course will explore the nature and usefulness of negotiation, arbitration, mediation and "mini trial".

ALTERNATIVE DISPUTE RESOLUTION IN EMPLOYMENT LAW WORKSHOP 811 (3 hours) This course explores the practical as well as the legal problems presented by the use of alternative dispute resolution (ADR) to resolve employment contracts through arbitration, and the use of arbitration to resolve statutory issues such as claims of employment discrimination. There will also be some consideration of other forms of ADR, such as mediation, fact-finding, and peer-review systems.

AMERICAN LEGAL HISTORY 792 (3 hours) This course introduces the student to the historical development of American law and constitutionalism from the colonial period to the present. Special emphasis is given to those movements in society and ideology which shaped legal institutions.

ANTITRUST AND TRADE REGULATION 711 (3 hours) A survey of federal antitrust law, including the Sherman, Clayton, and Federal Trade Commission Acts, prohibiting contracts, combinations and conspiracies in restraint of, as well as monopolization of, trade. Topics to be considered include competitor collaboration resulting in price fixing, market division, data exchange, boycotts, and joint ventures; suppliers' distribution restrictions on deals and franchises, such as territorial and customer allocations, exclusive dealing and typing arrangements, and resale price fixing; acquisitions, consolidations, and mergers; and limitations on the acquisitions, maintenance and exercise of market power by a single firm.

APPELLATE ADVOCACY 683 (3 hours) 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.

ASIAN AND COMPARATIVE LAW 827 (3 hours) This course looks at the overlap between public and economic law in developing Asia touching on the following countries: Japan, China, Korea, Vietnam and Indonesia. In doing that we examine differing views of the role of the State, differing economic views (Washington Consensus versus non-neoclassical views, etc.), hidden assumptions underlying the issue whether civil society approaches a la Eastern Europe work well in Asia (including cultural arguments, "soft" authoritarianism and now Islamic complications), old & new (economic) development models, structural conditionality and (legal) development models including IFI or donor roles, plus traditional comparative law issues.

AVIATION LAW 760 (2 hours) This is an introductory course covering the federal regulation of domestic and international aviation; FAA, TSA, and DOT enforcement actions and regulatory oversight; liability, litigation, and insurance coverage issues for the component and aircraft manufacturer, air carrier, and the United States; aviation fundamentals related to accident and incident litigation and BTSB investigations; the implications of international and domestic treaties on air travel and available remedies; and airport law and management.

BANKRUPTCY 644 (3 hours) This course deals with the laws governing the behavior of debtors and creditors in anticipation of and following the insolvency of the debtor. The course focuses on federal bankruptcy law and considers the state laws that coexist with the federal bankruptcy scheme. Through the use of problems, students will develop skill in planning for and resolving insolvency issues that arise in both consumer and commercial settings.

BIOETHICS SEMINAR 721 (3 hours) This course explores the intersection of law and ethics in the field of medicine. Its primary focus is patient control of medical decision-making, with a special focus on the right to die and reproductive decision-making. A theme throughout is the conflict between patients' interests and the interests of others or of society, which comes to light most strongly in the exploration of organ transplantation and the protection of fetal interests.

BUSINESS CORPORATIONS 600 (4 hours) A study of the formation, structure, and characteristics of enterprises organized to do business in the corporate form. Areas discussed include: (1) shareholder and promoter liability; (2) division of enterprise ownership, powers and control, and duties of management; (3) the increasing role of "federal corporation law " and (4) securities regulation.

BUSINESS CRIME 607 (2 hours) This course will consider the history of criminal statutes applicable to business dealings and the intersection of those criminal statutes with professional responsibility matters (such as those pertaining to the attorney-client privilege and conflicts of interest). The course will also study the conduct of grand jury proceedings, government efforts to gather evidence and the interplay between civil and criminal proceedings, including the standards for use of grand jury transcripts in civil proceedings.

CHILDREN AND THE COURTS 831 (2 hours) This course will address issues related to children in the courts, with particular attention to children who are in criminal or family court as

witnesses (including as victims of abuse and neglect) and to children who are in family court as delinquents. Specific issues covered will include an overview of legal systems, the role of counsel in representing children, evidentiary rules, and systemic issues involving children and the courts.

CIVIL PROCEDURE II 546 (3 hours) 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.

CLOSE CORPORATIONS AND PARTNERSHIP PLANNING 604 (3 hours) The course objective is the development of skills in business planning and counseling clients interested in starting a business enterprise. Course coverage will include selection of the form of business enterprise, formation of partnerships, incorporation, business financing and related issues. The course will depend almost exclusively on the analysis of the problems within the business planning context.

COASTAL CONSERVATION SEMINAR 565 (3 hours) This course explores legal approaches to avoiding and resolving conflicts between human use of coastal areas and the ecological integrity of coastal systems. Course will cover relevant South Carolina and Federal law, looking at issues both above and below the tide line. Course readings represent a variety of disciplines, including law, economics, and the natural sciences.

COMPARATIVE LAW 780 (3 hours) This course examines the public law of a Continental European Administrative State. Their legal institutions and processes are used to illuminate the implicit choices underlying American law. The focus will be on the criminal justice system and related institutions of a constituent state of the Federal Republic of Germany (substantive areas of inquiry to include criminal procedure, police power, administrative and constitutional law), with parallel examination of legal education, aspects of legal rules and principles, and judicial reasoning in a Civil Law system.

COMPARATIVE TORT LAW SEMINAR 810 (2 hours) This seminar will provide a comparative study of the principles of tort law in the United Kingdom and the United States. A primary focus of the course will be upon the law of negligence in the two countries.

CONFLICT OF LAWS 763 (3 hours) The law relating to transactions or relationships with elements in more than one state: judicial and legislative jurisdiction; federal law and state law; choice of law; recognition and enforcement of foreign judgments; interstate divorce, support, and custody. A review of selected aspects of civil procedure, torts, contracts, property and family law.

CONSTITUTIONAL ISSUES IN PUBLIC EDUCATION 726 (3 hours) Survey of historical and contemporary developments in the law controlling the operation of the American public school system. Topics addressed will include religion in schools, academic freedom and student and teacher expression, school safety and student discipline, school desegregation, and school financing.

CONSTITUTIONAL LAW II 526 (3 hours) The second-half of the required year-long Constitutional Law sequence. This class focuses on some of the 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/from religion.

CONSTRUCTION LAW & LITIGATION 689 (2 hours) 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 addresses the use of litigation, arbitration, and mediation to resolve construction disputes.

CONSUMER BANKRUPTCY PLACEMENT CLINIC 720 (3 hours) This course will provide both a substantive and clinical approach to bankruptcy law. Substantively the course will cover discharge, asset retention, secured and unsecured credit. Procedural topics will include the mechanics of commencing and litigating consumer bankruptcy cases. Students will also receive instruction through simulation and actual client representation.

COPYRIGHT LAW 723 (3 hours) An examination of copyright law and other aspects of law pertaining to literary, musical and artistic works. The Copyright Act of 1976 will be studied along with relevant cases decided before the effective date of the current Act. The course will also consider recent developments in federal preemption, the right of publicity, and some of the First Amendment problems of this area of law.

CORPORATE FINANCE 602 (3 hours) An advanced corporations course examining the law and finance of corporate acquisitions and the capital structure of corporations. As opposed to the close corporations course, it deals chiefly with publicly held corporations. This course includes elements of financial and management theory as they relate to legal issues and planning.

CORPORATE TAX 636 (3 hours) Federal income taxation of corporations and shareholders. The course will deal with the organization of a corporation; its original capital structure; dividends and other non-liquidating distributions; and liquidations. Special emphasis is placed on the problems of the close corporation.

CRIMINAL ADJUDICATION 613 (3 hours) This course is commonly referred to as “Bail to Jail.” It covers the procedural steps in a typical criminal prosecution from pretrial release and pretrial motions through sentencing. For each stage, the course explores the constitutional, statutory, and defacto rules that shape the criminal justice process. Some topics covered include bail and bond, preliminary hearings and grand juries, plea bargaining and prosecutorial

discretion, control of the criminal docket, the right to a speedy trial, discovery (including the Brady doctrine), pretrial motions, the rules of the judge and jury, and criminal sentencing.

CRIMINAL PRACTICE CLINIC 757 (3 hours) 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.

CRIMINAL PROCEDURES 547 (3 hours) The criminal process with emphasis on constitutional issues relating to arrest, search and seizure, and interrogation. Some consideration of issues relating to identification procedures, jeopardy, pre-trial procedure, and guilty pleas.

CRIMINAL PROCEDURE SEMINAR 682 (3 hours) Selected topics in criminal procedure and criminal law depending upon interests of students and professor. Emphasis will be on criminal procedure. This is not a trial practice type course. Each student must submit a topic outline, a draft and a polished version of his paper as well as make an oral presentation thereof to the class.

CRIMINAL TRIAL PRACTICE 681 (2 hours) Understanding of the practical problems that arise in criminal cases; criminal investigation, pleadings and motions practice, criminal evidence, preliminary hearings, appeals, jury selection, discovery, trial practice, and other related issues.

CURRENT TOPICS IN PROFESSIONAL RESPONSIBILITY 832 (2/3 hours) This is a seminar focusing on current topics relating to lawyer ethics and the legal profession. It is intended for students who desire an intensive study of legal ethics. Students will be expected to take an active role in class discussions and will have input in the selection of topics for discussion. With the guidance of the professor, each student will be responsible for organizing and preparing one or more of the classes.

CYBERSPACE LAW 806 (3 hours) This course will survey the legal issues that arise in cyberspace pertaining to Internet governance, jurisdiction, anonymity, privacy, free speech, encryption, domain names, linking, filtering, spam, and other law-related aspects of 3-way communication and E-commerce.

DISCOVERY 719 (3 hours) This course will focus on the application of the rules and principles governing the scope of pretrial discovery and the various methods of obtaining information. The scope of discovery will be discussed by examining the relevancy standard, the work product doctrine and privileges that limit discovery. Discovery of information from experts will be examined. The use of discovery tools such as interrogatories, depositions, production of documents, entries on land, testing and sampling, compulsory mental and physical examination and requests to admit will be studied.

DOMESTIC RELATIONS 759 (3 hours) Analysis of legal requirements and limitations on creation, maintenance and dissolution of family relationships.

EMPLOYMENT DISCRIMINATION 624 (3 hours) This course is designed to give a broad overview of the state and federal laws which prohibit employment discrimination on the basis of race, sex, age, national origin, religion, and handicapping conditions. Remedies and enforcement mechanisms are also covered.

ENERGY LAW AND THE ENVIRONMENT 826 (3 hours) This course is an introductory course in energy law and policy, with a focus on the effects of choices of energy sources on the environment and natural resources. The purpose of the course is to provide students with a survey of the federal and state statutes, regulations, and agencies relating to the production, consumption, and environmental effects of selected energy resources. The course will focus on those energy sources, resources, and issues of particular interest to South Carolina, including restructuring of the electric utility industry, nuclear power, hydroelectric power, natural gas, and alternative energy sources.

ENGLISH LEGAL HISTORY 790 (2/3 hours) History of legal system and legal profession in England, and of legal profession in America.

ENTERTAINMENT LAW 778 (2 hours) This course will examine the business and legal principles among several entertainment areas including music, film, television, and literary publishing. Although fundamental copyright issues will be touched on, the course will emphasize the practice aspects of legal representation of individuals, entities, and ideas in the entertainment business.

ENVIRONMENTAL ADVOCACY SEMINAR 804 (3 hours) This course explores and develops practical advocacy skills in the area of environmental representation. Topics include: case planning; administrative, legislative, and litigation practice; policy development; settlement; negotiation; remedies; ethical considerations and effective communication between lawyers and environmental scientists, engineers, and other professionals. In order to facilitate meaningful learning regarding all aspects of advocacy, the course relies heavily on simulations, guest lecturers from lawyers and non-lawyers, and collaborative work. This course is required for students participating in the Environmental Law Clinic, but is open to non-clinical law students as well as graduate students from other schools in the University's School of the Environment.

ENVIRONMENTAL LAW CLINIC 805 (3 hours) Students study aspects of environmental law by addressing real environmental situations in South Carolina. Under a professor's supervision, they will function as student attorneys, with environmental organizations or community groups as clients. Students are responsible for all aspects of representation, which may include developing and maintaining contracts with clients; investigating and developing facts; identifying, interviewing, and preparing the necessary witness; analyzing the legal issues, counseling clients, drafting documents, negotiating and/or presenting the project/case. The clinic is also specifically designed to give students the opportunity to improve problem-solving abilities; apply and expand collaboration/teamwork skills; explore and apply professionalism-in-action; and reflect on the process of becoming an attorney.

ENVIRONMENTAL LAW OF NATURAL RESOURCES 684 (3 hours) In this course students will study the ways that federal laws, including the Magnuson-Stevens Fishery Conservation and Management Act, the Marine Mammal Protection Act, the Endangered Species Act, and the National Forest Management Act, attempt to conserve and allocate natural resources. As part of our study, students will also examine theories of natural resources problems, including the “tragedy of the commons,” and solutions, including regulation and privatization.

ENVIRONMENTAL LAW OF SOUTH CAROLINA 738 (3 hours) This is a course in environmental law in South Carolina. Starting with the SC Pollution Control Act and case law interpreting that statute, the course will explore the relationship between Federal statutes (Clean Water Act, Clean Air Act, Safe Drinking Water Act, RCRA, CERCLA) and the counterpart state laws. Course materials will consist primarily of cases from South Carolina State and federal courts as well as rulings and interpretations of state administrative agencies.

ESTATE AND GIFT TAX 649 (3 hours) 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 devices such as gifts, wills, trusts, insurance and other death benefits, (2) post-mortem planning, and (3) drafting techniques.

ESTATE PLANNING 650 (2 hours) In-depth analysis of selected estate planning problems, techniques and solutions. The use of marital deduction trusts, life insurance, deferred compensation plans, post-mortem planning, business continuation agreements and other techniques will be included. Emphasis will be placed on drafting, and estate planning problems for the owners of a closely held corporation.

EVIDENCE 671 (3 hours) 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; application of the hearsay rule.

EUROPEAN UNION LAW 800 (2 hours) A study of the legal structure of the European Union, including issues such as sovereignty, direct effects, and fundamental rights. The course will also cover the substantive law governing the free movement of workers.

FAMILY LAW PRACTICE 699 (3 hours) The primary focus of this course is understanding the interplay of theory and practice in the domestic law area. Attention is also given to the relevant ethical and procedural rules of family law practice and to the functions and skills of lawyers who practice in this field.

FAMILY LAW PRACTICE INTERNSHIP 700 (3 hours) This pass/fail course is open to third year students who will be enrolled in the Family Practice. It involves field placements with experienced family lawyers and biweekly class meetings. Students have an opportunity to learn how concepts covered in the Family Law Practice course are actually applied in law practice. In addition, students study in greater depth selected family law topics such as professional values; identifying and resolving ethical dilemmas; the

responsibilities of lawyers to clients, courts, the community and each other; and the economics and management of family law practice.

FEDERAL ENVIRONMENTAL LAW 731 (3 hours) 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). There will also be some study of the relationship of environmental regulation and the taking of private property under the Fifth amendment.

FEDERAL LITIGATION CLINIC 656 (3 hours) 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. Group discussion and decision-making will be employed to expose all students to the problems presented by the various cases.

FEDERAL PRACTICE 659 (3 hours) 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 Jurisdiction, Supreme Court Jurisdiction, supplemental and Removal Jurisdiction, Jurisdictional Amount, State Sovereign Immunity, Abstention, the Anti-Induction Act and Current Concepts of Federalism. If time permits, the course will also cover Habeas Corpus and Civil Rights Removal.

FIDUCIARY ADMINISTRATION 647 (2 hours) Survey of the probate of wills, the appointment of Personal Representatives of decedents' estates, the administration of such estates (duties and powers of Personal Representatives), the appointment of Testamentary Trustees, and the administration of trusts generally (duties and powers of Trustees). South Carolina emphasis.

HEALTH LAW AND POLICY 676 (3 hours) This introductory health law and policy course surveys current federal and state regulatory schemes governing the provision of healthcare. The class focuses on three major themes: quality of care, access to care, and cost containment.

HUMAN TRAFFICKING 822 (3 hours) This course examines the international and domestic problem of human trafficking in a writing seminar taught jointly via videoconferencing with a criminal law seminar of the University of Cologne plus graduate law classes at Indonesian universities. Human trafficking has different faces in different countries, typically involving voluntary or involuntary prostitution and, separately, the problems of vulnerable and undocumented workers. Sex trafficking aspects are commonly assumed to predominate in Europe and Asia, often involving juveniles. Meanwhile, human trafficking in the US is more often considered to involve undocumented workers, typically Latino migrant workers who may be included among the growing number of Hispanic agricultural workers in South Carolina or Chinese economic migrants smuggled in by so-called snakeheads (professional people

smugglers). The course will be jointly taught and listed with the USC College of Social Work, so that participating students will include some social work students. The course will examine human trafficking as a domestic and international social issue with significant criminal, family, and international law aspects.

INCOME TAXATION 633 (3 hours) 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.

INCOME TAXATION OF TRUSTS AND ESTATES 643 (2 hours) Income taxation of trusts and estates and the tax treatment of grantor trusts, income in respect of a decedent, assignment of income, and accumulation trusts under the throw-back rules.

INCOME TAXATION OF TRUSTS, ESTATES & GIFTS 642 (3 hours) Income taxation of trusts, estates, and gifts including the tax treatment of the decedent's final return, grantor trusts, income in respect of a decedent, inter vivos, testamentary, and charitable trusts, fiduciary accounting, accumulation trusts under the throw-back rule.

INDIVIDUAL EMPLOYMENT LAW 630 (3 hours) In the wake of the recent decline in unionization, state courts and state and federal legislatures have increased their regulation of employment relationships. The new regulations consist of a mixture of contract, tort, criminal, and administrative law. This course explores those developments. It will cover most aspects of the employment relationship not covered in Labor Law, Employment Discrimination, and Workers' Compensation. In particular, we will study the statutory and common law rules governing the establishment and termination of the employment relationship and regulating the conditions of employment.

INSURANCE 695 (2 hours) The purpose of this course is to introduce students to the types of insurance protection that are offered in our society and to discuss and analyze court decisions and problems dealing with the rights of persons insured under insurance contracts.

INTELLECTUAL PROPERTY 724 (3 hours) This survey course will provide a basic grounding in the law of Copyrights, Patents, Trademarks, and Trade Secrets. 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.

INTERNATIONAL ENVIRONMENTAL LAW AND DEVELOPMENT 666 (3 hours) 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 this 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.

INTERNATIONAL TRADE LAW 665 (3 hours) This course focuses on the law and economics of international trade (chiefly the multilateral GATT framework in the Uruguay Round's wake, but also binational arrangements and national law in the area of antidumping and countervailing duties law), regional trading arrangements (chiefly NAFTA, with some APEC coverage) and foreign direct investment (including traditional principles of state responsibility, treaty protections and emerging multilateral guaranty structures). It treats transnational economic relationships from the institutional viewpoint of public international law.

INTERVIEWING, COUNSELING, AND NEGOTIATION 771 (3 hours) 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.

INTRODUCTION TO ENVIRONMENTAL LAW AND POLICY 816 (1 hour) Intensive one-credit course on certain basics of environmental law and policy. The course will cover: relevant history of environmental law and policy; fundamental statutory, regulatory and case law as well as other authorities in the environmental field; an overview of the relevant federal agencies; and a case study.

JUDICIAL INTERNSHIP CLINIC 762 (3 hours) This course will explore the operation of the American judicial system, including the powers and functions of judges. The fieldwork portion of the course will provide a unique perspective on the practice of law and the judicial process. Specific coverage will include judicial decision-making, judicial selection, ethics and discipline; and other issues related to the judicial system such as professionalism, advocacy, and access to justice.

JURISPRUDENCE 768 (2/3 hours) Topics covered include the role of moral principles in law, philosophical theories of justice, limits on legal coercion, how criminal law, tort law, and contract law might be reformed, and economic analysis of law.

JUVENILE JUSTICE CLINIC 772 (3 hours) This 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, negotiating and courtroom advocacy. The vehicle for such training and experience is the planning, preparation and presentation of the legal defense in delinquency cases involving allegations of criminal conduct.

LABOR LAW 620 (3 hours) Labor law deals with the federal law governing labor relations. After an initial historical survey of the development of American labor law, the course considers the statutory and decisional rules applicable to establishment of the collective bargaining

relationship and the negotiation and enforcement of collective bargaining agreements. Policy considerations bearing on legal doctrine form a major part of the course.

LAND USE PLANNING 651 (3 hours) A study of public and private regulation of land use, with emphasis on the planning process. Covers zoning practice, subdivision regulation, and eminent domain.

LEGAL ACCOUNTING 612 (2 hours) An introduction to the principles of accounting, including the theory and function of the balance sheet and income statement, and the sources of authoritative accounting principles. Accounting concepts are studied as they arise in legal contexts, including corporate finance, securities regulation, taxation and contract interpretation.

LEGAL & EQUITABLE REMEDIES 663 (3 hours) An introduction to litigation theory and strategy through analysis of the various kinds of relief that may be obtained in the courts. Readings and problems will be used to analyze the difference among the various remedies, the theories upon which they are based, and their appropriateness in protecting specific legal interests. Problems of choice among remedies will be emphasized as a key factor in practical litigation strategy.

LEGAL DRAFTING 538 (3 hours) 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.

LEGAL PROBLEMS OF IMMIGRANTS 785 (2 hours) This course is designed for students who have an interest in representing Hispanic immigrants in various legal situations such as immigration, workers' rights, personal injury and workers compensation, access to public services, and domestic relations. The course is practice oriented and will focus on topics relating to family-based immigration law and the skills needed to serve low-income immigrants in this state.

LEGISLATION 729 (3 hours) The course will address issues such as the nature and history of legislative power, legislative process, legislative advocacy, drafting, interpretation, and ethics regulation.

LEGISLATIVE DRAFTING AND PROCESS 769 (2 hours) 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.

LIMITED LIABILITY COMPANY PLANNING 604 (2 hours) The course objective is the development of skills in business planning and counseling clients interested in starting a business enterprise. Course coverage will include selection of the form of business enterprise, formation of limited liability companies, business financing and related issues. The course will depend almost exclusively on the analysis of the problems within the business planning context.

LOCAL GOVERNMENT 821 (2 hours) Local government involves a multitude of legal issues involving serious states. This course is designed to familiarize students with the fundamentals of local government organization, powers and duties, and the relationship of local governments to the state and federal governments. Emphasis will be placed upon the study of local government issues in South Carolina. The primary objective of the course is to provide students with an understanding of how to navigate in the local government arena, whether representing private or governmental interests.

MASS TORTS 714 (3 hours) In recent years the legal system has had to deal with massive numbers of cases seeking compensation for injuries by products such as asbestos, the Dalkon Shield, Agent Orange, and tobacco. This course will examine the varied legal issues raised by these cases. Among the topics covered are procedural devices, such as class actions, for dealing with mass torts; substantive issues, including especially causation in mass torts; and issues of professional responsibility.

MEDIA LAW 767 (3 hours) Current constitutional, statutory and common law issues relating to the print, broadcast and cable television media. Areas of study typically will include defamation; invasion of privacy; emotional distress arising from publication; access to people, places, meetings and records, including study of state and federal freedom of information acts; privileges against compelled report testimony; and government regulation of the media, including a survey of fundamental FCC rules and the Newspaper Preservation Act.

MERGERS AND ACQUISITIONS 774 (3 hours) This is an advanced course intended for students with a particular interest in business law. It will address applicable federal and state law (principally that of Delaware) relating to business combinations, both friendly and contested. Included will be coverage of asset acquisitions, mergers, leveraged buyouts, takeover defenses, state takeover statutes, directors' duties and related matters.

MILITARY LAW 696 (2 hours) This course will center around the law of the military. Concentration will be on the need for a separate system of justice for the military, the constitutional limitations affecting service members, and the scope and limitations of the military justice system.

NONPROFIT CORPORATIONS 715 (3 hours) A study of the formation, structure, and characteristics of enterprises organized to do business in the non-profit forum. Discussion will include membership, powers and control, duties of management, exposure to personal liability of members and managers, the Revised Model Nonprofit Corporation Act, relationships among nonprofit organizations, charities, and tax exemption, and the South Carolina Solicitation of Charitable Funds Act.

PARENTS, CHILDREN AND THE LAW 631 (2 hours) Issues related to the legal status of minority and the parent-child relationship, including: paternity, child support enforcement, adoption, child abuse and neglect, termination of parental rights, juvenile delinquency, children's constitutional rights, and allocation of authority to make decisions concerning minors.

PARTNERSHIP AND LLC TAXATION 637 (3 hours) 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.

PATENT LAW 722 (2 hours) Consideration of the theoretical underpinnings of the United States patent system, the definition of patentable subject matter, the requirements governing novelty, utility and nonobviousness, the granting and enforcement of patents, the relationship of patents to other methods of protecting intellectual property, and the special role in patent law of the United States Court of Appeals for the Federal Circuit.

PAYMENT SYSTEMS 657 (3 hours) 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 principals 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.

POST-CONVICTION REMEDIES AND WRONGFUL CONVICTIONS SEMINAR 815 (2/3 hours) This seminar has two primary purposes; to introduce students to the remedies available to challenge criminal convictions (most notably federal habeas corpus review) and to examine more broadly some of the factors that lead to wrongful conviction, including unreliable eyewitness identification, false confessions, and faulty forensic science. Some of the class sessions will involve the discussion of the history, theory, and practice of post-convictions law, usually as seen through the lens of individual cases. Other sessions will consist of a CD lecture by a national expert, followed by discussions by the seminar participants.

PRIVATE INTERNATIONAL LAW 765 (3 hours) A conflicts course in an international setting: the law relating to the transactions or relationships with elements in more than one country; the conflict of jurisdictions; the conflict of laws; the recognition and enforcement of foreign judgments; nationality and the treatment of aliens.

PROBLEMS IN PROFESSIONAL RESPONSIBILITY 554 (3 hours) 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 advertising and solicitation, restrictions on the adversary model and regulation in the profession. A central theme of the course is the need for students and lawyers to develop a philosophy of lawyering.

PRODUCTS LIABILITY 690 (3 hours) A study of the law governing legal responsibility for losses caused by defective products, including an examination of mice, worms and/or spiders.

PROFESSIONAL RESPONSIBILITY 555 (2 hours) Examination of the lawyer's obligations not only to clients, fellow lawyers, courts and other official agencies, but also to society, with focus on the Code of Professional Responsibility and the Model Rules.

PUBLIC INTEREST ENVIRONMENTAL LAW DIRECTED RESEARCH 834 (1 hour) This course allows students to explore the practice of public interest environmental law primarily through a directed research project culminating in an original scholarly work of at least 10 pages (minimum of 3,000 words, including footnotes). Students must attend approximately four two-hour class meetings to discuss the practice of public interest environmental law generally and to share the results of their directed research. Students also must attend the annual Public Interest Environmental Law Conference. Course participants must pay all of their own expenses in connection with their travel to and from Oregon. Papers will be published on the University of South Carolina Law School website.

PUBLIC INTERNATIONAL LAW 783 (3 hours) A study of the nature and sources of international law and its effect on the diplomatic, military economic, environmental, social, scientific and cultural activities of states, international organizations, private associations and individuals.

RACE AND THE LAW 782 (2/3 hours) This course offers an overview of how race has been treated in American law, emphasizing both a historical perspective and current legal issues. This course examines the historical treatment of African-Americans, Native Americans, Asian Americans, and Hispanics. The historical discussion includes an examination of slavery and the post-Civil War amendments. The course surveys many current legal issues impacted by race, including the desegregation of schools, affirmative action, racial justice in criminal law, voting rights, and employment discrimination.

REAL ESTATE TRANSACTIONS I 652 (3 hours) Using South Carolina cases, this course studies the nature of real estate contracts, risk of loss, statute of frauds in South Carolina, remedies for breach, installment land sales contract, the law of mortgages, quiet title actions and implied and express warranties in the sale of real estate will also be examined.

REAL ESTATE TRANSACTIONS II 653 (2 hours) An in-depth analysis of advanced level real estate planning and transactional matters with an emphasis on problems, techniques, and solutions. Course coverage may include residential closings, full scale residential developments (including condominium and time share developments), commercial developments, and commercial leases. Appropriate material will also include examination of consumers' rights in real estate matters, of financing problems and techniques, and of problems and techniques of dealing with default by various parties to the transaction.

RELIGIOUS LEGAL STUDIES: JEWISH LAW 820 (3 hours) This course presents the basic features of the Jewish legal system and a number of points of comparison to American law. The first half of the course will provide an historical and literary conspectus to Jewish Law by examining the eternal question of the appropriate remedies for personal injuries. Specific topics

covered include: the Biblical Law of Injury: Biblical Methods of Resolving Disputes (including references to the New Testament); and the Rabbinic Law of Injuries. This will be followed by several class hours devoted to the laws of marriage. The remaining class sessions will examine the process used to reach religious legal decisions from the three modern perspectives, including decisions concerning Sex and Family life. These discussions should help you see how the Jewish legal tradition is being applied in modern times by different groups within the Jewish community.

ROMAN LAW 794 (2 hours) The course will present the basic principles of Roman law from an historical and comparative perspective. To familiarize the student with the subject matter of the course, some attention will initially be given to the historical development of Roman Law, its institutions, and its procedures. The remainder of the course will involve the study of the Roman private law. From materials provided, the student should be able to draw comparisons between the Roman and Anglo-American legal systems. Readings will be in English. A knowledge of Latin is not required.

RUSSIAN LAW AND THE LEGAL SYSTEM 691 (3 hours) This course addresses the emergence of post-soviet law in Russia. The course covers the evolution of Russian law through the present stressing the current Civil and Criminal Codes, Civil and Criminal Procedure, and Constitutional Law.

SALES 732 (3 hours) 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.

SECURED TRANSACTIONS (3 hours) 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.

SECURITIES REGULATION 606 (3 hours) An examination of the various types of investment securities with emphasis on the regulation of issuers, shareholders, brokers and others involved in the distribution and trading of securities under the Securities Act of 1933, Securities Exchange Act of 1934, and state Blue Sky laws.

SENTENCING LAW AND POLICY SEMINAR 787 (2 hours) This seminar will explore the law and policy of sentencing. It will consider competing penal philosophies and the various sentencing schemes through which these philosophies have been implemented. Students will engage in comparative analysis of selected federal and state sentencing practices, examine alternatives to incarceration, and analyze both hypothetical and actual cases in light of the materials treated in class.

SENTENCING LAW AND POLICY WORKSHOP 788 (2 hours) This course is the Workshop component of the Sentencing Policy Seminar. Students, judges, professors, attorneys, and others associated with the criminal justice system individually will review actual criminal cases to identify sentencing purposes and alternatives and will formulate their sentencing recommendations.

SOUTH CAROLINA ADMINISTRATIVE LAW 828 (2 hours) This course provides an overview of practice and procedure before administrative agencies in South Carolina. The course will introduce administrative law concepts such as notice and due process, rule making, the South Carolina Administrative Procedures Act, and associate case law. The course will survey state agencies, their jurisdiction, and introduce specific agency statutes such as the Revenue Procedures Act. Practical information on contested cases and practice and procedure before the Administrative Law Judge Division will be an integral part of the course.

SOUTH CAROLINA WORKERS' COMPENSATION 697 (2 hours) 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.

SPORTS LAW 777 (2 hours) Through the use of problems, the Sports Law course examines issues of amateur and professional sports. Particular attention will be given to negotiation and arbitration as they relate to contract formation and as to dispute settlement techniques.

START-UPS AND NEW VENTURS 741 (2 hours) The purpose of this course is to deal with the lawyering skills required and some of the substantive subject matter involved in representing and advising small and moderate-sized start-ups and entrepreneurial ventures (particularly in the technology sector), in the context of typical problems such businesses face.

STATUTORY INTERPRETATION 792 (1 hour) This course will examine the theories and techniques by which courts determine the meaning and application of statutes. Techniques explored will include the "plain meaning rule," textual and other indicators of legislative intent, the significance of legislative history, the canons of statutory construction, and deference to administrative interpretation.

SUPEREME COURT PRACTICE SEMINAR 818 (3 hours) This course helps students learn about three subjects: (1) what cases the U.S. Supreme Court has the power to review; (2) how, from among those cases, the Court chooses the cases that it actually will review; and (3) how the Court reaches decisions in the cases that it has chosen for review. Students will learn these subjects by doing practice-oriented exercises and simulation. For example, students will evaluate the actual petitions seeking Supreme Court review in pending cases, and they will present oral argument in cases on the Court's current docket.

TAX PROBLEMS 635 (2/3 hours) Student tax research and analytical skills will be developed by drafting private letter ruling requests, Tax Court petitions, protest letters as well as at least one major brief. Practical problems arising in a tax practice

will be presented in a realistic setting.

TAXATION OF PROPERTY TRANSFERS 802 (2 hours) This course will provide the tax background for students who have taken or plan to take Real Estate Transactions II and are interested in the tax consequences of acquiring, holding and disposing of various types of property. Topics covered will include, among others, an in-depth exploration of adjusted basis, capitalization, cost recovery and recapture, realization and recognition, capital gains and losses, non-recognition transactions, the effect of mortgages on basis and amount realized, cancellation of indebtedness, limitations on losses including the at-risk rules and the passive activity rules, and deferred payment sales.

THE CONSTITUTION 669 (3 hours) 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.

THE WARREN COURT 833 (2 hours) This seminar will study the interrelated changes in law and in society, focusing on the decisions of the United States Supreme Court during Earl Warren's term as Chief Justice. The course will consider how the "Warren Court" changed constitutional law, and in turn, changed American society.

TRADEMARK AND UNFAIR TRADE PRACTICES 713 (3 hours) A survey of federal and state unfair competition and consumer protection law remedies and enforcement procedures including relevant applications of the Federal Trade Commission Act, federal and state trademark statutes, and the South Carolina Unfair Trade Practices.

TRANSNATIONAL LAW 784 (3 hours) 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.

TRIAL ADVOCACY 679 (2 hours) 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.

TRUSTS AND ESTATES 646 (4 hours) 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; interview disposition of property

by gift and trust; future interests and rules regarding restraint on alienation; brief survey of administration and probate.

TORTS THEORY SEMINAR 799 (3 hours) An examination of the nature and role of tort law theory and a consideration of selected theories of tort law.

VETERAN RIGHTS CLINIC I & II 829 & 830 (3 hours) This clinic will offer students both skills and substantive instruction in representing veterans in the prosecution of their benefits within the Department of Veterans Affairs' unique adjudicatory system. Students will be instructed in interviewing, counseling, negotiation, and advocacy as well as the appropriate law of veterans' claims administration. Students will work on cases from their initiation through representation before the Board of Veterans Appeals and the Court of Appeals of Veterans Claims. The clinic will offer opportunities to conduct initial interviews with clients, research the facts and law of cases, counsel clients, assist in filing cases, and prepare cases for administrative consideration. In some cases, students will write a brief and orally argue before an appellate body. All casework will be under the supervision of one of the professors.

VOTING RIGHTS AND REPRESENTATION SEMINAR 740 (3 hours) A survey of current topics in the area of representation, (including limitations on the franchise, and alternative democratic structures), redistricting (including limitations on "race-conscious districts"), and the Voting Rights Act (including preclearance under Section 5 of the Act and racial vote dilution under Section 2), and related topics. Students will have substantial flexibility in their choice of paper topics.

WELFARE LAW AND POLICY 770 (3 hours) This course will examine the development of law and policy relating to public assistance in the United States, with particular attention to the redirection of the welfare program which occurred in 1996 with passage of the Personal Responsibility and Work Opportunity Reform Act (PRWORA). Issues related to poverty, economic assistance, 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. The class will look at the debates surrounding the 1996 reform of the welfare program and the issues, variations in state programs, and the extent to which objectives have been realized will be carefully examined.

WOMEN AND THE LAW 803 (3 hours) This course will address how the legal system has constructed and applied notions of gender and gender equality. It will introduce students to significant contemporary legal scholarship on the status of women in modern America, and will explore how gender affects legal relationships including some consideration of employment. The materials will include sexual harassment, domestic violence, and domestic relations disputes.

WOMEN'S AND HUMAN RIGHTS UNDER ISLAM 718 (2/3 hours) Westerners generally recognize but do not understand well the problematic status of women in the developing Islamic world, nor that the Middle East and Islamic world are not synonymous. To address both Western cultural incompetence and the social and legal status of women in the developing Islamic world, the best approach is to let leading women speak for themselves on such human rights issues. The course will be taught chiefly by three leading female foreign scholars of human rights, women's studies and law, plus sharia law as an intensive course in 13 two-hour meetings over 6 ½ weeks.

The first two weeks will be in introduction to secular human rights law in the Asian setting, the next two weeks will be devoted to women in development legal topics, and in the final weeks will be devoted to related sharia law issues as they are understood in the contemporary Islamic world. This course is intended as a special treatment of current human rights issues.

