

LAW SPRING 2008 - ELECTIVE COURSE DESCRIPTIONS (Tentative)
(1/15/08)

Administrative Law (Law 604) - 3 credits

Examines the legal structure of federal and state government agencies, how they may be structured under the Constitution, how they issue and enforce regulations, and how they make decisions.

Advanced Legal Analysis and Writing: Litigation (Law 610A/Law 610B) – 3 credits

(f.k.a. Law 718 Advanced Advocacy: Pleadings & Motion Practice (Trial Court Docket)

(Limited Enrollment – 15)

This course will give students an in-depth experience with advocacy at the pre-trial level. While working on a number of cases for fictional clients, students will perform some of the following simulated activities: writing demand letters; drafting complaints and answers; investigating facts; conducting discovery; negotiating settlements; writing motions; and arguing those motions in a trial court setting. These assignments will develop drafting skills and improve research and analytical writing skills. Additionally, by the end of the semester, students will compile a portfolio of work to use as writing samples. This course is designed for students who want to gain experience that will prepare them for working in a general practice that includes litigation.

This course satisfies the 3rd semester Lawyering Process requirement but does not satisfy the requirement for the Society of Advocates.

Students who have not completed a third semester Lawyering Process class will have priority for those classes during priority registration. If there are spaces available at the end of priority registration, all students can register. If there is a wait list for the class, and a student who has completed the third semester Lawyering Process requirement wants to enroll for a second class, that student must submit a "request for academic standards committee action" form to the Dean of Student Advancement to obtain permission to enroll for the course.

Prerequisites: Law 505 Lawyering Process I & Law 515 Lawyering Process II.

Advanced Intellectual Property Seminar (Law 733) - 3 Credits (Limited Enrollment - 12)

This course provides an opportunity for students to explore selected topics in Intellectual Property law through readings, class discussions, written assignments, presentations, and a research paper. Paper topics will be selected by students in consultation with the instructor.

Successful completion of the research paper for this class satisfies the upper level writing requirement for graduation.

Prerequisite: Law 621 Intellectual Property I or Law 629 Intellectual Property II.

**Antitrust (Law 657) - 2 Credits
Intersession Course**

January 4, 5, 7, 8, 9, and 10 from 10:00am-12:00pm and 1:30-3:30pm

This is a condensed survey course covering national antitrust policy under the Sherman, Clayton and Federal Trade Commission Acts. The course will cover price fixing and other agreements among competitors, including trade association activities, data exchanges and loose forms of joint ventures. In addition, the course will examine a variety of forms of single firm conduct by monopolists, such as predatory pricing and refusals to deal, and will conclude with coverage of vertical restraints, such as resale price maintenance, tying and exclusive dealing arrangements. While knowledge of economics is useful, it is not necessary.

**Bill of Rights in History and Law* (Law 710) - 3 Credits
(Limited Enrollment - 15)**

Students will read recent works on the Bill of Rights and consider contemporary and historical questions about the meaning and purpose of the Bill of Rights or one of its particular provisions. Topics covered will include federalism, populism, the role of reason in conceptualizations of the Constitution and Bill of Rights, the problem of un-enumerated rights and issues raised by the incorporation controversy.

Students will have the option of doing a take home exam or writing a paper. The writing requirement can be satisfied through this course.

Prerequisite: Law 517 Constitutional Law I.

Community Property* (Law 630) - 2 Credits

This course examines the law dealing with the classification, management and distribution of marital property acquisition within the community property jurisdictions of the United States.

**Congressional Externship (Law 750) - 1 to 7 credits
(Special Application Required)**

Explores the legislative process by placing students in legislative offices locally and in Washington, D.C.

See the Thomas & Mack Legal Clinic/Externship page on the BSL Website for more information.

Criminal Procedure*- Adjudication (Law 664) - 3 credits

Covers law and practices after a defendant is charged until final disposition. Includes prosecutorial discretion, bail, plea bargaining, right to counsel, grand jury, discovery, jury selection, speedy trial, self-incrimination, confrontation, prosecutorial misconduct, double jeopardy, adequacy of counsel and sentencing. Law 653- Criminal Procedure- Investigation (formerly Criminal Procedure I) is NOT a prerequisite for this course. The topics addressed in this course are tested on the bar exam. Constitutional Law II is a good pre- or co-requisite, but is neither required nor necessary to benefit from the course.

Law 653 Criminal Procedure- Investigations is NOT a prerequisite for this course.

Criminal Procedure - Investigation (Law 653A/653B) - 3 credits

This course covers the laws regulating the daily interactions of law enforcement agents with the public, namely the laws of search and seizure, arrests, confessions and interrogation. This course will introduce the majority and minority rules on the laws regulating law enforcement practices in the United States and acquaint you with the procedural variety of this area of law. In addition, this course will discuss the major policies behind the law and encourage you to consider interactions among multiple institutions at the state and federal level. Finally, this course will touch on current issues of enormous importance to law enforcement, such as drugs, race, national security, and technology. This course will not cover the rights of persons charged with crimes in criminal trials.

Law 664 Criminal Procedure – Adjudication is NOT a prerequisite for this course.

Directed Reading (Law 780-001/002) - 1 credit

Students earn credit for completing readings under the supervision and approval of a faculty member. This Directed Reading can be taken for either a pass/fail (section 001) or letter grade (section 002).

Directed Research (Law 781-001/002) - 1 to 3 credits

Students in this course will research and write about a legal topic of their choice under the guidance and supervision of a faculty member who has approved their choice of topic. Students will further their knowledge of the area, as well as their legal research and writing skills. This Directed Research can be taken for either a pass/fail (section 001) or letter grade (section 002).

Estate Planning (Law 673) - 3 credits

The course brings together the state law and tax law aspects. It addresses practical problems and methods in wealth transmission and emphasizes effective planning and drafting.

Prerequisites: Law 632 Wills, Trusts and Estates and Law 650 Estate and Gift Tax.

Evidence* (Law 606) - 3 credits

This course focuses on the Federal Rules of Evidence, with an emphasis on the different types and forms of evidence that are admissible under the Rules, and the theoretical bases for admitting or excluding different types of evidence. Although the Rules apply primarily to courtroom settings, and are based largely on assumptions about how juries operate, they fundamentally shape the way that lawyers think about facts in ways that pervade transactional as well as litigation work. Indeed, one of the cornerstones in the intellectual artifice of “thinking like a lawyer” is the ability to analyze the question: “How can this fact be proven?” In Evidence, students will gain an understanding of how to apply the Rules to determinations of relevancy; character and impeachment evidence; hearsay and its exceptions; expert and lay opinion testimony; and privilege.

This course is a prerequisite to Law 712 Trial Advocacy.

Gaming Law Policy (Law 725) - 3 Credits

A study of the law relating to gaming activities with an emphasis on the laws, policies, and procedures that have developed through legislative actions, court decisions, and the regulatory activities of administrative agencies. This course requires all students to do projects and papers in lieu of a final examination.

Prerequisite: Law 622 Gaming Law or permission of the instructor.

**Government/Public Interest Externship (Law 773) - 1 to 7 credits
(Special Application Required)**

This externship is designed to provide experiential learning opportunities in a variety of public law agencies including the offices of the U.S. Attorney, Special Public Defender, Clark County District Attorney and Federal Defender. Supervised fieldwork is coupled with a weekly seminar.

See the Thomas & Mack Legal Clinic/Externship web page on the BSL Website for more information.

Corequisite or Prerequisite: Law 613 Professional Responsibility. Prior or concurrent enrollment in Law 606 Evidence for the U.S. Attorney externships.

**Immigration Clinic (Law 775) - 1 to 6 credits
(Special Application Required)**

Under direct supervision of the professor, students represent clients in judicial and administrative proceedings involving immigration and related matters. The course will have a classroom component emphasizing immigration and

naturalization law, lawyering and professionalism. Students must be eligible to represent clients under the applicable student practice rules.

See the Thomas & Mack Legal Clinic/Externship web page on the BSL Website for more information.

Immigration Law (Law 658) - 3 credits

This course covers legal issues and policies pertaining to non-citizens of the United States, including the regulation of admission, exclusion, and deportation of immigrants seeking to enter the United States. The course will also examine the rights of non-citizens who are in U.S. territory in the areas of health, education, and labor. These topics will be covered from various perspectives, including constitutional law, international human rights, comparative law, ethics and morality, and history.

This course is a corequisite OR prerequisite for Law 775 Immigration Clinic and Law 751 Immigration Judicial Externship.

Insurance Law (Law 608) - 3 credits

Overview of the theory and operation of insurance, including the marketing, underwriting, and claims processes. The major forms of insurance will be surveyed while the primary focus will be on issues of insurance policy construction and judicial resolution of recurring coverage issues.

International Business Transactions (Law 672) - 3 credits

This course covers the basics of international business transactions.

The first part of this course will explore a variety of topics relating to international business such as antitrust; boycotts and economic sanctions; capital markets and securities; cross-border regulation; developing and emerging economies; energy and mineral resources; food and agriculture; foreign direct investment; gaming; gatekeeper/whistleblower money laundering legislation; intellectual property; labor and human rights; mergers and acquisitions; privatizing the use of force; and trade and development; as well as forum selection and choice of law in transnational contracts. It will also examine the relationship between state and non-state actors and the role of international institutions such as the World Bank, the International Labor Organization, and the World Trade Organization. Student interest in specific topics will determine the emphasis of the second half of the course.

There are no prerequisites for this course. Students will have the option of doing a take home exam or writing a paper.

The upper level writing requirement can be satisfied through this course with prior approval from faculty.

International Criminal Law (Law 667) - 3 credits

This course covers the basics of international criminal law or international humanitarian law. It provides the basics of public international law and opportunity for detailed analysis of international criminal law, including the nature of international crime, analysis of several substantive international crimes, including genocide, crimes against humanity, war crimes, torture, and terrorism. It also covers various transnational crimes (and offenses which are both transnational and international crimes), such as aircraft hijacking and sabotage, narcotics trafficking, human trafficking and exploitation, money laundering, and crimes using the Internet. It covers aspects of the international substantive system of laws, including the Statutes (treaties) of the international criminal tribunals with the crimes that they proscribe. It covers the mechanisms and procedures of how these international criminal tribunals function to adjudicate and enforce violations of their substantive law. It covers issues of the interrelationship of domestic law and international law in the criminal arena, including constitutional norms and incorporation of international criminal law. It covers issues relating to theories of crime and theories or philosophies of international criminal law. It covers the debate over monism and dualism. **This course serves as one of the pre- or co-requisites for participation in the Jessup International Law Moot Court Competition.**
Prerequisite or Corequisite: Law 616 Criminal Law.

**Judicial Externship (Law 751) - 1 to 7 credits
(Special Application Required)**

This course explores the role of the judiciary in the legal system by means of in-class discussions and the field placements in judicial chambers in federal and Nevada state courts.

See the Thomas & Mack Legal Clinic/Externship web page on the BSL Website for more information.

**Judicial Writing (Law 671) – 3 credits
(Limited enrollment - 15)**

This course introduces students to the style and form of judicial writing. Students will research and write documents typically written by trial or appellate courts. Students will also learn more about the roles of courts in American law and society, the internal workings of courts, and the roles and ethical obligations of various court staff. This course is ideal for students who want to obtain or have already obtained a judicial clerkship.

This course satisfies the 3rd semester Lawyering Process (LP) requirement. Students who have not completed the 3rd semester LP requirement will have priority for those classes during priority registration. If there are spaces available in a 3rd semester LP class at the end of priority registration, all students can register. If there is a wait list for a 3rd semester LP class, and a student who has completed the 3rd semester LP

requirement wants to enroll for a second class, that student must get permission from the Dean of Student Advancement and the professor.
Prerequisites: LAW 505 Lawyering Process I & LAW 515 Lawyering Process II.

**Juvenile Justice Clinic (Law 771) - 1 to 6 credits
(Special Application Required)**

Under direct supervision of the professor, students represent juveniles in juvenile court and district court proceedings involving charges of criminal conduct. To represent these clients, students must be licensed under Nevada's student practice rule for court appearances. Special application required (see website for application materials). Course will also have a classroom component. This course normally may be taken for 4 to 6 credits.

See the Thomas & Mack Legal Clinic/Externship web page on the BSL Website for more information.

**Law Journal (Law 760-001/002) - 1 to 2 credits
(Special Application Required)**

Students selected for the *Law Journal* staff earn one credit per semester and editors earn two credits per semester.

**Legal Drafting: General Practice (Law 669) - 3 credits
(Limited Enrollment - 15)**

This is a simulation course in which the professor acts as the senior partner who assigns a variety of lawyering tasks that would typically be given to new associates. Students will learn principles and techniques of drafting and a seven-step process for drafting, critiquing, and revising various documents, including contracts, wills, pleadings, and legislation, to meet the clients' objectives. Students will be expected to approach the course with the same degree of commitment and professionalism expected in any professional legal setting. By the end of the semester, students will have compiled a portfolio of documents that can be used as writing samples to show prospective employers.

This course satisfies the 3rd semester Lawyering Process requirement. Students who have not completed a third semester Lawyering Process class will have priority for those classes during priority registration. If there are spaces available at the end of priority registration, all students can register. If there is a wait list for the class, and a student who has completed the third semester Lawyering Process requirement wants to enroll for a second class, that student must submit a "request for academic standards committee action" form to the Dean of Student Advancement to obtain permission to enroll for the course.

Prerequisites: Law 505 Lawyering Process I & Law 515 Lawyering Process II.

**Mediation (Law 715) - 3 credits
(Limited Enrollment - 24)**

This highly interactive course covers the process of mediation, the facilitation of negotiated agreements between disputing or transacting parties. Students study theories of conflict, negotiation and mediation, and learn the skills used in the mediative process both for mediators and for participants and are exposed to many different models of mediation and learn to consider which models and skills, interventions or techniques might be appropriate in different settings. The course includes many short exercises, role plays and simulations, along with a final paper. There is no final exam. To improve the academic discourse and keep distractions to a minimum during class, this is a laptop-free course.

**Negotiation (Law 719) - 3 credits
(Limited Enrollment - 18)**

This course examines the theory, practice, and public policy of negotiation. Focusing particularly on issues of relevance to attorneys representing clients in negotiation, the course will include numerous simulations.

Nevada Civil Practice (Law 677) - 3 credits

This course teaches students how to apply in civil practice what they have learned in law school. Professor Kennedy is the co-editor [with Professor Stempel] of the Nevada Civil Practice Manual, which is the course text. The course will cover the basic areas of civil practice [actions, pleadings, civil procedure, evidence and remedies], and will explore their particular applications [forum selection, discovery tactics, litigation and trial strategy, professional ethics]. This course will be helpful to anyone who plans to do civil litigation, or to take the Nevada bar exam.

**Pretrial Litigation (Law 627) – 3 credits
(Limited Enrollment - 12)**

A hands-on experience of the pretrial litigation process in the federal court system. Students will act as lawyers in a simulated civil case, interviewing and counseling clients, conducting legal research, drafting pleadings, and engaging in discovery practice, settlement negotiations, and pre-trial motion practice.

Privacy, Publicity & Defamation (Law 732) - 3 credits

Discusses the four privacy torts, the right against defamation, and the right of publicity.

Professional Responsibility (Law 613A/Law 613B) - 3 credits

This course examines the law governing lawyers, the rules that govern how members of the legal profession, including judges as well as lawyers, may or must behave. Sources of these rules are many—the Constitution; statutes; procedural, evidentiary, and court rules; and rules of professional conduct.

This is a required course.

Public Lands and Natural Resources (Law 654) - 3 credits

This course provides an introduction to federal public lands and natural resources law. It will focus on the laws and legal systems that govern the classification and use of the federally-owned lands, which comprise a third of America and the vast majority of the West. The course will examine the major natural resource issues, including: minerals, timber, range, wildlife, recreation, wilderness, and cultural resources. The course will explore the interplay between environmental, economic, cultural, social and political factors in managing our national parks, forest, and the public domain.

Remedies* (Law 631) - 3 credits

Remedies is the subject that answers the ultimate question in law suits: What can be done to vindicate established rights? It is concerned with the nature and the measurement of relief to which a party may be entitled. The class studies the four classifications of remedies: (1) coercive remedies, (2) damages, (3) restitution, and (4) declaratory relief.

This course is a unique combination of substance and procedure because the subject focuses upon declaration and enforcement of rights, compensation for past violations of rights, and prevention of future threatened harms. The class is simultaneously practical and theoretical because the subject examines unifying themes and problems with relief across many substantive areas of the law while always focusing upon the important "bottom line" for parties in litigation.

Secured Transactions* (Law 615) - 3 credits

Using the problem method, this course explores Article 9 of the Uniform Commercial Code and other law governing liens on personal property, paying particular attention to creating and perfecting both Article 9 security interests and non-Article 9 liens, priorities among creditors, and the causes and consequences of a borrower's default, including defaults that result in or are a result of a debtor's bankruptcy filing.

**Society of Advocates (Law 716) - 1 to 2 credits
(Special Application Required)**

Students selected to be members of the Society of Advocates based on their performance in the Lawyering Process III moot court exercise and oral argument before attorneys and judges from Clark County will receive two credits for successfully participating in moot court competitions.

**Special Topics: Criminal Tax Practice (Law 790A) – 1 credit
Intersession Course –**

January 7, 8, 9, 10, and 11 from 6:00-8:15pm

This course covers investigation and prosecution of federal tax crimes, principally tax evasion. It addresses non-tax crimes - such as conspiracy, false statements, money laundering, and other currency offenses - often charged along with tax crimes. Course will help students considering criminal law careers. Knowledge of substantive tax not required; no prerequisites.

**Special Topics: Pretrial Advocacy in Criminal Cases (Law 790B) – 2 credits
Intersession Course –**

(Limited Enrollment – 20)

January 3, 4, 7, 8, 9, and 10 from 9:30-11:30am and 1:30-3:30pm

This class will cover a range of topics and skills that are part of the everyday life of the criminal law practitioner. Subject areas include: the charging decision, bail, client and witness interviewing, discovery and investigation, developing a theory of the case, motions practice (evidentiary and non-evidentiary), negotiations, and sentencing advocacy. Grades will be based on submitted written assignments, class participation, and in-class exercises.

Pre-requisites: First year criminal law. Criminal Procedure and Evidence may be helpful, but are not required.

**Special Topics: Common Law as Peacekeeper (Law 790C) – 3 credits
(Limited Enrollment – 18)**

This seminar is co-taught by Professors Pollman and Shoben from BSL as well as Dr. Bradley Hays from the Political Science Department. It examines how the law channels the conflicts of private actors away from violence and disorder and toward peaceful resolution. Students will do a traditional research paper on a topic from a list drawing from property law, contracts, and torts and lead a class discussion on the topic. Students will also participate as discussion group leaders for undergraduates studying related material in a political science class taught at the law school by the same professors. The discussion group sessions will be at the same time as the regular seminar class hours, so no special accommodations are necessary for this service learning component of the class. **The upper level writing requirement can be satisfied through this course with prior approval from faculty.**

Special Topics: Local Government Law (Law 790D) – 2 credits

In the United States, states and local governments enjoy substantial law-making and regulatory authority; bear significant responsibility for the financing and provision of most domestic public goods and services; and are key sites for political participation. This course will explore the structures and powers of state and local governments. In doing so, it will test the implications of contrasting visions of local governments for resolving conflicts between local governments and the federal government, their states, or other local governments. The course will also explore contemporary governance issues in Nevada with an emphasis on Southern Nevada. Local Government Law will be a two-credit course. The grade will be based on a take home examination at the end of the course. There will be no paper option.

**Special Topics: Enron Seminar (Law 790E) – 2 to 3 credits
(Limited Enrollment – 18)**

In this course, which requires no prior Enron knowledge, students will explore the causes of corporate and law firm scandals and will write research papers regarding issues related to such scandals.

The upper level writing requirement can be satisfied through this course with prior approval from faculty.

**Special Topics: Sexual Orientation, Gender Identity and the Law (Law 790F)
- 2 to 3 credits**

This course will examine the legal and social regulation of sexual orientation and gender identity. The course will analyze various legal principles, including statutory, constitutional, and public policy doctrines, which might be used to limit the ability of government and other institutions to disadvantage people because of their sexual orientation or gender identity. We will look at how these doctrines have been used to help - or harm – lesbian, gay, bisexual and transgender individuals in critical aspects of their lives including employment, housing, family relationships, and parenting.

This course requires all students to write a paper in lieu of a final examination. Students taking the course for two credits will be required to write a 15 page paper. Students taking the course for three credits may fulfill their writing requirement and will be required to do a minimum 25 page paper with one re-draft.

Prerequisites: Law 517 Constitutional Law I and Law 624 Constitutional Law II.

**Criminal Appellate Clinic (Law 790G) - 1 to 6 credits
(Special application required)**

Under direct supervision, students in this clinic will represent young convicted criminal defendants in state post-conviction appellate proceedings. Work in this clinic will emphasize the development of strong written and oral advocacy skills and the thorough analysis and research of issues to be raised on appeal. Students will participate in a seminar that meets twice a week in addition to doing the assigned case work. Students must be eligible to represent clients under the applicable student practice rules.

Prerequisites: Law 606 Criminal Law, Law 515 Lawyering Process II.
See the Thomas & Mack Legal Clinic/Externship web page on the BSL Website for more information.

**Special Topics: U.S. Federal Gaming Law (Law 790H) – 3 credits
(Limited Enrollment – 20)**

This course will provide basic information about federal gambling law, including laws concerning Native American casinos, interstate wagering, international wagering, transportation of wagering devices and online wagering.

**Special Topics: Religion Clauses Seminar* (Law 790I) - 3 credits
(Limited Enrollment – 12)**

The Free Exercise and Establishment Clauses of the First Amendment are among the most challenging, engaging, and lively areas of Constitutional Law. They are also regularly tested on the bar exam, although generally not covered within Constitutional Law I or II. This course will be taught as a workshop, meaning that students will be actively using the material in each class, whether solving problems, drafting essay questions, drafting multiple choice questions, answering essay questions, answering multiple choice questions, presenting oral arguments, evaluating appellate briefs, or other focused exercises. The course will be designed to improve and reinforce legal reasoning and test taking skills, a focus whose usefulness is intended to extend beyond the Religion Clauses to all areas of legal analysis.

Prerequisites: Law 517 Constitutional Law I and Law 624 Constitutional Law II.

Special Topics: Family Law* (Law 790J) – 2 credits

Basic family law course which covers legal construction of the family and relationship between the state and the family with an emphasis on constitutional principles and their implications. Subjects covered will include: marriage, divorce, other marriage-like relationships, child custody, proof of parenthood, parental authority, and adoption.

This course is being offered under special topics because it is for 2 credit hours only instead of the usual 3 credit hours.

Special Topics: Legal Education & Assistance for Prisoners (LEAP) Seminar

(Law 790K-001) - 1 credit

(Limited Enrollment - 4; permission of professor required)

This is an experiential learning opportunity in which students develop materials and provide legal information to inmates at several Nevada Department of Corrections facilities. Students will research legal issues, develop training materials and meet with the inmates to test the materials they develop. Class meets for an hour each week and students will learn the basics about post-conviction remedies and procedures, family law and other matters of concern to inmates. Students will have opportunities to further develop their skills in interviewing, assessing needs of client group, identifying options and making effective presentations to groups. Students will visit the facilities once each month.

***Prerequisites:* Completion of all first year courses & community service requirement; all participants are also required to give consent for a Nevada Department of Corrections Criminal History Check, complete volunteer training required by the NvDOC, submit results of a TB test; and be available for daytime visits to the correctional facilities at least 3 times during the semester.**

Taxation of Business Entities (Law 649) - 3 credits

This course surveys federal income taxation of business entities and their owners, including corporations, partnerships, LLC's, and LLP's.

The upper level writing requirement can be satisfied through this course.

***Prerequisites:* Law 603 Federal Income Tax. If you have a background in Tax and have not taken Federal Income Tax, please contact Professor Johnson.**

Trial Advocacy (Law 712A/712B/712C) - 3 credits

(Limited Enrollment - 12)

Students design, execute and practice the lawyering tasks specifically associated with actual courtroom trials, including opening statements, direct examination, cross-examination, evidentiary objections, and closing arguments. Students will be required to present a minimum of one mock trial during the course of the semester. Emphasis is on actually performing tasks in the context of hypothetical cases.

***Prerequisite:* Law 606 Evidence.**

Water Law (Law 620) - 3 credits

Acquisition and exercise of private rights in water, public rights and environmental protection, water distribution organizations, interstate water allocation, and federal-state relations in water resource management.