



SCHOOL
OF LAW



Upper-Class Curriculum Guide

2008-2009



The purpose of this Guide is to provide a systematic overview of the upper-class J.D. curriculum at St. John's University School of Law in order to help students plan their academic programs. Students should supplement their reading of this Guide by consulting members of the faculty and administration (including Career Services) about courses that suit their particular goals, needs and career paths and by attending information sessions sponsored by the faculty and administration.

There is no "one" approach to the selection of electives. Some students may wish to pursue a variety of courses across a wide spectrum, some may wish to confine their coursework primarily to fundamental areas and others may wish to develop specialties. Regardless of the strategy students may take with respect to traditional courses and seminars, all are encouraged to consider the professional skills courses that will further the development of skills used in the practice of law.

Only two specific upper-class courses are required: **Constitutional Law I and II** and **Professional Responsibility**. (The upper-class required courses must be taken in the second year except that evening students have the option of taking Professional Responsibility in the third year.)

However, one of the traditional hallmarks of legal education at St. John's School of Law has been the preparation of graduates who are able to "hit the ground running" in almost any area of legal practice. Thus, the faculty believes each student's program should include a critical mass of fundamental, or "core," courses that will help the graduate to achieve competence as a well-rounded lawyer in an ever-changing legal environment.

Rather than require all students to take specified core courses, the Law School seeks to provide a balance between each student's need for exposure to fundamental areas of law and flexibility in the pursuit of specialties and intellectual interests. To this end, each student must take at least five of the following upper-class core elective courses:

Administrative Law
Business Organizations
Conflict of Laws
Criminal Procedure I
Evidence
Family Law
International Law
Taxation—Basic Federal Personal Income
Trusts and Estates
Uniform Commercial Code course (Commercial Transactions, Sales or Secured Transactions)

(As described in the Student Handbook, students must also satisfy the **Advanced Scholarly-Writing Requirement; Advanced Practice-Writing Requirement;** and the **Advanced Civil Procedure Requirement (Administrative Law, Federal Practice or New York Practice).**)

A variety of reasons underlies the specification of the particular courses in the core group from which students are to make their choices. One thing all of the core electives have in common is that they are generally rigorous in nature and will thereby help students to continue the process, begun in first year, of refining their analytical legal skills and broadening their knowledge of fundamental legal doctrine and policy.

In the past, all students were required to take four of the courses on the list: **Business Organizations, Evidence, Taxation—Basic Federal Personal Income** and **Trusts and Estates**. The inclusion of these courses in the group of ten reflects the continuing view that a student will benefit by taking them, no matter what area of practice is pursued. Another characteristic shared by these four courses, in particular, is that each one involves material that is difficult to learn on one's own, *i.e.*, "on the job." (Taxation, for example, is best learned in the classroom setting.) Most students undoubtedly will want to continue to include all four of these core electives in their programs.

Another factor influencing the inclusion of particular courses on the list is the coverage of the relevant subject matter on bar examinations. Those taking the New York bar exam, for example, must be prepared for questions on **Business Organizations, Conflict of Laws, Criminal Procedure, Evidence, Family Law, Trusts and Estates** and the **Uniform Commercial Code**.

Administrative Law is on the list because of the pervasive influence of rule-making and adjudication by government agencies. **Taxation—Basic Federal Personal Income** is similarly pervasive across the spectrum of practice areas.

Conflict of Laws offers perspectives on interstate and international aspects of modern legal issues, whether they arise in a transactional or litigation-oriented practice. As clients increasingly act abroad, so do their lawyers. **International Law**, therefore, helps to prepare one to practice in a global society in which such matters as business, crime, and environmental protection are no longer solely domestic issues.

Criminal Procedure I includes important concepts not covered in Constitutional Law or Evidence with respect to restraints on governmental investigation of crime. **Family Law** provides a basic foundation in the area of domestic relations, which is important both for generalists and specialists in matrimonial and criminal practices. Any of the listed **Uniform Commercial Code** courses will not only give the student a solid foundation in everyday business transactions but will also offer an opportunity to master a code of national applicability.

There is a pragmatic reason for students to take at least five of the courses on the list of ten. When legal employers review the transcript of a potential new hire, they will look to see whether the applicant chose a mix of rigorous, fundamental electives that make for a well-rounded lawyer. Indeed, a well-balanced program might very well include all ten of the core electives. Students must therefore consider taking more than the required five.

In order to achieve a balanced workload in their upper-class schedules, students are encouraged to spread their core electives over the four upper-class semesters (or five semesters in the case of evening students). For example, a day student would be well advised to complete 3 of 5 core electives by the end of the second year (end of third year for evening students). The most appropriate timing and sequence of electives will depend on the student’s individual career path and interests.

The balance of this Guide is a listing of courses relevant to particular areas of legal practice or intellectual interest. The courses are grouped under the following categories:

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In most categories, the grouping consists of one or two foundation courses together with a listing of advanced, specialty, or related courses. In areas with a heavy litigation component, relevant professional skills courses are separately listed.

The foundation courses in particular areas are “gateways” or “building blocks” that generally cover basic concepts. Occasionally, the foundation course is a prerequisite for many of the advanced or specialty courses in the area. For example, in Corporate Law and Securities Regulation, the foundation course Business Organizations is a prerequisite for several other courses.

In other areas, the foundation course is merely a suggested starting point, and the student may profit from taking specialty courses in the area without taking the indicated foundation course. Administrative Law is an example in the area of Administrative Law and Government Regulation.

Finally, some areas do not specify a foundation course either because the foundation has already been provided in a first- or second-year required course (e.g., Civil Litigation) or there is no particular building block (e.g., Jurisprudence and Legal Theory).

Where appropriate, the description—in contrast to the listing of courses—for a particular area (e.g., Labor and Employment Law) will indicate a cluster of courses that are suggested for the student who has a serious interest in developing a concentration. As indicated at the outset of this Guide, however, students should also consult with members of the faculty and administration about developing programs that are best suited for their particular needs and interests.

Some courses, such as Administrative Law and Taxation—Basic Federal Personal Income, appear in more than one area of practice because knowledge of those subjects is important to practitioners in multiple areas.

Throughout the groupings, upper-class core electives are highlighted with an asterisk (*).

Students should take note that not all elective courses, aside from the ten core courses, are offered annually. Offerings are sometimes dictated by the teaching and research interests of individual faculty members. Registration materials should be carefully checked each semester as to the scheduling of particular courses. Students should also consult the individual course descriptions in the Student Handbook to determine prerequisites, if any. As with all aspects of the curriculum, the current program is subject to future modification.

Administrative Law and Government Regulation

This cluster includes courses on the government's pervasive role as regulator in modern society. Courses in this cluster may be taken in any order but students may find it useful first to study Administrative Law, which focuses in part on the roles played by the Congress, the President and the Judiciary in overseeing government agencies. Many courses in the law school curriculum concern government regulation. Some of the main ones are listed here under the Advanced, Specialty and Related categories.

Foundation Course

Administrative Law*

Advanced or Specialty Courses:

Antitrust Law and Competition
Antitrust Seminar
Communications Law
Comparative Election Law Seminar
Copyright Law
Court and Case Management
Election Law and Political Participation
Entertainment Law
Federal Securities Regulation
Federal Securities Regulation Seminar
Labor Law
Legislation
Local Government Law
Patent Law
Patent Law Seminar
Regulated Industries
Regulation of Investment Companies and Investment Companies Advisers
Social Security Law (online, distance-learning course)
Trademarks and Copyright Survey
Trademarks and Unfair Competition

Related Courses

Admiralty Law
Alternative Dispute Resolution
Banking Law and Regulation
Computers and the Law
Consumer Protection
Contemporary Public Policy Issues and the Internal Revenue Code
Environmental Law

Environmental Regulation of Toxic Substances
Federal Practice
Globalization of the Legal Profession
Government Contracts
Immigration Law
Immigration Law Seminar
Insurance Law
International Banking
International Business Transactions
Internet Law
Law and Policy of Health Care Delivery Systems
Maritime Cargo
Pension and Employee Benefits
Poverty Law Seminar
Government Contracts
Military Law
Remedies for Unjust Enrichment

* Upper-class core elective

Bankruptcy

Bankruptcy is a valuable area of study for students planning a commercial practice involving either individual or business clients. The foundation bankruptcy course for J.D. students is Creditors' Rights, which addresses both pre-bankruptcy and bankruptcy issues regarding the debtor-creditor relationship. Potential follow-up courses are Consumer Bankruptcy, Reorganization Under Chapter Eleven and Real Estate Workouts.

St. John's is unique among law schools in offering an LL.M. in Bankruptcy. As a result, almost two dozen advanced bankruptcy electives are available to J.D. students. Most require Creditors' Rights as a prerequisite and a few require permission of the Director of the LL.M. in Bankruptcy program. Up to 15 hours of LL.M. courses taken by J.D. students may be counted towards the LL.M. degree.

Foundation Course

Creditors' Rights

Advanced Bankruptcy Courses

Bankruptcy Accounting
Bankruptcy Ethics, Fraud and Malpractice
Bankruptcy Jurisdiction
Bankruptcy Practice – Litigation
Bankruptcy Practice – Opinion Drafting
Bankruptcy Procedure
Bankruptcy Taxation
Bankruptcy Theory
Comparative Bankruptcy Systems
Complex Bankruptcy Litigation Seminar
Consumer Bankruptcy
Development of Modern Bankruptcy: The Innovators
Domestic Relations in Bankruptcy
Drafting Bankruptcy and Commercial Agreements and Documents
Enron, Corporate Scandals, Ethics and Bankruptcy
Mass Tort Bankruptcy
Multi-National Case Management
Negotiation in Bankruptcy
New Developments in Business Bankruptcy
Partnership, LLC and Alternative Entity Bankruptcy
Pension Benefits in Bankruptcy

Real Estate Workouts and Bankruptcy
Reorganization Under Chapter 11
Representing Trustees in Bankruptcy
Secured Transactions and Bankruptcy
Securitization, Structured Finance and Capital Markets
Selected Topics in Bankruptcy
Small Business Bankruptcy
Supreme Court Amicus Brief

Civil Litigation

The first-year required course in Civil Procedure introduces students to basic concepts of Civil Litigation in both federal and state courts. The upper-class electives build on this foundation and offer survey courses in state and federal practice, practice-oriented courses in trial and appellate advocacy and specialized courses involving litigation in a variety of substantive areas.

While there is no need to take these courses in any sequence, many students find it helpful to take Evidence concurrently with, or before, embarking on other electives in litigation. Indeed, Evidence, a fundamental course for trial lawyers, is a prerequisite for the Trial Advocacy courses. A potential litigator should also take Federal Practice and/or New York Practice (either of which will satisfy the Advanced Civil Procedure Requirement), and a specialist in federal litigation would benefit from Federal Courts. Conflict of Laws is also an important course for litigators because it focuses on the choice of law to be applied in cases involving transactions connected with more than one state or nation. Even students who have no interest in litigation are well advised to take Evidence and Conflict of Laws. Good transactional lawyering anticipates the potential for litigation.

Aside from taking courses on procedure and advocacy, the potential litigator should take a wide variety of courses in substantive areas of the law unless he or she intends to practice in a particular area. Taxation—Basic Federal Personal Income is also useful in this area because of the tax consequences of monetary and property-based settlements and judgments. Although Administrative Law is not technically a litigation course, future civil litigators can benefit from the course because they may find themselves representing clients before adjudicatory bodies of an administrative nature.

Advanced or Specialty Courses

Bankruptcy Jurisdiction
Bankruptcy Practice – Litigation
Bankruptcy Procedure
Civil Rights Litigation Seminar
Complex Bankruptcy Litigation Seminar
Conflict of Laws*
Evidence*
Family Law Practice
Federal Civil Discovery Seminar
Federal Courts
Federal Practice
International Civil Litigation
International Litigation: Procedural Issues
International Litigation Seminar
New York Practice
New York Practice – Advanced
Remedies for Unjust Enrichment
Securities Litigation Seminar

Professional Skills Courses

Advanced Legal Research and Writing
Alternative Dispute Resolution
Appellate Advocacy
Appellate Advocacy Seminar
Bankruptcy Practice – Litigation
Child Advocacy Clinic
Civil Externship Placement and Seminar
Civil Practice Seminar (Federal)
Civil Practice Seminar (State)
Domestic Violence Litigation Clinic
Drafting Legal Instruments
Elder Law Clinic
Environmental Externship Placement and Seminar
Fact-Writing and Persuasion in Legal Documents
General Externship Placement and Seminar
Immigration Rights Clinic
Interviewing and Counseling
Judicial Externship Placement and Seminar
Legal Research—Advanced
Legal Writing Seminar
Negotiation
Pretrial Advocacy
Representing Clients in Mediation
Securities Arbitration Clinic
Summer Externship Placement and Seminar
Trial Advocacy—Advanced
Trial Advocacy—Civil
Trial Advocacy—Intensive (Civil)

Related Courses

Administrative Law*
Commercial Arbitration
Court and Case Management
International Commercial Arbitration
Judicial Decision Making Process
Legal Medicine
Products Liability Law
Taxation—Basic Federal Personal Income*

* Upper-class core elective

Commercial Law

Whether the student expects to enter a business-oriented practice or simply wants a well-rounded legal education, taking one or more of the foundation courses in commercial law is highly recommended. Commercial law addresses recurring, everyday business transactions, including sales, payments and credit relationships. Extraordinary transactions, such as mergers and acquisitions, are dealt with in courses on Corporate Law and Securities Regulation.

Whereas the first-year Contracts course introduces some basic concepts of sales under the Uniform Commercial Code (UCC), the upper-class foundation electives in commercial law treat UCC topics in a systematic and comprehensive way. The two-credit Sales course, which focuses primarily on UCC Article 2, is for the student who wants exposure to the UCC but on a more limited scale than the three-credit Commercial Transactions course, which includes coverage of both sales and commercial paper (checks, notes, drafts, etc.). (A student may take one or the other of these two courses, but not both). Secured Transactions, which deals with UCC Article 9, is another foundation course: The commercial lawyer needs familiarity with the security mechanisms that are used in the financing of modern business transactions. The courses in the foundation group can be taken in any sequence or order.

Although not listed as a foundation course because of its peripheral relation to the UCC, Creditors' Rights provides an overview of remedies available under the Bankruptcy Code to financially-troubled debtors (both businesses and consumers) and their creditors. Such issues often confront commercial lawyers. Creditors' Rights is open to all J.D. students, and advanced bankruptcy electives in the Bankruptcy LL.M. program may be taken by J.D. students upon prior approval of the Director of the program.

Other commercial courses in the advanced/specialty category provide an array of electives in particularized areas of the law of commerce.

Related areas of study, described elsewhere in this guide, touch upon other matters a business lawyer may encounter: Bankruptcy, Corporate Law and Securities Regulation, Intellectual Property and Media Law, Labor and Employment Law, and Taxation. As noted in the Taxation section of this guide, commercial lawyers are bound to encounter tax-related issues.

Foundation Courses

Commercial Transactions*

Sales*

Secured Transactions*

Advanced or Specialty Courses

Accounting for Lawyers

Banking Law and Regulation

Bankruptcy (LL.M.) Electives (see separate section of this guide)

Business Planning

Commercial Arbitration

Community Economic Development Clinic
Computers and the Law
Consumer Protection
Creditors' Rights
Drafting Legal Instruments
Elder Law Clinic
Government Contracts
Insurance Law
International Art and Cultural Heritage Law
International Banking
International Business Transactions
International Commercial Arbitration
Internet Law
Securitization, Structured Finance and Capital Markets
Taxation—Basic Federal Personal Income*
Theater Law
Transactions in Emerging Markets

* Upper-class core elective

Constitutional Law and Individual Rights

The upper-class requirements of Constitutional Law I and II provide a solid foundation for several electives that touch upon constitutional issues in a variety of areas. Students should choose such electives based on their interest in the subject matter. Some, such as Administrative Law, Conflict of Laws and Federal Courts, involve issues of government structure, while others focus on individual rights. Most advanced constitutional law courses tend to be litigation-oriented rather than transactional. Many of the courses are seminars, providing an opportunity for writing experience. Related courses that deal more heavily with statutory regulation than constitutional principles are listed elsewhere in this guide (see Administrative Law and Government Regulation; Environmental Law; Labor and Employment Law; Intellectual Property and Media Law).

Advanced or Specialty Courses

Administrative Law*
Capital Punishment in the 21st Century
Child Advocacy Clinic
Children and the Law Seminar
Civil Rights Litigation Seminar
Comparative Election Law Seminar
Conflict of Laws*
Constitutional Rights Seminar
Constitutional Theory
Criminal Procedure I*
Education Law Seminar
Election Law and Political Participation
Federal Courts
Issues of Race and Gender in the Law
Law and Religion Seminar
Law and Religion Seminar: International and Comparative Perspectives
Mass Media Law Seminar
Mental Health Law Seminar
National Security and the Law
Poverty Law Seminar
Race and Corporate Law
Race and Law Seminar
State Constitutional Law Seminar
Supreme Court Seminar: Current Constitutional Issues

* Upper-class core elective

Corporate Law and Securities Regulation

The Corporate Law and Securities Regulation curriculum seeks to familiarize students with the characteristics of different business entities in private law. It also explores the public regulatory function in the business marketplace.

The foundation course Business Organizations is a prerequisite for almost all of the advanced/specialty courses in the area. It is a course that students should take early in their law school experience even if they are not sure whether they will take other corporate law courses. Knowledge of the basic legal structure of various forms of business enterprise is fundamental throughout all areas of legal practice, without regard to the size of one's firm or the type of practice.

Anyone potentially interested in a corporate law practice should also take Securities Regulation. It is basic to corporate practice and an introduction to more specialized courses in the area. Issues of taxation are pervasive in corporate practice, making Taxation—Basic Federal Personal Income a virtual necessity as well as Taxation—Federal Corporate Income. Rounding out a recommended cluster of courses for the potential corporate lawyer are Corporate Finance, Accounting for Lawyers (highly recommended for those with no accounting background), and Business Planning, a capstone course in senior year.

Many other courses in the curriculum bear on the general legal environment in which commerce, industry and financial institutions operate in the United States and throughout the world. Students aspiring to careers in business law should therefore consider not only the advanced/specialty courses listed below but also commercial, regulatory and international business subjects (see elsewhere in this Guide: Administrative Law and Government Regulation, Bankruptcy, Commercial Law, Intellectual Property Law and Media Law, International and Comparative Law, Labor and Employment Law).

Foundation Course

Business Organizations*

Advanced or Specialty Courses

Accounting for Lawyers
Antitrust Laws and Competition
Antitrust Seminar
Banking Law and Regulation
Business Planning
Community Economic Development Clinic
Comparative Corporate Governance Seminar
Corporate Finance
Corporate Governance Seminar
International Banking

Mergers and Acquisitions
Nonprofit Organizations
Pension and Employee Benefits
Race and Corporate Law
Regulated Industries
Regulation of Investment Companies & Investment Advisors
Securities Arbitration Clinic
Securities Litigation Seminar
Securities Regulation (prerequisite: Business Organizations)
Securities Regulation Seminar
Securitization, Structured Finance and Capital Markets
Taxation – Basic Federal Personal Income*
Taxation – Federal Corporate Income
Taxation – Federal Income Taxation of Partnerships

*Upper-class core elective

Criminal Law and Procedure

The Criminal Law and Procedure curriculum provides a variety of courses that build upon the basic Criminal Law course required in the first year. This group of courses is designed to prepare a student for practice in this area, both as prosecutor and defense counsel. It is also helpful to any student wishing to acquire perspective on the basic issues of principle implicated in the balance of individual rights and social order.

Three courses that all potential criminal law practitioners should take are Criminal Procedure I, Criminal Procedure II and Evidence. Criminal Procedure I focuses upon police investigation and explores constitutional restraints on search-and-seizure and interrogation activity and the interplay with exclusionary rules. Criminal Procedure II continues with the filing of formal charges and studies the procedures that govern from arraignment to trial. Criminal practice is inherently litigation-oriented, making Evidence a must.

The advanced and specialty courses consist of selected topics involving criminal justice. Anyone intending to pursue a career in this area will benefit from the experience offered by a clinical or externship course in either a defense or prosecutorial context. Trial Advocacy—Criminal will help the student develop skills in the art of evidence presentation in criminal trials.

Foundation Courses

Criminal Procedure I*
Evidence*

Advanced or Specialty Courses

Advanced Criminal Law
Capital Punishment in the 21st Century
Contemporary Criminal Justice Seminar
Criminal Procedure II
Evidence: Forensic DNA
Family Violence & Sexual Assault
International Criminal Law
Juvenile Justice
Mental Health Law Seminar
National Security and the Law
Sentencing & Post-Conviction Relief
Sentencing Seminar
White Collar Crime

Professional Skills Courses

Criminal Justice Externship Placement and Seminar

Domestic Violence Litigation Clinic

General Externship Placement and Seminar

Judicial Externship Placement and Seminar

Prosecution Clinic—Part I and Part II

Summer Externship Placement and Seminar

Trial Advocacy—Advanced

Trial Advocacy—Criminal

Trial Advocacy—Intensive (Criminal)

*Upper-class core elective

Environmental Law

Environmental Law is an outgrowth of fundamental principles developed in Torts and Property Law. The survey course in Environmental Law introduces the student to state and federal regulatory operations in the environmental field. Additional specialized courses treat particular statutes and regulatory programs in depth. The student may find it useful to enroll in Administrative Law concurrently with these courses.

Foundation Course

Environmental Law

Advanced or Specialty Courses

International Environmental Law
Torts Seminar
Toxic Torts Seminar

Related Courses

Administrative Law*
Environmental Externship Placement and Seminar
Federal Practice
Land Use Planning
Local Government Law
Regulated Industries

* Upper-class core elective

Family Law

Courses in the Family Law cluster explore the legal framework and the policy debates surrounding important life events such as marriage, divorce, parenthood and death. They analyze the central problems of state regulation of the family as a unit and of relationships between family members. Students who are pursuing careers in matrimonial law, trusts and estates, children's law and/or taxation are strongly encouraged to take these courses. Students wishing to gain experience in the family law area may seek externships in family law-related placements.

Foundation Course

Family Law*

Advanced or Specialty Courses

Canon Law
Children and the Law Seminar
Domestic Relations in Bankruptcy
Family Law Practice
Family Violence and Sexual Assault
Juvenile Justice

Professional Skills Courses

Child Advocacy Clinic
Civil Externship Placement and Seminar
Domestic Violence Litigation Clinic
General Externship Placement and Seminar
International Human Rights Externship Placement and Seminar
Judicial Externship Placement and Seminar
Summer Externship Placement and Seminar

Related Courses

Drafting Wills and Trust Instruments
Elder Law Clinic
Medical Jurisprudence and Bioethics
Taxation—Basic Federal Personal Income*
Taxation – Federal Estate and Gift
Trusts and Estates*

*Upper-class core elective

General Practice

A lawyer with a general practice serves the community by handling a variety of legal matters, including drafting wills; administering estates; answering tax questions; dealing with divorce, adoption and child custody issues; conducting real estate closings; appealing zoning board and other agency decisions; and litigating personal injury and employment law matters. Some general practitioners also occasionally provide criminal defense representation. For small and mid-size business clients, a general practitioner may assist in matters of incorporation as well as contracts, tax, employment, collection and bankruptcy issues.

Obviously, taking a wide variety of courses in fundamental areas of the law is good preparation for general practice. A program that includes all or most of the “General Practice Cluster” courses listed below would meet this goal. (“Foundation” is not an appropriate caption in this category.) The “advanced or specialty” courses in the second list either build upon one or more of the cluster subjects or introduce the student to some common subjects that a general practitioner could encounter. The student interested in general practice should also take one or more professional skills courses that will help develop skills in oral advocacy and writing, such as a drafting course, trial advocacy course, externship or clinical work.

General Practice Cluster

Administrative Law*
Business Organizations*
Commercial Transactions* or Sales*
Creditors’ Rights
Criminal Procedure I*
Evidence*
Family Law*
New York Practice
Taxation—Basic Federal Personal Income*
Trusts and Estates*

Advanced or Specialty Courses

Accounting for Lawyers
Consumer Protection
Employment Law
Estate Administration
Estate Planning
Federal Practice
Insurance Law
Professional Skills electives (see separate section of this Guide)
Remedies for Unjust Enrichment
Taxation—Federal Corporate Income
Taxation—Federal Estate and Gift

* Upper-class core elective

Injury Compensation and Deterrence (Advanced Torts)

Torts I and II provide the foundation and basic analytic framework for advanced and specialty courses that permit students to explore issues related to liability and injury compensation and deterrence. Many areas of practice encounter tort principles, including Civil Litigation, Environmental Law, Health Law, Intellectual Property and Media Law. Both substantive and procedural courses are grouped in this section.

Advanced or Specialty Courses

Environmental Law
Products Liability Law
Torts Seminar
Toxic Torts Seminar

Related Courses

Administrative Law*
Admiralty Law
Business Torts and Intellectual Property
International Environmental Law
Evidence*
Federal Practice
Insurance Law
Legal Medicine
Mass Media Law Seminar
New York Practice
Regulated Industries
Remedies for Unjust Enrichment
Taxation—Basic Federal Personal Income*

* Upper-class core elective

Intellectual Property Law and Media Law

Intellectual property courses deal with the law's protection of intellectual creation and effort. Students who desire in-depth coverage of copyright and trademark law should take Copyright Law (3 credits) and Trademarks and Unfair Competition (2 credits). The Trademarks and Copyrights Survey course (2 credits) is designed for students who are interested in these two topics but on a more limited scale. It should be noted, however, that taking the Survey course will preclude taking Copyright Law and/or Trademarks and Unfair Competition. Similarly, a student who takes either Copyright Law or Trademarks and Unfair Competition may not take the Survey course.

The two foundation courses in the area of media law are Communications Law and Mass Media Law Seminar. The former deals primarily with electronic communications media: regulation of telephone, broadcasting and cable television services and new developments affecting the communications marketplace. The Mass Media Law Seminar focuses primarily on the impact of the First Amendment on media activity.

Intellectual Property Foundation Courses

Copyright Law
Patent Law
Trademarks and Copyright Survey
Trademarks and Unfair Competition

Media Law Foundation Courses

Communications Law
Mass Media Law

Advanced or Specialty Courses

Business Torts and Intellectual Property
Computers and the Law
Entertainment Law
International Art and Cultural Heritage Law
Internet Law
Patent Law Seminar
Theater Law

Related Courses

Administrative Law*
Antitrust Law & Competition
Antitrust Seminar
Consumer Protection
Federal Practice
Labor Law
Law Through Film
Regulated Industries
Sports Law
Taxation—Basic Federal Personal Income*

* Upper-class core elective

International and Comparative Law

Spurred by globalization, the scope of international law has expanded with the proliferation of international tribunals, bilateral investment treaties, international environmental norms, as well as the increasing vitalization of human rights law. This internationalization of law in turn has led to a similar internationalization of the legal profession.

Among the foundation courses in this area, there are no prerequisites or preferred sequencing. International Law is the basic introduction to public international law, although some areas of private international law are covered as well. The course focuses on the analysis and interpretation of the sources of international law, such as treaties and custom, and how international law affects and is affected by actors such as states, international organizations, private enterprises, and individuals. Considerable emphasis is also placed on the interplay of international law and domestic legal systems, with a particular emphasis on the foreign relations law of the United States. The course includes a survey of selected substantive areas in international law such as human rights, international criminal law, the use of military force, and the management of the global economic system.

International Business Transactions is the basic introduction to the major legal issues that arise in doing business across national boundaries. Consequently, this course covers topics in both private international law and public international law. Among the topics to be considered are the international sale of goods and services, foreign investment, technology transfer, national, regional and international regulation of international trade, extraterritoriality, the European Union, and doing business in developing countries.

Conflict of Laws studies the resolution of problems that arise when legal matters have a relationship to more than one state or nation. Topics covered include the circumstances under which courts will adjudicate disputes, the recognition of judicial decrees by other states, and the criteria for determining the substantive law applicable to multistate transactions.

Foundation Courses

International Law*
International Business Transactions
Conflict of Laws*

Advanced or Specialty Courses

Admiralty Law
Aviation Law
Globalization of the Legal Profession
Immigration Law
International Art and Cultural Heritage Law
International Banking
International Civil Litigation

International Criminal Law
International Environmental Law
International Human Rights Law
International Human Rights Externship Placement and Seminar
International Litigation: Procedural Issues
International Litigation Seminar
International Trade Law and Economic Development
Law and Religion Seminar: International and Comparative Perspectives
Law of the European Union
Maritime Cargo
National Security and the Law
Public International Law Seminar
Refugee and Immigrant Rights Clinic
Taxation – International Aspects of U.S. Income Taxation
Transactions in Emerging Markets

Comparative Law Courses

Comparative Asylum Protection and International Human Rights
Comparative Law
Comparative Bankruptcy Systems

* Upper-class core elective

Jurisprudence and Legal Theory

The courses in the Jurisprudence and Legal Theory cluster shed light on the law through the perspective of political and moral philosophy, social and political theory, critical studies and literary theory. There is no one course that might be considered a foundation for other courses in the area. Thus, the jurisprudence/theory courses are listed without a descriptive caption:

Catholic Social Thought and the Law
Comparative Law
Constitutional Theory
Issues of Race and Gender in the Law
Jewish Law
Jurisprudence
Law and Economics
Law and Literature
Law and Religion Seminar
Law and Religion Seminar: International and Comparative Perspectives
Law Through Film
Legal History
Legal Process
Medical Jurisprudence and Bioethics
Race and Law Seminar
Supreme Court Seminar: Current Constitutional Issues
Torts Seminar

Labor and Employment Law

The Labor and Employment Law curriculum provides a foundation cluster of courses for the student seeking a general familiarity with the area as well as a group of advanced and/or specialty courses. Most of the courses in the area can be taken regardless of sequence or order.

The student seeking to develop a concentration with the likelihood of significant practice in the labor/employment field should supplement the two foundation courses with Employment Discrimination, Labor and Employment Arbitration, and Pension and Employee Benefits. If time permits, such student will also benefit from taking one or more other courses in the advanced-or-specialty category. The courses under the “Related” heading are electives that touch upon employment and labor law issues.

Foundation Courses

Employment Law
Labor Law

Advanced or Specialty Courses

Employment Discrimination
Labor and Employment Arbitration (although not prerequisites, either Labor Law, Employment Law or Employment Discrimination would be helpful preliminary or concurrent electives)
Labor Law—Advanced (prerequisite: Labor Law, which can be waived by professor for students with significant prior academic or relevant employment experience)
Pension and Employee Benefits
Pension Benefits in Bankruptcy (requires prior approval of Director of LL.M. in Bankruptcy program)
Public Sector Labor Law (although not a prerequisite, Labor Law would be a helpful preliminary or concurrent elective)
Social Security Law (online, distance-learning course)

Related Courses

Administrative Law*
Alternative Dispute Resolution
Constitutional Rights Seminar
Entertainment Law
Sports Law

* Upper-class core elective

Professional Skills

Professional Skills courses introduce students to the skills needed in their development as reflective lawyers, including the introduction to and practice of critical lawyering skills such as problem-solving, interviewing, counseling, negotiation, case theory and investigation, written and oral advocacy, drafting transactional documents, professional values and critique of lawyering models. Many of these courses take students outside the physical environment of the law school or bring in the knowledge and experience of attorneys from the surrounding legal community. The professional skills courses are experiential learning courses, engaging students in simulations, demonstrations, supportive critiques and reflective discussions and written assignments.

The category labeled “Practice-Writing Courses (non-Clinic)” consists of courses emphasizing instruction in writing skills used in a legal-practice context, such as drafting litigation papers and business-related contracts and proposals. Most of the Clinics also provide significant practice-writing instruction. The category of “Advocacy and Related Simulation Courses” includes courses that emphasize primarily non-writing practice skills in the trial and pretrial litigation context and specialized skills in ADR, interviewing, counseling and negotiation. An overview of the Externship and Clinical programs is contained in the Student Handbook.

Practice-Writing Courses (non-Clinic)

Advanced Legal Research and Writing
Appellate Advocacy
Bankruptcy Practice—Litigation
Bankruptcy Practice—Opinion Drafting
Business Planning
Civil Practice Seminar (Federal)
Civil Practice Seminar (State)
Drafting Bankruptcy and Commercial Agreements
Drafting Wills and Trust Instruments
Fact-Writing and Persuasion in Legal Documents
Legal Writing—Advanced
Legal Writing Seminar
Legislative Advocacy
Pretrial Advocacy
Real Estate Drafting
Supreme Court Amicus Briefs

Advocacy and Related Simulation Courses

Alternative Dispute Resolution
Interviewing and Counseling
Legal Research—Advanced
Negotiation
Representing Clients in Mediation
Trial Advocacy—Advanced
Trial Advocacy—Civil
Trial Advocacy—Criminal
Trial Advocacy—Intensive (Civil)
Trial Advocacy—Intensive (Criminal)

Externships

Capital Punishment in the 21st Century
Civil Externship Placement and Seminar
Concentrated Externship Placement and Seminar
Criminal Justice Externship Placement and Seminar
Environmental Externship Placement and Seminar
General Externship Placement and Seminar
International Human Rights Externship Placement and Seminar
Judicial Externship Placement and Seminar
Street Law Externship Placement and Seminar
Special Education Externship Placement and Seminar
Summer Externship Placement and Seminar

Clinics

Child Advocacy Clinic
Community Economic Development Clinic
Domestic Violence Litigation Clinic
Elder Law Clinic
Immigrant Tenant Advocacy Clinic
Prosecution Clinic
Refugee and Immigrant Rights Clinic
Securities Arbitration Clinic

Real Estate Transactions and Land Use Planning

The first-year required Property course introduces students to basic concepts relating to the law governing real estate transactions and many important contemporary developments, including land use issues. The upper-class electives build upon this foundation and provide opportunities for in-depth study of real estate transactions and land use topics as indicated below. There is no need to take any of the courses in any particular sequence.

The listing includes a group of related courses that touch upon matters a real estate attorney is likely to encounter, including Taxation—Basic Federal Personal Income. Related disciplines in property law, described elsewhere in this guide, are Environmental Law, Intellectual Property, and Trusts and Estates.

Advanced or Specialty Courses

Condominiums, Cooperatives and Homeowner Associations
Land Use Planning
Real Estate Drafting (seniors only)
Real Estate Transactions—Advanced
Suretyship and Mortgages

Related Courses

Administrative Law*
Immigrant Tenant Advocacy Clinic
Local Government Law
Real Estate Workouts and Bankruptcy Seminar (prerequisite: Creditors' Rights)
Taxation—Basic Federal Personal Income*

*Upper-class core elective

Taxation

An awareness of taxation principles is essential for all attorneys, including those who do not specialize in the tax field. For example, tax issues will be encountered by lawyers who specialize in corporate and securities law, trusts and estates, real estate, litigation (including personal injury), bankruptcy, family law, employee benefits, intellectual property and public interest law. As a result, it is strongly recommended that each law student enroll in at least the Basic Federal Personal Income Taxation course.

Basic Federal Personal Income Taxation is an introductory or survey course. While it focuses on the tax treatment of individuals, most of the principles and concepts studied apply to all taxpayers. No prior exposure to taxation or accounting principles is required and the arithmetic used in this class to illustrate concepts is quite basic. This offering is a prerequisite for all other tax courses and provides an essential or helpful foundation for a number of non-tax courses. As a result, all students are encouraged to enroll in the basic taxation course during their second year of law school (day or night program).

The curriculum includes a number of additional tax and tax-related courses. In most cases, these courses are directed not only to those who intend to practice in the tax field but also to those who will practice primarily in other specialties. For instance, students interested in corporate, securities or business law should take courses in Corporate Taxation, Partnership Taxation and Business Planning. Those students who will practice in the wills, trust and estates area will find the Estate and Gift Taxation course indispensable. Anyone interested in international law or business should take the International Taxation course. Anyone intending to enter the not-for-profit field should take the Nonprofit Organizations course.

Foundation Course

Taxation—Basic Federal Personal Income* (upper-class core elective)

Advanced/Specialty Courses

Contemporary Public Policy Issues and the Internal Revenue Code

Taxation—Advanced Federal Personal Income

Taxation—Federal Corporate Income

Taxation—Federal Estate and Gift

Taxation—Federal Income Taxation of Partnerships and LLCs

Taxation—International Aspects of U.S. Income Taxation

Taxation Seminar

Bankruptcy Taxation (LLM course available to J.D. students with permission of the Director of LLM in Bankruptcy program)

Related Courses

Business Planning

Nonprofit Organizations

Trusts and Estates

Students wishing to study this topic in depth are urged to take the basic four-hour course in Trusts & Estates in the second year (day), allowing time for specialized electives in senior year. The course covers material that is important in general practice, a specialty in estate planning and administration, and trust and estate departmental practice in a large firm.

Of the more practice-oriented electives, the courses in Estate Planning, Drafting Wills & Trust Instruments, and Taxation—Federal Estate & Gift emphasize substantive law, while Estate Administration and Estate Administration Litigation focus on procedural issues.

Foundation Course

Trusts & Estates*

Advanced or Specialty Courses

Critical Perspectives on the Laws of Inheritance
Drafting Wills & Trust Instruments
Estate Administration
Estate Administration Litigation
Estate Planning
Post-Mortem Estate Planning
Taxation—Federal Estate & Gift

Related Courses

Business Organizations*
Creditors' Rights
Family Law*
Real Estate Transactions—Advanced
Taxation—Basic Federal Personal Income*

* Upper-class core elective