

## DELAWARE COURSE DESCRIPTIONS

### **LAW 530: ADMINISTRATIVE LAW (2 credits)**

How does government work? Who regulates the economy, the environment, the safety of our foods and our roads? What is the balance of power between the President and the Congress in governing? And what is the role of the courts in managing the obligations of government and the relationship between the government and the people and within the different branches of government? This course examines these questions, which include constitutional law, statutory interpretation, and judicial decision making. It provides a good introduction or review for the Bar exam's questions on constitutional law.

### **LAW 873: ADVANCED CORPORATIONS (2 credits)**

This course explores corporate fiduciary standards of conduct and related standards of judicial review under the leading Delaware corporate cases in this area, as well as the litigation process. Pertinent statutory provisions of the Delaware General Corporation Law are also explored. This course will equip students to develop their knowledge of core Delaware corporation law principles and will also benefit students who are preparing to take the Delaware bar examination.

**Prerequisite:** LAW 631: Business Organizations (Students cannot take both Advanced Corporation Law and Seminar: Advanced Corporations)

### **LAW 662: ADVANCED ELECTRONIC DISCOVERY (2 credits)**

This course requires successful completion of Law-661, Introduction to Electronic Discovery. The students will engage in the process of dealing with electronic discovery issues from the beginning to the end of the process, using a fact pattern throughout the semester. Working in teams as counsel for parties, students will meet with and interview clients, issue litigation holds, engage in a Rule 26(f) conference and respond to discovery. A special electronic discovery master will resolve disputes and issue sanctions where appropriate. For one additional optional credit, students may participate in an advanced Relativity Lab which will build on skills learned in the earlier Introduction to Electronic Discovery class. Relativity is currently the most utilized eDiscovery platform and has become an essential part of the eDiscovery process. The class will be limited to 10 students.

**Prerequisite:** LAW 661: Introduction to Electronic Discovery

**Satisfies Graduation Requirement:** Skills

### **LAW 788: ADVANCED TRIAL METHODS (CRIMINAL) (2 credits)**

This is a capstone simulation course in trial practice. The culmination of the course will be a daylong criminal trial at the end of the semester before a judge or experienced trial lawyer. A written trial notebook will be prepared and submitted. Students will be expected to perform relevant steps of the criminal justice system necessary to prepare a case for trial, with the assistance of and feedback from the instructor. Students will prepare pleading, motions and other materials for in-class analysis and will perform certain simulation exercises. In addition, case theory and courtroom ethics will be discussed. The course is graded A through F scale. Enrollment limited to 16 students.

**Prerequisite:** LAW 781: Trial Methods or LAW 779: Intensive Trial Advocacy Program (ITAP)

**Satisfies Graduation Requirement:** Skills

### **LAW 879: ALTERNATIVE DISPUTE RESOLUTION (2 credits)**

Alternative Dispute Resolution is truly one of the foremost "growth industries" in the law. This reflects the growing number of success stories of those who use ADR, not only in response to the

delay associated with overcrowded court dockets and high legal costs, but also with the professional, business, and industry realization that there must be a better way. This course considers all the alternatives to traditional adversarial state and federal court adjudication, such as arbitration, mediation, negotiation, dispute prevention (partnering), conciliation, neutral facilitators, and private judging. It also examines court-annexed dispute resolution, such as mediated court settlement, summary jury trials, mini-trials and the use of referees and masters. The multi door courthouse with its menu of dispute resolution options is reviewed. Having identified and examined the emerging alternative techniques, the various methods are examined for effectiveness in light of the growing acceptance of ADR by the courts in all areas including public policy questions, once considered forbidden territory for ADR. Also considered is the all-important ingredient of ADR, i.e., the selection of the right persons to serve as arbitrator, mediator or other type of neutral. A paper is required.

**Satisfies Graduation Requirement: Skills**

#### **LAW 814: APPELLATE PRACTICE & PROCEDURE SKILLS (3 credits)**

This is an experiential learning class that uses Delaware law and the Delaware Supreme Court as its laboratory. Each student experiences the role of an appellate attorney, learns strategies for effective appellate advocacy, and refines the student's advocacy skills through brief writing and oral advocacy before an appellate judge. The central projects entail briefing a case and presenting oral argument. The purpose of this course is to maximize the student's effectiveness as an advocate in the appellate forum at all levels. The following areas are emphasized: appeal strategy; role and function of appellate courts; preserving issues for appeal; the record on appeal; motion practice; effective brief writing; and oral advocacy. There will be an additional hour each week of assignments outside of the classroom.

**Satisfies Graduation Requirement: Skills**

#### **LAW 6196: ASYLUM AND REFUGEE LAW (2 credits)**

This course will introduce and explore the main concepts, laws, and policies related to protection for those fleeing danger in their home countries. The course will examine the assumptions, origins, and evolution of U.S. asylum and refugee law. Students will gain an understanding of who is protected from serious harm in their home countries, what rights those individuals have throughout the process, and impediments refugees face both at the border and within the United States. The course will also explore what drives refugees to flee their home countries and seek protection in the United States. The course will promote critical thinking about current immigration law and policy.

**Diversity Equity and Inclusion course**

#### **LAW 6095: BANKRUPTCY (3 Credits)**

This is the introductory course on U.S. bankruptcy law. Nearly a million U.S. businesses and citizens file for bankruptcy each year. This course will provide an overview of business bankruptcies under chapter 11 (reorganization), as well as personal (consumer) bankruptcies under chapter 13 (individual debt adjustment) and chapter 7 (liquidation). For a business bankruptcy, the course will follow the path of a hypothetical chapter 11 bankruptcy case, including the filing of the case by the bankrupt (the debtor) and the "first day" motions that provide a smooth transition toward a successful chapter 11 reorganization by the debtor, and ending with the confirmation of a chapter 11 plan. For a consumer bankruptcy, the course will follow the path of a hypothetical chapter 13 consumer bankruptcy case, including the filing and confirmation of a chapter 13 plan. Several classes in this course will focus on experiential learning. For those classes, you will be assigned to write pleadings in the hypothetical

bankruptcy case and to argue those pleadings “in court.” This course qualifies as an experiential learning class.

**LAW 690 and LAW 6197: BAR EXAM SUCCESS: SUBSTANCE & SKILLS (3 credits)**

This course is designed to jumpstart your preparation for taking the bar exam. The course will focus on the substance of some commonly tested subject matter on the Multistate Bar Exam and will also help you develop the skills and strategies you need to pass the bar exam. There is no casebook for the class, but students will be charged \$150 for course materials and access to various online tools required for the course.

This course is **not** intended to replace the full commercial bar preparation course taken in the summer before the bar exam.

**LAW 631: BUSINESS ORGANIZATIONS (4 credits)**

This J.D. /LL.M. survey course analyzes the conduct of business in each of the principal forms of business organization, and the relative rights and liabilities of the members of such organizations and third persons. The course reviews the uniform partnership statutes, the Model Business Corporation Act, and The Delaware General Corporation Law, and considers the legal principles governing agency and partnership relationships as well as corporations. The course introduces the federal securities laws and the state statutes governing limited liability companies, limited partnerships and limited liability partnerships.

**LAW 733: BUSINESS PLANNING (2 credits)**

This seminar seeks to develop skills in advising startup businesses. Through class discussion and exercises, students will learn the basics of how to advise clients, who are starting businesses, including how to identify business objectives, evaluate and apply strategic options, and communicate with clients. Class assignments will include creating a budget, negotiating with peers, making a presentation and drafting basic agreements.

**Satisfies Graduation Requirement:** Skills

**LAW 844: BUSINESS PRINCIPLES (2 credits)**

This course introduces concepts and documents with which business lawyers should be conversant. These concepts and documents include basic accounting principles, present value and risk, discounted cash flow analysis, option value, basic financial analytical tools, and basic business financing forms (including trust indentures, shareholders’ agreements, and preferred stock terms).

**LAW 843: CAPITAL PUNISHMENT (2 credits)**

This course provides a survey of capital punishment beginning with the Supreme Court’s striking and reinstatement of the death penalty in the mid-1970s. Topics include political dimensions of capital punishment, substantive limitations on its imposition, procedural concepts governing its use and the law of habeas corpus. Offered as course or seminar; students may not take both.

**Prerequisite:** LAW 505: Criminal Law

**LAW 977: CHILD ABUSE AND NEGLECT (2 credits)**

This course will be an in-depth study of the welfare system from the reporting of child abuse, through emergency seizures, court interventions, proof of maltreatment, evidentiary issues to adjudication and permanency planning. It will cover such topics as: defining maltreatment, privilege to discipline, neglect, sexual abuse, psychological maltreatment, medical neglect, termination of parental rights and representing children.

**LAWD-634: CHILDREN AND THE LAW (2 credits)**

This seminar course will cover the status and rights of children in the United States. Topics will include the rights of parents over their children and when state action is warranted, special protected classes (such as native children under the Indian Child Welfare Act), education rights/special education, and juvenile justice issues. We will also address controversies including immigration issues for undocumented children, the Family First Prevention Services Act, trauma informed care, and when parents forfeit the right to make decisions for their children. We will also delve into current day topics including who has the right to consent between children and parents, social media, and medical decision making. Class discussions may include visits from guest speakers who practice in these areas. Assignments will include one reflection essay and a take home exam.

**LAW 6140: CIVIL DEPOSITION SKILLS (2 credits)**

This class is a hands-on introduction to the skills of taking and defending discovery depositions in civil cases. Within the context of a simulated contract dispute, you will learn by doing all of the major steps typically involved in civil deposition – drafting the notices, reviewing pleadings and documents to prepare for the deposition, consulting with your client, preparing your witness – ultimately leading up to your taking and defending a deposition of the key witnesses in the case. We will work in a firm-like setting so that we can help each other understand and improve our deposition skills. If you are interested in practicing in any area of law in which civil litigation can take place, this is your chance to learn, practice, and hone a critical set of skills that will help you be ready to practice after graduation.

**Satisfies Graduation Requirement:** Skills

**LAW 502: CIVIL PROCEDURE I (4 credits)**

This course studies civil litigation procedure, with emphasis on modern federal practice. Topics covered are pleadings (including joinder of claims, permissive joinder of parties, and impleader), discovery, judgment without a jury (including summary judgment, judgment as a matter of law, and new trial), subject matter jurisdiction, personal jurisdiction, and venue.

**LAW 6179: CIVIL PROCEDURE II (2 credits)**

This course explores civil litigation topics not covered in Civil Procedure I. Units include the following: claim and issue preclusion, the Erie doctrine and other choice of law issues, and complex joinder of parties (compulsory joinder of parties, intervention, class actions, and interpleader). If time permits, the course may also address some appellate processes and the right to a jury trial.

**LAW 903: CLINICAL EXTERNSHIP (3 credits)**

Students enrolled in the Clinical Externship Program are placed in a wide variety of field placements, such as prosecutors, public defenders, general and specialized legal services offices and legal offices of non-profit corporations. The program is a full year clinical layering experience, with students engaging in supervised aspects of practice ranging from litigational to transactional from federal to state; from judicial to legislative to administrative. Regular placements are available in Delaware, New Jersey and Pennsylvania, and sometimes Maryland, Virginia and the District of Columbia. The program is designed to enhance the student's practice skills, to familiarize the student with law practice procedures, to demand critical reflection upon proceedings in law practices and in the legal profession, to provide an in- depth, advanced experience with the professional responsibilities of lawyers and judges, to enhance the student's ability to deal with issues of supervision in a legal setting, and to assist students in bringing career objectives into focus. Externs perform many of the normal duties of a practicing attorney

under the field supervision of the attorney to whom (s) he is assigned. Enrollment in the program is for a minimum of two semesters. A student must devote an average of ten hours per week to their responsibilities in the field placement. Students also meet weekly for a classroom component. The class meets in large groups for simulation exercises that focus on issues of skills and professionalism related to their lawyering experience, and in small groups to analyze and discuss readings and supervises practice experiences. In addition, each student is required to keep a reflective journal of his/her experience, to be submitted to the faculty directors on a regular basis. Students earn a total of four (4) credits per semester two (2) pass/fail for the field placement component; two (2) graded for the classroom component) for a total of eight (8) credits for the required two semester sequence.

**Prerequisites:** LAW 702: Professional Responsibility and LAW 836: Evidence. Applicants must have completed three semester of instruction and possess and maintain a minimum grade point average of 2.3. The faculty directors of the program have final authority to determine which students qualify for admission to the program, and which students to assign to which placements. Applicants must submit a complete current transcript of grades (student copy), two copies of a current resume and a Non-Classroom Credit Approval Form (available from the Registrar).

**Satisfies Graduation Requirement:** Skills

### **LAW 6173: COMMERCIAL REAL ESTATE TRANSACTIONS (2 credits)**

A problem-oriented study of commercial real estate and development transactions including (i) how to negotiate commercial loan documents, such as loan agreements, mortgages and guaranties, (ii) preparation of, and understanding, corporate resolutions, secretary certificates, and other corporate documents, (iii) review of UCC-1, lien, judgment, litigation searches, (iv) legal opinions, (v) review of commercial transaction documents (surveys, site plans, mortgages, assignments of leases, bills of sale, etc.), and (vi) how to prepare for a commercial closing (organizational skills, closing checklist, file management, conference calls, etc.). Students will review and revise commercial real estate transaction documents and will negotiate document terms in lieu of a written final exam.

**Satisfies Graduation Requirement:** Skills

### **LAW 6213: COMMUNITY IMPACT LAWYERING: THEORY, SKILLS, AND ROLES (3 credits)**

From equal voting rights to police reform, and from income inequality to educational equity, change is in the air. The struggle for freedom, equality and full citizenship requires lawyers to utilize innovative skills and methods to help minority and marginalized communities. Students will review recent PA state policy reports on trauma, youth courts, and the juvenile justice system and craft legislation to 1) transform school discipline into a restorative and less punitive system, and 2) reform the justice system. Students will learn practices and strategies to confront income inequality such as: the Community Reinvestment Act, Community Benefit Agreements, and Timebanking. They will learn how movement lawyers use coalition building, community education and training to empower disadvantaged populations. Social change occurs when power shifts. Some past protests led to positive change, and some grievances led to new legislation - but not always. Often state power defeated federal equal protection claims in our courts, corporate power impeded citizen freedom in our economy; and everyday institutional practices frustrated equity and inclusion. Students will conceive their own theory of change, and learn how to use the law to improve society for all citizens. Multiple guest lectures will supplement course readings.

**Satisfies Graduation Requirement:** Skills

**Diversity Equity and Inclusion course**

**LAW 6170: CONSTITUTIONAL LAW: FIRST AMENDMENT (2 credits)**

This class examines the First Amendment of the United States Constitution, and specifically the Amendment's protections of freedom of speech and freedom of religion. Free speech topics include government regulation of speech based upon a speaker's message and government regulation of speech for other reasons such as aesthetics, tranquility, and order. Freedom of religion topics include government actions that interfere with a person's religious practice and government actions that favor or benefit religion.

**LAW 6172: CONSTITUTIONAL LAW: STRUCTURE AND RIGHTS (4 credits)**

This class explores the provisions in the United States Constitution that set up the structure of the federal government and establish the relationship among the federal government, state and local governments, and the people. In addition, the class explores a variety of individual rights, including the right to the equal protection of the laws, substantive and procedural due process, and economic liberties.

**LAW 747: CONSTITUTIONAL LAW: THE JUDICIAL BRANCH (3 credits)**

This course covers the subjects contained in the first part of the MBE Constitutional Law outline. The topics are not taught anywhere else in the curriculum. The theme is the federal judiciary in our system of government. First, the course addresses the scope of federal judicial power. Second, the class studies issues of federalism presented by the existence of two sets of courts – state and federal. Finally, it examines the tensions inherent in the separation of powers between the political branches and the judiciary. (If you have taken Federal Courts, you are not permitted to take this course)

**LAW 6190: CONTRACT DEVELOPMENT AND NEGOTIATION (3 credits)**

This is a hands-on course involving developing contract term sheets, preparing contracts, and negotiating key contract terms. The course is intended to better prepare students to represent large and small companies in common transactions. The first portion of classroom time will include lectures and discussions focused on contract terms, drafting common contracts, handling client interactions, and negotiation strategies. The remainder of the class will be spent on group contract drafting and role-playing/practical exercises. Projects (exemplifying real-life transactions) will involve students interviewing clients, crafting contract term sheets based on client goals, negotiating key terms, preparing summary term sheets for definitive contract drafting, and drafting contracts. Grading will be pass/fail based on level of effort including class participation.

**Prerequisite:** LAW-508, Contracts I

**Satisfies graduation requirement:** Skills

**LAW 508: CONTRACTS I (4 credits)**

This course studies the law governing contracts and contractual relationships. The course introduces the students to contract formation, interpretation, defenses, performance, non-performance and remedies, and explores the role of contract law in a market economy. This course is the prerequisite to Contracts II.

**LAW 6168: CONTRACTS II (4 credits)**

This course is the continuation of the study of the law governing contracts and contractual relationships that began with Contracts I. The course more extensively considers contract formation, interpretation, defenses, performance, non-performance and remedies, especially under the provisions of Article 2 and (if time permits) Article 2A of the Uniform Commercial Code applicable to transactions in goods. This course also introduces students to assignment,

delegation and third-party beneficiary rights. Successful completion of Contracts I is a prerequisite to this course.

**LAW 734: COPYRIGHT LAW (3 credits)**

This course surveys the law of copyright. Topics to be discussed include the subject matter of copyright; ownership and transfer of copyrights; the rights afforded to copyright owners; duration of copyright rights; infringement; and remedies. Related areas of law, such as author's moral rights, unfair competition, and contractual protection of ideas, are also addressed.

**LAW 6115: CRIME & PUNISHMENT IN THE UNITED STATES (2 credits)**

This Inside-Out course is an opportunity for a group of law students and a group of students who are incarcerated to exchange ideas and perceptions about crime, justice, the criminal justice system, corrections and imprisonment. Readings will include scholarly articles, news reports and case law. Our three-hour weekly meetings will take place at the Plummer Community Correctional Center in Wilmington. Law students will carpool to class from campus at 5:00 pm. Graded projects will include papers and a group project. Enrollment is limited to 10 law students who will be selected by the instructor following interviews. For more information, please contact Prof. Romie Griesmer

Interested 2L and 3L students may apply using the following link: [Inside-Out Application](#)

**LAW 505: CRIMINAL LAW (3 credits)**

This course studies the general principles that underlie statutory criminal liability, including a consideration of their judicial application in the context of selected offenses and defenses.

**LAW 506: CRIMINAL PROCEDURE I – INVESTIGATION (3 credits)**

This course provides in-depth consideration of the fourth amendment's protection against unreasonable search and seizure, the Fifth Amendment's right against compulsory self-incrimination, and the sixth amendment's right to counsel, all with particular emphasis on the judicial interpretation of the application of these constitutional provisions within the context of police investigation of crime.

**LAW 784: CRIMINAL PROCEDURE II – PROSEC. & ADJUC. (3 credits)**

This course surveys the criminal justice process from arrest through appeal. Constitutional provisions, statutes, rules of criminal procedure, and practice strategies concerning prosecutorial discretion, initial appearance, pre-trial release or detention, preliminary hearing, grand jury procedure, plea-bargaining and selected trial and appellate issues are considered.

**Prerequisites:** LAW 505: Criminal Law and LAW 506: Criminal Procedure I – Investigation

**LAW 6206: CRITICAL RACE THEORY (3 credits)**

This course explores critical race theory, a theoretical framework developed that rose to prominence in the 1980s. This theory questions law and society at its juncture with race and power. Critical race theory is critical of assumptions about the law's race neutrality and colorblindness, and openly discusses the role of law in (re)producing racial and ethnic hierarchies. The course starts by exploring the leading articles and arguments that are the foundation of critical race theory and ends by applying its analytical and methodological approaches to current issues, including mass incarceration and affirmative action. The course explores interdisciplinary approaches, including social science research, narrative, legal scholarship, and philosophy to provide students with an overview of this theory and enable them to apply it to contemporary issues. The primary objective of this course is for you to understand

and apply general concepts developed within the critical race theory scholarship and to be able to apply these concepts in varied legal contexts and settings. Our discussions will explore topics such as interest convergence, intersectionality, the whitening of Mexican identity, and implicit bias.

### **Diversity Equity and Inclusion course**

#### **LAW 672: CYBERLAW (2 credits)**

This 2 credit skills course has been designed to review a number of emerging areas driven by the evolution of the law and technology. Through weekly simulations, student will counsel clients on the development law firm and business policies relating to privacy and social media. They will simulate the reporting and interviewing with federal authorities regarding computer hacking and scamming. Sitting as a hypothetical Supreme Court Commission, the class will review and develop ethics rules involving lawyer competency and client confidentiality, as they relate to technology. The class will also work together to develop a proposed Restatement of the Law on Artificial Intelligence. Students will be graded on assignments, class participation and a 15 page paper relating to one of the law and technology issues of their choosing.

**Satisfies Graduation Requirement:** Skills

#### **LAW 917: DELAWARE CIVIL CLINIC (6 credits)**

This one semester client services clinical program provides students in their final year of law school with an opportunity for intensive study and actual experience in representation of clients with civil legal problems under the supervision of law school clinical instructors. Students participating in the civil clinic will interview and counsel clients, frame legal issues in cases, draft pleadings and in litigation under the third year law student practice rule. In addition, a weekly 9 seminar will provide training in basic lawyering skills and discussion of substantive, procedural and ethical problems encountered in clinical work. Each student will work a minimum of twenty (20) hours per week including semester time. Participation is limited to twenty-five (25) students in their final year of law school. Selection for the civil clinic, unlike regular course selection, is based upon an application procedure, which may include written materials, interviews, and a final acceptance decision, by the Civil Clinic Director.

**Prerequisites:** LAW 836: Evidence and LAW 702: Professional Responsibility

**Satisfies Graduation Requirement:** Skills

#### **LAW 770: DELAWARE JOURNAL OF CORPORATE LAW – BOARD (1 or 2 credits)**

Please contact Delaware Journal of Corporate Law for more information.

#### **LAW 762: DELAWARE JOURNAL OF CORPORATE LAW – NOTE (1 credit)**

Please contact Delaware Journal of Corporate Law for more information.

#### **LAW 763: DELAWARE JOURNAL OF CORPORATE LAW – STAFF (1 credit)**

Please contact Delaware Journal of Corporate Law for more information.

#### **LAW 740: DELAWARE PRACTICE (2 credits)**

This course provides an analysis of the jurisdiction of the courts in Delaware, civil and criminal procedure in Delaware courts, and special procedures applicable to Delaware. Delaware Practice should prepare students to practice law in the criminal and civil courts of the state.

**Prerequisite:** LAW 836: Evidence

**LAW 6205: DIGNITY LAW (3 credits)**

This course explores human rights law from the perspective of human dignity. According to the ABA, dignity rights are the foundation of a just rule of law and should be protected in all legislative, executive, and judicial functions. International law is based on the recognition of human dignity and, increasingly, courts in the US and abroad are protecting human dignity in cases dealing with all aspects of the human experience, from rights of conscience to health care to criminal sentencing to abortion to voting, and more. This course surveys how courts are shaping the law to reflect and protect the essential value of human dignity. There will be a take-home exam.

**Diversity Equity and Inclusion course****LAW 6214: DIGNITY RIGHTS CLINIC (3 credits)**

The Dignity Rights Clinic (DRC) is Delaware Law School's newest clinic and the first law school clinic in the world dedicated to advancing the principle of human dignity under law. The Clinic provides legal services to clients in non-representational matters to help shape the law's commitment to the protection and promotion of the inherent, inalienable, and equal worth of every person, everywhere.

The DRC is part of the Dignity Rights Project and builds on the work that students in the Dignity Rights Practicum have been doing since 2016. The Clinic, like the Practicum, also works with the Dignity Rights Initiative, a non-profit organization founded by Professors Erin Daly and James R. May.

Dignity rights are the legal rights that flow from the recognition of the equal worth of every "member of the human family." Because human worth is implicated in every aspect of life, dignity rights protect the full range of the human experience, including rights to freedom of conscience and political participation, rights to equality and equal treatment, rights to live with dignity (including the right to health, to education, to a healthy environment, and so on) and rights to express one's own identity and have agency over one's own life course (including rights to marriage equality, family life, and so on). In short, they comprise all the rights necessary to be treated "as a person." Clinical work may involve any of these sets of rights.

Indeed, dignity rights have been recognized in the constitutions of more than 160 countries and have been implicitly recognized by courts in constitutional systems even where they are not explicit, as in the United States. At the same time, dignity rights are the backbone – the source and the very purpose – of international human rights law, recognized in the International Bill of Rights as well as in regional human rights instruments in the Americas, Europe, and Africa. In 2019, the American Bar Association resolved that dignity rights are the "foundation of a just rule of law" and established a Dignity Rights Initiative which works in partnership with the Law School's Dignity Rights Project.

The Dignity Rights Clinic is offered in both fall and spring semesters for 3 credits each semester. Students are not required to take both semesters but may be given permission to do so on an individual basis.

**Satisfies Graduation Requirement: Skills**

**Diversity Equity and Inclusion course**

### **LAW 6153: DIGNITY RIGHTS PRACTICUM (2 credits)**

The **Dignity Rights Practicum** combines the best of seminar instruction (discussion, perspectives, and a research report) with experiential learning (working with real partners on real applications to help real people).

Dignity Law is a new area of law. At its root, it is the body of law that flows from the recognition of the equal and inalienable value of every member of the human family. (For a brief video, [click here](#)). This recognition affects rights in all areas of law – from constitutional, corporate and human rights law, to torts, family law, criminal law, international law, human rights law, employment law, environmental law, and more. The practicum permits students to work with a project partner, research a topic, write a paper, and share their work to broaden and deepen their own experience: *your work will be used in actual, ongoing legal advocacy*.

Since the Practicum's inception, nearly 80 students have worked with local and global partners in Albania, Bhutan, Colombia, France, Haiti, Pakistan, United Kingdom, United States, South Africa, as well as with institutional partners such as to the United Nations High Commission for Human Rights and to the American Bar Association. Some prior students enrolled in the practicum talk [about their experience in this video](#).

The Practicum works with Dignity Richard Project, which aims to set dignity in action through public and professional education, advocacy, and support for high-impact lawyering. This is a unique opportunity for students who seek an intensive leaning and lawyering experience. The course is available to JD and LLM students, and those enrolled in the day or evening. There are no prerequisites. Enrollment is limited.

**Diversity Equity and Inclusion course**

### **LAW 798/799: DIRECTED RESEARCH (1 or 2 credits)**

Students may write research papers for credit under the supervision of a full-time member of the faculty. The faculty member must approve the subject.

**Prerequisite:** Successful completion of one Seminar

### **LAW 765: DISABILITY LAW (2 credits)**

This course examines the legal response to the issues confronting people with disabilities. General topics include the meaning of disability; the historical treatment and contemporary social status of people with disabilities; the role of the law in the construction of disability; and constitutional and statutory protections against discrimination in: education; employment; family rights; federally funded programs; housing; and public accommodations, benefits and services. Specific legal rights and protections include: the legal protection guarantee; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act; the Fair Housing Amendments Act; the Individuals with Disabilities Education Act; and the benefits available under the Social Security Act (SSD/SSI and Medicare/Medicaid).

**Diversity Equity and Inclusion course**

### **LAW 842: DRAFTING OF ESTATE PLANNING DOCUMENTS (2 credits)**

This course develops the practical lawyering skills involved in drafting client estate documents. Classroom time includes lecture/discussion, and drafting wills, powers of attorney and healthcare directives.

**Satisfies Graduation Requirement:** Skills

**LAW 832: EMPLOYMENT DISCRIMINATION (3 credits)** This course is a study of federal law of discrimination in employment on the basis of race, color, sex, religion, national origin, age, and handicap. Theories of discrimination are considered in detail, and selected topics in Title VII procedure and litigation are discussed.

**Diversity Equity and Inclusion course**

**LAW 883: ENTERTAINMENT LAW (2 credits)**

The course will provide a practical and comprehensive overview of the business and legal issues arising in the entertainment industry, including motion pictures, television, music, book publishing and ethics. The topics will include acquisition of rights, talent agreements, project financing and structures, distributor and licensing agreements. The course will survey the various areas of the law that impact the entertainment industry, such as contract, business organizations, securities, labor, copyright, trademark and right of privacy/publicity law. A textbook will be used for the course along with articles and materials supplied by the course instructor.

**LAW 831: ENVIRONMENTAL LAW (3 credits)**

This course surveys the federal and state statutes and regulatory programs which attempt to limit water pollution, air pollution, environmental degradation, species extinction, hazardous waste, and chemical regulation problems. The course will examine how and why these statutes and programs are structured the way they are, how the laws work, and the extent to which our environmental laws achieve their goals.

**LAW 915: ENVIRONMENTAL LAW CLINIC (4 or 6 credits)**

The Environmental and Natural Resources Law Clinic gives you the opportunity to hone your skills in complex civil litigation while having a meaningful impact on the environment. Under the guidance of the Clinic Director and the staff at Mid-Atlantic Environmental Law Center, you will participate directly in the prosecution of real cases for real clients like the Sierra Club, Audubon Society, and Delaware Nature Society. Whether it's formulating initial case strategy, strategizing and resolving the practical issues of discovery, assembling and presenting case proof, strategizing, drafting and responding to dispositive motions and evidence at hearings, researching and drafting briefs, or the drafting, execution and follow up of settlement, you will have the opportunity to learn up close how civil litigation and client representation works. The Clinic's projects are under all major federal environmental statutes, many state statutes, and local ordinances, and are fought in federal and state court or before administrative hearing boards. In addition, every two-semester Clinic intern will draft all the main documents of civil litigation – including a civil complaint, initial disclosures, document requests, interrogatories, deposition notices, request to admit, responses to various discovery requests, and a settlement agreement. A weekly seminar helps to supplement your work on Clinic projects. Two-semester interns take 4 hours of credit each semester; one semester interns take 6 hours.

**Satisfies Graduation Requirement: Skills**

**LAW 820: EQUAL PROTECTION LAW (2 credits)**

This course examines the constitutional guarantee of equality. Focus will be on competing visions of equality and their doctrinal expression. Theoretical considerations include conceptions of personhood and difference; the role of the state; and the relationship between historical context and constitutional doctrine. Doctrinal topics include the hierarchy of scrutiny; the requirement of discriminatory intent; desegregation and re-segregation; and congressional power to ensure equal protection.

**Prerequisites:** Law 601: Constitutional Law I; Law 6170: Constitutional Law I; Law 6172 Constitutional Law II (may be taken concurrently with this course)

**Diversity Equity and Inclusion course**

**LAW 742: EQUITY (2 credits)**

This course examines the distinctive history, characteristics, powers and problems of equitable remedies in state and federal courts, including those states that have maintained traditional equity practice, those that have merged the practice but assign separate judges, and the majority of state and federal courts that administer equity and law in the same court by the same procedure. The course reviews the traditional and new meaning of equity including, inter alia, the enforcement of equitable decrees, the duty to obey, contempt, the effect of decrees as to land, injunctions and the role of the federal court versus state courts. The use of temporary restraining orders, interlocutory injunctions and permanent injunctions are examined in detail. Among other areas examined are declaratory relief, specific performance, class action as an equitable remedy, equitable defenses (e.g., estoppels, fraud), rescission and reformation, and allied equitable doctrines for the vindication of individual, class and governmental rights, duties and obligations.

**LAW 836: EVIDENCE (4 credits)**

This course studies the law governing proof of disputed factual matters in criminal and civil trials, including, but not limited to, issues of relevancy, competency, hearsay and other exclusionary rules, and the privileges of witnesses.

**LAW 636: FAMILY LAW (3 credits)**

This course considers state and constitutional issues relating to the regulation of sexual and family relationships. Among the areas that may be covered are defining what constitutes a family, entry into marriage, divorce, and its economic consequences (alimony, property distribution and child support) and child custody. The course draws on constitutional principles, statutes, and the common law to study the family in the legal system.

**LAWD 6053: FEDERAL CIVIL RIGHTS LITIGATION UNDER § 1983**

After lying dormant for nearly 100 years, the Ku Klux Klan Act of 1871 (42 U.S.C. § 1983) was dusted off and deployed by mid-twentieth century civil rights litigators to obtain remedies for a range of constitutional and statutory violations by governmental actors. Section 1983 has become the primary vehicle for challenging laws and governmental conduct that violate the Constitution and federal law. The course will specifically focus on the federal constitutional and statutory doctrines necessary to litigate 4th, 8th, and 14th Amendment substantive and procedural due process claims, 1st Amendment religion claims that arise in prison, and the 11th Amendment defense, as well as the doctrines necessary to bring those claims—absolute immunity, qualified immunity, municipal liability—against governmental, especially state and local, actors. The course will place students in roles as practitioners handling simulated law practice problems, such as oral argument, settlement conference, mediation, briefing the client, etc. This is largely an experiential course and not a lecture course and participation is expected.

**Satisfies Graduation Requirement:** Skills

**LAW 6029: FEDERAL CRIMINAL PRACTICE (2 credits)**

The Federal Criminal Practice course will follow a hypothetical federal criminal case from the investigative stage through trial and appeal. We will examine general principles of federal prosecution, common federal criminal statutes, frequent litigation issues, and criminal sentencing. We will also review the roles of the different actors in federal criminal cases, including prosecutors and agents, defense attorneys, probation officers, and the court.

**LAW 610: FEDERAL INCOME TAX (3 credits)**

This course surveys and analyzes the federal system of income taxation. Topics include gross receipts, gross income, exclusions, gain-seeking and personal deductions, credits, rates and tax accounting.

**LAW 6180: FUNDAMENTALS OF HEALTH CARE LAW (2 credits)**

This class is designed to provide an introduction to various areas of law that impact the delivery of health care services in the United States. In addition to basic principles related to the formation of the doctor-patient relationship, consent, professional obligations and theories of liability, we will discuss numerous federal regulatory schemes that affect the delivery of health care. Throughout, we will also examine public policy concerns that impact the issues of access, cost and quality of health care available to consumers.

**LAWD 6198: INNOCENCE DELAWARE LEGAL CLINIC (5 credits)**

The Innocence Delaware Legal Clinic partners with the non-profit organization Innocence Delaware that provides representation to people unjustly incarcerated in Delaware for crimes they did not commit.

What Students Do – Students will assist Innocence Delaware in their mission by screening cases for representation, learning post-conviction law, and practicing innocence work. Students will work under the supervision of Clinic Director Judith Ritter, Clinic Professor Romie Griesmer, and the Executive Director of Innocence Delaware. Innocence work may involve screening requests for representation, interviewing clients, conducting investigations, doing legal research, and preparing legal pleadings.

Credits – Students are enrolled for seven (7) Credits for the Full Year, three (3) of these Credits are earned in the Fall Semester and four (4) are earned in the Spring Semester.

Clinic Seminar and Clinic Hours – Students are required to take the Post-Conviction Remedies course in the Fall Semester (for 2 credits of the 3 credits earned). In addition, students will attend 14 hours of training classes over the course of the Fall semester. In the Spring Semester, students will work on actual cases and attend supervisory sessions. Students are expected to spend an average of 12 hours per week on clinic work in the Spring. If you have any questions about our program, please feel free to drop by our offices (Clinic Professor Griesmer Clinic Wing 253, Professor Ritter 305).

Enrollment – Three (3) students will be selected by the Clinic Director and Clinic Professor after submission of application and interview. Only third year students are eligible to enroll. Criminal Law, Criminal Procedure I, Evidence and Professional Responsibility are course prerequisites. Preference will be given to students who have taken Trial Methods/ITAP and/or Criminal Procedure II.

Once enrolled, students may not withdraw from the course without specific written authorization from the Program Director.

**Prerequisite:** Criminal Law, Criminal Procedure I, Evidence, Professional Responsibility

**Satisfies Graduation Requirement:** Skills

**LAW 638: INSURANCE LAW (2 credits)**

This course studies the law relating primarily to property and liability insurance. In addition to general insurance contract interpretation and rights at variance with policy provisions, the course

focuses on the nature of the insurers' indemnity and defense obligations, theories of insurable interest, measures of recovery, and insured and insurers' rights and remedies.

**LAW 648: INTELLECTUAL PROPERTY (3 credits)**

In the modern economy, a business' most valuable assets are often its "intellectual property". This course provides an overview of the law of intellectual property, including patents on new, useful, and non-obvious inventions (from biotechnology to bungee cords); copyrights on works of authorship (from books to movies to music); trademarks that identify the source of goods and services (i.e., brand names like Nike and Nabisco); and trade secrets that protect confidential business information.

While the course should be of interest both to students desiring only a general exposure to intellectual property law and to those who plan to specialize in the field, students who have taken *two* of the following components must seek instructor approval to enroll in the course: Patent Law (or Patent Practice), Copyright Law, and Trademarks and Unfair Trade Practices.

**LAW 779: I.T.A.P. – INTENSIVE TRIAL ADVOCACY PROGRAM (3 credits)**

Intensive Trial Advocacy Program is a three credit, seven day advocacy training program. Students develop trial advocacy skills by seeing live and videotape demonstrations of proper trial advocacy techniques followed by small group simulations taught by experienced trial practitioners and trial advocacy teachers. Students will complete a jury trial. Fellow students will act as parties and witnesses in these trials.

Students may not earn credit for Law 779: I.T.A.P and Law 786: Trial Methods.

**Prerequisite:** LAW 836: Evidence

**Satisfies Graduation Requirement:** Skills

**LAW 6191: INTERNATIONAL BANKRUPTCY (2 credits)**

The bankruptcies of large, multi-national business enterprises, with affiliates, operations and assets in more than one country, poses special issues. Addressing these issues has given rise to an international legal regime that enables the reorganization or other resolution of these companies. This live internet-based course in international insolvency law consists of two modules. The first module summarizes U.S. bankruptcy law applicable to these cross-border insolvency cases, and surveys the insolvency laws of several countries. Topics include prerequisites that must be satisfied before an insolvency case is filed, whether an automatic stay of collection exists, how the case is administered, and whether liquidation is required or reorganization is permitted. The second module covers the management of cross-border cases, with a focus on chapter 15 of the U.S. Bankruptcy Code and a final session that focuses on the use of U.S. Chapter 11 by foreign entities. The class meets at the law school, where students discuss the material in each lecture with the law school's professor and view the live lectures by video. This is an excellent course for J.D. students with an interest in bankruptcy law and for LLM and SJD students pursuing a degree in international law. While some background in bankruptcy law is helpful, the course is designed so that students who have not taken a prior bankruptcy course can enroll, and can view additional recorded material that covers the fundamentals of U.S. bankruptcy law.

**LAW 777: INTERSCHOLASTIC COMPETITION (1 credit)**

Students may earn one or two credits for participation in interscholastic moot court, trial advocacy and other competitions sanctioned by the law school as appropriate interscholastic competitions. The list of approved interscholastic competitions includes but is not limited to National Moot Court, Jessup International Moot Court, Douglas Moot Court, Patent Moot Court, Polsky Moot Court,

American Trial Lawyers Association Competition, Texas Trial Lawyers Competition, American Bar Association Client Counseling Competition and like events.

**LAW 679: INTERSCHOLASTIC TRIAL ADVOCACY COMPETITION (1 credit)**

**Prerequisites:** LAW 678X: Interscholastic Trial Competition Colloquium, LAW 836: Evidence and LAW 702: Professional Responsibility

**LAW 849: INTERVIEWING & COUNSELING (2 credits)**

This course develops the practical lawyering skills involved in client interviewing and counseling. Classroom time includes lecture/discussion and role playing/practical exercises.

**Satisfies Graduation Requirement:** Skills

**LAW 661: INTRODUCTION TO ELECTRONIC DISCOVERY (3 skills credits)**

This course will investigate one of the most important procedural areas of litigation in modern history. Electronic Discovery touches practically all areas of litigation. The trial lawyer and corporate counsel must understand the strategies and tactics involved in this very fruitful, sometimes invasive, potentially disruptive and often expensive form of discovery. The course is designed to take the student through an introduction of the subject matter and into the technology itself. Practical issues will be studied relating to corporate planning, costs, and document retention. Students will complete discovery exercises on a semester long fact pattern, with the same electronic discovery software used by thousands of lawyers across the country.

No final exam or paper. Instead frequent in-class multiple choice quizzes.

**LAW 6078: INTRODUCTION TO INTELLECTUAL PROPERTY (3 credits)**

In the modern economy, a business' most valuable assets are often its "intellectual property". This course provides an overview of the law of intellectual property, including patents on new, useful, and non-obvious inventions (from biotechnology to bungee cords); copyrights on works of authorship (from books to movies to music); trademarks that identify the source of goods and services (i.e., brand names like Nike and Nabisco); and trade secrets that protect confidential business information.

While the course should be of interest both to students desiring only a general exposure to intellectual property law and to those who plan to specialize in the field, students who have taken *two* of the following components must seek instructor approval to enroll in the course: Patent Law (or Patent Practice), Copyright Law, and Trademarks and Unfair Trade Practices.

**LAW 809: JUDICIAL EXTERNSHIP (3 credits)**

The Judicial Externship experience involves placement on the staff of a judge as a part-time judicial clerk, along with a pass/fail course component that entails readings about and critical reflection upon the placement experience.

Placements can be arranged with a variety of judges (trial, appellate or specialty; Delaware, Pennsylvania, New Jersey or Maryland; state or federal...). In the summer term it is also possible to accommodate placements with judges far distant from the Law School. For example, last summer (in successful experimental arrangements) Widener students arranged placements as far away as New York City and Sydney, Australia. The course component of the Judicial Externship Program requires that students enrolled reserve a two-hour time period every week in case it is needed for group meetings, but most program activities are conducted through individual meetings with the supervising faculty member, as well as asynchronously via threaded on-line discussions and chat sessions on the course website.

Students who have successfully completed (C or better) the Evidence and Professional Responsibility courses, and who are maintaining a GPA of 2.5 or better, may enroll in Law 809, the Judicial Externship Program. The number of credits for which this course can be taken is negotiable

**Satisfies Graduation Requirement: Skills**

**LAW 6215: JUVENILE DEFENDER SKILLS (2 credits)**

Representing a child client is a challenging task, especially in the context of juvenile delinquency where children often are treated as miniature adults with the consequences they face. Attorneys must balance the child's right to express interest representation and autonomy in the decision-making process against the reality that many children lack the capacity or competency to fully understand or participate in the proceedings. This problem is only exacerbated by the fact that many children caught within the juvenile justice system suffer from trauma, developmental disabilities, substance abuse, or mental illness that compounds these problems. Through this course, students will learn about the history and development of the juvenile justice system. Research and science will be explored to show how children differ from adults in terms of culpability and the capacity for change. The course will explore the incorporation of adolescent brain development into substantive case law. Students will then be assigned fact patterns that will be used throughout the remainder of the course. Students will be required to engage with the child client, parents, justice system stakeholders and other collateral contacts through interviewing, counselling, negotiations, oral arguments, and written motions.

**Satisfies Graduation Requirement: Skills**

**LAW 6020: LEGAL ISSUES OF THE AMERICAN CIVIL WAR (3 credits)**

This course will examine from both a legal and historical perspective important issues of law that arose during the American Civil War Era. Many of these issues shaped the jurisprudence of the United States and some continue to raise controversies and present unsettled questions even today. Examples of Civil War era issues that have recently reappeared include: the use of Military Tribunals to try non-military personnel accused of crimes; the balancing of civil liberties vs. national security issues; and the use and possible abuse of executive powers.

In this course we will cover a wide variety of diverse issues including: States Rights vs. Federal Authority; the legality of secession; the use and limits of presidential powers in wartime; slavery and emancipation, the establishment of a military draft; the curtailing of civil liberties by the government, the punishment and suppression of civil dissent; the suspension of the writ of habeas corpus; war crimes and the treatment of prisoners of war; the role of the U.S. Supreme Court in wartime; pardons and loyalty oaths; the establishment of the first federal income tax; reconstruction of the rebellious states and much more.

**LAW 509: LEGAL METHODS I (3 credits)**

This course introduces basic techniques of legal analysis, writing and research. Course requirements include substantial writing assignments.

**LAW 510: LEGAL METHODS II (2.5 credits)**

This course continues to develop the analysis, writing and research skills introduced in Law 509. Students will apply these developing skills to advocacy by researching and writing an appellate brief and conducting an oral argument based on the appellate brief problem.

**Satisfies Graduation Requirement: Skills (only 2 credits apply to requirement)**

**LAW 512: LEGAL METHODS III (2 credits)**

This required course builds upon, and expands, students' acquisition of the skills of legal analysis, writing, and research that were introduced in Legal Methods I and II. By handling a simulated case, students will be exposed to a range of legal documents, including pleadings, discovery materials, and contracts. Students also will consider ethical and strategic questions bearing upon assigned tasks. Graded projects will include legal memoranda and persuasive documents.

**LAW 6177: LEGAL PROBLEM SOLVING (2 credits)**

Legal Problem Solving is offered in the fall for second-year regular division students and the spring for second-year evening division students. This course is required for students whose cumulative grade point average is under 2.700 at the end of their first year. LPS is designed to enhance legal analysis and writing skills in the examination context for both law school and the bar. Students will receive individualized feedback on a number of assignments based in upper level doctrinal course material and the Performance Text component of the bar exam.

**LAW 6216: MINDFUL LAWYERING (1 credit)**

Mindfulness is the secular practice of paying attention to one's present experience and a "soft skill" that can help to increase focus, reduce stress and anxiety, boost academic performance, and increase problem-solving abilities. Students will study and practice various applications of mindfulness, such as mindful client interviewing and counseling; mindful negotiation strategies; mindful reading and note-taking; mindful communication; mindful decision-making; and more. Students will also explore the relationship between mental wellness and ethical practice, with an emphasis on developing healthy coping strategies for stresses in students' personal, academic, and professional lives. This course is heavily experiential, incorporating meditation practices, journaling, reflective dialogue, collaborative group work, and other techniques that may be useful both to law practice and to life.

**LAW 767: MOOT COURT HONOR BOARD (1 credit)**

Please contact Moot Court Honor Society for more information.

**LAW 764: MOOT COURT HONOR SOCIETY (1 credit)**

Please contact Moot Court Honor Society for more information.

**LAW 772: MOOT COURT INTERSCHOLASTIC COMPETITION (1 or 2 credits)**

Please contact Moot Court Honor Society for more information.

**LAW 766: NEW JERSEY PRACTICE (2 credits)**

This course examines the rules governing practice and procedure in the courts of the State of New Jersey to include rules of general application; rules governing appellate practice; rules governing civil practice in the Law Division, Chancery Division – General Equity and Chancery Division – Probate Part; rules governing practice in the Family Part; rules governing civil practice in the Special Civil Part and rules governing practice in the municipal courts.

**Prerequisite:** LAW 836: Evidence

**LAW 918: PA CRIMINAL DEFENSE CLINIC (6 credits)**

The Pennsylvania Criminal Defense Clinic is a one-semester course. Students enrolled in this clinical program will represent indigent persons charged with misdemeanor offenses. Students represent clients through all phases of the case including initial interviews, preliminary hearings, investigations, plea negotiations, pre-trial motions and hearing and jury or bench trials. Students

will also participate in the post-conviction representation of defendants in death penalty cases. The course includes a two hour weekly seminar focusing on lawyering and advocacy skills as well as substantive criminal law and criminal procedure. Only third year students are eligible to enroll. Students will be selected by the Clinic's Director after submission of application and interview. Preference will be given to students who have taken Trial Methods or its equivalent.

**Prerequisites:** LAW 836: Evidence, LAW 506: Criminal Procedure I, and LAW 702: Professional Responsibility

**LAW 771: PENNSYLVANIA PRACTICE (2 credits)**

This course provides a general survey of civil and criminal practice in Pennsylvania state trial courts. The emphasis will be on a practical application of relevant procedures. On the criminal side, discussions will be from arrest through appeal, including all criminal motions. On the civil side, topics will include service of process, venue, appearance, joinder of parties, pleadings, motions practice, remedies, pretrial and discovery procedures, trial, and judgment. Practical aspects of probate, zoning, and family law may also be addressed.

**Prerequisite:** LAW 836: Evidence

**LAW 897: POST CONVICTION REMEDIES (2 credits)**

After a criminal defendant exhausts his or her direct appeals, the post-conviction stage of the proceedings may begin. In this seminar we will discuss the law and legal reforms in the availability of federal habeas corpus review. In addition to covering the Antiterrorism and Effective Death Penalty Act of 1996, we will explore the many policy and access to justice concerns that are connected with post-conviction relief.

**LAW 6164: PRE-TRIAL METHODS: CIVIL (3 credits)**

Pre-Trial Methods is a semester-long simulation course focusing on litigation document preparation, discovery and motion practice. The course emphasizes motion practice and discovery skills, and includes written drafting exercises as well as oral deposition simulations and oral motion arguments. Pre-Trial Methods is graded A through F.

**Prerequisite:** LAW 836: Evidence

**Satisfies Graduation Requirement:** Skills

**LAW 786: PRE-TRIAL METHODS: CRIMINAL (3 credits)**

Pre-Trial Methods is a semester-long simulation course focusing on pre-trial hearings, motion practice, and trial preparation. The course emphasizes motion practice and litigation skills, and includes written drafting exercises as well as oral simulations and oral motion arguments. Pre-Trial Methods is graded A through F.

**Prerequisite:** LAW 836: Evidence

**Satisfies Graduation Requirement:** Skills

**LAW 702: PROFESSIONAL RESPONSIBILITY (3 credits)**

Professional Responsibility is a three credit course that examines the law that governs lawyers. This course will begin with an introduction to ethics, morals, professionalism, and admission to practice law. The broad topic of lawyer liability is considered in the context of professional discipline, civil liability (malpractice), ineffective assistance of counsel claims, and the criminal liability of lawyers. Throughout the course ethical dilemmas that arise in the practice of law will be examined in the context of the lawyer's role as a fiduciary to the client, an officer of the court, a public citizen, as well as the lawyer's own personal interests. Students will analyze the ABA Model Rules of Professional Conduct, case law related to ethical issues that arise in both civil and criminal practice, and problems designed to explore ethical issues that

actually arise in the practice of law.

**LAW 515: PROPERTY I (4 credits)**

This course studies the basic elements of the law of real and personal property. Topics in personal property may include ownership and possession, finders' rights, bailment's, bonafide purchasers, gifts, bank accounts, and accession. Topics involving real property include adverse possession, estates and future interests, marital interests, concurrent ownership and landlord-tenant law. The course may also include other topics which are covered in more detail in upper level electives: nuisance law, zoning, constitutional limitations on public land use regulations, eminent domain, private land use restrictions (easements, licenses, servitudes), and real estate conveyance and recording.

**LAW 516: PROPERTY II (2.5 credits)**

Property II is a continuation of Property I. It explores the law of the modern land transaction, the contract for sale of real estate, deeds, the recording act and private land use control law through easements, covenants and servitudes.

**LAW 6005: PUBLIC INTEREST EXTERNSHIP (2 – 6 credits)**

Students enrolled in the Public Interest Clinical Externship Program may apply to be placed in a variety of field placements predominantly in the City of Philadelphia. Selective field placements include prosecutor and public defender offices, non-profit legal services agencies, and government offices. The program is designed to be a full year professional immersion, with students engaging in supervised aspects of public interest lawyering. The program is designed to enhance the student's practice skills, to familiarize the student with law practice procedures, to demand critical reflection upon proceedings in law practices and in the legal profession, to provide an in-depth, advanced experience with the professional responsibilities of lawyers and judges, to enhance the student's ability to deal with issues of supervision in a legal setting, and to assist students in bringing career objectives into focus. Externs perform many of the normal duties of a practicing attorney under the field supervision of the attorney to whom he or she is assigned. Enrollment in the program should ordinarily be for a minimum of two semesters; however, exceptions may be made at the discretion of the professor and the placement supervisor. Students must devote an average of fifteen hours per week to their responsibilities in the field placement, depending on how many academic credits are sought.

The course component of the Public Interest Externship Program requires that students enrolled reserve a two-hour time period every week in case it is needed for group meetings, but most program activities will be conducted through individual and small group meetings with the supervising faculty member, as well as through on-line discussions. The course component will focus on issues and professional skills related to public interest lawyering. The number of credits for which this course can be taken is negotiable. It is a pass/fail course.

**Prerequisites:**

Students who have successfully completed (C or better) the Evidence and Professional Responsibility courses, and who are maintaining a GPA of 2.3 or better, may apply for the Public Interest Clinical Externship Program. The course professor has the final authority to determine which students qualify for admission to the program, and which students are assigned to which placements. Applicants must submit two complete current transcripts of grades (student copy), two copies of a current resume, and a Non-Classroom Credit Approval Form (available from the Registrar). The public interest placements for this program are selective and interested only in

students who have a sincere desire to do public interest work. Applicants will need to speak with the course professor regarding the specific requirements a potential placement may have.

**Satisfies Graduation Requirement: Skills**

### **LAW 6208: RECONSTRUCTION AMENDMENTS (3 credits)**

Together, the Thirteenth, Fourteenth and Fifteenth Amendments to the U.S. Constitution, approved by Congress and ratified by the States on the heels of the Civil War, are known as The Reconstruction Amendments (“RA”). As you (hopefully) remember from Constitutional Law, the Thirteenth Amendment (1865) abolished slavery nationwide; the Fourteenth Amendment (1868) provided, inter alia, that “[a]ll persons born or naturalized in the United States ... are citizens of the United States and of the State wherein they reside” and conferred to all persons the protections of due process and equal protection of the laws; and the Fifteenth Amendment (1870) forbid denial of the right to vote on grounds of race or “previous condition of servitude. Leading scholars, such as Eric Foner, refer to this period and these Amendments as constituting the Second Founding of the Republic.

This course examines individual constitutional rights, primarily those involving the guarantees of due process and equal protection found in the Fifth and Fourteenth Amendments. It will also expose you to the rights guaranteed by the Thirteenth and Fifteenth Amendments. The course focuses on the constitutionality of laws that classify people on the basis of race, sex, sexual orientation, gender identity, and other bases, as well as laws that restrict abortion, contraception, sexual activity, marriage, and other individual freedoms.

We will be examining the development of constitutional law over time. Accordingly, rather than devoting a single class session to a given doctrinal principle, we will return to certain principles multiple times in concert with doctrinal developments over time. This historical approach provides insight into how changes in the Court’s composition and philosophy over time have impacted all aspects of constitutional law.

**Diversity Equity and Inclusion course**

### **LAW 655: REMEDIES (2 credits)**

This course deals with equitable remedies, damages remedies, and restitution remedies. It reviews remedies in the context of a broad array of substantive law areas, including torts, contracts, property, and constitutional and civil rights claims. The course explores the intersection between substantive legal doctrines in mainstream areas such as those often tested on the bar exam, procedural rules relating to the bringing of those substantive claims, and the remedies available once liability is established.

### **LAW 6124: RESIDENTIAL REAL ESTATE TRANSACTIONS & CLOSINGS (2 credits)**

This course examines the issues and documents necessary to start and complete a successful residential real estate transaction and closing. Topics will include drafting and negotiating Purchase and Sales Agreements; review and drafting Deeds and other conveyance documents; review of surveys, easements, and restrictions; review of title insurance policies and title issues; review of loan documents and related financing issues; review and address home inspection reports and remediation issues; and review and preparation of HUD-1/Settlement Statements. Students will participate in handling a hypothetical residential real estate closing.

### **LAW 600: SECURED TRANSACTIONS (2 or 3 credits)**

This course provides an introduction to the law governing contractually created interests in personal property used to secure payment or performance of obligations. The course involves the study of the creation, perfection, priority and enforcement of security interests in personal

property under Article 9 of the Uniform Commercial Code. The course also includes an examination of relevant provisions of the Bankruptcy Code and some other state and federal statutes, which affect security interests.

**LAW 776: SEM: DOMESTIC VIOLENCE (2 credits)**

This course should provide you with information about domestic violence issues. The objective is for you to learn critical thinking skills through analysis of various domestic violence topics and to recognize that domestic violence is pervasive and arises in a variety of legal settings. We will examine both the historical perspectives and the latest developments and theories in domestic violence law.

**LAW 869: SEMINAR: FOOD AND DRUG LAW (2 credits)**

This seminar examines the regulation of Food, Drugs, Medical Devices and Cosmetics based on the United States Federal Food, Drug and Cosmetic Act and its amendments. The course provides an overview of federal administrative law, how the Food and Drug Administration (FDA) regulates foods, drugs, medical devices, cosmetics and other related products. Did you know the FDA regulates LOVE? The course covers issues such as landmark legislation and seminal cases; administrative law, enforcement mechanisms and compliance methodologies; medical device regulation; human drug topics such as prescription and over the counter products, drug approvals, promotion, generic and brand issues, cosmetic regulation; food law topics such as labeling, disclosure, additives, claims and safety. Other topics that may be explored include ethical issues, professionalism and corporate accountability in a criminal context.

This seminar affords students the opportunity to become directly involved in practical, hands on interactive legal written exercises, online class discussions and oral advocacy. The seminar may satisfy the writing requirement upon the requisite approvals.

This is an online course; however, there will be mandatory face to face campus sessions scheduled where students will have to come to campus. There is no pre-requisite, however, it is helpful to have taken Administrative Law.

**LAW 6009: SEMINAR: LAW AND INEQUALITY (2 credits)**

This seminar will explore the intersection between law and inequality. Reading materials and classroom sessions will focus on the ways in which the law may be responsible for creating and perpetuating inequality, as well as the ways in which the law can be a tool for redressing inequality. The class will examine inequality as it is correlated with class, disability, gender, race, and sexual orientation, and will consider inequalities in, among other things, employment, education, elections, wealth distribution, immigration policy, and criminal justice. Laws examined will include the constitutional guarantee of equal protection, and federal anti-discrimination legislation. Paper required; the paper can satisfy the School's writing requirement.

**LAW 630: SEMINAR: PUBLIC HEALTH LAW (2 credits)**

Legislatures, state and federal agencies, and courts charged with protecting the public health are governed by requirements of law: constitutional, and regulatory, and common. In a variety of contexts, this course explores the responsibility, actions and decisions of these entities in their efforts to safeguard the public health. We will explore the public health response to the problems of infectious diseases, chronic illnesses, accidents, and death and dying. Central to this examination will be consideration of the state's power to encroach on the liberties and decision-making of individuals, where such encroachment is argued to serve a greater, public good. Time permitting; we may also explore such issues as civil commitment, procreation, and human

experimentation and clinical research.

**LAWD 6217: SEMINAR: PUBLIC HEALTH LAW & INEQUALITY (2 credits)**

Legislatures, state and federal agencies, and courts charged with protecting the public health are governed by requirements of law: constitutional, regulatory, and common. In a variety of contexts, this course explores the responsibility, actions, and decisions of these entities in their efforts to safeguard the public health. We will focus on the ways that, in some cases, decisions may have unequal and negative impacts on certain groups and communities. We will explore the public health response to various problems, including the current COVID-19 pandemic (and its antecedents), other infectious and contagious diseases, and chronic illnesses, among other topics. Central to this examination will be consideration of the state's power to encroach on the liberties and decision-making of individuals, where such encroachment is argued to serve a greater, public good; and how such exercise of power may result in inequality and disparate treatment and outcomes for various groups and communities. Time permitting, we may also explore such issues as civil commitment, procreation, and human experimentation and clinical research.

As a seminar, this course carries an expectation that students will attend and participate consistently. The discussions for each week will be guided and informed by a series of weekly reaction papers, which students will submit in advance of class. The last few weeks of the semester will be given over to students' presentations on a topic of their choice, relating to one or more of the papers they have written. The topics will be approved in advance, and discussed with the professor(s). Final grades will be based on the reaction papers, participation in class discussions, and the presentation. There is no examination in this course.

Students wishing to write a single, longer paper, may do so in lieu of the shorter reaction papers described above. Any student wishing to pursue this option should so inform the professor(s) not later than the end of the second class of the semester.

**Diversity Equity and Inclusion course**

**LAW 6014: SEMINAR: SELECTED TOPICS IN FOOD & DRUG LAW: Product Classification, Dietary Supplements, Globalization, Veterinary and Tobacco Products Regulation (2 credits)**

This seminar will explore product classification, dietary supplements, veterinary products, tobacco products regulation, globalization and specialized legal issues specifically under the United States Federal Food, Drug and Cosmetic Act and related laws such as unfair practices within the jurisdiction of the topics. Other subjects that may be explored include legislative initiatives, jurisdictional issues, industry accountability, constitutional issues, ethical questions, economic matters, product liability and the political milieu. This seminar affords students the opportunity to become directly involved in practical, hands on, various interactive legal written exercise, online discussions and oral advocacy. This seminar may satisfy the writing requirement upon the requisite approvals.

This is an online seminar; however, there will be face to face campus sessions scheduled where students are required to meet at the DE law campus. The dates for these meetings are posted by the Registrar.

**LAW 773: STATE CONSTITUTIONAL LAW (2 credits)**

This course examines the significance of state constitutions, their role in our federal system, and competing approaches to their interpretation. Particular emphasis is placed on the importance of state declarations of rights in providing guarantees in addition to, and different from, federal

guarantees of individual rights, and on separation of power issues. Other topics include local government, public education, state and local taxation, limits on debt and expenditures, and the processes of amending or revising state constitutions.

**Prerequisite:** LAW 602: Constitutional Law

### **LAW 6218: TECHNOLOGY AND ADVANCED TRIAL ADVOCACY (2 credits)**

The strategic planning and effective use of Technology and the art of trial advocacy, a skills program. The students will be taken through the stages of preparing for a pretrial conference, including the techniques of exhibit marking and disclosure of exhibits to be used at trial in a criminal case. Effective application of tools in use at trial will be emphasized, such as the use of document cameras, Powerpoint and exhibit management software. Students will be graded on their presentations in opening statement, client prep and examination, motions *in limine* and closing arguments.

**Satisfies Graduation Requirement:** Skills

### **LAW 518: TORTS I (4 credits)**

This course examines and analyzes the general theories of tort liability for injuries to persons or property; intentional misconduct, negligence liability. The course may also introduce principles and theories of products liability. Defenses to all theories of liability are also covered.

### **LAW 6171: TORTS II (2 credits)**

Torts II covers a number of topics not addressed in depth in Torts I. These will include: defamation and privacy; fraud and other business torts; an introduction to products liability; and damages. Other topics possibly to be included are: nuisance; statutory torts, such as wrongful death, survival and joint and several liability; and abnormally dangerous activities.

This class is open to first year students only.

**Prerequisite:** Law 518: Torts

### **LAW 753: TOXIC TORTS (3 credits)**

The rapid growth of toxic substances litigation raises unique legal questions. This course examines both the substantive and procedural problems related to toxic tort litigation, with emphasis on toxic product litigation; environmental contamination; occupational exposure; causation and scientific evidence; statutes of limitations; new theories (e.g. claims for increased risk of disease, medical monitoring); government liability; and mass torts. Substances addressed may include asbestos, prescription drugs, hazardous waste, blood and blood products, lead paint, workplace chemicals, pesticides, and tobacco products. The focus of the course is on preparing students to be familiar with new claims and strategies as they enter the world of toxic substances litigation. This course does not require pre-knowledge of environmental law or products liability. The course includes a substantial introduction to products liability law, which is tested on the bar.

### **LAW 781: TRIAL METHODS (3 credits)**

Trial Methods is a semester-long course focusing on oral trial practice skills and on strategy and planning for civil or criminal trials. One hour each week will be devoted to lectures and demonstrations of trial skills. Two hours each week will be devoted to simulation exercises under the supervision of experienced practitioners and judges. The course will conclude with a short jury trial. Trial Methods is graded pass/fail. Students may not earn credit for both Trial Methods and I.T.A.P.

**Prerequisite:** LAW 836: Evidence

**Satisfies Graduation Requirement:** Skills

**LAW 912: VETERANS LAW CLINIC (6 credits)**

The Veterans Law Clinic (VLC) provides free legal representation to low-income, disabled veterans and their dependents for appeals to the U.S. Department of Veterans Affairs and the U.S. Court of Appeals for Veterans Claims. The clinic handles cases regarding disability compensation, needs-based pension, Section 1151 claims (malpractice-type claims against the VA), VA overpayment waivers, and dependency and indemnity compensation (survivor benefit). The Clinic also handles discharge upgrade applications and wills and related documents. Students assist clients through all phases of a case: intake and initial interviews, investigation and gathering of documentary evidence, working with forensic experts, filing petitions, representing clients at hearings, and appellate brief writing. Students also attend the Clinic's Veterans Assistance Days, in which Clinic attorneys provide one-hour, free consultations to veterans. During fall/spring semesters, the clinic class meets once a week, usually in the evening. Generally, students are enrolled for six credits and are expected to spend 20 hours per week working in the Clinic. Students can enroll for fewer credits with Clinic permission. Summer students operate on a compressed schedule.

**Prerequisites:** LAW 720: Professional Responsibility and LAW 836: Evidence

**Satisfies Graduation Requirement:** Skills

**LAW 892: WHITE COLLAR CRIME (2 credits)**

This course surveys white collar and business entity offenses in the federal system, such as conspiracy, mail and wire fraud, and RICO. The responsibility of corporations and their directors and officers for crime will be examined in this post-Enron legal environment, as will the roles of the prosecutor and the defense attorney in the investigation, prosecution, and disposition of business crime.

**Satisfies Graduation Requirement:** Skills

**LAW 770: WIDENER LAW REVIEW BOARD (1 OR 2 credits)**

Please contact Widener Law Review for more information.

**LAW 762: WIDENER LAW REVIEW NOTE (1 credit)**

Please contact Widener Law Review for more information.

**LAW 763: WIDENER LAW REVIEW STAFF (1 credit)**

Please contact Widener Law Review for more information.

**LAW 834: WILLS AND TRUSTS (4 credits)**

The course covers interstate succession; testamentary capacity; execution, revocation and component parts of wills; interpretation of wills; constructive trusts; will substitutes; creation and interpretation of inter vivo and testamentary trusts; future interests; the Rule Against Perpetuities; and ethical and practical considerations in drafting wills and trusts. If time permits, the course may cover charitable trusts; powers of appointment; fiduciary responsibility; administration of trusts and estates; introduction to estate and gift tax law.

**LAW 807: WOLCOTT FELLOWSHIP (3 credits)**

Wolcott fellows are appointed each spring for judicial clerkships which begin the following fall. They are chosen from among regular division students entering their third year and extended division students entering their third and fourth year. Fellows receive credit and a scholarship to clerk for justices of the Delaware Supreme Court during the school year. Successful applicants demonstrate excellence in academic performance and possess substantial experience in research and writing.

**Satisfies Graduation Requirement: Skills**

**LAW 745: WORKERS' COMPENSATION (2 credits)**

This course studies the development and application of workers' compensation statutes, combining theoretical and practical approaches. Among the topics that will be covered are: statutory elements of a claim for an accident to be work related and compensable; defenses, burdens of proof, and procedure; distinctions among occupational injury, disease, and stress claims; different types of compensation available; effect of workers' compensation on civil actions and related claims for damages and disability; and current legislative proposals.