

Summer 2020- Course Descriptions

**Note – per the law bulletin, students must earn at least 9 hours of credit from any combination of experiential courses. All courses marked with an asterisk (*) satisfy the experiential requirement. For additional graduation requirement information please visit: <http://law.loyno.edu/graduation-audits>*

May Term Summer School: May 11 - May 22

Note- the times listed for May term courses include time allotted for breaks scheduled at the professor's discretion. These courses will be taught online, synchronously.

LAW L896 Professional Seminar: Contract Drafting (*) 3 hrs.

Contract Drafting is an upper-level experiential course that teaches basic practical skills by having students work “in role” as lawyers undertaking various drafting tasks in a series of exercises. This course will focus on skills employed in evaluating and drafting contract documents. Students will examine specific types of clauses, and learn their purposes as well as their advantages and disadvantages. Students will review and draft a variety of contracts, addressing issues regarding compliance with law, risk allocation, protection of client’s interests, logical organization, presentation, and clarity of language. The course will feature lectures, class discussions, and in-class issue-spotting and drafting exercises, with an emphasis on the exercises. There will be pre-class reading assignments from the text, sometimes supplemented with other outside reading, including various sample contracts. Students completing the course earn three experiential learning credits.

LAW L896 Professional Seminar: DWI Practice and Procedure (*) 2 hrs. [CANCELLED]

LAW L961 Trial Advocacy (*) 3 hrs.

This course uses experiential learning exercises to develop skills in ADR and trial advocacy, oral persuasion and nonverbal communication. In a simulated trial setting, class participants perform opening statements, closing arguments, witness examinations and lay evidentiary foundations. Faculty lectures and demonstrations supplement these exercises. Students completing the course earn three experiential learning credits. *It is strongly suggested that students have either already taken Evidence or enroll in Evidence simultaneously, but Evidence is not a requirement.*

LAW L976 Environmental Law and Policy (*) 3 hrs. [CANCELLED]

Traditional 8 Week Summer School: May 26-July 22

LAW L740 Constitutional Criminal Procedure 3 hrs.

A detailed exploration of criminal practice and procedure including constitutional limitations of law enforcement and the rights of individuals in areas such as search and seizure, arrest, electronic surveillance, self-incrimination, exclusionary rules, right to counsel, and custodial interrogation as contained in the Fourth, Fifth, Sixth, and Fourteenth Amendments to the United States Constitution.
- *This course is being taught online as an asynchronous course.*

LAW L760 Evidence 3 hrs.

This course involves a treatment of the rules of evidence, the qualifications and impeachment of witnesses, the opinion rule, admissions and confessions, rules relating to writings, the hearsay rule and its exceptions, privileged relations, burden of proof, presumptions, and judicial notice.

- *This course is being taught online as an asynchronous course.*

LAW L770 Lawyering III 3 hrs.

This course concerns the professional and ethical activities and duties of the lawyer. The course includes a study of the history and traditions of the legal profession, including the concept of self-discipline and the model rules of professional responsibility. It also examines the impact of ethics and tradition on the practice of the lawyer.

- *This course is being taught online as an asynchronous course.*

LAW L862 Criminal Law Seminar: Court Watch 2 hrs. [CANCELLED]

Students will develop their practical and doctrinal understanding of how criminal trial courts operate and the purposes criminal trials serve in the community. Through direct trial observation, conversations with leading criminal justice figures in Louisiana, case and law review readings, students will also confront the key challenges in New Orleans criminal courts and brainstorm and assess possible reforms. This is a hybrid course, containing traditional law school class methods with trial court monitoring in conjunction with CourtWatch NOLA. This course requires watching court proceedings in addition to the slated class time.

-*This course is being taught online as an asynchronous course.*

LAW L877 Constitutional Law Seminar: Pandemics and the Constitution 2 hrs.

One of the questions that the U.S. Supreme Court has struggled to answer is the extent to which the Constitution recognizes emergency powers in the Executive branch of the national government. Congress, of course, has vested substantial powers in the Executive to act in a national emergency; powers vested by the legislature in the President may suffice to support most executive actions. But a pandemic raises a host of other Constitutional issues including the rights of migrants, the rights of prisoners, the rights of workers, the rights of property owners, and the rights of persons to enjoy established understandings of First Amendment, Equal Protection, and Due Process rights. Traditionally, states have enjoyed powers to quarantine. How does our modern understanding of the Constitutional structure inform the balance of power between the federal government and states? Can states deny entry to persons coming from other states? Can municipalities deny entry/access to persons seeking to enter? Can a state or the federal government mandate vaccination (should a vaccine for COVID-19 be developed)? Can a state suspend debt? Can Congress suspend debt? Students will have the opportunity to explore these issues in a seminar format. The course will be taught asynchronously, unless students prefer to meet synchronously (live) for some of the classes including the student presentations. Students will be evaluated on the basis of participation and a research project, either a writing (if the course is used to satisfy the writing credit) or a presentation of some type (film or video, PowerPoint presentation, or an alternative medium subject to the professor's approval).

- *This course is being taught online as an asynchronous course.*

LAW L885 Gender Law in Practice (*) 3 hrs.

Students in this course explore gender law in a variety of contexts, and develop practice-skills through a simulation based on a NITA case file. Students explore issues of gender through individual and small-group presentations and practice-oriented exercises. Practice exercises include drafting a complaint, taking a deposition, and researching and writing substantive motions. At the end of the course, students will produce a portfolio of their work that may be used in pursuing employment. The course is open to second and third year students, with preference given to third year students. Students completing the course with a C or above earn one skills credit and three experiential learning credits.

- This course is being taught online as an asynchronous course.

LAW L896 Professional Seminar: Public Health Law 3 hrs.

This course explores the legal framework of the public health system in the United States. Students will learn about the functioning of the public health system at the federal, state, and local levels, and students will conceptualize the development of public health law as a process through which lawyers, scientists, public health practitioners, and others work collaboratively to develop legal reforms. Students will also examine the balancing of the government's fundamental role in safeguarding the public's health and respecting constitutionally-protected individual liberties. This course also uses a social justice and ethics framework to examine urgent public health issues, such as the regulation of vaping products, public surveillance and privacy, immunization law and policy, emergency preparedness, and quarantines and other measures to control infectious diseases like the Ebola virus and COVID-19. In addition to learning the substantive legal principles and policies regarding the public health system, the course will involve skills-based exercises to help develop a student's ability to identify, describe, analyze, and advocate for a particular public health objective, including a statutory drafting exercise and an exercise about preparing a public comment for an administrative agency.

In addition to learning the substantive legal principles and policies regarding the public health system, the course will involve skills-based exercises to help develop a student's ability to identify, describe, analyze, and advocate for a particular public health objective. There will be short assignments (individual and group assignments) due generally every Tuesday and Friday.

- This course is being taught online as an asynchronous course.

LAW L896 Professional Seminar: Trial Preparation (*) 1 hr.

The seminar is an introduction to litigation management and trial preparation. Among other topics, the seminar considers the use of digital technology to facilitate the practice of law. Primarily experiential in nature, the course requires students to organize facts, documents, witnesses, and issues in a pro bono criminal case that will go to trial in 2021, and then to prepare witness outlines and arguments for that case. While students will receive a grade and course credit at the conclusion of the Summer 2020 semester, the students should plan on assisting with the trial in 2021. Students completing the course will earn one hour of experiential learning credit.

- All class meetings will be conducted using Zoom, all lectures will be conducted by asynchronous video recordings and by Zoom video conferences to be scheduled at a mutually convenient time. The course is limited to six students.

LAW L900 Academic Externship (*) 1 or 2 or 3 hrs.

This course allows students to learn by participating in legal work with an outside agency or court. Second- and third-year law students in the upper three-quarters of their class may apply to participate in this program. The student must be in good academic standing and receive the permission of the associate dean for academic affairs and the Loyola Law Clinic to register. This course cannot be used to satisfy the writing requirement. There is a regular classroom component. This is a pass/fail course. The extern must be willing to devote at least 12–15 hours a week to this course. Students completing the course earn experiential

learning credits equivalent to the credit hours earned in the course.

-There is NO fee associated with this course for the summer semester. Please contact Professor Linares for additional information.

LAW L978 Environmental Values, Law, & Policy 3 hrs. [CANCELLED]

Environmental law and policy is the site of conflicting value perspectives that manifest in often heated debates in the courts, among politicians, and in society at large. These values are rooted in various philosophical understandings of our relationship with the environment, which includes our fellow humans as well as the planet as a whole and all the species that we inhabit it with. This course will focus on the ways in which value questions emerge in situations of conflict about what environmental law and policy should be and about the meaning of current laws and policy. We will do that by critically examining a selection of international and domestic environmental law and policy issues through theoretical lenses provided by a variety of sources, including scientists, philosophers and theorists of justice and morality, and indigenous communities, with the goal of identifying systems of governance capable of advancing lasting planetary sustainability.

- This course is being taught online with a synchronous component from 3-4:15 Monday & Thursday afternoons with additional asynchronous hours to be completed.

The asynchronous component will take place each week in between the two synchronous class meetings. During that time, you will work individually and in groups on assignments based on questions raised in our discussion during the first meeting of the material assigned for the week. You will then be responsible for presenting and discussing your work in our second meeting.

LCIV L715 Successions 3 hrs.

This course deals essentially with intestate successions. Subjects covered include the rules of distribution, the spousal usufruct, rights of children, absent persons, the opening of successions, capacity, acceptance, renunciation, and collation.

- This course is being taught online as an asynchronous course.

LCIV L725 Sales and Leases 3 hrs.

This course is a continuation of the course in Conventional Obligations as to the particular contracts of sale and lease in respect to movable and immovable property.

- This course is being taught online as a synchronous course, from 6-7:15 M, T, W, R evenings.

LCIV L935 Louisiana Code of Civil Procedure 3 hrs.

This course examines the Louisiana Code of Civil Procedure: Book I—Courts, Actions, and Parties; Book II—Ordinary Proceedings; Book III—Proceedings in Appellate Courts; Book IV—Execution of Judgments; Book V—Summary and Executory Proceedings; Book VI—Probate Procedure; Book VII—Special Proceedings (e.g., Attachment, Sequestration, and Injunction); Book VIII—Trial Courts of Limited Jurisdiction; and Book IX—Miscellaneous Provision and Definitions.

- This course is being taught online as an asynchronous course.

August Term Summer School: August 10-August 14

LAW L895 Divorce and Family Mediation (*) 1 hr.

This course uses experiential learning exercises to develop skills in ADR and trial advocacy, oral persuasion and nonverbal communication. In a simulated trial setting, class participants perform opening statements, closing arguments, witness examinations and lay evidentiary foundations. Faculty lectures and demonstrations supplement these exercises. Students completing the course earn 1 experiential learning credit. This course will be taught online, in part synchronously and in part asynchronously.

LAW L896 Professional Seminar: Cross Examination (*) 1 hr.

This is an intense, one-week course that includes lectures and experiential learning exercises on cross-examining witnesses at trial. Topics include the following: the purposes of cross-examination; the content and concession-seeking cross-examination; impeachment cross-examination; witness control; preparing and constructing the cross-examination; cross-examining the expert witness; and ethical and legal boundaries of cross-examination. The coursebook will be "Cross-Examination Handbook: Persuasion, Strategies, and Techniques, Second Edition, by Ronald H. Clark, George R. Dekle, Sr., William S. Bailey (Wolters Kluwer ISBN: 9781454852001). Prerequisite: LAW L961 Trial Advocacy