

# Spring 2023 - Course Descriptions

*\*Note – per the law bulletin:*

**(1)** students must earn at least nine (9) hours of credit from any combination of *experiential courses*, and all courses marked with an **asterisk (\*)** can be used towards the experiential requirement;

**(2)** students must earn at least eight (8) hours of skills credit, with a maximum of four (4) total *skills credits* allowed from non-clinical LAW courses; all courses marked with a **hashtag (#)** have been approved to confer skills credit. However, non-experiential courses marked with the **hashtag (#)** designation require confirmation from the professor that the student successfully completed the course's skills component; and,

**(3)** students must earn at least two (2) hours of course credit in a course designated to satisfy the *Law and Poverty requirement*, and all courses marked with a **cross (†)** satisfy this requirement.

For additional graduation requirement information please visit: <http://law.loyno.edu/degree-program-certificate-skills-audit-forms>.

## General Law Core Courses

### LAW-L710 Torts II (@)

2 hrs.

Students will continue the study of the legal standards that must be met in order to obtain relief for tortious conduct and the justifications for those standards, and students will also examine in greater depth the types of relief that may be available (i.e., “damages”). Students will be able to study this area of the law at a higher level of analytical sophistication based upon the strong foundational understanding acquired in Torts I. By the end of this second portion of the course, you should be able to: (a) analyze a torts problem in terms of more doctrinal categories; and (b) appreciate the process by which those doctrinal categories might have evolved, including especially doctrinal considerations, policy arguments, socioeconomic and cultural changes, and developments in technology and scientific knowledge.

***For the Spring 2023 semester, this course is being offered to current 1L students only as an elective. Due to curriculum changes, students beginning in the Fall of 2021 will take Torts II as a requirement in their 3L year (if not already taken as a 1L elective).***

### LAW-L730 Civil Procedure II

2 hrs.

In this course, students will continue their study of issues related to the federal court system from Civil Procedure I, including some or all of the following: joinder of claims and parties, discovery, adjudication without trial, alternative dispute resolution, functions of the judge and jury, appellate review, and the binding effect of judgments. Material includes select provisions of the U.S. Constitution, federal statutes, federal rules, and case interpretations of these provisions, as well as ethical standards and considerations.

**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.

**LAW-L746 Business Organizations I****3 hrs.**

This course is an introduction to the fundamental legal principles governing agency and fiduciary relationships, unincorporated business associations, and corporations. Among the topics covered are: 1) the formation, operation, and dissolution of partnerships, limited liability companies and corporations (both privately-held and publicly-held); 2) the distribution of powers among the owners and managers of such organizations; and 3) the relative advantages of various organizational forms.

**LAW-L765 Lawyering II (\*)****3 hrs.**

This course builds on Lawyering I in teaching legal document drafting skills and problem-solving techniques. A significant portion of the course will be devoted to the preparation of an appellate brief and the oral argument of the case on appeal. Completion of the prescribed brief and participation in oral arguments are mandatory requirements.

*Prerequisite: LAW-L715 Lawyering I*

*\* Students completing the course earn three hours experiential learning credits.*

**LAW-L766 Principles of Legal Analysis****3 hrs.**

Intensive instruction in legal methodology and analysis through more individualized instruction than generally provided in most law school courses and in coordination with other first year courses, working with problems and issues raised by first year courses (civil procedure, contracts, torts, criminal law, or property). Students will complete numerous written exercises that will provide the basis for evaluating their current performance and prescribing goals and methods of improvement. Enrollment in this course will be capped at 25 students per section to all faculty teaching this course to give the expected intensive feedback on the individual written exercises.

**LAW-L770 Lawyering III (Ethics) (@)****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.

*\*Note: Lawyering II is NOT a prerequisite for this course. Students interested in participating in Clinical Seminar are advised they will need to have completed Lawyering III prior to starting Clinical Seminar.*

## General Law Electives (LAW)

### **LAW-L781 Law and Poverty († @)**

**2 hrs.**

This course provides an introduction to the detrimental effects of poverty on society and poor people. It includes a treatment of the history of institutional response to the needs of the economically disadvantaged in the western world. It involves a critical examination of the legal system's response to the economic, social, and human problems of poverty, particularly in the fields of social security, welfare, unemployment, and worker's compensation. Special treatment is given to legislative and judicial initiatives in alleviating poverty as it burdens the family, women, and minorities.

*† This course satisfies the Law and Poverty Requirement.*

### **LAW-L812 Creditors' Rights and Bankruptcy (@)**

**3 hrs.**

This course examines the problems of the debtor who does not pay his debts. The study includes processes available to the creditor for collection, competition among multiple creditors for the assets of the debtor, means of affecting a distribution of the debtor's assets among his creditors, means of rehabilitating the debtor, and the debtor's right to some measure of protection. More than half of the course is devoted to a study of the Bankruptcy Act since all aspects of the creditor/debtor problem are colored by the interaction of state created rights and the federal bankruptcy provisions.

### **LAW-L817 Mediation and Arbitration (\* #)**

**3 hrs.**

This course is a survey of the various dispute resolution processes including mediation, arbitration, the mini-trial, and the summary jury trial. The overall objectives are to give students familiarity with these processes, basic skills in using them, and experience in how to help a client choose the most appropriate dispute resolution process. The class will include lectures, demonstrations, discussions, and simulations. In some years, the course may be taught as a seminar, where written work satisfying the writing requirement will replace a final examination. Students completing the course earn three experiential learning credits.

*\* Students completing the course earn three hours experiential learning credits.*

*# Students completing the course earn one skills credit, specifically SKR2 (or general skills credit if SKR2 already satisfied).*

### **LAW-L820 Employment Discrimination (@)**

**3 hrs.**

This course surveys the various kinds of employment discrimination and the statutes, constitutional provisions, and Executive Orders which govern the rights and remedies available to employees who are subjected to discrimination on the basis of race, color, national origin, sex, religion, age and disability.

### **LAW-L825 Medical Malpractice (@)**

**3 hrs.**

This course deals with the substantive and procedural aspects of medical malpractice. Through an examination of statutory and case law, combined with skills exercises, this course covers topics such as medical negligence, standard of care, causation, informed consent, respondeat superior, liability among providers, agency issues, and peer review.

**LAW-L826 Advanced Torts Seminar: Class Actions****2 hrs.**

This is a seminar devoted to gaining an understanding of class action and other “mass tort” litigation from both a practical and an academic perspective. Will cover alternative structures for litigation, class definition, other pleading issues; discovery; the certification process; trial and settlement issues.

*Prerequisite: LAW-L705 Torts I*

**LAW-L827 Contracts/Commercial Law Seminar:  
Government Contract Law in the 21<sup>st</sup> Century****2 hrs.**

This is a two-hour weekly class survey course in lecture and/or seminar format of the many issues involved in federal contract law, not contract law in general. Federal procurements boast of a multi-hundred billion-dollar marketplace annually. State run procurements often are modeled after the federal sector and add to this value. Bid protests, contract changes, special clauses in the Federal Acquisition Regulation, contract terminations, and claims are covered. Class attendance and participation (10%) are required. Normally, a take-home exam option is used for final grading (90%). Tulane and Loyola students are invited to register. Loyola will be the course situs this semester.

**LAW-L832 Immigration and Citizenship Law (@)****3 hrs.**

This is the foundational immigration law course. It surveys the federal law of immigration and citizenship law. As currently taught it is a course that integrates the study of substantive law with a practice-oriented approach because it uses a case simulation and an administrative appellate brief exercise as the primary evaluation. Students interested in the certificate should take this course by the spring of their second year so that they’ve completed it before they sign up for immigration clinic.

**LAW-L835 Natural Resources Law (@)****3 hrs.**

Natural resource management presents extremely difficult and contentious issues of law and public policy. Major debates continue to rage over offshore drilling, the protection for biodiversity, and the management of commercial fisheries. This course provides an overview of the way in which our society allocates and regulates the use of several natural resources, including fisheries, wildlife, wetlands, petroleum, and lands of aesthetic beauty such as Yellowstone or Louisiana’s fabled swamps. Students will examine the major federal environmental statutes directed toward conserving natural resources, including the Endangered Species Act and the National Environmental Policy Act. The historical, constitutional, and economic underpinnings of natural resource law will also be addressed.

**LAW-L838 Oil and Gas Law****3 hrs.**

This course involves a specialized study of the nature of interests in oil, gas, and other minerals, including the remedies of the owner against the adjoining landowner and the trespasser, the nature of the mineral contract, sale and reservation of mineral rights, prescription of mineral rights, and the mineral lease. The course also may include a study of the conservation laws pertaining to minerals and the regulations of the Louisiana Conservation Commissioner and of the

Federal Energy Regulatory Commission, the leasing of state and federal public lands, operating and production agreements, special contractual agreements relative to mineral exploration and development, deviations from standard provisions in mineral leases and instruments creating or conveying mineral servitudes and royalties, and an introduction to some of the special tax problems of owners and producers of minerals. The Louisiana Mineral Code is given coverage in all areas.

**LAW-L844 Administrative Law (@)****3 hrs.**

This course focuses on the law and procedures relating to federal agencies. Federal and state administrative agencies affect virtually every aspect of our daily life. Indeed, the administrative state is sometimes called the “fourth branch” of government. Often invisible to the public, these agencies are responsible for regulating and enforcing laws regarding the environment, national security, food and drugs, labor relations, international trade, telecommunications, intellectual property, and zoning (to name but a few). Knowledge of regulations—and how they are enacted—is essential for practicing attorneys in almost any field.

This course does not focus on the law of any one agency, but instead analyzes the procedures and principles common to all federal agencies. Accordingly, students will examine the sources of agencies’ authority (both statutory and constitutional), the limits of their powers, the procedures they must follow in rulemaking and adjudication, and judicial review of agency actions.

**LAW-L846 Seminar in Scholarly Writing****3 hrs.**

This seminar is open to candidates of a Loyola law review who are currently writing a law review comment. Others may enroll with instructor’s approval. Students enrolled in this seminar will write and edit one substantial law review comment and, in addition, evaluate and edit the writing of other students. Students will be evaluated on the basis of their research, writing, and editing skills.

**LAW-L852 Maritime Personal Injury (previously Admiralty II)****3 hrs.**

This course builds on the basic Admiralty I course and develops the requirements for seaman status under the Jones Act, seaman's remedies, maintenance and cure, the warranty of seaworthiness, Death on the High Seas Act as well as the defenses available. The course also explores the jurisdictional requirements of the Longshore and Harbor Workers' Compensation Act and its incorporation as a remedy under the Outer Continental Shelf Lands Act, remedies of maritime employees and obligations of maritime employers. In addition, students will learn the administrative process of the Longshore Act.

*LAW-L864 Admiralty I is a preferred but not mandatory prerequisite.*

**LAW-L855 Children and the Law (New Course S23) († \* #)****3 hrs.**

This course uses a health justice lens, which aims to give all people a fair and just opportunity to be healthy, and critical perspectives, including critical race theory, to explore the relationship between the status, rights, and well-being of children and the law. The course, for instance, asks how the law creates, exacerbates, prevents, and alleviates childhood trauma, which is a significant social determinant of health. This course critically examines how family law; juvenile delinquency law; education; and constitutional law affect children. The experiences of minoritized populations,

including children of color, LGBTQ+ youth, immigrant children, and children with disabilities, will be highlighted. The need to enforce extant laws and to reform and, sometimes, abolish certain laws and policies will be discussed. This course seeks to prepare for practice students who wish to advocate for children or who expect to address children's rights issues in their work.

*† This course satisfies the Law and Poverty Requirement.*

*\* Students completing the course earn three hours experiential learning credits.*

*# Students completing the course earn one skills credit.*

### **LAW-L859 Regulation of Sports Industry Seminar**

**2 hrs.**

This course will consider the response of the legal system to the particular problems of the sports industry. Coverage includes contractual obligations in professional sports, antitrust laws, regulation of agents, sports violence, labor relations and collective bargaining in professional sports, arbitration, professional sports franchise relocation, the National Collegiate Athletic Association and the regulation of intercollegiate sports, regulation of amateur sports, gender and racial discrimination in athletics, and drug testing.

### **LAW-L862 Criminal Law Seminar: White Collar Crime**

**2 hrs.**

This course is designed for students with an interest in advanced criminal law practice, particularly the growing legal field of white-collar crime. This seminar course will introduce students to the substantive law of white-collar crime, as well as the practice, procedure, and strategy concerning federal white-collar criminal investigations and prosecutions. Topics include the definition of and theory behind white collar crime; grand jury law and practice; corporate criminality; prosecutorial discretion; plea bargaining; grants of immunity, privileges, and other common defenses; charging decisions and drafting of indictments; sentencing and the goals of punishment; and substantive law topics including conspiracy, mail and wire fraud, RICO, money laundering, and forfeiture. In addition to learning the substantive law, students will focus on the practical skills required to be an effective white-collar crime practitioner. Students will discuss the theory and background of the U.S. Sentencing Guidelines in detail, and then spend time learning how the Guidelines are applied in white collar cases. Students will have several guest speakers during the semester, including a federal prosecutor, a member of the judiciary, and other white-collar defense practitioners.

### **LAW-L873 Taxation of Partnerships and Other Pass-through Entities**

**3 hrs.**

This course involves a study of the tax treatment of the formation, operation, and termination of pass-through entities including partnerships, limited liability companies, and subchapter S corporations. Class discussion will focus on the study of the Internal Revenue Code and Regulations and solving problems a taxpayer must deal with in practice.

*Prerequisite: LAW-L980 Income Taxation*

### **LAW-L875 State and Local Taxation (@)**

**2 hrs.**

This course considers the varieties of taxation imposed by state and local governments including: property taxes, business taxes, sales and use taxes, and the various exemptions. Tulane and Loyola students are invited to register. Loyola will be the course situs this semester.

*Prerequisite LAW-L980 Income Taxation has been waived by instructor for this term.*

**LAW-L877(-001) Constitutional Law Seminar: Race and the Law (@) 2 hrs.**

This is an upper level constitutional law seminar on the role of race in American law. In this course, students will critically examine the modern-day treatment and legal significance of race. The course is divided into two parts: first, the class will analyze the concept and legal history of race in the United States; second, students will focus on the effect of race in three key areas: voting/democracy, education/housing, and criminal justice.

**LAW-L877(-002) Con Law Sem: Constitutional Protections of Corp's (New Course S23) 2 hrs.**

The protections afforded corporations by the Constitution have been an issue for the Supreme Court from the Marshall era forward. This course explores various approaches the United States Supreme Court has taken up to the Citizens United decision. This will include discussions comparing the Court's approach to African-Americans; the distinctions made between liberty rights and property rights in the Lochner era, and how Footnote 4 of Justice Stone's *Carolene Products* opinion may have led to Citizens United.

**LAW-L877(-003) Con Law Seminar: Comparative Constitutional Law (New Course S23) 1 hr.**

This course approaches Comparative Constitutional Law from a qualitative and foundational perspective. The goal is to consider certain constitutional issues that really matter, to try to understand them better, and to explore their potential strengths and weaknesses—for which purposes a natural law perspective will be preferred (without prejudice to others). If that is the goal, it is not about how many jurisdictions one picks for this comparative venture; it is about how much one can learn from those selected. In other words, it is not so much about the quantity of comparisons as it is about having a topic deserving to be compared on account of its worth and relevance. The US Constitution will be the permanent point of reference for the several comparisons; structural matters will receive more attention than those immediately concerning rights. The topics to be analyzed will include the concept of normativity, the natural law foundations of comparative constitutionalism, federalism, judicial review, mixed jurisdictions, and the restriction of property rights during emergencies.

**- This is a two-week course held February 3 – February 16, 2023.**

**LAW-L877(-051) Con Law Sem: Sexual Orientation, Gender Identity, & the Law 3 hrs.**

In the last 40 years, relatively rapid changes in the law have dramatically affected the lives of lesbian, gay, bisexual, and transgender people. As recently as 1986, the Supreme Court held that the Constitution permitted states to criminalize homosexual conduct. Lesbian, gay, bisexual, and transgender individuals were frequently denied custody or visitation rights, and only a few U.S. jurisdictions provided legal protections from discrimination in employment, public accommodations, or housing. Yet by 2015, the Supreme Court had held that the Constitution requires states to recognize same-sex marriage, and in 2020 the Court further held that Title VII protects individuals from employment discrimination based on sexual orientation or transgender status. This seminar will examine the developments in the law that affect people who identify as LGBTQ and will examine how the state regulates the conduct and lives of individuals with differing sexual orientation and gender identities.

During the course, students will discuss:

- the definition of sexual orientation, gender identity, and other terms often used to describe members of the LGBTQ community;
- constitutional jurisprudence regarding substantive due process, the right to privacy, and the Equal Protection Clause;
- First Amendment claims by persons seeking to assert an LGBTQ identity as well as First Amendment protections for individuals expressing objections to homosexuality or transgender status;
- relevant statutory anti-discrimination protections;
- the law governing state recognition of gay and lesbian couples and marriage; and
- current developments in family law that affect LGBTQ individuals, including laws regarding adoption and parenting, assisted reproductive technology, and surrogacy.

**LAW-L879 Admiralty Seminar: Comparative Maritime Law (New Course S23) 2 hrs.**

This course will examine the differences between United States law and international conventions with respect to seven areas of maritime law—limitation of liability, oil pollution, cargo, collision, passengers and luggage, seamen’s injuries, and salvage. While an obvious goal of the course is to understand the mechanics of both legal regimes, greater objectives include exposing the strengths and weaknesses of each approach, understanding why certain rules develop the way they do, and questioning whether the way things are is the way they should remain.

**LAW-L880 Entrepreneurship (\* #)**

**3 hrs.**

This primarily experiential course pairs third year law students with: (1) mentors in the New Orleans legal community who practice corporate law, with an emphasis on early stage ventures, and (2) early stage ventures, both for profit and non-profit, who are in need of legal service. Under the supervision of mentors, students will prepare basic transactional legal documentation for early stage ventures in the local community. Enrollment is limited and preference is given to students who have successfully completed Business Planning (LAW-L867) and/or Contract Drafting (LAW-L843). Professor approval required.

*Prerequisite: LAW-L746 Business Organizations I*

*\* Students completing the course earn three hours experiential learning credits.*

*# Students completing the course earn one skills credit.*

**LAW-L896(-051) Professional Seminar: Privacy Law**

**2 hrs.**

Privacy issues now take center stage in corporate America with many companies now maintaining a CPO- Chief Privacy Officer. Compliance requires knowledge of several federal and many state statutes, and regulatory regimes as well as knowledge of privacy issues imposed from across the Atlantic by the EU. This seminar will address the following topics: Big Data, financial privacy, FCRA, GLBA, FTC privacy and security regulation; Identity theft, online behavioral advertising; First Amendment limitations on privacy regulation; Data breaches, data breach notification statutes; Privacy of video watching and media consumptions; CFAA, enforcement of privacy policies, marketing use of data, and more.



**LAW-L896(-052) Professional Seminar: Advanced Trial Advocacy (\* #) 3 hrs.**

The course takes the students beyond the fundamentals offered in the basic Evidence course to an understanding of how the rules of evidence, both state and federal, apply in the actual practice of litigation.

The course will teach how statements, oral and written, are used during all stages of litigation. This includes statements by fact witnesses, statements by parties, and statements by experts, including all the ways in which they are admissible, the ways they are not, and the ways they might be. The statements will be analyzed not only for use at trial, but also in pretrial matters such as the preparation of pretrial orders and dispositive motions. The students will learn how the statements can be used for impeachment, and also for the purposes of refreshing a witness' recollection. The course will teach the differences between rebuttal and impeachment exhibits and when they can be used. Testimony given in depositions will be discussed, both fact depositions and those for perpetuation of trial testimony. This study of depositions will include the handling of objections during depositions, those objections that are reserved and those that are not, and how depositions can be used at trial. The course will also teach how to lay the proper foundations for the introduction of both oral testimony as well as the introduction of documentary evidence. Students will learn the difference between demonstrative exhibits as well as exhibits to be introduced at trial, and how such demonstrative and documentary evidence can be used in opening statements and closing arguments. The course will teach the law with respect to spoliation of evidence and preservation of documents through a litigation hold. In camera presentation of evidence to trial judges will also be discussed. The students will be taught how written discovery responses such as answers to interrogatories may be used as evidence in the case, including at trial, and they also will be taught about the admissibility of evidence gathered through third-party subpoenas of fact and expert witnesses. The course will also teach the proper way to make a proffer in order to preserve evidence for appeal, and also how to voir dire a witness during trial. Hearsay will be discussed at length so the students will understand what it means to offer a declaration for the truth of the matter as opposed to verbal acts not offered for the truth. The most salient objections and exemptions to hearsay evidence will also be covered.

Students will be taught the differences between direct and cross-examination from an evidentiary standpoint, including the differences between leading and non-leading questions and who may be asked those type of questions. The lectures will discuss objections to trial questions such as questions outside the scope of direct examination, and questions that call for conclusions, characterizations, speculation, leading questions, and other prevalent objections.

Finally, the course will teach how evidence differs between civil and criminal litigation, such as the law pertaining to immunity, privileges, testimony by co-conspirators, the use of grand jury testimony, and Fifth Amendment issues. LAW-L961 Trial Advocacy is not a prerequisite.

*Prerequisite: LAW-L740 Evidence*

*\* Students completing the course earn three hours experiential learning credits.*

*# Students completing the course earn one skills credit.*

**LAW-L897 Clinical Seminar – Live Client Clinic (\* # †) 5 hrs.**

Students participate in clinic orientation before the start of classes, after which they are sworn in to practice law as a Student Practitioner under the supervision of a Clinic Professor. Clinic students are assigned civil or criminal cases with jurisdiction in municipal, state, federal and/or

administrative courts. Student Practitioners are expected to represent clients from the point of their case assignment through final disposition or the end of the course, whichever comes first. Representation includes, but is not be limited to, client interviews, fact investigation, informal and formal discovery, drafting and filing of pleadings, legal research, writing of fact and legal memoranda, communications with opposing counsel, court appearances, including trial and appellate work, and law office management. Student Practitioners must devote a minimum of 15 hours per week to clinic class and case work in this course.

Standard participation is two full semesters during the fall and spring semesters of the 3L year; however, certain sections of Law Clinic are offered for one semester only. For each semester of Law Clinic that a student successfully completes, he or she will earn five credit hours, letter graded, three skills credits, and five hours of experiential learning credits.

*Prerequisite: LAW-L770 Lawyering III (Ethics)*

*\* Students completing the course earn five hours experiential learning credits.*

*# Students completing the course earn three skills credit.*

*† This course satisfies the Law and Poverty Requirement.*

### **LAW-L900 Academic Externship (\* #)**

**1 or 2 or 3 hrs.**

This experiential course allows students to earn credit for legal work performed while placed with a government agency, legal non-profit, or court. Second- and third-year law students in the upper three-quarters of their class and in good standing may apply to participate in this program. Students must receive an offer from a qualifying placement and instructor approval to enroll. This course cannot be used to satisfy the writing requirement. This is a pass/fail course with a regular classroom component. The extern must be willing to devote at least 60 hours of work per credit hour during the semester to this course. Applying for the course and Instructor approval are required to register.

*\* Students completing the course earn experiential learning credits equivalent to the credit hours earned in the course.*

*# Students completing the course earn one skills credit.*

*Under no circumstances can a student elect any combination of course numbers LAW-L891, LAW-L893, LAW-L898, or LAW-L901 that would result in more than six hours. Also, under no circumstances may a student elect any combination of course numbers LAW-L898, LAW-L899, and LAW-L900 that would result in more than six hours.*

### **LAW-L902 Elder and Disabled Law (@)**

**2 hrs.**

This seminar is devoted to the introduction of a variety of topics that impact the elderly, the disabled, and their families. The course will cover topics such as power of attorney, interdiction, capacity, elder abuse, geriatric care management, nursing home rights, end of life care, and successions.

### **LAW-L906 Advanced Legal Research (\* #)**

**3 hrs.**

This practical, skills-based course is designed to help prepare students for practice or future study by building on the research techniques presented in Lawyering I. Advanced Legal Research focuses on the effective use of electronic and print legal research tools and examines existing sources for both legal and non-legal information of interest to lawyers. Students will receive advanced training on comprehensive proprietary online research systems (Westlaw, Lexis, and Bloomberg

Law), and be introduced to specialized online systems (ProQuest, BNA, and CCH Intelliconnect). This course will provide coverage of selected research subjects, including statutory research, legislative history, administrative and regulatory research, practice aids, research strategies, and various specialized areas, such as an introduction to international/foreign research sources. The focus is on the practical application of research resources in various areas, for instance compiling a legislative history, drafting a comment to a regulation, or compiling a company profile. Assessment is based on five experiential learning exercises and a final project, and students should be prepared to present their work in a professional format (both orally and in writing).

*\* Students completing the course earn three hours experiential learning credits.*

*# Students completing the course earn one skills credit.*

**LAW-L911 Introduction to American Indian Law: Overlapping Jurisdictions (@) 3 hrs.**

Introduction to American Indian law examines its legal and historical bases. Focus will be on delineating intersections of federal, tribal, and state law: jurisdiction, social services such as child protection, placement and adoption, gaming, civil law, treaty law, and criminal law. Illustrative case law, legislative, and scholarly studies are used to enhance student learning. Issues that apply to Indian law in Louisiana are introduction. Research allows students to familiarize themselves with source materials. [Note: Indian law is defined as laws created by federal, tribal and state governments, their implementation, and adjudication that encompass American Indians.]

**LAW-L912 Health Law II: Access, Regulation, Compliance and Strategy (@) 3 hrs.**

This course explores key legal and regulatory concepts and issues impacting the delivery of healthcare in the United States. Topic areas will include, but are not limited to, state and federal regulation of health care providers and institutions including the Stark Law, and the Federal Anti-Kickback Statute, patient and provider rights and obligations, public and private insurance systems including the history of Medicare and Medicaid; business and legal issues that arise in the provision of healthcare including a detailed look at the regulatory environment surrounding any healthcare provider; and a detailed discussion of the Patient Protection and Affordable Care Act. The course will examine, as a whole, the healthcare industry and the relevant laws and regulations that govern its operation from two very different perspectives—a physician's perspective and the hospital's perspective.

*There are no prerequisites to this course but it is preferred that students have completed LAW-L807 Introduction to Health Law.*

**LAW-L914 Healthcare Compliance**

**3 hrs.**

This course explores the laws and regulations that govern the provision of healthcare in the United States and the compliance programs to ensure safe care. Students will be introduced to the elements of an effective compliance program and challenges in providing safe, high quality, compliant healthcare.

**LAW-L922 Toxic Torts****3 hrs.**

This course will study the characteristic features of toxic tort litigation, such as the temporal separation between wrongful conduct and the appearance of injury, novel issues of medical causation, property valuation, environmental restoration and hazard assessment, and the difficulty of fashioning remedies. The impact of these core problems on doctrinal, procedural and evidentiary matters will be explored.

**LAW-L925 International Trade Law****3 hrs.**

This course presents the regulatory context of the international sale of goods, including the role of the World Trade Organization (WTO), the General Agreement on Tariffs and Trade (GATT), the North American Free Trade Agreement (NAFTA), and other supranational or international organizations, as well as the effect of bilateral treaties and similar arrangements. This course also presents and analyzes the law governing the import and export of goods, such as the Convention on the International Sale of Goods (CISG), the UNIDROIT Principles of International Commercial Contracts, the proposed European Code of Contracts, the Incoterms of the International Chamber of Commerce (ICC), as well as national laws that have been applied in the international context. Conventions and model laws on financing of international sales (e.g., on letters of credit, factoring, and receivables) may also be addressed.

**LAW-L934 Detention and Removal Defense****2 hrs.**

Students learn the process and laws applying to detention and removal defense of immigrants. Topics will include the authority to detain and eligibility for release, classification of immigrants, grounds of inadmissibility and deportability and defenses against removal. Tulane and Loyola students are invited to register. Loyola will be the course situs this semester.

*Prerequisite: LAW-L832 Immigration and Citizenship Law*

**LAW-L936 Immigration Justice: Practice, Policy, & Process (Business Immigration) (@) 2 hrs.**

The course provides a foundation in the practice of business immigration law with a focus on practical application, procedures, and statutory construction. Topics will include both nonimmigrant and immigrant employment-based immigration to the United States and employer compliance matters (such as I-9 compliance). Students will also address the intersection of immigration with other practice areas of business and employment law. Familiarity with basic immigration concepts is recommended. In lieu of an exam, there is a presentation and a class project.

*Prerequisite LAW-L832 Immigration and Citizenship Law has been waived by instructor for this term.*

**LAW-L976 Environmental Law and Policy Lab (\* #)****3 hrs.**

This is a unique course in which students, individually or in teams, work under the supervision of skilled attorneys with years of city, state, federal and international environmental advocacy experience on a semester-long project with real non-profit, or community clients. Topics may include: oil and gas drilling, endangered species protection, climate change, urban agriculture, fisheries management, and more. The course walks students through the full process of

representing a client on policy and/or legislative matters. Each class focuses on a specific skill—drafting and signing client retainers, crafting legislation, lobbying, writing Freedom of Information Act requests, using press releases and radio/TV interviews—as an advocacy tool, and more. Activities may include: drafting agency regulations or state or federal legislation; organizing community action; and participating in stakeholder working groups, agency or legislative hearings, or other meetings and events. The course includes weekly discussions on procedure and related environmental law and advocacy issues, supplemented by guest speaker presentations. These complement the hands-on, “real work” activities and provide diverse experiences for students that will prepare them to engage in this field post-graduation. Space is very limited - usually up to eight (8) students. Enrollment requires applying for the course and Professor approval.

*\* Students completing the course earn three hours experiential learning credits.*

*# Students completing the course earn one skills credit.*

## Civil Law (LCIV) Courses

### **LCIV-L706 Civil Law Property**

**4 hrs.**

This course provides a broad overview of the entire subject of civil law property as expressed in the Louisiana Civil Code, the Louisiana Revised Statutes, and Louisiana case law. The first half of the course introduces students to the basic building blocks of Louisiana property law, including the sources of Louisiana property law, the concept of ownership, the division of things, classification of things, accession, voluntary and involuntary transfer of ownership, occupancy, possession and acquisitive prescription, and real actions. The second half of the course addresses co-ownership and the basic dismemberments of and limitations on ownership, including the institution of usufruct, natural and legal servitudes, conventional predial servitudes, limited personal servitudes, and building restrictions. The course also samples cases, statutory sources of law, and commentary from other mixed jurisdictions and civil law jurisdictions.

### **LCIV-L711 Conventional Obligations II**

**3 hrs.**

This course continues the study of Conventional Obligations that was begun in LCIV-L710. Some of the covered topics will be Object of Contract, Damages and Putting in Default, Solidarity, and the Interpretation of Contracts.

*Prerequisite: LCIV-L710 Conventional Obligations I*

### **LCIV-L900 Civil Law of Persons (# @)**

**3 hrs.**

This course covers the Louisiana law of domicile, marriage, divorce, annulment, custody and alimony, legitimacy of children, parental authority over children, adoption proceedings, minority, tutorship, emancipation, and interdiction.

*# For the Spring 2023 semester only, students completing the course earn one skills credit.*

**LCIV-L920 Civil Law Donations and Trusts****3 hrs.**

This course deals with the capacity of persons to dispose and receive property by inter vivos and mortis causa donations, the legitime of forced heirs, and the formalities of testamentary dispositions. Students are introduced to the basic principles of trust law, as adopted by statute in Louisiana. Topics covered include the nature, creation, and elements of a trust, as well as its administration, termination, and modification.

*Prerequisite: LCIV-L715 Civil Law Successions*

**- This course is being taught online as an asynchronous course for the Spring 2023 semester.**

**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.

**LCIV-L940 Security Rights****3 hrs.**

This course includes those sections of the Civil Code dedicated to security rights, including the contracts of suretyship, pledge, mortgages on immovables, privileges, deposit, and sequestration. Chapter 9 of Title 10 of the Revised Statutes is also given attention.

**LCIV-L950 Civil Law Bar Exam Preparation II****3 hrs.**

Focuses on preparation for the Louisiana Bar Examination. This course addresses strategies and techniques to answer properly the essay and multiple-choice question on the bar exam. Additionally, the course address legal analysis and Louisiana rules of law that are frequently tested on the bar. The subjects covered may include select portions of three to five subjects drawn from the following options: Louisiana Torts, Donations, Sales and Leases, Louisiana Business Entities, or Constitutional Law. The exact subjects covered will be within the professor's discretion. In addition to a final examination, graded in-class examinations will be given during the semester for each subject covered. All examinations will closely resemble the actual bar examination questions.

*\*Note: Bar Preparation I is not a prerequisite for Bar Preparation II.*

**Common Law (LCOM) Courses****LCOM-L701 Contracts II****3 hrs.**

This course continues the examination of contract law initiated in Contracts I and usually includes a study of remedies, conditions, breach, assignments, and the statute of frauds.

*Prerequisite: LCOM-L700 Contracts I*

**LCOM-L705 Common Law Property****4 hrs.**

This course covers landlord and tenant, introduction to estates and future interest, personal property, co-ownership, introduction to servitudes and title assurance and recordation.

**LCOM-L800 Family Law****3 hrs.**

This course surveys the law regulating marriage and other interpersonal relationships. Topics considered include marriage, alternate forms of social organization, rights concerning procreation, divorce, child custody, financial aspects of family dissolution, the legal regulation of the parent/child relationship, children's rights and the state's role in protecting children from neglect and abuse, and adoption.

**LCOM-L921 Secured Transactions****3 hrs.**

This course is concerned with all aspects of security in personal property. Covered are problems and legal principles relevant to the creation of the security interest, to its perfection, to priorities between competing security interests and between a security interest and other kinds of property interest, to payment and redemption, and to realization procedures. The emphasis will be on Article 9 of the Uniform Commercial Code.

**LCOM-L950 Common Law Bar Exam Preparation II****3 hrs.**

Focuses on preparation for the Multistate Bar Examination. This course addresses practice multiple choice questions and practice essay questions on select topics within subject covered by the Multistate Bar Examination. Subjects covered in the course may include Constitutional Law, Contracts and Sales, Criminal Law, Criminal Procedure, Evidence, Real Property, and Torts. In addition to a final examination, graded in-class examinations will be given for each subject. All examinations will closely resemble that actual Multistate Bar Examination.

*\*Note: Bar Preparation I is not a prerequisite for Bar Preparation II.*