

# SUPPLEMENTAL COURSE INFORMATION - FALL 2022

August 16, 2022

## **LAW 799 WB1**

### **ADVANCED LEGAL RESEARCH**

**(2 credit hours)**

**Leigh Jones**

This course will offer students the opportunity to expand their skills in using primary and secondary legal sources in the context of legal practice. The course covers a range of topics, including statutory and case law research, practice materials, specialized topical resources and cost effective research strategies. Upon completion of this course, students will have gained experience formulating efficient research methodologies and evaluating sources of legal information in various formats. Course grades will be based on a series of research assignments and class participation.

## **LAW 799 ECP**

### **ALABAMA CRIMINAL PRACTICE & PROCEDURE**

**(3 Credit Hour)**

**Professor Woodham**

This class will prepare students for the day-to-day life of criminal practice in Alabama (as the prosecution or defense counsel). Students will learn advocacy in non-trial contexts, which is the vast majority of criminal practice in the real world. The course covers preliminary hearings, bond hearings, competency hearings, and sentencing hearings (among others). The goal of this course is for students to leave the class practice-ready, whereas the lessons from this course typically take years to learn through trial-and-error.

This course will be beneficial to students who want to be a prosecutor or defense counsel; or who want to hang a shingle and do a little bit of everything; or to students who want to be in-house counsel for Amazon but find criminal law half-interesting. Unlike trial advocacy, which requires training in advocacy to laypersons and in public speaking, this course focuses on the tactical part of advocacy: how do you leverage procedural rules to accomplish your client's goals? Students will learn how to advocate to clients/victims, to opposing counsel, and (most frequently) to judges. These skills will translate to all practice areas.

## **LAW 799 AMM**

### **Alabama Medical Malpractice**

**(2 Credit Hours)**

**Bennett White / Averie Armstead**

This course will focus on the law, issues, practices, and the Alabama Rules of Civil Procedure involved in a medical malpractice lawsuit under the Alabama Medical Liability Act codified in ALA. CODE §§ 6-5-540 et al. It involves gaining a practical understanding of how the statutes and caselaw govern all aspects of a medical liability case from pre-suit strategy through discovery and trial.

The goal of this course is for students to explore and understand pretrial civil medical malpractice litigation by applying Alabama law and the Alabama Rules of Civil Procedure to prepare actual pleadings, discovery, and motions. Students will evaluate a hypothetical fact pattern for a medical malpractice case and will be assigned party positions (plaintiff or defendant) and paired in groups to draft and prepare a complaint, answer, discovery, deposition notices, motions to exclude experts, motions for summary

judgment, motions in limine, and responsive pleadings. Motion projects will include an oral argument presentation to advance or defend their client's position. Assignments will be graded. Students will gain practical knowledge and insight into the procedural aspects of a medical malpractice lawsuit, as well as the nuances of preparing a medical malpractice case for trial litigation. Students will also further their research and writing skills.

There is no final exam, but there are several writing assignments.

### **LAW 798 ALP**

#### **AMERICAN LAW, PROCEDURE & PRACTICE: A Course for Third Year Law Students (3 Credit Hours)**

##### **Professor Hogewood**

This course provides third year law students the opportunity to review selected areas of substantive law and civil and criminal procedure that are tested heavily on bar exams. Members of the class will study bar review materials on those subjects in the same intensive way in which they will prepare for the bar exam. Then they will take practice bar exam exercises on the subjects they have studied. The practice exercises will follow the multiple choice question format of the Multistate Bar Exam (MBE) and the essay question format of the Multistate Essay Exam (MEE). A small exercise in the Multistate Performance Test (MPT) will conclude the course. Throughout the semester students will self-assess their performance on these exercises, using analyses of and annotations to the exercise which are made available to them. Guided and self-regulated progress, learning, and assessment will be a large part of this course.

Weekly self-administered, self-assessed exercises will carry substantial weight in the final grade, with a participation grade also added in to each exercise submitted. Indeed the skills and knowledge developed in the weekly self-administered, self-assessed participatory exercises should equip students to do well on the final graded test. More importantly, review of the law and those Bar exam-like exercises, should refresh understanding of some areas of the law and equip the student to be prepared to continue preparation for and success through the Bar exam. This is particularly true of those who take the bar exam in a jurisdiction that has adopted the Uniform Bar Exam (UBE), such as Alabama, Tennessee, D.C., North Carolina, and South Carolina and on "general law" as tested on most bar exams, regardless of jurisdiction. The course also allows students to learn and develop better test taking skills.

Enrollment is restricted to third-year students. The course is especially urged for students who have lower grades in 1L courses and Constitutional Law and Business Organizations.

I would be glad to discuss the course with anyone interested. Please feel free to contact me by email at [ldhogewo@samford.edu](mailto:ldhogewo@samford.edu) or by cell phone – 205-613-1843.

### **LAW 714 E**

#### **DEPOSITION SKILLS AND TECHNOLOGY (3 Credit Hours)**

##### **Professors DiLorenzo and Hoven**

This course focuses on developing the skills required to prepare and conduct depositions. Students will receive instruction through focused lectures, demonstrations, and feedback from the professors on in-class performances. Students will analyze civil case files, prepare witnesses for depositions,

learn questioning techniques, and perform depositions of lay witnesses, parties, and experts. Students will also use iPads with loaded deposition software to learn how to prepare and take depositions. Students will also use iPad technology to prepare post-deposition analysis of the depositions.

Basic Skills in Trial Advocacy is a prerequisite for this class. Additionally, this class is focused on civil litigation. Students should have familiarity with the pre-trial discovery process including, but not limited to, interrogatories, requests for production, and requests for admissions. To register for this course, students must submit a resume and a class transcript (it does not need to be an official transcript) to Tracy Luke ([tnluke@samford.edu](mailto:tnluke@samford.edu)) by March 17, 2022.

### **LAW 799 POL**

#### **Election Law and Public Policy**

**(2 credit hours)**

#### **Professor McCurley**

A course designed to give students a vocabulary and understanding that will enable them to better ensure democracy by evaluating election laws, regulations, public policy, and legal decisions. Students develop a persuasiveness to their arguments about fair elections. Perhaps most important, interact not only with other lawyers, but also with national and state public officials, experts, and professionals in government who create a public policy assure the "Rule of Law" continues. *On November 8, 2022, 34 U.S. Senate seats, 435 U.S. House of Representative seats, plus 88 of the country's 99 state legislative chambers will hold regularly scheduled elections. Elections in those 88 chambers represent 6,166 of the country's 7,383 state legislative seats (84%). Alabama will hold elections for both federal and state offices.* Through relevant readings, interviews with those in the election process mixed with case studies, we will cover such topics as Voting Rights, the state and national legislative process assuring voting rights or creating barriers. The class will analyze state's voting laws, new national voting acts and Supreme Court cases and resulting implementation. (Book: Alabama Election Handbook, (online) Cases and statutes will be supplied.)

### **LAW 744 1 (R Optional)**

#### **Endangered Species Act**

**(2 credit hours)**

#### **Professor E. Martin**

This Course begins with a brief introduction addressing the various scientific, social and economic arguments relating to *why* individual species may need special legal protection. After a basic overview of how the Endangered Species Act was designed to protect "endangered" and "threatened" species, the Course then examines in detail the history of species protection laws in the U.S., culminating with the enactment in 1973 of the Endangered Species Act, together with its subsequent amendments to the present date. Finally, the Course analyzes the function and operation of each of the most significant provisions of the Act within the context of existing case law and current legal issues. Students in this Course participate weekly by individually completing a series of interactive exercises and learning modules assigned by the Professor and by engaging in a series of "live" classroom discussions, as well as participating in asynchronous on-line dialogues with other students in the Course throughout each week, all of which are moderated by the Professor. All students are graded by their performance on *weekly* exercises (30% of the Course grade), and discussions (20% of the Course grade), together with a written final examination. Depending upon the individual version of the Course for which each

student has been registered, the final examination will comprise either 50% of the Course grade for non-R-students, or 20% of the Course grade for R-students, with the remaining 30% of their Course grade determined by their separate grade on a written research paper written in satisfaction of the Cumberland writing requirement.

Students who register for the “writing requirement” version of this Course may also use this Course to satisfy Cumberland's "writing requirement." After registration those students who wish to do so will be assigned to a different "R" section of this Course than students who desire to take the traditional non-paper version of this same ESA Course. Once registered for either version, students are not allowed to “switch” sections. All students registered in either version of this Course will be graded by their performance on *weekly* exercises (30% of the Course grade), and discussions (20% of the Course grade), together with a written final examination. The only difference in grading between the two versions of this Course is that, depending upon the individual version of the Course for which each student has been registered, the final examination will comprise *either* 50% of the Course grade for non-R-students, or 20% of the Course grade for R-students, with the remaining 30% of their Course grade determined by a separate grade assigned to their written research paper. Additionally, those students who successfully complete the ESA writing requirement version of this Course by writing and submitting a suitable research paper in accordance with the specific requirements established by the Course Professor will satisfy Cumberland’s graduation “writing requirement.”

**LAW 712 1E**  
**JURY SELECTION**  
**(2 Credit Hours)**  
**Professor Rip Andrews**

This course focuses on the substantive law relating to jury selection as well as the art and science of jury selection. Students will receive instruction through focused lectures, demonstrations, and feedback from the professors on in-class performances. Students will analyze civil case files, conduct case analysis, prepare voir dire questions and questionnaires, learn questioning techniques, and perform general and individual voir dire. Basic Skills in Trial Advocacy is a prerequisite for this class.

**LAW 798 SE**  
**SOLO PRACTICE**  
**(3 credit hours)**  
**Professor McCurley**

This course will focus on issues that arise in the daily practice of law. ABA reports that 49% of all lawyers in America practice as solo practitioners.

All lawyers, regardless of their practice, will encounter clients with personal and family crises, this course is designed to provide students with the experience of a basic law practice. This includes interviewing and billing practice, drafting legal documents for: divorce and child custody; collection of judgements; buying or leasing a house; guardians and conservators; forming a family LLC and wills and estates. The students will individually develop law practice skills as they discuss and individually prepare the necessary documents in a general law practice. Except for introductory classes to familiarize students with areas of law that are responsive to government documents or require trial skills each class will have a fact specific assignment for each individual student to respond to a legal issue of a client by

preparing documents to be completed and handed in the following class period. The following week the exercise will be discussed. Each assignment is to be prepared individually and not collaboratively and will constitute a part of the final grade.

**LAW 769 2**

**TECHNOLOGY FOR PRACTICE OF LAW**

**(1 Credit Hour)**

**Professor Simms**

Course description and objectives: this course is for law students that plan to go solo or practice law within a small firm as well as those that will practice in larger law firms. Students will leave at the end of the semester with a greater knowledge of how to promote themselves, use technology in a variety of ways, and be more prepared for the practice of law. Subjects covered – apps, software/hardware, social media/marketing, security, and the obligation to be competent in technology.