

SUPPLEMENTAL COURSE INFORMATION - Fall 2024

Courses are listed alphabetically.

March 19, 2024

LAW 798 1E

ALABAMA CRIMINAL PRACTICE & PROCEDURE

(3 Credit Hour)

Professor Woodham

Professor Milner

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 the procedural rules that govern the most consequential criminal proceedings other than jury trials and then apply those rules in mock hearing exercises. 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. Instead of committing those errors when the stakes are real, students will apply their knowledge in experiential exercises in the classroom, led by a former criminal defense attorney and a current Assistant United States Attorney.

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 798 ALPP - American Law, Procedure, and 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 actual bar review materials on those subjects in the same intensive way in which they will prepare for the actual 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). (Because of time constraints, students in the course will not generally do Model Professional Test (MPT) exercises). 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 (and reporting to me on how they are doing).

There will be a final, graded exam.

But the weekly self-administered, self-assessed exercises will carry a substantial weight in the final grade, with full grades given for good faith submissions on a participatory basis.

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, those exercises, coupled with the review of substantive law preceding the exercises, should equip the student to do well on their state's bar exam.

This is particularly true of those who take the bar exam in a Uniform Bar Exam (UBE) state, such as Alabama, on "general law" as tested on the UBE (rather than state-specific law).

But even for students who plan to take the bar exam in a non-UBE state (such as Florida or Tennessee, which have state-specific essay components but do use the standard MBE multiple choice questions) the course allows them to develop their test taking skills.

Enrollment is restricted to third-year students. The course is especially urged for students who have received lower-level grades in law school – under a 3.0 1L cumulative GPA.

I would be glad to discuss the course with anyone interested.

My office is M10 (in the Mezzanine above the Great Room) and my email is ldhogewo@samford.edu.

LAW 799 02

Banking and Financial Regulation II

(3 Credit Hours)

Professor Maddox

Banking and financial regulation is the crossroads of innovation, market forces, politics and the global economy. The Great Financial Crisis and the Pandemic altered the way in which we bank, borrow and make payments. In addition, the level of sophistication in our banking methods and financial instruments also is increasing based on technology, and therefore regulation must change. The course will begin with the history of banking in the United States, and also introduce other regulated areas including insurance, securities, capital markets, mutual funds, and shadow banking.

Banking and Financial Regulation II is a companion to and continuation of Banking and Financial Regulation I but Banking and Financial Regulation I is not a prerequisite.

LAW 798 02

Civil Litigation Discovery

(2 Credit Hours)

Professor Nicholas Danella

The overwhelming majority of civil litigation occurs in discovery, and most new lawyers will spend almost all of their time working on discovery. You cannot win any civil case – even with the very best trial presentation, or the most persuasive summary judgment brief – if you have not properly advanced and defended against the relevant facts throughout the discovery process. In this course, you will learn the rules and laws that govern discovery in civil litigation (e.g., Fed. R. Civ. P. 16, 26–37, 45), as well as the applicable procedural and ethical duties. You also will learn vital practice pointers for how to survive (and then thrive) in civil litigation discovery, and how best to prepare your case for success at trial, on dispositive motion practice, or through settlement.

LAW 799 05**Counterterrorism****(3 Credit Hours)****Professor Carson**

This course will expose students to the major principles of U.S. counterterrorism law. This course will highlight the wide range of legal issues implicated by such laws and efforts both domestically (CONUS) and abroad (OCOUS). This course will be rooted in legal foundations, although conversations will also include relevant policy considerations. Through this course of instruction, students will analyze issues involving international and domestic law as it relates to counterterrorism activities, the authorities for use of force, offensive operations overseas, surveillance of terrorists, capture, detention, and interrogation of terrorism suspects, prosecutions in military commissions and domestic courts, and other legal authorities for addressing terrorism-related issues.

Attendance Policy: Mandatory attendance at weekly lectures. Participation is 30% of final grade.

LAW 798 1CR**Cybercrime****(2 Credit Hours)****Professor Davis**

The cybercrime course examines the legal issues in computer-related crime. If you want to you are just checking out the class to see if you want to enroll, you can look over a copy of the first 30 pages of the casebook here: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4135856 (click on open in browser or download). The course coverage is divided into three topics: (1) substantive criminal law, which covers criminal laws relating to computer crime; (2) criminal procedure, which examines the nature and function of the privacy laws that regulate law enforcement investigations of computer-related crime; and (3) jurisdictional issues, which evaluate how competing jurisdictions (state vs. state, federal vs. state, and U.S. vs. foreign) might work together or independently to investigate and prosecute computer-related crimes.

LAW 703 01**Employment Discrimination****(3 Credit Hours)****Professor Woodke**

Examines law regulating distinctions in the employment relationship. The emphasis is on federal statutory law regulating race, sex, religion, national origin, age and disability discrimination in employment. This course will have an emphasis on the practical aspects of litigating employment discrimination cases in federal court.

LAW 799 HL**Health Law****(2 Credit Hours)****Professor Ransburg-Brown**

The course is designed to provide students with an general overview of several legal principles and their application to the delivery of health care services, including, but not limited to, licensing, the legal aspects of corporate liability and professional liability, medical staff privileges under the Health Care Quality Improvement Act, access to medical care under the Emergency Medical Treatment and Labor Act, informed consent, telemedicine, patients' rights regarding patient privacy and confidentiality under the Health Insurance Portability and Accountability Act, surrogate decision-making, and financial relationships under the Stark Law, the Medicare and Medicaid Patient and Program Protection Act, and other fraud and abuse laws. The course will also address emerging health care issues and the legal ramifications of implementing strategic decisions.

This course includes several assignments throughout the semester to assess students' ability to analyze health care issues, including short writing assignments, CANVAS Discussions, and Podcast reviews along with a final examination.

LAW 805 1E**Mediator Practice****(2 Credit Hours)****Professor Gault**

This course focuses on developing the skills required to prepare for and participate in a mediation. Students will learn how to prepare a case for mediation, how to evaluate a civil case file, how to prepare the client and the mediator before mediation, and negotiation techniques for use during mediation. This course emphasizes practical skill development, and students will participate in multiple simulated mediations both individually and in groups. Students will be graded on written assignments, in-class participation, and their performance in simulated group mediations throughout the semester. The final exam will require students to participate in a one-on-one mediation.

LAW 798 2E**Motions and Objections****(2 Credit Hours)****Professor Albin**

This course gives students the opportunity and challenge of applying the rules of evidence in the same fashion as practicing lawyers: via written motions, oral argument, and courtroom objections. This course involves substantial participation in simulations during class sessions and written work outside of class sessions. Topics will include relevance, character evidence, hearsay, and expert testimony, among others. Basic Skills in Trial Advocacy is recommended but not required. Class limited to 14. Experiential class.

LAW 621 01**Patent Law****(2 Credit Hours)****Professor Landau**

The course will cover the history, procurement, enforcement, and defenses related to patents. The focus of the course will be utility patents in the United States, with brief references to foreign law. Grades will be based on a single final examination and on class contribution. The goal is an understanding of the place utility patents hold in the spectrum of intellectual property, and the policy concerns that have shaped the modern American patent system.

LAW 799 03**Real Estate Transfer, Finance & Development****(2 Credit Hours)****Professor Maddox**

Utilizing a casebook and articles we will review and analyze the real estate finance industry including contracts for the sale of land, deeds and titles, foreclosure, transfer, discharge, lien priority, and mortgage lending in the United States. As over 65% of Americans have a mortgage on their primary residence we will introduce residential mortgage servicing, as well as special servicing for commercial real estate.

LAW 799 R**Right to Counsel****(3 Credit Hours)****Professor Dike-Minor**

The Sixth Amendment right to counsel is viewed as a fundamental cornerstone of our criminal justice system. This seminar will explore its origins, evolution, application in different contexts (e.g., felony, misdemeanor, juvenile court, and forfeiture proceedings), and its boundaries. The seminar will provide students with an opportunity to work on their research and writing skills. Each student will be required to write a significant research paper relating to the right to counsel. Completion of the course and paper will satisfy the Upper-Level Writing Requirement. As part of the paper completion requirement, students will present their papers to the class. The seminar will primarily be discussion-focused and requires active engagement and communication.

LAW 736 01**Sales****(2 Credit Hours)****Professor Keele**

This course emphasizes the portions of Uniform Commercial Code Article 2 (sales) not ordinarily covered in the Contracts course. This course will also survey international sales of goods and leases of goods, and may briefly touch on real estate sales.

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 experiencing a personal and family crises. This course is designed to provide students with the practical experience of a basic law practice. Each student will draft 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 class will develop law practice skills as they discuss and prepare the necessary documents used in a general law practice. There will be a class assignment relative to the topic of the week. Student will address these assignments as a solo practitioner would by preparing documents to be handed in the following class period. The follow-up class period the assignment will be reviewed. The book "Law Office Practice Deskbook" 14th. Ed., written by the Professor McCurley, provides an outline of each legal issue.

LAW 798 R
Tax Policy and the Federal Budget
(3 Credit Hours)
Professor Roberts

This seminar examines the legal, economic, and political considerations relevant to the formulation and implementation of federal tax and budget policy. Students will employ a variety of analytical tools and theoretical constructs to evaluate the efficiency, equity, and administrability of the tax system and various programs funded through the federal budget. Students will master and apply key concepts including market equilibrium and market failure, externalities and public goods, tax incidence, cost-benefit analysis, distributive justice, and social insurance. The class will culminate in the development and review of a research paper designed to satisfy the Upper Level Writing Requirement of Cumberland School of Law.

LAW 769 01
Technology for the 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.

