

White Collar Crime § 545

Spring Semester 2015 Course Syllabus

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Required Texts:

White Collar Crime, Cases, Materials, and Problems (2nd ed. 2009) by J. Kelly Strader and Sandra D. Jordan. [supplement available online at <http://www.lexisnexis.com/lawschool/study/texts/>].

White Collar Crime, Cases, Materials, and Problems: Supplement by J. Kelly Strader and Sandra D. Jordan (2009)

The course objectives for the student include learning the elements of white collar crimes, such as various forms of fraud, embezzlement, and RICO. Students will be expected to understand and apply the theories of liability applicable to white collar crimes, including conspiracy, aiding and abetting, and individual versus corporate liability. Students will be expected to understand federal grand jury proceedings as related to the investigation of white collar crimes. Finally, students will need to understand the range of civil and criminal penalties that can be imposed on individuals and corporations convicted on charges of white collar crime.

The course is being offered this semester as a writing class rather than a standard examination format. 75% of the final grade will be based upon a student research paper. The project is intended to satisfy the upper level writing requirement [ULWR]. Please review section IV(A)(8) of the Student Handbook for details of the ULWR.

The ULWR paper should address a contemporary issue in white collar crime. The topic must be approved in advance. The paper shall be a minimum of 20 pages long in a double-spaced format. A draft of the paper must be submitted for review on April 3, 2015. The final paper must be submitted in electronic form no later than 4:00 p.m. on May 1, 2015.

Students are expected to be prepared for each class meeting and ready to take part in discussion and analysis of the week's assigned reading. Class participation is essential to the learning experience, and accounts for 25% of each student's final grade.

Writing Requirements

Please review the Student Handbook. In my edition of the Handbook, the Upper Level Writing Requirement is located at IV(A)(8)(a).

The contents of the paper must be as follows:

(1) **Cover page.** The cover needs to have your name and student identification number, as well as the title of your paper.

(2) **Table of contents.** This table should list the various divisions of the paper.

(3) **Table of authorities.** This table should list all of the cases, statutes, law review articles, websites, and so forth cited in the paper. The table should be divided into categories.

(4) **Introduction.** The introduction tells the reader in summary fashion what he or she is about to read. It can be as brief as a few sentences, or as long as a page or two.

(5) **The body of the paper.** This section can be divided into as few or as many sections or headings as needed in order to provide an organized, logical order to the discussion.

(6) **Conclusion.** Briefly summarize the subject and conclusions of the research paper.

Law students train to become advocates. It is therefore important the paper present a point of view. A dry recitation of cases without a thesis is not acceptable. At the same time, do not ignore cases and other authorities contrary to the writer's perspective. Instead, describe them and show how they are inapplicable or should not be controlling.

Grading is based upon three overarching criteria: legal research, style and grammar, and legal reasoning. The most important of these benchmarks is legal reasoning. Students should demonstrate an understanding of the materials, ability to analyze the subject, and to write persuasively on the topic.

The authorities cited in the paper should be primary legal authorities, such as statutes, cases, constitutions, and secondary legal materials, such as law review articles, treatises, and websites. Non-legal authorities are acceptable, but should not be the principal sources for your presentation. Please note: **Wikipedia is not an acceptable authority. Do not cite Wikipedia.**

Weekly Reading Assignments

Week 1. January 16, 2015.

Textbook Chapter 1: Overview of White Collar Crime [pp. 1-14].

Supplement p. 5.

Chapter 2: Corporate and Individual Liability [pp. 15-50].

Supplement p. 6.

Week 2. January 23, 2015.

Textbook Chapter 3: Conspiracy [pp. 51-82].

Supplement pp. 7-16.

Week 3. January 30, 2015.

Textbook Chapter 4: Mail and Wire Fraud [pp. 83-138].

Supplement pp. 17-47.

Week 4. February 6, 2015.

Textbook Chapter 5: Securities Fraud [pp. 139-194].

Supplement pp. 48-50.

Week 5. February 13, 2015.

Textbook Chapter 6: Computer Crimes [pp. 195-220].

Supplement pp. 51-53.

Week 6. February 20, 2015.

Textbook Chapter 7: Bribery and Gratuities [pp. 221-246].

Supplement pp. 54-55.

Chapter 8: Extortion [pp. 247-274].

Supplement p. 56.

Week 7. February 27, 2015.

Textbook Chapter 9: False Statements [pp. 275-304].

Supplement p. 57.

Writing requirement research topics due.

Week 8. March 6, 2015.

Textbook Chapter 10: Perjury and False Declarations [pp. 305-332].

Supplement p. 58.

Chapter 11: Obstruction of Justice [pp. 333-356].

Supplement p. 59.

Week 9. March 20, 2015.

Textbook Chapter 12: Tax Crimes [pp. 357-388].

Week 10. March 27, 2015.

Textbook Chapter 13: Money Laundering and Related Financial Crimes [pp. 389-434].

Supplement p. 60.

Week 11. April 3, 2015.

Textbook Chapter 14: RICO [pp. 435-496].

Supplement p. 61.

Draft papers due.

Week 12. April 10, 2015.

Textbook Chapter 15: Internal Investigation and Compliance Programs [pp. 497-522].

Supplement pp. 62-72.

Chapter 16: The Grand Jury [pp. 523-550].

Supplement pp. 73-74.

Week 13. April 17, 2015.

Textbook Chapter 17: Self-Incrimination—Witness Testimony and Document Production [pp. 551-576].

Supplement pp. 75-76.

Chapter 18: Civil Actions, Civil Penalties, and Parallel Proceedings [pp. 577-612].

Supplement pp. 77-78.

Week 14. April 24, 2015.

Textbook Chapter 19: Sentencing [pp. 613-664].

Supplement pp. 79-82.

Chapter 20: Forfeitures [pp. 665-710].

Supplement p. 83.

May 1, 2015.

Completed writing requirement papers due.

Disability Services Statement

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Second Floor Students Services Suite. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Associate Dean of Students Charles Sheppard at csheppard@wsulaw.edu or (714) 459-1152. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."