

Spring 2020

Course Descriptions

401 Administrative Law (3 Units)

This course involves the statutes, rules, court decisions and doctrines that affect the operation of government agencies. This course is principally about the procedural law regulating how government agencies make decisions, and the law related to how courts monitor decisions of agencies and hold them accountable.

Prerequisites: Civil Procedure II

414 Bankruptcy (3 Units)

This course covers the various forms of relief available to different kinds of debtors, such as liquidation, reorganization of a business, individual debt arrangements, jurisdiction of the bankruptcy court and venue of cases, the automatic stay and the rights of secured and unsecured creditors, the trustee's avoiding powers; exemptions, discharge of debts, and the treatment of executory contracts and unexpired leases.

Prerequisites: Business Associations

228 A&B Basic Bar Studies (6 Units)

This course focuses on subject organization and essay writing for the California Bar Examination. The course covers how to create organized answer structures for the most frequently tested issues within each of the California and Multistate essay tested subjects; essay writing and legal-analytical skills necessary for California Bar Exam writing versus law school exam writing; and how to use issues checklists, outlines and pre-written material to write well-organized answers to each of the California and Multistate essay tested subjects.

Prerequisite: Constitutional Law II

234 Business Associations (4 Units)

This course covers the law of agency and alternative models for business formation, including sole proprietorships, limited partnerships and limited liability companies. It also covers the formation, financing, structure, control, and management of the corporation, emphasizing the distinction between closely held and publicly held corporations and selected provisions of the Securities Exchange Act of 1934.

Prerequisites: Civil Procedure II, Principles of Agency and Partnership

618 Business Law Ethics (1 Units)

This course will focus on legal ethical issues that lawyers practicing in our technologically advanced society currently confront, with emphasis on issues of particular concern to lawyers representing businesses. Topics will include the duty of confidentiality, attorney-client privilege and the lawyer's work product immunity in the corporate context and on the Internet; ethical issues related to legal fee arrangements with businesses, including taking a client's stock as payment for legal fees; conflicts of interest in a mobile profession; unauthorized practice of law; and the potential ethical ramifications of the legal profession's adoption of the ABA's proposed initiative on Multidisciplinary Practices (MDP's).

Prerequisites: Civil Procedure II; Business Associations (or concurrent enrollment)

142 Civil Procedure II (3 Units)

This course covers rules, statutes, and cases relating to jurisdiction and venue, notice and opportunity to be heard, pleadings, choice of law in federal court ("Erie"), discovery, motion practice including summary judgment and trial-related motions, right to a jury trial, appellate jurisdiction and res judicata and collateral estoppel.

Prerequisite: Civil Procedure I

202 Constitutional Law II (3 Units)

This course focuses on the federal system and scope of federal powers including judicial review, authority of Congress, powers of the President, and separation of powers as well as the Equal Protection clause of the Fourteenth Amendment in the first semester. In the second semester, the course examines selected historical and contemporary controversies arising under the First Amendment (free speech and press clauses, and free exercise and establishment of religion clauses), and the Due Process clauses of the Fifth and Fourteenth Amendments to the United States Constitution.

Prerequisite: Constitutional Law I

423 Contracts Drafting (1 Units)

This course instructs the student, through written exercises and drafting assignments, in applying the principles of contract law to planning, organizing and preparing a written agreement that effectuates a client's intentions. It also provides instruction on issues of legal ethics related to transactions.

Prerequisite: Contracts II

545 Corporate Criminal Liability (3 Units)

This course addresses the elements of the numerous types of white collar crimes, including theft by means of fraud and deception, with emphasis on investment, real estate, and credit card fraud, wire and mail fraud, identity theft, computer-related crimes, bribery and extortion, money laundering and R.I.C.O. violations including both federal and California statutes. Students will understand and apply the principles of criminal culpability as it pertains to conspiracies, aiding and abetting,

and corporate versus individual criminal liability, as well as to understand the nature and function of federal Grand Jury proceedings as they relate to white collar crime investigations and indictments; identify the typical evidentiary issues attendant to a criminal white collar crime investigation and prosecution; and understand the challenges white collar crime situations present to the legal practitioner in terms of ethics and the advisement and representation of clients.

Prerequisites: Criminal Law; Legal Writing and Research II

460 Corporate Finance and Accounting for Lawyers (2 Units)

This course serves as an introduction to the fundamental financial and accounting practices used by lawyers, including topics such as the time value of money, debt and equity financing, balance sheet structure and accounting basics. It will provide an introduction to fundamental financial practices used in Contracts, Corporations, Commercial Law, Remedies and other subjects.

Prerequisite: Business Associations (or concurrent enrollment)

619 Criminal Justice Ethics (1 Units)

This course examines the ethical considerations faced by prosecutors and criminal defense attorneys in the practice of criminal law. Areas covered include Conflicts of Interest, Public Statements, Prosecutorial Discretion in Filing Charges, Advising the Client, Discovery Rules and Obligations for Prosecutors and Defense Counsel, Plea Bargaining, Client Decisions vs. Attorney Decisions, Jury Selection, Ethical Landmines during Trial, Presenting Perjured Testimony, and Improper Closing Argument.

Prerequisite: Criminal Law

467 Criminal Law Externship (3 Units)

Students enrolled in the Prosecutor/Public Defender Externship work an average of 14 hours per week in either the Office of the Orange County District Attorney or in the Office of the Orange County Public Defender. Students are assigned to an attorney who supervises their work on actual cases. The purposes of the externship are to introduce students to "real world" problem-solving, litigation and dispute resolution in the criminal justice process, and to expose students to the ethical dilemmas in plea-bargaining and negotiations. Students develop skills in organizing and managing legal work, and become acquainted with law enforcement personnel and techniques. Students may write memoranda, motions, preliminary hearing summaries, police report summaries, special jury instructions or writs. They may argue motions and other matters in court as permitted under California's certified law student rules.

Prerequisite: Criminal Procedure; Evidence

311 Criminal Procedure (3 Units)

This course studies the constitutional analysis of search and seizure, self-incrimination, confessions, suspect identification, and the right to counsel. The course focuses on the role of the 4th, 5th, and 6th Amendments in balancing individuals' rights with governmental interests.

Prerequisite: Criminal Law

400 Domestic Violence (3 Units)

This course focuses on the legal and socio-political underpinnings of violence against women by intimate partners. The course integrates various doctrinal areas of the law, including but not limited to, family law, criminal law in prosecuting batterers and battered women, tort law as it relates to municipal liability for failure to protect battered women, and the nexus between mother and child abuse within the context of failure to protect cases in both the civil and criminal context. Moreover, because the course contains a practical component, students will learn client interviewing, drafting of original petitions for orders of protection and crafting a theory of prosecution through the use of forensic psychological theories of domestic violence.

Prerequisites: Criminal Law; Legal Writing and Research II

213 Evidence (4 Units)

This course studies the laws of evidence relating to relevancy, special exclusionary rules, the hearsay rule and its exceptions, judicial notice and privileges, the opinion rules, authentication and the best evidence rule, impeachment and rehabilitation, presumptions, burdens of proof, and character evidence.

Prerequisite: Civil Procedure II

216 Evidence Practice (3 Units)

This course will deepen students' understanding of the rules of evidence by emphasizing the practical use of these rules to argue for and against the admissibility of evidence during trial.

Prerequisite: Evidence

520 and 521 Externship Seminar (2 Units)

Your work at an externship can be a heady experience. Much happens quickly, and you will feel there are not enough hours in the day to do everything you must do to adequately represent a client or assist a judge. Sometimes you just need to step back and reflect on what you are doing. That is the function of the Classroom Component of each Externship. Taught by the Externship Faculty Director, the classroom component allows you to reflect on your placement experiences, to enhance your awareness of the professional responsibility issues you will encounter in the Placements, and to take advantage of additional opportunities to improve specific professional skills. A key component of this reflection is the journal each student is required to keep during the course of the semester. You must satisfactorily complete the Classroom Component of an Externship to receive any credit for the Placement.

Prerequisite: concurrent enrollment in Externship

437 Family Law and Skills (2/1 Units)

This course surveys the law of interpersonal relationships in a family context. Substantive and procedural topics and issues include creation of a marital relationship; rights and responsibilities of marital partners; termination of marriage; capacity to marry; premarital, postnuptial, and marital termination agreements; marital property rights; child custody, timeshare, and support; spousal support; and miscellaneous family law topics including ethical issues unique to family law, family law tax issues, and issues arising from non-marital relationships.

Prerequisite: Legal Writing and Research II; Co-requisite: Family Law Skills

250 Federal Income Taxation (3 Units)

This course provides an overview of the fundamentals of federal income taxation, including income, exclusions, basis, assignment of income, and deductions.

Prerequisite: Legal Writing and Research II

365 Honors Writing (2 Units)

This limited enrollment course provides guidance in the process of choosing a competition, researching, writing, and editing a paper worthy of submission to a competition and publication. Students are expected to be highly motivated and able to work independently. The writing requirement complies with the school's advanced writing requirement.

Prerequisite: Cumulative 2.5 or above in LWR I and II. (If you do not meet this requirement due to extenuating circumstances but believe you would be able to meet the expectations and demands of this course, please contact the Registrar)

440 Immigration Law and Skills (2/1 Units)

This course covers immigration law, policies, and procedures. It includes the constitutional basis for regulating immigration into the United States, and, to some extent, the constitutional rights of noncitizens in the country; the contours of the immigration bureaucracy; the admission of noncitizens into the U.S.; the deportation and exclusion of noncitizens; refugee and asylum law; administrative and judicial review; citizenship and naturalization; and undocumented migration.

Prerequisite: Legal Writing and Research II; Co-requisite: Immigration Law Skills

442 Intellectual Property (3 Units)

This course introduces students to various state and federal doctrines that afford protection for creative works, including the right of publicity, unfair competition, copyrights, patents, trademarks and trade secrets.

Prerequisite: Legal Writing and Research II

488 Interviewing and Counseling (2 Units)

This course provides students an opportunity to develop skills in interviewing, counseling, fact finding, and problem solving in a variety of litigation and transactional settings. Students will engage in simulated client counseling sessions in which they will be required to provide the "client" meaningful expertise that incorporates legal analysis with economic and ethical considerations that will shape the legal strategy developed for the client. Emphasis will be placed on the values of professionalism and the ability to integrate non-legal concerns into client representation; counseling (including active listening, questioning, and information gathering) and problem solving.

Prerequisite: Legal Writing and Research II

580 Law of Vice (3 Units)

This course studies traditional "vice" behaviors, focusing specifically on individual sexual practices, prostitution, alcohol, drugs, pornography, and gambling. It examines whether, and to what extent, criminalization is warranted, and explores the value (if any) of regulation of these offenses. Students will critically analyze case law, statutes, and policy decisions constructing these vice crimes, with an eye toward the future legal landscape of the United States.

Prerequisites: Criminal Law; Legal Writing and Research II

510 Law Review (1 Unit)

Participation requirements may include technical editing, writing a note, or writing and editing the Year in Review section of the publication. Completion of a written product for Law Review will receive Upper Level Writing Requirement credit if a member of the faculty certifies in writing to the Associate Dean of Academic Affairs that the student has met all of the requirements.

Prerequisite: Invitation Only

461 Mediation (2 Units)

This course is designed to familiarize students with mediation applications and the communication skills used in mediation. Students participate in simulated hypothetical situations to develop responses to issues of client counseling, facilitation, and problem solving.

Prerequisite: Professional Responsibility (or concurrent enrollment)

463 Negotiations (2 Units)

This course introduces students to the theory, practice, science, and art of negotiations. After completing the course, students will have both a knowledge of negotiation skills and also some experience in how those skills should be effectively used. Students are given problems throughout the semester and are assigned to negotiate settlements with other class members.

Prerequisite: Legal Writing and Research II

151 Property I (3 Units)

This course explores the system of real property ownership in the United States. It focuses on the system of estates in land and other doctrines concerning the rights and duties of property ownership.

Prerequisite: None

475 Race and Law (1 Unit)

This course is an introduction to race in American law using two framings: racialization and identity. We will not define race or identity but rather examine their lived experiences as structured through law. The course will briefly survey race through the Black-White paradigm: slavery, the Reconstruction constitutional amendments, and modern anti-discrimination law. Through current issues involving politics and culture, we will study how race continues to be produced and reproduced.

Prerequisite: Constitutional Law II or concurrent enrollment

472 Real Estate Transactions (3 Units)

This course examines the various stages of residential and commercial real estate transactions, the roles of the principals, providers of non-legal services, and the roles of attorneys for each of those parties.

Prerequisite: Property II

303 Remedies (3 Units)

This course introduces students to remedies in civil cases by providing an overview of three major types of remedies: equitable remedies, damages, and restitution. The course primarily addresses remedies in tort and breach of contract contexts.

Students will learn the range of remedies available in specific cases and how to select the remedies that best serve a client's interests through the discussion of cases and

problems. The course will also enable students to make a written assessment of remedial choices in a coherent, organized way.

Prerequisite: Constitutional Law II

321 Sales (3 Units)

This course explores the law of sales under the Uniform Commercial Code (UCC) Article 2, related to contract performance and breaches when there is a transaction involving goods. The course covers topics including buyers' and sellers' remedies and the law of warranties.

Prerequisite: Contracts II

476 Sexual Orientation, Gender Identity and the Law (3 Units)

This course will focus on the interaction between the law and broader attitudes about sexual orientation by closely examining how social, cultural and political forces shape, and are shaped by, legal doctrine. Within this rubric, students will explore subjects across many traditional legal domains, including constitutional, criminal, family and anti-discrimination law. In addition, students will be required to make group in-class presentations, to have responsibility for leading class discussions, and to prepare an analytical paper on such topics as regulation of sexuality and sexual identity; legal recognition of gay and lesbian families and relationships; the debate over gay civil rights legislation; policies relating to gays in the military, sexuality and schools, and other matters of contemporary controversy.

Prerequisite: Constitutional Law II (or concurrent enrollment)

131 Torts I (3 Units)

This course introduces students to two types of civil claims: intentional torts and negligence. In addition to examining these subjects, the course covers privileges and defenses that might absolve one from responsibility or limit one's liability. Students learn substantive legal rules that courts and legislatures have developed over time in attempting to assess responsibility for losses suffered by individuals in various contexts. Students also examine the economic, social, and political considerations behind the legal rules.

Prerequisite: None

489 Trial Practice (3 Units)

This course provides training in basic civil and criminal trial techniques through participation in mock trial sessions. Student participation is under the supervision of Superior Court judges, commissioners, and practicing trial attorneys. Trial Practice must not be repeated.

Prerequisite: Evidence