

Fall 2013 Course List and Information

First-Year Courses

CIVIL PROCEDURE I 503 (3 hours)

The basic course on the structure and power of American courts, focusing on personal jurisdiction, subject matter jurisdiction, and venue.

CONTRACTS 501 (3 hours)

The law of enforceable promises, including contract formation, interpretation, conditions, breach, performance and remedies, as well as promissory estoppel and restitution.

LEGAL RESEARCH AND WRITING I 514 (3 hours)

Continued study and practice of refined and expanded legal research and writing skills, applying them to more complex legal problems, primarily using federal law materials and focusing on persuasive legal writing.

PROPERTY 504 (4 hours)

Ownership and transfer of interests in land, including present and future estates, tenancies, easements, and covenants; real estate law and practice, with emphasis on mortgages, deeds of trust, and secured interests in real property.

TORTS 502 (3 hours)

Civil liability for harm to persons, property, and other interests, including negligence, intentional torts, and strict liability actions and related doctrine of causation, damages, privileges, and defenses.

Second- and Third-Year Courses

ACADEMIC LEGAL WRITING 745 (3 hours - Writing)

Academic Legal Writing is a seminar course on academic legal research, writing, and argument designed to help students prepare scholarly articles for publication.

Enrollment in this class requires the instructor's approval.

ADVANCED LEGAL WRITING 712 (3 hours - Writing)

A lecture/lab course to expand skills acquired in first-year legal research and writing courses.

ALTERNATIVE DISPUTE RESOLUTION 651 (3 hours - Skills)

Introduction to nonadjudicative dispute resolution processes that utilize problem-solving approaches to resolve disputes, including client interviewing and counseling, negotiation, mediation, arbitration, summary jury trials, special masters, mini-trials and mediation-arbitration. Practical experience gained through role-playing exercises..

APPELLATE JUDICIAL EXTERNSHIP PROGRAM 733 (12 hours - Skills)

Place third-year law students for a semester in a state appellate court department. Prerequisite: Evidence 600 and permission of director. (Z credit).

For additional information see: [Appellate Judicial Externship](#)

BANKRUPTCY 558 (3 hours)

Exploration of the legal, practical, and theoretical aspects of financial insolvency of both individuals and business entities under the Bankruptcy Code. Emphasis on topics that apply both to liquidations and reorganizations under the Bankruptcy Code, including involuntary bankruptcy, claims resolution, scope of bankruptcy discharge, executory contracts, trustee's avoidance powers and distribution. In addition, the individual's right to a "fresh start" will be examined.

BUSINESS REGULATION EXTERNSHIP 725 (12 hours - Skills)

Combines clinical experience with training in legal research and writing by placing students in state offices responsible for regulation of corporations, insurance, securities, and banking. Prerequisites: Corporations 601 and at least one of Securities Regulation 650, Banking Law 607, or Insurance 559. (Z credit).

For additional information see: [Business Regulation Externship](#)

CAPITAL PUNISHMENT AND THE JUDICIAL PROCESS 721 (3 hours - Writing)

A seminar course covering the philosophical and sociological debates over the death penalty, focusing on significant U.S. Supreme Court cases concerning the death penalty since 1972.

CIVIL CLINIC I 690 (3-5 hours - Skills)

Civil Clinic is an in-house clinical program with a general classroom component and separate clinical units. Students may enroll only once unless they receive special permission from the clinical director.

The Civil Legal Clinic offers five separate clinical sections in the Fall 2013. Clinic students work in groups on cases or projects within their separate section, under the direct supervision of their clinical supervisor. The Clinic sections include:

§1 - Child Advocacy Clinic (5 hours). Students are appointed by the Court to investigate allegations of neglect and abuse and to make written recommendations to the Court regarding the best interests of the child. Students in the Child Advocacy Clinic conduct in-depth investigations by performing home visits, reviewing medical and school records, and interviewing fact witnesses. This section is offered for 5 hours of graded credit and is supervised by attorney David Calder.

§2 - Street Law Clinic (3 hours). Students conduct client interviews at the Oxford Food Pantry storeroom, where they gain invaluable experience in interviewing and counseling clients of the Food Pantry regarding public benefits, housing, family law, consumer law, property, wills and other civil issues. This section is offered for 3 hours of graded credit and is supervised by Minnie Howard, Managing Attorney at North Mississippi Rural Legal Services.

§3 - Elder Law Clinic (4 hours). Students write wills, prepare health care directives and Powers of Attorney, advise clients on nursing home and Medicaid regulations, and provide advice at meal centers and nursing homes. This section is supervised by Catherine V. Kilgore, Director of the Elder Law Project at North Mississippi Rural Legal Services.

§4 - Transactional Clinic (3 hours): Students offer services to low-income entrepreneurs and non-profit organizations to foster economic development, increase access to capital, promote job growth, and enable sustainable home ownership, particularly in the Mississippi Delta. The types of work involved in the clinic may include: entity formation and choice of entity counseling, contract negotiation and preparation, corporate and commercial financing, shareholder agreements, business acquisitions and sales, commercial leasing, licensing, permitting, and zoning advice, trademark and copyright advice, registration and intellectual property licensing, corporate governance and compliance, tax exempt applications and various other kinds of business-related transactional legal work. The clinic is supervised by Marie Cope and Cameron Abel, an attorney at the Tollison Law Firm in Oxford, MS.

§5 - Low-Income Housing Clinic (5 hours). Students bring and defend cases, negotiate, and give advice in order to assist individuals and families facing conflicts with their landlord, eviction, foreclosure, or housing discrimination. Students take responsibility for the management of their own cases, meet with clients, interview witnesses, draft motions and pleadings, and appear in court. This section is offered for 5 hours of graded credit and is supervised by Clinic Director Desiree Hensley.

§6 - Advanced Clinic (3-5 hours).

For additional information see: [Civil Legal Clinic](#)

CIVIL CLINIC III 692 - Mississippi Innocence Project (4 hours - Skills)

Civil Clinic is an in-house clinical program with a general classroom component and separate clinical units. Students may enroll only once unless they receive special permission from the clinical director.

For additional information see: [Mississippi Innocence Project](#)

CIVIL PROCEDURE II 577 (3 hours)

The rules of pleading, procedure, and practice in the federal courts. Prerequisite: Civil Procedure I 503.

COASTAL AND OCEAN LAW 675 (3 hours)

The legal framework associated with the coastal zone and ocean environment. Public access to coastal lands and waters, public trust, wetlands regulation, international law of the sea, fisheries law, and marine pollution.

COMMERCIAL PAPER 694 (3 hours)

Study of Articles 3, 4, and 4A of the Uniform Commercial Code concerning negotiable instruments and payment systems.

COMPARATIVE LAW 643 (3 hours)

Comparison of Anglo-American and civil law systems; emphasis on civil litigation, the courts, the judiciary, and the organization and training of the legal profession.

CONSTITUTIONAL LAW II 508 (3 hours)

The second semester of a coordinated two-semester coverage of intergovernmental relations in the federal system, powers of Congress and the limitations imposed upon the powers of both federal and state governments for the protection of individual rights.

CONSTITUTIONAL LAW SEMINAR 569 (3 hours - Writing)

Problems in constitutional law, such as church and state, freedom of expression, and other constitutional guarantees and provisions.

COPYRIGHT LAW 657 (3 hours)

Survey of copyright law, including copyrightable subject matter, the requirements for protection, the bundle of rights encompassed by copyright, infringement, defenses (such as fair use and the First Amendment), pre-emption issues, and some aspects of foreign protection. Resale royalties, moral rights, the right of publicity, and other related doctrines also will be discussed. Prerequisite: Intellectual Property 580.

CORPORATIONS 601 (3 hours)

A survey of the law of business associations, focusing on corporations and their formation, structure, finance and governance; close corporation problems; regulation of corporate disclosures and proxy solicitations under federal securities law; securities fraud and insider trading.

CRIMINAL APPEALS CLINIC 697 (4 hours – Skills or Writing)

A clinical program in which third-year students will directly participate in pro bono representation of indigents, through litigation of criminal appeals before the Mississippi Supreme Court, under the supervision of the clinic director.

For additional information see: [Criminal Appeals Clinic](#)

CRIMINAL PROCEDURE I: INVESTIGATION 635 (3 hours)

A study of constitutional restrictions on criminal investigative practice, which typically precede institution of formal judicial proceedings, with special emphasis upon search and seizure, interrogation, right to counsel at the pretrial stage, and operation of the exclusionary rule.

CRIMINAL TRIAL EVIDENCE SKILLS 748 (2 hours - Skills)

Uses role-playing and demonstrations to teach the practical application of the Rules of Evidence: skills will include objections; foundations; responses to various objections; motions; and other common evidentiary situations at trial. Students will not present a complete trial. Prerequisite: Evidence 600 and Criminal Procedure I 635 recommended as a corequisite. (Z credit).

CRIMINAL TRIAL PRACTICE 686 (3 hours - Skills)

State and federal practice and procedure in criminal cases involving written and oral exercises, including mock trial, the use of discovery procedures, pretrial proceedings, motions, and other aspects of criminal trial practice. Prerequisites: Evidence 600, Criminal Procedure I 635 or Criminal Procedure II 714 desirable. (Z credit).

CYBERCRIME 718 (3 hours)

A study of issues and case law surrounding substantive and procedural questions raised by computer and Internet crime.

EMPLOYMENT DISCRIMINATION 640 (3 hours)

Employment discrimination as regulated by Title VII of the Civil Rights Act of 1964 and other federal statutes.

ENVIRONMENTAL LAW 581 (3 hours)

The role of legal institutions in the protection of environmental quality, with emphasis on pollution and sound.

EVIDENCE 600 (4 hours)

The function of the court and jury; the competency, privilege and examination of witnesses; the exclusionary rules of evidence and exceptions.

FAMILY LAW 560 (3 hours)

The validity and requisites of marriage; the grounds for annulment and divorce; and the rights and duties arising out of the relation of husband and wife, parent and child, guardian and ward.

FEDERAL JURISDICTION 696 (3 hours)

Emphasis on litigation against the state and federal government. Includes general grants of jurisdiction and current utilization in damage suits against the state or federal treasury, provisions of the U.S. Code that waive sovereign immunity for specific types of litigation, code provisions that authorize discrete causes of action and make provisions for attorneys' fees and development of litigation that generates maximum economic impact.

FEDERAL TAXATION OF GRATUITOUS TRANSFERS 626 (3 hours)

Federal estate, gift, and generation-skipping transfer taxes.

FEDERAL TRIAL PRACTICE 678 (3 hours - Skills)

Use of federal discovery procedures, pretrial proceedings, and motions. Trial of mock cases, civil and criminal, under federal rules. Pre- or corequisites: Evidence 600. (Z credit).

HEALTH CARE LAW 726 (3 hours)

A survey of legal issues related to the health care industry, including such topics as licensing, patient rights, antitrust issues and federal health care industry laws.

INCOME TAXATION II 702 (3 hours)

Advanced topics in the federal income taxation of individuals, including tax treatment of significant property transactions; consideration of timing of income and deductions; time value of money concepts; characterization issues; and additional treatment of special deduction limitation provisions. Prerequisite: Income Taxation of Individuals 613.

INCOME TAXATION OF CORPORATIONS AND SHAREHOLDERS 633 (3 hours)

Tax considerations in corporate formations, distributions, redemptions, liquidations, and reorganizations. Prerequisite: Income Taxation of Individuals 613.

INCOME TAXATION OF INDIVIDUALS 613 (3 hours)

Introductory income tax concepts, including gross income; deductions; identification of taxpayers; problems incident to the sale, exchange and other disposition of property; recognition; and characterization concepts.

INDIVIDUAL STUDY I 615 (1-3 hours)

Research and writing on an assigned topic under supervision of a faculty member, or participation on moot court or mock trial teams at regional or national competitions under supervision of a faculty member. (Z credit).

For additional information see: [Individual Study Application and Policy](#)

INDIVIDUAL STUDY II 715 (1-3 hours)

Legal research and analysis on a particular topic assigned by the faculty, and the preparation of a written article. Prerequisite: permission of the supervising faculty member and the Curriculum Committee of the law faculty. Note: Student must apply 6 weeks prior to the semester start date.

For additional information see: [Individual Study Application and Policy](#)

INTELLECTUAL PROPERTY 580 (3 hours)

A survey of the field of intellectual property law, including federal copyright, patent and trademark law, as well as state law doctrine relating to trade secrets, unfair competition, dilution, the right of publicity, and misappropriation.

INTERNATIONAL LAW 620 (3 hours)

The nature, scope, development, and jurisdiction of international law; treaties; state responsibility; dispute resolution; human rights

International trade law will primarily deal with the WTO and its body of case law, and the evolution of this case law in response to changing economic landscapes. The relationship between domestic national autonomy and international trade rules is also key to the subject. In the Spring, Professor Eliason will offer International Business Transactions and European Union Law in the Spring.

INTERNATIONAL SECURITY LAW AND POLICY 658 (3 hours - Writing)

Legal issues relating to war and armed conflict, separation of constitutional powers, emergency powers, the security role of the United Nations, and the strengthening of the enforcement of international humanitarian law; related political, military, and diplomatic ramifications.

INTERNATIONAL TRADE 575 (3 hours)

Legal problems encountered in commerce across national lines; emphasis on problems of U.S. firms and individuals transacting business in foreign countries or with foreign associates and customers.

JOURNAL OF SPACE LAW 583 (1-4 hours)

The Journal of Space Law is an academic review of national and international scope, focusing on the many aspects of space, remote sensing, and aerospace law. Research, writing, and editing assignments, and other duties necessary to the operation of the Journal of Space Law. One hour credited for each term of participation to maximum of 4 hours. Limitation: credit not available if enrolled in the Mississippi Law Journal 610 or Moot Court Board 666. (Z credit).

LAND PLANNING 632 (3 hours)

People, government, and land use; policy goals and governmental methods; zoning, subdivision regulations, urban renewal, housing for low-income families, and industrial development.

LAW AND RELIGION 688 (3 hours)

A seminar course covering the Free Exercise and Establishment Clauses of the First Amendment of the U.S. Constitution.

LAW JOURNAL 610 (1-5 hours)

Research, writing, and editing assignments and other duties necessary to the operation of the *Mississippi Law Journal*. One hour credited for each term of participation to maximum of 4 hours, except editor-in-chief only may earn one additional (fifth) hour for service in summer term. Limitation: credit not available if enrolled in *Journal of Space Law* 583 or Moot Court Board 666. (Z credit).

LEGAL PROBLEMS OF INDIGENCE 639 (3 hours - Skills/Writing)

Problems of indigence under federal and state welfare programs; employer-employee relationship, unemployment compensation; consumer buying and debt; housing; family relationships.

Enrollment in this class requires the instructor's approval.

LEGAL PROFESSION 603 (3 hours)

Historical background of the legal profession, its proper functions in society, and ethical conduct in the practice of law.

MOOT COURT BOARD 666 (1-4 hour)

Administration and supervision of the moot court system. Limitation: credit not available for students enrolled in *Mississippi Law Journal* 610 or *Journal of Space Law* 583. (Z credit).

PARTNERSHIP TAXATION 634 (1-3 hours)

Tax meaning of “partnership”; formation transactions between partner and partnership; determination and treatment of partnership income; sales or exchanges of partnership interests; distributions, retirement, death of a partner; drafting the partnership agreement. Prerequisite: Income Taxation of Individuals 613.

POLITICAL AND CIVIL RIGHTS 662 (3 hours - Writing)

Studies in the field of personal liberties (freedom of speech, religion, association), political rights (apportionment), and civil rights (personal violence, education, voting, and employment).

PRO BONO SERVICE 713 (1 hour)

Credit for 50 or more hours of pro bono work, such as working for approved pro bono organization or project. (Z credit).

For additional information see: [Pro Bono Service](#)

PROSECUTORIAL EXTERNSHIP 654 (3-6 hours - Skills)

Places students with federal, state, and local prosecutor offices as externs. (Z credit).

For additional information see: [Prosecution Externship Program](#)

PUBLIC INTERNATIONAL AVIATION LAW 650 (3 hours)

Examines the relevant principles of public international law that apply to the use of air space by examining the sources of international air law and the law-making processes affecting the regime of air space and international air transport.

Note: Course prerequisite requires students to be enrolled in the LL.M. program. If you are interested in this course, please send request to Law Registrar, Eddie Upton to add you to this class.

PUBLIC SERVICE INTERNSHIP 636 (3-6 hours - Skills)

Work as legal assistants with prosecutors, defenders, judges, or attorneys in public service agencies with established internship programs. Prerequisites: Evidence 600. (Z credit).

For additional information see: [Public Service Internship](#)

REMEDIES 642 (3 hours)

Legal and equitable remedies, including the law of damages, restitution, and injunctive relief.

SECURITIES REGULATION 650 (3 hours)

An examination of federal and state securities laws and how they regulate securities offerings, issuers, markets, and market participants.

SELECTED LEGAL TOPICS I 698 – Depositions and Negotiations (3 hours - Skills)

(Z credit).

SELECTED LEGAL TOPICS III 703 – State Constitutional Law (3 hours)

This course is a nationwide survey of various provisions of state constitutions and the history of their interpretation. Among the areas that may be discussed: the history of constitution-making in the United States; the relationship among state constitutions, the federal Constitution, and their respective interpretations; individual rights (especially provisions that lack federal analogues, such as those on open courts and education, but also state-constitutional variants concerning due process, property, and religion); equality provisions; single-subject and clear-title requirements; the separation of powers; the distribution of executive power; and the amendment of state constitutions

SELECTED LEGAL TOPICS IV 704 – Bankruptcy Workshop - Drafting Case Schedules and Means Test Forms, the Preparation and Filing of Pleadings in Contested and Adversary Proceedings (1 hour)

Class will meet on the following Wednesdays: September 11, 18, and 25; October 9, 16, and 23; November 6 and 13. (Z credit).

SELECTED LEGAL TOPICS V 705 – Research for Legal Scholarship (1 hour)

Research for Legal Scholarship is intended to serve as a companion course to upper-level courses with a significant writing component. The course will survey the resources and techniques used to conduct scholarly research, both online and in print. In-class and homework exercises will be designed to help each student conduct the research needed for his or her particular project. For more information, please contact Professor Gilliland at gillilan@olemiss.edu or 662/915-6836.

SELECTED LEGAL TOPICS VI 706 – International Legal Research (2 hours - Skills)

Strategies and resources, including materials in electronic and print formats, for researching issues in foreign, comparative, and international law.

SELECTED LEGAL TOPICS VII 707 – Natural Resources Law (2 hours)

This course will look at the protection and multiple uses of natural resource systems by the states and the federal government. Topics will include: the regulation of federal public lands for agriculture, grazing, and other uses, including conservation and preservation; public and private forests; wildlife management; and water rights.

SELECTED LEGAL TOPICS VIII 708 – Essential Business Concepts for Lawyers (1 to 3 hours)

The complete business lawyer must master essential business concepts as well as core legal doctrines. In this course, students will learn the basics of accounting (balance sheet, income statement and cash flow statement), finance (time value of money, modern portfolio theory and valuation), the economics of the firm (financial instruments, capital structure, raising capital, and capital markets) and selected analytical methods (decision analysis and game theory) as they are applied in legal practice. The course will comprise four modules, any one or combination of which can be taken for 1 to 3 credits. Students' grades will be based on class participation and a separate exam on each module. The coursebook is Robert Rhee, *Essential Concepts of Business for Lawyers* (2012). (Z credit).

SENTENCING 668 (3 hours)

A study of the sentencing process. Topics covered may include sentencing guidelines, sentencing alternatives, the philosophy of sentencing, restitution, forfeiture, probation, and parole.

SPACE SECURITY LAW 736 (3 hours)

Addresses a wide variety of legal issues dealing with both the security of the space environment and national security derived from reliance on space assets, such as telecommunications satellites, remote sensing satellites and launch technologies.

U.S. DOMESTIC SPACE LAW 679 (3 hours - Writing)

This course covers the most developed body of domestic space law in the world: that of the United States. It addresses the nation's civil and military programs and offers a wide variety of commercial activities: launches, remote sensing, and satellite communications, among others.

U.S. NATIONAL AVIATION LAW 723 (3 hours - Writing)

This course covers domestic aviation laws, regulations, and policy, and explores all major aspects of aviation law, including, but not limited to, government regulation, liability, aircraft financing, economic regulation of domestic air routes and rates, aviation security, and environmental law.

WILLS AND ESTATES 516 (3 hours)

The execution, revocation, construction, and probate of wills and the administration of trusts and estates.