

# Fall 2014 Course List and Information

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## First-Year Courses (J.D. Program)

### **CONTRACTS 501 (4 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 (4 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 (J.D. Program)

## **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 ETHICS 749 (2 hours - Writing)**

Study of selected problems in legal ethics. Topics covered may include lawyering in the digital age, access to justice, current issues in legal ethics, and in-depth case studies.

This **Lawyering in the Digital Age** seminar will explore the numerous ways in which law practice is changing in the 21st century with particular emphasis on the professional responsibility issues raised by these changes. Topics will include: outsourcing, virtual law practice, the use of technology in marketing (e.g. Groupon and Twitter), the use of technology in investigations (e.g. Facebook), electronic discovery, and the use of technology to improve access to justice.

Prerequisite: Legal Profession

## **ADVANCED LEGAL WRITING 712 (3 hours - Writing)**

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

## **ADVOCACY COMPETITION 761 (1 – 4 hours)**

Participation in an external skills competition or similar program (including appellate advocacy, mock trial, negotiation, and other advocacy or skills activities). (Z credit).

## **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..

## **BANKING LAW 607 (3 hours)**

Survey of federal and state banking statutes and legal problems in the field of banking.

## **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.

## **CLINICS:**

Civil Clinic is an in-house clinical program with a general classroom component and separate clinical units. Students may enroll only 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:

## **CLINICS: ADVANCED (3-5 hours - Skills)**

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

## **CLINICS: CHILD ADVOCACY 690 (5 hours - Skills)**

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.

**CLINICS: CRIMINAL APPEALS 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](#)

**CLINICS: ELDER LAW 766 (4 hours - Skills)**

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.

**CLINICS: EXTERNSHIP 654 (3-12 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: [Externship](#)

**CLINICS: HOUSING 691 (5 hours - Skills)**

**§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.

**CLINICS: INNOCENCE PROJECT 692 (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](#)

**CLINICS: PRO BONO INITIATIVE 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](#)

**CLINICS: STREET LAW 767 (3 hours - Skills)**

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.

**CLINICS: TRANSACTIONAL 725 (3 hours - Skills)**

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.

**CIVIL PROCEDURE II 577 (3 hours)**

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

**COMMERCIAL PAPER 694 (3 hours)**

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

**CONFLICT MANAGEMENT PRACTICUM 764 (3 hours – No regular scheduled class meetings)**

The Student Conflict & Conduct Management Practicum will allow selected law students to work within the Dean of Students Office as a mediator/advisor in undergraduate pre-hearing and administrative hearing processes. Law students will assist that office in handling the 500+ caseload per semester by learning the requisite legal and educational foundation and receiving proper training to meet with undergraduate students with student conduct issues. (Z credit \$1; Graded credit for Advanced Practicum \$2).

For additional information and application see: [Conflict Management Practicum](#)

**CONFLICT OF LAWS 608 (3 hours)**

Enforcement of foreign country and foreign state judgments and problems arising in cases where the conflicting rules of different jurisdictions may apply.

**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.

Professor Wilkins will waive the Intellectual Property prerequisite for any students. If interested, please e-mail Registrar at [ejupton@olemiss.edu](mailto:ejupton@olemiss.edu) to add you to Copyright Law.

**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 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. Criminal Procedure I 635, and Criminal Procedure II 714. (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).

**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 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 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 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.

**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: maximum of one Z credit per semester and four Z credits total for co-curricular activities (including law journals, advocacy programs, and similar activities). (Z credit).

**LEGAL PROFESSION 603 (3 hours)**

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

**MISSISSIPPI 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: maximum of one Z credit per semester and four Z credits total for co-curricular activities (including law journals, advocacy programs, and similar activities). (Z credit).

**MOOT COURT BOARD 666 (1-4 hour)**

Administration and supervision of the moot court system. Limitation: maximum of one Z credit per semester and four Z credits total for co-curricular activities (including law journals, advocacy programs, and similar activities). (Z credit).

**NEGOTIATION BOARD 763 (1 – 4 Hours)**

Participation in and administration of the Negotiation Board. Limitation: maximum of one Z credit per semester and four Z credits total for co-curricular activities (including law journals, advocacy programs, and similar activities). (Z credit).

**OIL AND GAS 609 (2 hours)**

Landowners' interests in oil and gas in place; interpretation and assignment of related contracts and leases; royalties; and the conservation of oil and gas.

**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).

**PUBLIC INTERNATIONAL AIR LAW 650 (3 hours - Writing)**

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.

**RESEARCH ASSISTANT I 760 (1 – 4 Hours)**

Research assistance for a faculty member. Requires completion of application form by student and supervising instructor. Please see Law Registrar for details. (Z credit). See Law Registrar for details.

**RESEARCH ASSISTANT I 762 (1 – 4 Hours)**

Research assistance for a faculty member. Requires completion of application form by student and supervising instructor. Application due significantly in advance of enrollment. See Law Registrar for details.

**SECURED TRANSACTIONS 571 (3 hours)**

Theoretical and practical justifications for the creation of security interests in personal property. Emphasis is on Articles 1, 2A and 9 of the Uniform Commercial Code and bankruptcy law.

**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)**

In this course, you will develop the basic skills necessary to taking and defending depositions in a variety of contexts and engaging in negotiations for purposes of the settlement of litigation and “deal-making” in the non-litigation context through a combination of lectures, in-class demonstrations and team exercises. Students will be introduced to and expected to demonstrate deposition questioning techniques and strategies, deposition planning and organization as well as the skills and strategies which form the basis of effective negotiations. (Z credit).

**SELECTED LEGAL TOPICS I 701 – Mississippi Constitutional Law (3 hours)**

This course will consider various provisions in the Mississippi Constitution and the history of their interpretation. Among the areas to be discussed are individual rights (especially provisions that lack federal analogues, such as those on open courts and education), separation of powers, legislative rules, and the relationship of the powers of various executive officials.

**SELECTED LEGAL TOPICS III 703 – Public Lands Seminar (2 hours)**

This course will cover the history of federal public land law, including the duties and authority of and the limits on the government as a property owner and manager of lands and resources. We will discuss the legal status and management of federal lands, like national forests and parks, as well as the allocation of public land resources, like timber and wildlife, among competing uses. The course will also cover the public trust doctrine and current disputes about the use of public lands and resources.

**SELECTED LEGAL TOPICS IV 704 – International Criminal Law Seminar (3 hours - Writing)****SELECTED LEGAL TOPICS VI 705 – 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 V 706 – Research for Legal Scholarship (1 hour - Skills)**

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](mailto:gillilan@olemiss.edu) or 662/915-6836.

**SELECTED LEGAL TOPICS VII 707 – Mississippi Pretrial Practice (2 hours - Skills)**

Taught by Mississippi Supreme Court Chief Justice Bill Waller.

**SPACE SECURITY LAW 736 (3 hours - Writing)**

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.

**SPORTS LAW 647 (3 hours – Writing optional)**

This course examines legal issues impacting amateur and professional sports. Includes analysis of sports cases and materials that cover multiple disciplines, including contracts, torts, constitutional law, antitrust, labor and employment, intellectual property and criminal law.

**SPORTS LAW REVIEW 611 (1 - 4 hours)**

Research, writing, and editing assignments and other duties necessary to the operation of the Sports Law Review. Limitation: maximum of one Z credit per semester and four Z credits total (five for EIC) for co-curricular activities (including law journals, advocacy programs, and similar activities). (Z credit).

**TRIAL ADVOCACY BOARD 664 (1 – 4 Hours)**

Participation in the administration of the Trial Advocacy Board. Limitation: maximum of one Z credit per semester and four Z credits total for co-curricular activities (including law journals, advocacy programs, and similar activities). (Z credit).

**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.

**UNITED STATES 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.



## **LL.M. Program Courses** (*Available to J.D. students working on Remote Sensing, Air and Space Law Certificate*)

### **MASTER'S THESIS I 797 (1 hour)**

Preparation of thesis proposal.

### **MASTER'S THESIS II 798 (1 hour)**

Literature review.

### **MASTER'S THESIS III 799 (6 hours)**

Drafting and completion of Thesis.

### **PUBLIC INTERNATIONAL AIR LAW 650 (3 hours - Writing)**

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.

### **SPACE SECURITY LAW 736 (3 hours - Writing)**

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. NATIONAL AVIATION LAW 723 (3 hours - Writing)**

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