New or Updated Courses for 2019-2020 Academic Year*

Courses

5438 Law European Union Law: A New Constitutional Order (3) Formation and Enlargement: the Communities and the European Union; Citizenship of the EU; Institutions of the Communities and the European Union; sources of Law and the Legal System; the member States and Community Law; external relations; common foreign and security policy; Justice and Home Affairs.
[This course will satisfy the DCL requirement]

5782 European and Comparative Health Law (1) This course will provide an introduction to select aspects of health law in Europe from a comparative point of view. The course will cover the evolution of European health care policies and national health care systems; the regulation of medical technologies in the EU; the rights of patients in Europe; medical errors, and their prevention; tort law, contract law and the litigation of medical malpractice claims in Europe; health care claims and alternative dispute resolution systems in select European jurisdictions.
[This course will be taught by Professor Gradiadei as a one hour short course. The course will satisfy the DCL requirement]

5417 Admiralty—Maritime Commerce (2). This course will cover: maritime contract jurisdiction; charter parties; carriage of goods; tug, towage, and pilotage; ship mortgages; maritime liens; collision; maritime insurance; general average; salvage; limited liability in contract; and special admiralty procedures.

5424 Admiralty—Maritime Torts (3). Principles of law applicable to maritime personal injury litigation; extent of admiralty jurisdiction with respect to personal injury cases; rules of law applicable to industrial accidents, including scope of the Longshoremen’s and Harbor Worker’s Compensation Act as amended, and its relationship to state workmen’s compensation laws; general principles of tort applied in maritime personal injury litigation; remedies available to particular classes of persons, such as seamen, constructive seamen, longshoremen and harbor workers, and passengers; recent Supreme Court jurisprudence in connection with wrongful death actions; nature and extent of damages recoverable in various kinds of actions; principles of law applicable to injuries occurring on or near fixed off-shore platforms; and scope and application of Outer Continental Shelf Lands Act.

5781 American & European Antitrust Law (1) The course first deals with the history of European antitrust, which appeared after the Second World War under the influence of American law. It next addresses international competition law, comparing solutions adopted by the U.S. Supreme Court and those of the European Court of Justice. It then discusses the influence American doctrine has had on European policy with regard to vertical restraints of competition. It also presents a very important evolution of European competition law, namely the qualification of abuse of a dominant position, and addresses European merger control, which is today an essential instrument for regulating the European markets. The course concludes with a discussion of the rise of private enforcement in Europe.
5510 Income Taxation II (3) This course covers advanced topics in federal income taxation with particular emphasis on the acquisition, ownership, and disposition of property. Topics include capital gains and losses, non-recognition transactions, related party transactions, deferred payment transactions (original issue discount and installment sales), and passive activity loss deductibility limitations. Prerequisite: Income Taxation I.

5501 Income Taxation I (3) This course is an introduction to the federal income tax with an emphasis on issues common to individual tax payers. Topics include an overview of the federal tax system, gross income, inclusions, exclusions, deductions, basic timing principles, and procedural issues. Coverage also includes an introduction to some more advanced topics including basis, depreciation, and capital gains and losses.

5711 Products Liability and Product Safety Law (3) This course studies the various methods of controlling risks associated with the use of products. The course evaluates the tort system of product liability, including the development and application of strict product liability under the Restatement (Second) of Torts and its revision in model statutes such as the Louisiana Product Liability Act (LPLA) and the Restatement (Third) Product Liability. In addition, the course will examine alternative forms of regulating risk, such as direct regulation of production, mandatory warning statutes, information regulation, and other forms of government and self-regulation.

5220 Energy Law and Regulation (3) This course is designed to provide broad-based coverage of energy production, consumption, and regulation in the United States, with a focus on legal and policy issues. As a foundation, the class will identify the sources of the energy used in the U.S. for various purposes, such as heating and cooling, operation of appliances and machinery, transportation, and the generation of electricity. The course will move on to explore such topics as the law of public utilities, including the ratemaking concepts that remain important in the context of the electric power industry. It may explore the movement toward competition in wholesale electricity markets, and issues relating to the nation’s electric power grid. The course also may cover the regulation of natural gas pipelines and natural gas markets. In addition, the course may examine major sources of electric power generation, such as coal, nuclear, hydropower, and renewables, as well as regulatory and policy issues relating to these and other sources of power generation, such as natural gas. Such policy issues include balancing energy reliability and affordability with environmental protection.

5221 Energy and the Environment (2) Virtually every human activity requires energy in one form or another. Indeed, abundant, affordable energy is essential to a standard of living that many people in developed nations take for granted and to which many people in undeveloped nations aspire. But traditional energy industries, and even renewable energy industries, produce
impacts on the environment. Society has responded to the tension between the need for abundant, affordable energy and the important goals of environmental protection with a variety of laws and regulations. This course will identify some of the environmental impacts caused by the production and use of various forms of energy, examine environmental regulations associated with each, and explore policy issues inherent in balancing economic well-being and environmental protection. Prior credit in Introduction to Environmental Law (5411) is recommended but not required.

5339 Wine and Alcohol Law (3) The course will cover a variety of legal issues related to the international and domestic production, distribution, and consumption of wine and other alcohol products. The core of the course will examine interstate and international shipping and distribution rules, including Internet sales and labeling requirements. The course will consider various “branding” issues in wine and alcohol, including trademarks, viticultural areas, and geographic indicators. The course will spend a considerable amount of time comparing the “New World” of wine production with the “Old World.”

5543 Disability Law & Policy (2) This course will survey health care, access, and discrimination aspects of disability law. Although the primary focus will be on federal law and its application, that coverage will be enriched with discussion of relevant Louisiana law and other state law. Discussion will identify and address technical elements of the governing law and policy, as well as relevant current issues. The course will culminate with a case study, such as extreme morbid obesity or Louisiana’s efforts to provide children with autism spectrum disorder access to treatment through applied behavior analysis (“ABA”).

Seminars

5850 Comparative Corporate Law Seminar (2) This seminar provides a basic understanding of the challenges business organizations operating internationally face with respect to corporate and contract governance issues from a comparative perspective. Business organizations are increasingly doing business at an international level. Some business organizations are governed not only by the laws of the United States but also by the laws of the countries where they decide to incorporate as well. The seminar examines trends of corporate and contract governance in the United States and selected other jurisdictions by considering the regulatory, economic, social, and political framework that permeates business organizations in those jurisdictions. Topics include governance structures, conflicts of interest, investor protection, and control transactions. Prerequisite: Business Associations I or II (LAW 5300 or 5301) or permission of instructor. [This course will satisfy the DCL requirement]

5886 Reproductive Technologies and the Law Seminar (2) Students will study a broad range of issues concerning assisted reproductive technology. Specific topics will include legal contracts for egg, sperm and embryo donation; surrogacy contracts; and the legal issues that arise
throughout the surrogacy process. The course will compare the laws of various states and countries relating to IVF, gamete donation and surrogacy. Students will be required to complete a significant research paper. Students cannot receive credit in both this course and Law 5843, Family Law Seminar.

5880 Sex Crimes: Emerging Law and Policy Issues Seminar (2) Why is sexual violence so prevalent, and why is it so difficult to prosecute sex crimes and hold perpetrators accountable? Is the problem inadequate laws, inadequate policies, or something else? This seminar tackles these questions while covering the theoretical, social, and legal implications of sexual violence. It will examine the efficacy of legal intervention and how laws impact the lives of those who have survived sexual violence. This seminar examines these issues in light of emerging discussions in society about sexual violence, and it will probe the question of how the legal system can improve its response to the high level of sexual violence that goes unpunished. Because sexual violence is so common, even attorneys who do not intend to work specifically with survivors will find that many of their clients have been affected by sexual violence.

5878 Refugee and Asylum Law Seminar (2) This seminar will provide an overview of refugee and asylum law in the United States. It will explore the contours of the refugee definition and each element of an asylum claim by looking at statutes, regulations, treaties, and relevant case law. The course will compare the related protections of withholding of removal and relief under the Convention Against Torture. Finally, the course will discuss U.S. asylum procedure generally, and bars to asylum, both substantive and procedural.

Experiential Courses

5633 Advanced Copyright Practice (3) This course provides a simulation of the experience of a new copyright attorney in a transactional or non-trial practice along with related instruction. The course is organized around a series of writing–intensive practical assignments for a fictional client or clients, which assignments require students to integrate and apply a range of doctrinal, practical, ethical, and other knowledge and skills throughout the semester. Prerequisite: 5434 Introduction to Intellectual Property or permission of the instructor.

5634 Advanced Trademark Practice (3) This course provides a simulation of the experience of a new trademark attorney in a transactional or non-trial practice along with related instruction. The course is organized around a series of writing-intensive practical assignments for a fictional client or clients, which assignments require students to integrate and apply a range of doctrinal, practical, ethical, and other knowledge and skills throughout the semester. This course is graded on the 4.0 scale. Prerequisite: Introduction to Intellectual Property (5434) or permission of the instructor.
5994 Foreign, Comparative & International Law Research Methods (2) This is an experiential simulation course that introduces students to the sources, methods, and strategies of foreign, comparative, and international law research. Through a series of practical exercises and faculty feedback, students will develop relevant skills and have multiple opportunities for evaluation. Topics will include legal research in foreign jurisdictions (both common law and civil law); comparative challenges in foreign law research; treaties and international courts; UN documentation; and European Union law. Foreign law sources relevant to Louisiana legal practice will also be covered. The course is graded on a 4.0 scale. Participation requires consent of the instructor. [Course will satisfy credit in the Diploma in Diploma of Comparative Law]

5635 Non-Profit Organizations Practice (2) This experiential simulation course is designed to expose students to the major governance and tax issues affecting the non-profit sector—particularly charitable organizations described in IRC §501(c)(3). Through simulated exercises and faculty feedback, the course focuses on the lawyer’s role in forming, securing tax exemptions for, and counseling non-profit entities, such as charitable organizations, foundations, museums, hospitals, universities, and advocacy groups. Students will draft a variety of documents related to the formation and governance of non-profit organizations and will engage in other simulation exercises. This course is graded Pass/Fail (E, HP, P, F). Completion of or co-enrollment in Business Associations I (LAW 5300) is recommended. Prerequisite: Completion of or co-enrollment in Income Tax I (LAW 5501).

5636 Estate Planning and Taxation Practice (3) Third-year students only. This course is designed to teach students the basic skills required in an estate planning practice. The course considers various estate planning techniques for individuals with an emphasis on both tax and non-tax planning issues. Topics include federal tax issues, planning for incapacity, end-of-life planning, ethical issues faced by estate planners, and wills and trusts. Students will draft a variety of estate planning documents and engage in other simulation exercises. Students will apply the law of the state in which they plan to practice throughout the various drafting assignments. Prerequisite: Either Successions, Donations, and Trusts (LAW 5703) or Common Law Trusts, Estates & Fiduciary Obligations (LAW 5311). Prior completion of or co-enrollment in Income Tax. I (LAW 5501) is strongly recommended.

5620 Civil Mediation Clinic (3) This is an experiential clinical course in which students mediate actual cases referred by the Baton Rouge City Court or other referral sources. Students are trained through intensive instruction and simulations in mediation techniques to assist participants as mediators to resolve disputes in civil cases. The course covers the basics of negotiation theory, the role of the mediator and fundamental norms of mediation, the skills and process of mediation, and the ethics and professionalism of mediation. Students who successfully complete this course will be issued a certificate that states that they have met the training requirements of the Louisiana Mediation Act to be listed on the Louisiana Civil Mediation Registry (other requirements are necessary). This course is graded Pass/Fail (E, HP, P, F). Participation requires the consent of the instructor.
5623 Immigration Law Clinic Course Component (2) Co-requisite: Immigration Law Clinic Practicum (LAW 6005). This is an experiential clinical course in which students receive intensive instruction in the substantive law, procedures, and concepts required to represent clients in a multitude of immigration matters, including: affirmative applications to U.S. Citizenship and Immigration Services for immigrant victims of crimes and/or persecution, for abused, abandoned or neglected children, defense in removal proceedings before the Executive Office of Immigration Review; appeals before the Board of Immigration Appeals; and for individuals seeking permanent residence status or naturalization. The course prepares students for live-client representation, which they undertake usually within the first week of the Immigration Law Clinic Practicum (LAW 6005). Students learn to be effective, knowledgeable, ethical, zealous, and professional advocates for their clients. Although the course focuses on the practice of immigration law, the lawyering skills are widely transferable. This course is graded on the 4.0 scale. Participation requires consent of the instructor.

6005 Immigration Law Clinic Practicum (3) Co-requisite: Immigration Law Clinic Course Component (LAW 5623). This is an experiential clinical course in which students are authorized by federal regulation to engage in representation of real clients in immigration matters. Students represent clients before U.S. Citizenship and Immigration Services, the primary agency that adjudicates applications for immigration benefits, as well as before the immigration court in New Orleans. Students receive intensive skills training and individual supervision by clinic faculty to ensure representation consistent with best practices. Students may appear in court and in non-adversarial administrative interviews. Students gain experience in client interviewing and counseling, factual investigation, trial preparation, advocacy, persuasive writing, and other work relevant to representation of immigrant clients. This course is graded on the 4.0 scale. Participation requires consent of the instructor. There is a mandatory pre-semester orientation.

5624 Juvenile Defense Clinic Course Component (2) Co-requisite: Juvenile Defense Clinic Practicum (LAW 5858). This is an experiential clinical course in which students receive intensive instruction in the substantive law, procedures, concepts, and skills needed to defend the juvenile clients served in the Juvenile Defense Clinic Practicum (LAW 5858). This course focuses equally on the constitutional rights and procedural protections held in common with criminally accused adults as well as the unique protections of juvenile court that make juvenile justice a specialized area of law. The course places a heavy emphasis on understanding the ethical duties of expressed interest representation and how those obligations are shaped in the juvenile defense context by the unique characteristics of adolescent development. Students also explore the underlying and often competing interests that shape juvenile justice policy reform efforts. This course is graded on the 4.0 scale. Participation requires consent of the instructor.

5858 Juvenile Defense Clinic Practicum (3 for third-year students; 2 for second-year students) Co-requisite: Juvenile Defense Clinic Course Component (LAW 5624). Prerequisite for third-year students: The Legal Profession (LAW 5721). This is an experiential clinical course in which third-year students are certified under Louisiana Supreme Court Rule XX and engage in the actual representation of juvenile defendants in delinquency proceedings before the East Baton Rouge Parish Juvenile Court. Second-year students assist supervising professors and third-
year students with representation. All students receive intensive training in litigation skills and close individual supervision by clinic faculty to ensure representation is consistent with best practices in juvenile and criminal defense. Third-year students make frequent court appearances and have the opportunity to engage in plea bargaining, trial advocacy, and dispositional advocacy. All students gain experience in client interviewing and counseling, factual investigation, motions practice, trial preparation, and holistic advocacy. Students may also have the opportunity to engage in writs and appellate practice. Students meet as a group on a weekly basis to engage in case conferencing and universalize the learning arising from each individual representation experience. This course is graded on the 4.0 scale. Participation requires consent of the instructor, and preference is given to third-year students. There is a mandatory pre-semester orientation.

5626 Parole and Reentry Clinic (3) This is an experiential clinical course in which students study the law and procedure applicable to the parole and pardon process and assist prisoners seeking early release before the Louisiana Board of Pardons and Committee on Parole. Students also provide assistance in other collateral, legal matters important for their successful community reentry. Topics relating to mass incarceration, punishment, the prison system, and criminogenic factors of recidivism are also covered in this course. Students learn effective lawyering skills such as interviewing and counseling clients, fact investigation, file management, and written and oral advocacy. This course is graded on the 4.0 scale. Participation requires the consent of the instructor. There is a mandatory Saturday orientation on the second or third Saturday of the semester.

5627 Prosecution Clinic (3) Third-year students only. Prerequisite: The Legal Profession (LAW 5721). This is an experiential clinical course in which students are trained in the substantive criminal law, criminal procedure, ethical responsibilities, and lawyering skills necessary to be an effective prosecutor. Students are certified to practice law pursuant to Louisiana Supreme Court Rule XX and, under close supervision of Assistant District Attorneys in the East Baton Rouge District Attorney’s Office, prosecute misdemeanors and assist on felony cases. Students learn about the prosecution function through experience and have the opportunity to appear in court regularly; interview victims, witnesses, and law enforcement; argue motions; conduct plea negotiations, and gain valuable trial experience. This course is graded Pass/Fail (E, HP, P, F). Participation requires consent of the Instructor. There is a mandatory pre-semester orientation. The Clinic and all classes meet in the offices of the East Baton Rouge Parish District Attorney.

5629 Appellate Clinic (1-2) Third-year students only. Prerequisite: The Legal Profession (LAW 5721). This is an experiential clinical course that is offered when the Louisiana Supreme Court appoints the LSU Law Clinic to represent an indigent appellant. Students gain practical experience representing a client in an appeal before the Louisiana Supreme Court and learn principles of Louisiana appellate law and practice, persuasive written and oral advocacy, and client counseling. Students also receive advanced writing instruction and file a brief with the Louisiana Supreme Court. Students are certified to practice law pursuant to Louisiana Supreme Court Rule XX, and one or two students enrolled will be selected to argue the case before the
Court. This course is graded Pass/Fail (E, HP, P, F). Participation requires consent of the instructor.

5822 Legal Negotiations Practice (2) This is an experiential simulation course in which students learn different theories and techniques used in the negotiation process. Through simulated exercises and faculty feedback, students have an opportunity to perfect their own negotiation style in different areas of the practice of law. Throughout the course, a special emphasis is placed on professionalism and the Rules of Professional Conduct as they apply to negotiations. This course is graded Pass/Fail (E, HP, P, F). Participation requires consent of the instructor.

5823 Law Office Practice (2) This is an experiential simulation course in which students learn the skills necessary to effectively manage a law office. Through simulated exercises and problem based scenarios, students learn techniques in legal writing and preparation of legal instruments; including preparation of contracts, wills, trusts, pleadings, legal opinion letters, and other documents commonly used in practice. Students also engage in the study of law office management methods and practice and the Louisiana Rules of Professional Conduct related to law office management. The course is graded Pass/Fail (E, HP, P, F). Participation requires consent of the instructor.

5826 Advanced Trial and Evidence Practice (2) Prerequisite: Evidence (LAW 5605). Students cannot take this course and LAW 5881 (Pre-Trial Litigation Practice). This is an experiential simulation course that follows a case from the discovery stage through the close of trial. Students enrolled in the course are divided into two law firms, with the instructors acting as senior partners. Through a series of simulated exercises with faculty feedback, students learn about trial practice and the practical application of rules of evidence. This course is graded Pass/Fail (E, HP, P, F). Participation requires consent of the instructor.

5828 Divorce and Child Custody Mediation Practice (2) This is an experiential simulation course that covers general mediation theory and practice focusing on those skills specific to resolution of conflicts and shared family decision-making involving issues of child custody, support, and property that occur in divorce and family disputes. The course covers all of the statutory subjects enumerated in La. Rev. Stat. Sec. 9:334 required for Qualified Domestic Mediators. Those include: (1) the Louisiana judicial system and the judicial procedure in domestic cases; (2) ethical standards including confidentiality and conflict interests; (3) child development, including impact of divorce on development; (4) family systems theory; (5) communication skills; and (6) the mediation process and required documentation execution. The course will offer students repeated opportunities to practice their mediation skills through simulated exercises. This course is graded. Participation requires consent of the instructor.

5881 Pre-Trial Litigation Practice (2) Prerequisites: Evidence (LAW 5605) and Trial Advocacy (LAW 5608). Students cannot take this course and LAW 5826 (Advanced Trial and Evidence Practice). This is an experiential simulation course that places exclusive emphasis on the pretrial phase of the litigation process: (1) drafting of pleadings and pretrial motions; (2) discovery issues; (3) preparation and use of expert witnesses; and (4) pretrial conference and
pretrial order. Through a series of simulated exercises and faculty feedback, students learn about the pre-trial litigation process, relevant civil procedure, and the ethical and professional obligations of attorneys in this early stage of litigation. This course is graded Pass/Fail (E, HP, P, F). Participation requires consent of the instructor.

5883 Business Transactions Practice (2) This is an experiential simulation course in which students learn about the representation of business clients. Students are assigned to law firms in which they will represent either the buyer or seller of a small business. Through a series of simulated exercises and faculty feedback, students interview clients, review financial reports and business plans and negotiate the terms of a contract transferring a business to new owners, financing the transfer, draft the appropriate contract and legal opinion documents, plan for and execute a closing of the transaction. Students also examine the accounting documents, tax consequences, financing documents, insurance considerations, relevant regulatory requirements and other appropriate considerations necessary for legal representation in the transaction. This course is graded Pass/Fail (E, HP, P, F). Participation requires consent of the instructor.

5884 Criminal Litigation Practice (2) This is an experiential simulation course that focuses on the pretrial phase of the criminal litigation process. Through a series of simulated exercises with faculty feedback, students will learn about arrest warrants and probable cause affidavits, charging procedures, bail and bonds, discovery, motion practice, and plea bargaining, and jury selection. This course is graded Pass/Fail (E, HP, P, F). Participation requires consent of the instructor.

6002 Family Mediation Clinic (2) Co-requisite: Divorce and Child Custody Mediation (Law 5828) This is an experiential clinical course in which students mediate child custody, visitation, support, use of property, and other issues on Rule Day at the Family Court in East Baton Rouge Parish. The Clinic offers students real world practice of the mediation skills they are learning through their concurrent enrollment in Divorce and Child Custody Mediation (LAW 5828). Students who successfully complete the Clinic are provided a certificate of their compliance with all of the statutorily required training to become Qualified Domestic Mediators in Louisiana upon their admission to practice law. The course is graded pass/fail (E, HP, P, F). Participation requires consent of the instructor and attendance at the Family Court every Tuesday from 10:30am to 4:00pm.

5608 Trial Advocacy (1) Third-year students only. Prerequisite: Evidence (LAW 5605). This is an experiential simulation course required for graduation. Through a series of simulated exercises with faculty feedback, students engage in trial practice, including preparation, pleadings, and the conduct of a trial. This course is graded Pass/Fail.

5610 Advanced Legal Research (2) This is an experiential simulation course in which students develop legal research skills while resolving factual scenarios in a lawyer/client setting. Through a series of simulated exercises with faculty feedback, students develop their knowledge of, and skill in using, legal research sources, methods, and strategies. The course builds on and expands basic research skills by including sources not covered in the first-year Legal Research and Writing course, including international and foreign law, practice materials, administrative law,
legislative history, search strategies, and cost-effective legal research. Both federal and Louisiana state legal research sources are covered. This course is graded on the 4.0 scale.

- Some courses may not be scheduled for the 2019-2020 academic year.