

**UNIVERSITY OF KENTUCKY
COLLEGE OF LAW**

CURRICULUM PLANNING GUIDE

Spring 2006

This guide is intended to give students information about the upperclass College of Law curriculum. Other sources also offer information regarding the curriculum and may be helpful to you. The *College of Law Bulletin* and the *University Bulletin* contain brief course descriptions but may not be adequate to give students meaningful information about law school course content. In contrast, this guide offers College of Law course descriptions and annotations prepared by the professors teaching the courses.

The current staffing of courses is listed in the Index of Upperclass Courses, but students should be aware that as curriculum changes are implemented and as changes are made to the faculty, different professors may be assigned to teach courses. Likewise, some courses may not always be offered in the semester indicated in the Index Sheet or other scheduling sequences listed in this guide. Students should consult the schedule sheets each semester.

FACULTY NOTES FOR 2005-2006

On Sabbatical or leave : Professor Ausness (Fall 05), Professor Bratt (Spring 06), Professor Davis (Spring 06), Professor Fortune (Fall 05), Professor Goldman (Spring 06), Professor Lawson (Spring 06), Professor Vasek (Spring 06), and Professor Westin (Fall 05 & Spring 06).

Because of the large number of faculty on leave for the current academic year, we had to modify the scheduling of some courses for this academic year. These modifications were identified in the Curriculum Planning Guide for the Fall 2005 semester. The schedule for this academic year thus offers some courses in fewer sections than usual (e.g., one, rather than two, Advanced Torts class will be offered) and some courses in semesters when they are not usually offered (e.g., a single section of Trusts and Estates is scheduled for both the Fall and Spring semesters, rather than the usual two sections in the Fall semester). We are confident that all students will have an opportunity to register for their preferred courses, although students may have to wait until third year to take electives that they may have hoped to take during second year. We regret any inconvenience.

New courses:

Internet Law (Spring 2006)

Professor Kightlinger, who has had extensive practice experience in this area of the law both in the United States and in Europe, will be teaching this experimental course. He has provided the description of the course that follows:

This is a survey course on the legal regime(s) governing the Internet. In less than a decade, the Internet has assumed a prominent place in the global economy, facilitating hundreds of billions of dollars worth of business-to-business and business-to-consumer transactions annually. At the same time, the Internet has become an important means of person-to-person and intra-organizational communication. This course will focus on many of the important legal questions that have arisen as a consequence of the

rapid expansion of Internet use. Topics to be covered will include jurisdiction over, and choice of law in, the electronic marketplace; cybersquatting and protection of domain names; protection of personal information online; electronic contracting and electronic signatures; digital piracy and protection of intellectual property on the Internet, including the Napster case and the debate about open source software; and electronic payment systems. When possible, we will focus on international and comparative legal perspectives on the problem(s) posed by Internet regulation. The grade will be based on a final examination, but depending upon class size and student interest, there may be a paper option for highly motivated individuals.

Issues in Health Law Seminar (Spring 2006)

Professor Huberfeld will be teaching this seminar for the first time. This seminar will address current topics in health law and provide an opportunity for students to round out their health law experience by performing in-depth research and writing in this discipline. The exact subject matter will vary from year to year, depending on such influences as important legal developments, media attention to particular topics, and issues of importance to the local community. Students may use this course to fulfill the substantial writing requirement. As such, a presentation of your paper is required in addition to the requisite outline, rough draft, and final paper of no less than 25 pages exclusive of footnotes. Please note that after the Spring 2006 semester, students must take either Healthcare Organizations and Finance or Bioethical Issues in the Law before enrolling in this seminar. (The professor reserves the right to waive the prerequisite requirement in special circumstances.)

Kentucky Appellate Practice

Former Kentucky Supreme Court Justice Janet Stumbo is teaching this experimental two-credit course. The course will allow students to develop appellate litigation skills by studying the rules, drafting appellate briefs, and presenting oral arguments. Enrollment will be limited.

Course Note:

Immigration Law

This course was offered in the Spring 2005 semester. The adjunct instructors of this course have decided to consider changes in the way that the course is taught. We anticipate that the course will be offered for two credits in the Fall 2006 semester.

GENERAL INFORMATION ABOUT DEGREE REQUIREMENTS AND REGISTRATION

Requirements for Graduation

Students are eligible for the degree of Juris Doctor (J.D.) upon completion of a minimum of three academic years (six semesters) of full-time study in residence; 90 semester hours of credit in the College of Law, with an academic standing of 2.0 or better, subject to the readmission rules; and completion of all required courses (first-year courses, Professional Responsibility, and an upper level course meeting the Substantial Writing Requirement).

Substantial Writing Requirement

This requirement must be satisfied through a seminar unless the faculty has previously certified that there are insufficient seminars in a particular year. In order for a seminar paper to count as satisfying the substantial writing requirement, it must be at least 25 pages exclusive of footnotes. There is no required minimum number of footnotes. At least one draft of the paper must be submitted, critiqued by the professor, and rewritten by the student.

Normal Credit Load

Normally a student takes 14 to 16 credits per semester. The minimum for full-time residency credit is ten hours. During the summer, the minimum for full-time residency credit is five hours. Students must be full-time students for six semesters (or have the part-time equivalent) in order to graduate. Students wishing to count two summers for one semester of residence must enroll for at least five units each summer.

Please Note. Students wishing to take more than 16 hours in any semester must seek the permission of the Associate Dean for Academic Affairs. You should plan on taking a normal load of 14 to 16 hours each semester to assure that you have enough credit hours to graduate in six semesters.

Auditing a Course

With the permission of the instructor, a student may audit law school courses without credit. A student who takes the course as an auditor must register for the course as an auditor. Auditors are expected to attend class and be prepared for classroom discussion but need not take the final examination.

Credit for Graduate Courses Outside the Law School

The academic guidelines for the College of Law allow students to take up to six hours of graduate-level course work approved by the College of Law faculty in other colleges and departments within the University of Kentucky as part of the 90-hour requirement. The law school's academic regulations include two other provisions that govern law school credit for non-law courses. In addition to the six-hour limit described above, the rules provide that a student may use no more than nine pass-fail credit hours for the J.D. degree requirement whether earned in a law or a non-law course. Also, students may take only one non-law, pass-fail course in any semester. Finally, the rules provide that "students in joint degree programs may only take up to six pass-fail course credit hours in law school courses and may take no courses outside the law school for credit otherwise than pursuant to the applicable joint degree program."

The faculty has approved four non-law graduate courses for law credit. When the faculty approved the four non-law graduate courses, the faculty added important general and specific requirements for enrollment and credit. One general requirement is that second-year students may not enroll in a non-law course during the Fall semester. Also, in determining whether a student has earned a pass or fail in the graduate course, any grade of a C or worse will result in a law-school grade of fail for the course. The specific requirements for each course are listed with the relevant course. The four approved courses are:

HA/PA 621 - Quantitative Analysis (no law prerequisite, although College Algebra is strongly recommended) - usu. offered in Fall.

PA 651 - The Policy Process (prerequisite: Administrative Law) - usu. offered in Fall.

PA/HA 652 - Public Policy Economics (prerequisite: Tax I & advanced tax pre- or co-requisite) - usu. offered in Spring.

PS 737 - Global Governance: Transnational Organizations and Processes (prerequisite: International Law, International Human Rights, International Trade, or International Environmental Law) - usu. offered in Spring.

Additional information about these courses is available in the discussions of course sequencing and subject areas of interest in this guide. The Associate Dean for Academic Affairs has a syllabus for each of the courses.

Pass-Fail Courses Within the Law School

There is no pass-fail option for most law school courses. Law school courses offered on a pass-fail basis are Trial Advocacy (Law 960), Moot Court (Law 961), Kentucky Law Journal (Law 962), Journal of Natural Resources and Environmental Law (Law 963), Judicial Clerkship (Law 964), Prosecutorial Internship (Law 965), and Prison Internship (Law 967). A maximum (for law school courses) of six pass-fail hours may be applied to the 90 hours required for graduation.

3L Transcript Review

Members of the 3L class, in particular, need to review their transcripts and determine whether they will meet all degree requirements based on their enrollment in courses during third year. Prior to enrollment in Spring semester classes, students should determine that, at the completion of their final semester, they will have:

1. Completed courses worth a total of at least 90 credits;
2. Completed the law school course in Professional Responsibility (Law 835);
3. Completed the substantial writing requirement by submitting an adequate paper in a law school seminar; and
4. Conformed with the limits described above on the maximum number of pass-fail hours that may be counted toward the 90 credit degree requirement.

Note that the requirements for students enrolled in joint degree programs differ in some respects. Students in joint degree programs must ensure that they meet the degree requirements established by those programs. Students who have questions about whether they will meet graduation requirements should contact the Registrar or the Associate Dean for Academic Affairs.

Joint Degree Programs

Students in joint degree programs (JD/MBA, JD/MPA, JD/Diplomacy) should consult the Associate Deans of both programs for graduation requirements.

Registration Preferences and Capping of Classes

Third year students have priority in registering for all classes at the College of Law. This priority does not, however, guarantee third year students a seat in all classes. Courses are subject to enrollment caps that are a product of room size, faculty teaching loads and other factors. Thus students should be aware that a delay in enrolling in high enrollment courses entails a risk that the course will be closed when a delaying student attempts to enroll.

GENERAL ADVICE ON COURSE PLANNING

How should a student choose upperclass courses? No precise pattern is right for everyone, but some guidelines may be helpful. First, in order to attain basic legal literacy, each student should become familiar with a broad range of courses. Lawyers rarely find their problems neatly categorized or identified as involving purely property, corporate, tax or any other subject of law, and the only way students can be sure that they are well prepared for a future in the legal profession is to have a broad background.

Second, a student may want to achieve a certain depth of understanding in at least one area of the law. The goal is not to begin a professional specialty while still in law school, but to gain an

appreciation for depth itself and, thereby, for the complexities and challenges that exist in all fields.

Third, a student should gain some understanding of the more broadening aspects of the law, which may be accomplished through the study of jurisprudence, law and economics, international law, and other courses.

Fourth, a student should seek opportunities to apply the law in written form, because writing is so much a part of the lawyer's craft. This may be done through seminars in which papers are required, through various skills courses, or through participation in a law journal, moot court, trial advocacy competitions, or similar co-curricular activities.

Fifth, a student should consider the area of practice that he or she will likely enter. A student planning a commercial litigation practice in a large firm will likely make different course selections than a student planning a rural general practice. Be sure to confer with faculty members or persons familiar with the type practice you are considering. Often students make erroneous assumptions about the identity of the courses that will best prepare them for various types of practice.

Finally, students need to be aware that certain states have law school course requirements for admission to the bar. Additionally, students who plan to seek admission to the Kentucky Bar should be aware of the Rules of the Supreme Court of Kentucky relating to the Admission of Persons to Practice Law (SCR 2.0 *et seq.*). In particular, Kentucky requires that a student pass the Multistate Professional Responsibility exam before sitting for the regular portion of the bar exam. MPRE materials may be obtained in the Dean's Office. The test is usually given in November, March and August.

COURSE SEQUENCE PLANNING

The following list of courses sets out when certain courses are usually scheduled for second and third-year students. Not all upperclass courses are available to all second and third-year students during each semester. The law school tries to maintain the availability of as many of these courses as possible in the groupings listed below. True availability, though, is a function of the actual scheduling of the days and times of meeting, and that changes from semester to semester, depending on faculty and classroom availability. This means that students wishing to take a sequence of courses in a particular subject area need to monitor the schedule and take courses at the first available time period.

The following chart is meant to set out the usual sequence of courses taught in the Fall and Spring Semesters at the law school.

Courses Usually Offered in the Fall:

- Business Associations
- Employment Law
- Labor Law
- Taxation I
- TBE I (Partnership and LLCs)
- Trusts and Estates (for the 2005-06 academic year, one section of this course will be offered in the Fall and Spring semesters)

Courses Usually Offered in the Spring

- Evidence
- Corporation Finance
- TBE II (Corporate and S Corporation Tax)

Courses Usually Offered in Both Fall and Spring

Professional Responsibility
Administrative Law
Criminal Procedure
Constitutional Law II (two sections in F05 only)
Secured Transactions (two sections in F05 only)

All other courses and seminars may be offered in either Spring or Fall.

COURSE SCHEDULES

Three hour upper class courses are generally offered in one of two formats. Fifty minute classes begin on the hour and usually meet on Monday, Wednesday and Thursday. Seventy five minute classes meet on Tuesday and Friday and begin at the times listed on the schedule.

SPECIFIC COURSE SEQUENCES

The professors teaching in certain subject areas recommend that students particularly interested in these areas take a specified sequence of courses. The following advice about particular course scheduling is offered as a planning guide for those students wishing to pursue an in-depth study of any of these areas. Students interested in advanced study in areas not listed below are encouraged to discuss their program and sequencing of courses with professors teaching in their field of interest and with the Associate Dean for Academic Affairs or with a professor who teaches in the area of interest.

Trusts and Estates Course Sequencing

Trusts and Estates is the natural, but not a required, prerequisite for the Estate and Gift Taxation course. For those students interested in developing an expertise in estate planning and thus in taking the full sequence of courses, Trusts and Estates is best taken in the second year. For other students, Trusts and Estates can be taken in either the second or third year of law school.

Business Course Sequencing

For those students who are interested in taking all the business related courses that are offered at the law school, the sequence starts with Business Associations in the Fall of the second year, followed by Corporation Finance in the Spring. In the third year, students will then choose among Banking Law, Bankruptcy, Securities Regulation, Antitrust, Intellectual Property, Business Planning, and other tax-related courses.

Students interested in enrolling in Business Planning in their third year generally must enroll in all the prerequisite courses beginning in the first semester of the second year. See the course description for Business Planning.

Tax Course Sequencing

Taxation I is a prerequisite for all tax courses other than Estate Planning (formerly Estate and Gift Taxation). Upperclass Tax courses include Taxation of Business Enterprises I and II. TBE I is normally taken in the fall of a student's third year, and TBE II follows in the spring of a student's third year. TBE I is not, however, a prerequisite to TBE II. TBE I covers partnership taxation as well as an introduction to limited liability companies. TBE II covers corporate tax and S-corporations. Students who have already begun the tax sequence should note that there are other available courses as well. During the third year, students interested in tax generally elect among Estate and Gift Taxation, Business Planning, and

International Taxation, which are open to students who have met the prerequisites. Two additional courses of interest to students pursuing a thorough tax background, Employee Benefits Law and State and Local Taxation, are currently offered on an alternating basis every other year. Students wanting those courses should register as they are offered during their upperclass years.

Finally, students interested in the tax law area may wish to take the non-law course PA/HA 652 - Public Policy Economics. This course considers the economics of the public sector. Tax I is a prerequisite for enrolling in this course and an advanced tax course is a pre- or co-requisite.

SUBJECT AREAS OF INTEREST

Students often want to concentrate their studies in a particular subject area of interest to them. Even though courses in many subject areas do not involve the sequencing concerns of the above subjects, some guidance is helpful in selecting courses for this concentration. The best source of guidance is the law faculty. In selecting courses, students should seek the advice of faculty members teaching in the area of interest.

International Law Interest

Students interested in international law should consider several elective courses. International law, like domestic law, has a public and private component. An introduction to public international law is the focus of the International Law course (LAW 925). Any student who has an interest in international law should take this course, because it provides a strong foundation in the basic principles that pervade this area of law, especially in its public law component. Other courses that focus on particular aspects of public international law are International Human Rights (LAW 900) and International Environmental Law (LAW 923). Another course that examines a particular aspect of public international law, while identifying connections to private law, is International Trade Law (LAW 900). This course focuses on the World Trade Organization and the intricate legal regime that has developed to regulate trade disputes between and among nations. Another course that students should consider is the International Law Seminar, which permits students to pursue detailed study of a public international law issue that is of interest to them. Enrollment in this seminar is available only to students who have taken at least one of the four courses described above that address the substance of public international law.

Students interested in the private law of international trade should consider enrolling in International Business Transactions (LAW 926). This course provides students with an opportunity to consider the private regime of transactional law relating to sales across international borders. This private international law offering is supplemented by the course on International Taxation (LAW 937), which studies the federal income tax implications of investments and business activities undertaken by foreign persons in the United States and of foreign activities undertaken by U.S. persons. In addition, we anticipate offering in Spring 2006 a new course on E-Commerce and Internet Law that will focus on U.S. and non-U.S. regulation of transactions and other private activities in the borderless realm of cyberspace.

A final related area of law that is available in the elective curriculum is comparative law. This course is international in the sense that it involves the study of non-U.S. national law and a comparison of that law to our own domestic law. The Comparative Law Seminar (LAW 950-002) permits students to study a topic of interest to them from a comparative perspective.

In addition to these courses, students also may pursue their interests in international or comparative law topics by addressing such topics in the student writing that they complete for the Kentucky Law Journal or the Journal of Natural Resources and Environmental Law.

Finally, students interested in the international law area may wish to take the non-law course PS 737 - Global Governance: Transnational Organizations and Processes. This course examines in detail the roles played by international organizations in international relations and law. A prerequisite for this

course is completion of one of the following international law courses: International Law, International Human Rights, International Trade, or International Environmental Law.

Public Law Interest

Many courses in the law school curriculum address various aspects of public law, the law of the relations of the state with itself and with its citizens. A fundamental course for understanding public law in the United States is Administrative Law. Two of the non-law graduate courses approved for law school credit may be of interest to students who desire to enrich their understanding of public law issues.

One course, PA 651 - The Policy Process, provides a broad introduction to the process of making public policy. The class will include work on several public policy problems. Administrative Law is a prerequisite to enrollment in this course. The other course, HA/PA 621 - Quantitative Analysis, provides an introduction to the use and understanding of descriptive and inferential statistics. There is no law prerequisite for enrollment in this course, although college algebra is strongly recommended.

Health Law Interest

Healthcare is a fascinating topic to study in law school because it is a 'renaissance' subject. Whether students are interested in practicing transactional and regulatory health law, or learning about more theoretical and bioethical issues, or simply seeking to expand their legal learning experience, health law will not disappoint. It is an area that encourages students to draw on and synthesize every building block of legal education, including constitutional law, torts, contracts, property, corporate law, and administrative law. To lay the best groundwork, students are strongly encouraged to enroll in Business Associations, Administrative Law, and Constitutional Law II.

Students can enroll in a variety of classes that will help to build a foundation in health law and to develop special areas of focus. Both of the health law survey courses (Healthcare Organizations and Finance, and Bioethical Issues in the Law) should be taken; note that the two surveys stand alone and have no prerequisites. Students must take either Healthcare Organizations and Finance or Bioethical Issues in the Law in order to take the seminar entitled Advanced Research Topics in Health Law. (This prerequisite does not apply, however, to the Health Law seminar being offered in the Spring 2006 semester.) This seminar provides an opportunity for students to complete the substantial writing requirement by studying a topic in health law with some vigor. Students can also enroll in Medical Liability, which covers theories of legal liability for healthcare providers generally and, more specifically, medical malpractice in Kentucky.

Students interested in health law may want to enroll in several other courses in addition to the foundational and health law courses already identified. These courses include Advanced Torts, which covers products liability, an area of increasing importance to larger healthcare industry players like pharmaceutical companies; Legislation, which covers the legislative process and the various approaches to interpreting statutes (statutes and regulations form the core body of healthcare law); and Taxation of Business Enterprises I and II, which cover tax issues that shape corporate structures for many healthcare providers (particularly physicians and nonprofit, tax-exempt entities). Students interested in criminal enforcement of healthcare fraud should also consider elective courses such as Criminal Procedure, Federal Criminal Law, and Antitrust Law.

Environmental Law Interest

Professor Healy offers the following advice to students with an interest in environmental law:

The law school curriculum offers significant opportunities to develop a strong background in the law of environmental protection, regulation, and harms. For example, anyone interested in pursuing an environmental law practice should take Administrative Law in addition to the Environmental Law survey

course. Other courses offered at the law school should also be seriously considered by students. These courses include Land Use Planning, a course in which you will study fifth amendment takings law in depth; Legislation, a course in which you will study the legislative process and the various approaches to interpreting statutes (which at present constitute the principal body of environmental law); Alternative Dispute Resolution, a course in which you will consider the methods of resolving legal disputes outside of court -- methods that are becoming increasingly important to resolving environmental law disputes; and Advanced Torts, a course in which you will study toxic torts. If you are interested in criminal enforcement of environmental laws, you should also consider elective courses in the areas of criminal law and procedure. You may gain additional insights into environmental law by taking related seminars, in which you could select a topic that implicates environmental law, including, when offered, Environmental Law Problems, Property Topics and Criminal Law. In addition to all of these courses, the law school's environmental law journal provides an important opportunity to research and write about environmental law issues and to read and edit new scholarship in the environmental law area. Students who take advantage of these various curricular and co-curricular opportunities should have a strong background in environmental law by the time of graduation.

FACULTY POLICIES ON STUDENT PERFORMANCE

Class Attendance

Students are reminded about the law school attendance policies contained in the booklet ***All About U.K. Law School***, which is distributed at Orientation each year. Every student must maintain attendance satisfactory to the instructor in each class. Instructors may take unexcused absences into account in the final grade of the student. No instructor is authorized to excuse absences, except for those instances governed by University Senate Rules.

In addition, whenever any student has been absent from 25% of the class meetings in any course, in any term, for whatever reason (whether excused under University Senate Rules or not), he or she shall be disqualified from taking the final examination in and from receiving credit for the course. For the purposes of this rule, the following numbers of absences shall be deemed to constitute 25%: 4 absences in any 1-hour course, 7 absences in any 2-hour course, 11 absences in any 3-hour course, 14 absences in any 4-hour course. Absences in classes that meet for longer than 50 minutes shall count as absences in a number of classes determined by the proportion that the number of minutes the missed class bears to 50 (for example, an absence from a class that meets for 75 minutes shall count as an absence from one and one-half class meetings).

Examination Policies

Alternate Exam Dates - Final examinations are administered according to a schedule distributed with the registration materials for each semester. The law faculty's policy on alternate exam dates follows the University Senate Rule on the subject, which provides:

Any student with more than two final examinations scheduled on any one date shall be entitled to have the examination for the class with the highest catalog number rescheduled at another time during the final examination period. In case this highest number is shared by more than one course, the one whose departmental prefix is first alphabetically will be rescheduled. The option to reschedule must be exercised in writing to the appropriate instructor two weeks prior to the last class meeting.

If a conflict is created by rescheduling of an examination, the student shall be entitled to take the rescheduled examination at another time during the final examination period.

In the case of unique hardship for an individual student, a final examination may be rescheduled by the instructor.

University Senate Rule 5.2.4.6. In cases of "unique hardship for an individual student", however, applications for relief should be made to the course instructor. Professors differ in their interpretation of "unique hardship;" some professors interpret this liberally while others interpret it strictly. Interested students should consult their professors. Students facing emergency situations (such as illness, accidents, etc.) that may affect exam attendance or performance must contact the course instructor immediately.

Special Accommodations – Students entitled to special accommodations because of physical or mental disability **must** arrange for such accommodations through the University Disability Resource Center (257-2754). See the Associate Dean for Academic Affairs for details.

Use of Computers - Some professors allow students to take exams on laptops. Students should follow any announced procedures if they wish to use laptop computers for final examinations. Please see the Associate Dean for Academic Affairs if you have any questions.

Grade Ranges

The grade range rule was drafted in 1985 by the faculty's Program and Curriculum Committee in response to a perception on the part of the faculty and students that there were problems of fairness in the ranges of grades that were being given in the law school. Accordingly, at the Committee's recommendation, the Faculty adopted the following rule:

The average grade in every course and seminar shall be in the range of 2.60-2.80 for the first year and 2.70-3.00 for the second and third years, unless the professor believes that special circumstances require that the average grade in a particular course or seminar be outside these ranges, in which case the professor shall submit a written explanation of these circumstances to the Dean's Office. These written explanations shall be attached to the grade summaries distributed after each semester by the Dean's Office. Special circumstances that may justify exemption of a particular course or seminar include, but are not limited to, the fact that the average GPA of the class is outside the range; the size of the class; and the fact that the class grade is being determined at least in part on the basis of a paper that satisfies the writing requirement.

Faculty Policy on Student Employment

Employment during the semester often impairs a student's ability to devote the time needed for full-time law school study. Accordingly, the law faculty strongly urges full-time students not to undertake any employment during their first or second semesters, except in extraordinary circumstances and only after consultation with the Dean's Office. It is similarly urged that students during their third through final semesters not undertake employment for more than 15 hours per week.

ALPHABETICAL INDEX OF UPPERCLASS COURSES

COURSE NUMBER AND TITLE	PROFESSOR	USUALLY TAUGHT	CREDIT
LAW 920 Administrative Law	Kightlinger Healy Judge Rogers	Fall and Spring	3
LAW 914 Advanced Torts	Davis Ausness	Fall or Spring	2 or 3
LAW 824 Alternative Dispute	Rowland	Fall or Spring	3

	Resolution			
LAW 930	Antitrust Law	Weinberg	Spring	3
LAW 874	Banking Law	Campbell Michael	Spring	2 or 3
LAW 885	Bankruptcy (Commercial Debtor-Creditor Relations)	Frost	Fall or Spring	2 or 3
LAW 851	Business Associations	Campbell Michael	Fall	4
LAW 856	Business Planning	Michael Westin	Spring	3
LAW 813	Capital Punishment	Harding	Fall	3
LAW 916	Children and the Law	Graham	Every other Spring	2 or 3
LAW 905	Conflict of Laws	Davis	Spring	3
LAW 822	Constitutional Law II	Bratt Salamanca Schwemm	Fall and Spring (Fall 05 only)	3
LAW 929	Copyright Law	Cardi	Fall or Spring	3
LAW 855	Corporation Finance Law	Campbell Michael	Spring	3
LAW 811	Criminal Procedure	Fortune Lawson Welling	Spring and Fall	3
LAW 814	Criminal Trial Process	Fortune	Spring or Fall	3
LAW 900	Election Law	Ringhand	Spring or Fall	3
LAW 928	Employee Benefits Law	K. Moore	Every other Spring	3
LAW 912	Employment Law	Goldman	Fall	3
LAW 900	Energy Law	Ward	Fall	3
LAW 898	Environmental Law	Healy	Spring or Fall	3
LAW 865	Estate and Gift Taxation	Vasek	Spring or Fall	3
LAW 866	Estate Planning Skills	Vasek	Spring or Fall	2 or 3

LAW 890	Evidence	Fortune Lawson Underwood	Spring	4
LAW 915	Family Law	Graham	Fall	2 or 3
LAW 819	Federal Courts	Salamanca	Spring	3
LAW 809	Federal Criminal Law	Welling	Fall	2 or 3
LAW 830	Health Law I	Huberfeld	Fall or Spring	3
LAW 900	Health Law II	Garmer	Fall or Spring	3
LAW 900	Immigration Law	Daniel	Spring	2
LAW 900	Innocence Project Externship	Harding	Spring/Fall (Full Year)	4
LAW 936	Intellectual Property Transactions	Weinberg	Fall or Spring	2 or 3
LAW 887	Insurance	Underwood	Fall or Spring	2 or 3
LAW 935	Intellectual Property	Weinberg	Fall or Spring	2 or 3
LAW 926	International Business Transactions	Vasek	Spring	3
LAW 923	International Env. Law	Healy	Every Other Spring	2 or 3
LAW 900	International Human Rights	D. Moore	Spring or Fall	2 or 3
LAW 925	International Law	D. Moore	Spring or Fall	3
LAW 937	International Tax	Westin	Spring	3
LAW 900	International Trade Law	Kightlinger	Spring or Fall	2 or 3
LAW 963	Journal of Nat'l Res. & Environmental Law	Healy	Spring	1-3 P/F
LAW 900	Jurisprudence	Cardi	Fall or Spring	3
LAW 962	Kentucky Law Journal	Ringhand	Spring	1-3 P/F
LAW 910	Labor Law	Goldman	Fall	3
LAW 872	Land Use Planning	K. Moore	Fall	2 or 3
LAW 836	Law & Economics	Campbell	Spring	2
LAW 964	Law (Judicial) Clerkship	Welling	Fall, Spring, Summer	2 P/F

LAW 850	Legal Accounting	Michael	Fall	2 or 3
LAW 959	Legal Clinic	Connelley	Fall and Spring	2 or 3
LAW 826	Legal Drafting	Weinberg	Fall or Spring	2 or 3
LAW 965	Legal (Prosecutorial) Internship	Larson	Fall and Spring	2 P/F
LAW 927	Legislation	Healy	Every other Spring	3
LAW 821	Litigation Skills	Clay Connelly Elliott Garmer Hamblin Savage	Fall & Spring	3
LAW 961	Moot Court	Salamanca		1-2 P/F
LAW 825	Negotiating Process	Rowland	Fall	2 or 3
LAW 900	Patent Law	Smith	Fall or Spring	2 or 3
LAW 881	Payment Systems	Frost Vestal Weinberg	Fall or Spring	2 or 3
LAW 967	Prison Internship	Henry	Fall, Spring, Summer	3 P/F
LAW 835	Professional Responsibility	Fortune Gaetke Underwood	Fall and Spring	2 or 3
LAW 900	Race, Racism and the Crim Law	Harding	Fall or Spring	3
LAW 864	Real Estate Transactions	Buckley	Spring	3
LAW 818	Remedies	Cardi	Spring	3
LAW 968	Research Problems	As Arranged	Fall and Spring	2
LAW 969	Senior Research Problems	As Arranged	Fall and Spring	2
LAW 882	Secured Transactions	Frost Vestal Weinberg McGarvey	Fall or Spring (Fall 05 only)	3
LAW 875	Securities Regulation	Campbell	Fall or Spring	3
LAW 950	Seminars	See below	Fall and Spring	2
LAW 931	State & Local Tax	K. Moore	Every other Spring	2 or 3

LAW 900	State & Local Government	Ringhand	Spring or Fall	3
LAW 828	Statutory Civil Rts.	Schwemm	Spring	3
LAW 860	Taxation I	Westin Vasek	Fall	4
LAW 861	Taxation of Business Enterprises I	Westin Vasek	Fall	2
LAW 863	Taxation of Business Enterprises II	Westin Vasek	Spring	3
LAW 960	Trial Advocacy	Connelly	Spring	1/3 P/F
LAW 876	Trusts and Estates	Ausness Bratt Vasek	Fall	4
LAW 839	Women and the Law (Gender Discrimination)	Bratt	Every other year	2 or 3

SEMINARS

The following seminars have been approved by the faculty. They are offered as faculty teaching schedules permit, usually in the semesters indicated.

Advanced Partnership Law	Vestal	Spring
Advanced Research Topics in Health Law	Huberfeld	Spring
Bioethics and Law Issues	Underwood	Spring
Capital Punishment	Harding	Fall or Spring
Comparative Law	Ringhand	
	Davis	Spring or Fall
Complex Litigation	Davis	Fall
Constitutional Law Topics	Salamanca	Spring
	Bratt	
Criminal Law and Procedure Issues	Welling	Spring
Education Law	Bratt	Spring
Environmental Problems	Healy	Fall
Family Law Issues	Graham	Fall
Housing Discrimination Law	Schwemm	Fall or Spring
Intellectual Property	Weinberg	Spring
International Business Transactions	Vasek	Spring
International Law	D.Moore	Spring or Fall
Jurisprudence	Cardi	Fall or Spring
Law and Literature	Graham	Spring
Law and Technology	Vasek	Spring
Legal Profession	Gaetke	Spring
Products Liability	Ausness	Spring
Scientific Evidence	Underwood	Fall
Topics in Property	K. Moore	Fall

COURSE DESCRIPTIONS IN NUMERICAL ORDER

LAW 809 FEDERAL CRIMINAL LAW - 2 or 3 credits

This course covers federal white collar crimes, including RICO, mail fraud, political corruption, and money laundering. This course also covers forfeiture and sentencing guidelines.

LAW 811 CRIMINAL PROCEDURE I - 3 credits

This course covers search and seizure, the privilege against self-incrimination, confessions and identification procedures--in general, the constitutional cases arising out of the conflict between police practices and the Bill of Rights.

LAW 813 CAPITAL PUNISHMENT – 3 credits

This survey course covers a variety of issues, such as the history of capital punishment, the constitutionality of the death penalty, capital offenses, who is death eligible, the capital litigation process, the execution, and the future of capital punishment in the United States. The final grade is based on one written assignment, a take home final exam, and class participation. Enrollment is limited to 25 students.

LAW 814 CRIMINAL TRIAL PROCESS - 3 credits

This course covers the criminal trial process from the initial court appearance: grand jury proceedings, pretrial motions, pleas, sentencing appeals, double jeopardy and habeas corpus.

LAW 818 REMEDIES - 3 credits

"Give that back!" "Say you're sorry!" "You broke it, you bought it!" "Sit in the corner!" "That was very bad!" Bring back distant memories? Well, now that you're about to be lawyers, think courtroom instead of playground, think judge instead of teacher, and think replevin, injunction, restitution, contempt, and declaratory judgment. This course provides a survey of the question: "How can the court make it right?" In addition the aforementioned tools of the plaintiff's trade, we will also explore the defendant's affirmative arsenal--"unclean hands," estoppel, laches, statutes of limitations. And in examining the many ways that courts might accomplish justice, we will uncover the limits on courts' power to do so. Grades will be based on a final exam.

LAW 819 FEDERAL COURTS AND THE FEDERAL SYSTEM - 3 credits

The nature of the federal judicial function and its development; congressional authority to limit or expand the subject-matter jurisdiction of federal courts; constitutional and statutory extent of "arising under" jurisdiction; federal common law after *Erie Railroad*; distribution of power among federal and state courts; abstention doctrines and the Anti-Injunction Act; sovereign immunity and the Eleventh Amendment; significant treatment of civil rights actions under 42 U.S.C. § 1983; and some exposure to federal habeas corpus.

RECOMMENDED: Constitutional Law II.

LAW 821 LITIGATION SKILLS - 3 credits

The skills of litigation, including trial advocacy, interviewing and counseling, negotiation and pleading. Lecture one hour; laboratory 3-5 hours per week. Litigation Skills is a course in trial practice designed to provide students with experience in the skills necessary for trial work. Both "laboratory" and regular class meetings are involved. Video tape is often used to show the student how she/he is performing and as an aid in classroom discussion. The course covers all phases of trial work from the initial interview to trial. Assignments include interviewing; drafting pleadings and motions; discovery; and all phases of trial work. The course provides a practical view of the litigation process and should help a student decide whether to seek to become a trial lawyer. Sections may be limited to 16 students. **PREREQUISITE:** Evidence.

LAW 822 CONSTITUTIONAL LAW II - 3 credits

Protection of individuals and organizations by the Bill of Rights, the fourteenth amendment, and other provisions of the Constitution. Constitutional Law II covers civil liberties and civil rights and is designed to complete the review of the basic constitutional law materials that was begun in Constitutional Law I. Constitutional Law II is concerned with the principal guarantees of the first and fourteenth amendments, such as freedom of speech, press, and religion, and the Equal Protection Clause and how it applies to discrimination against minorities, women, and "fundamental interests." The areas covered are considered basic to an understanding of American law. The course will also provide needed background for other substantive courses involving individual rights and liberties. **RECOMMENDED:** Constitutional Law I is very strongly recommended for transfer students.

LAW 824 ALTERNATE DISPUTE RESOLUTION - 3 credits

The last decade has witnessed a dramatic national trend toward the use of alternatives to litigation as a method of resolving disputes. Each month new statutes, court rules and administrative regulations require the use of out-of-court procedures to address claims and controversies. In each case the goal is greater fairness, greater efficiency, or greater party control over procedures and results. Some of these processes, such as mediation, mini-trial, and summary jury trial, are aimed at facilitating settlement of controversies prior to trial on the merits. Others, such as binding arbitration, involve private judging of disputes.

LAW 825 THE NEGOTIATING PROCESS - 2 or 3 credits

The course examines the negotiating process in various contexts such as property transfers, domestic relations, employment relations and personal injury conflicts. It reviews the basic techniques of the negotiator, transactional analysis as a negotiator's tool, the elements of bargaining strength and strategy, the role of precedent in negotiation, psychodynamic characteristics of the negotiating process, communications problems of the negotiator, the impact of cultural differentiations on the negotiating process, and ethical norms of the lawyer-negotiator.

The course is important for students because most effective lawyers rely on negotiating more than on any other process for resolving their client's or employer's conflicts with others.

LAW 826 LEGAL DRAFTING - 2 or 3 credits

The course systematically explores the legal drafting process and drafting techniques. It also provides intensive drafting practice. Students complete multiple drafting-related exercises and projects, many of which become the focus of class discussions or meetings with the instructor. Exercises and projects generally focus upon contracts, statutes, wills, or other typical legal work product. Final grades are based upon performance on the exercises and projects.

LAW 828 STATUTORY CIVIL RIGHTS- 3 credits

This is a survey course designed to cover the entire field of federal antidiscrimination law and thereby provide a "bridge" between Constitutional Law II and the more advanced courses/seminars in specific areas of civil rights law. Topics to be covered include employment discrimination (primarily focusing on race, sex, age, and disability issues); housing discrimination (primarily focusing on race, disability, and family issues); other disability discrimination issues under the Americans with Disabilities Act; discrimination in public accommodations and government programs; litigation issues (such as special defenses, remedies, and how the proof of claims based on direct evidence of intent, circumstantial evidence of intent, and disparate impact differ from one another); and a brief survey of the more important questions that arise in suits brought under 42 USC 1983. **PREREQUISITE:** Constitutional Law II.

LAW 830 HEALTH LAW I (formerly Legal Medicine) – 3 credits

This course will provide a basic introduction to the subject, excluding medical malpractice (which is now taught as a separate course). We will look at ethics, access, bioethics (including such subjects as "right

to die”, reproductive rights, and transplantation), new areas such as genetics, cloning, managed care, HMO liability, ERISA preemption, Patient Bill of Rights, and new privacy rules.

LAW 835 PROFESSIONAL RESPONSIBILITY - 3 credits

An examination of the varying roles played by lawyers in society and the conflicting pressures created by each role. Special attention is paid to the Model Rules of Professional Conduct and the Code of Professional Responsibility as guides for appropriate conduct. **REQUIRED FOR GRADUATION.**

LAW 836 LAW & ECONOMICS - 2 credits

This course will apply neoclassic economics concepts to the law. The literature in the course is both positive (explaining rules in terms of economics concepts) and normative (arguing that legal rules should promote economic efficiency). The following subject areas will likely be covered: property, contracts, family law, tort law, criminal law, employment law, public utility law, corporate law, securities regulation, and taxation. **PREREQUISITE:** Business Associations.

LAW 838 LAW AND RELIGION – 3 credits

This is a three-hour survey course on the Religion Clauses of the First Amendment to the U.S. Constitution. In this course, we will study and discuss the U.S. Supreme Court’s major decisions relating to non-establishment and the free exercise of religion. Specific areas of coverage will include: tax exemptions for religious organizations; provision of public services through such organizations; presentation or display of religious text and iconography on public property, including public schools; legislatively granted exemptions from generally applicable laws for religiously based conduct; similar judicially imposed exemptions; constitutionally grounded actions to rectify discrimination on the basis of religion; and judicial management of cases involving intra-denominational disputes. The grade will be based primarily on a final examination. **PREREQUISITE:** Constitutional Law II. Transfer students who had not completed Constitutional Law I during their first year may take Con Law II while they are taking Law & Religion.

LAW 839 WOMEN AND THE LAW (GENDER DISCRIMINATION) - 2 or 3 credits

Constitutional aspects of gender discrimination; employment discrimination; a criminal law unit covering women as victims and as offenders. Professor Bratt only offers this course occasionally.

LAW 850 LEGAL ACCOUNTING - 2 or 3 credits

This course is designed to introduce students to certain bookkeeping and accounting principles. In general, class discussion will concentrate on the relevance of accounting judgments to legal problems, rather than focusing on more technical problems. Students will examine income statements, balance sheets, and other accounting documents. Emphasis will be placed on an understanding of generally accepted accounting principles (GAAP) and the abuses of GAMP. Students with undergraduate credit in financial accounting can take this course only with the permission of the instructor.

LAW 851 BUSINESS ASSOCIATIONS - 4 credits

The foundation for all upper division business courses, both tax and non-tax. Students interested in the business curriculum should take this course in the Fall semester of their second year in order to sequence upper division courses properly. The course includes a study of partnerships, limited partnerships and limited liability companies agency law and corporations. The study of partnerships and limited partnerships involves matters of formation, property rights, fiduciary duties, dissolution and liquidation. The study of agency law is interwoven into the consideration of partnerships and corporations and is generally limited to matters of principals and agents (i.e., to agency principles applied in contractual settings). The study of corporations constitutes the predominant focus of the course and includes the formation and operation of corporations, an introduction to securities laws, proxy solicitation rules, fiduciary duties of officers, directors and majority shareholders, insider trading and antifraud provisions under federal securities laws and derivative suits.

LAW 855 CORPORATION FINANCE LAW - 3 credits

The second half of a student's study of corporation law (the first half is the course in Business Associations). This course is essential for anyone who intends to be involved to any significant degree in a corporate practice and very helpful to those persons intending to practice in other areas as financial and accounting concepts are very much a part of the general practice of law.

The course involves a study of the rights of security holders, including bondholders, preferred shareholders and common shareholders, and a study of dividends, stock dividends, repurchases of outstanding securities, mergers and acquisitions, including freezeouts, leveraged buyouts and tender offers. Time is spent on present value concepts and accounting theory, which are interwoven into the consideration of substantive legal issues. **PREREQUISITE:** Business Associations.

LAW 856 BUSINESS PLANNING - 3 credits

This course focuses on planning, drafting, interviewing, negotiating, and strategies involving typical small business clients and problems. Students will work in pairs or small groups drafting and completing documents required to competently represent clients in a business practice. Among the transactions covered are the formation of a new business organization, buying and selling business interests, and combinations. Drafting assignments include detailed legal memoranda, contracts, corporate articles, and partnership agreements. The ethics of representation in each situation will also be addressed. Grades will be based predominantly on written work. **PREREQUISITES:** Business Associations (Law 851), Tax I (Law 860), Taxation of Business Enterprises I (Law 861). Concurrent enrollment in Taxation of Business Enterprises II (Law 863) is also required.

LAW 860 TAXATION I - 4 credits

This course deals with the fundamental principles of the income tax applied to both individual and corporate taxpayers. The subject matter can be divided into five broad categories: identification and computation of gross income; business and personal deductions; identification of the proper taxpayer with respect to income and deductions; determination of the proper years for including items in income or claiming deductions; and capital gains taxation. On a second level, throughout the course great attention is devoted to the legal process; the interrelationship and relative weight of statutes--the Internal Revenue Code, Regulations promulgated by the Department of the Treasury, and case law.

Although most of the material in the course is presented in the context of transactional problems, throughout the course emphasis is laid on consistent themes and policies to which the legislative, regulatory, and judicial authorities look for the answer to questions in income taxation.

The federal income tax touches almost every transaction in which a lawyer can be involved on behalf of a client, from a divorce action to the sale of a business. A basic understanding of the impact of federal taxes is essential for every lawyer. The course provides that basic understanding and is designed for all students. Those students who have any expectations of being involved in a practice entailing clients with business interests should also take the courses in Taxation of Business Enterprises.

LAW 861 TAXATION OF BUSINESS ENTERPRISES I - 2 credits

This course focuses primarily on the tax concerns of small businesses organized in the partnership form. Its structure and content is designed to provide the general tax background that any lawyer, whether a general practitioner in a small city or a corporate lawyer in a large city, needs in order adequately to advise clients whether to form a partnership to conduct a business and how to draft the various documents, such as the partnership agreement or buy-sell agreements, in order to secure the most favorable tax treatment. In this sense it is an analog to parts of the Business Associations course. Specific topics covered with respect to both partnerships include formation of the organization, taxation of operating income and distributions of profits to partners, sales of interests back to the entity (liquidation of partnership interests), liquidation of the corporation or partnership entity, and selected topics regarding sales of partnership interests. The course also includes an introduction to corporate

taxation. Because the structure and many specific contractual provisions of many corporate transactions and real estate investment arrangements (which are most often organized as partnerships) are very strongly influenced by tax considerations this is a vital course for anyone planning to practice "corporate" or "real estate" law and a necessary course for anyone engaged in a "general practice" involving a significant number of "business" clients. **PREREQUISITE:** Tax I (Law 860).

LAW 863 TAXATION OF BUSINESS ENTERPRISES II - 3 credits

This course builds on Taxation of Business Enterprises I and focuses primarily on corporations and S-Corporations. It is an essential course for anyone planning to practice corporate law. **PREREQUISITES:** Tax I (Law 860).

LAW 864 REAL ESTATE TRANSACTIONS - 3 credits

This course covers numerous issues related to real estate conveyancing, including contractual issues, title assurance, and financing the transactions. The Course focuses on residential real estate transactions, but issues related to commercial real estate will also be addressed.

LAW 865 ESTATE AND GIFT TAXATION - 3 credits

The primary focus of this course is on basic estate planning to minimize taxes while meeting the non-tax objectives of a client. Examples of non-tax objectives include meeting the financial needs of survivors, providing for management of the property of minors and incompetents, and reducing probate and other expenses of estate administration. Tax objectives include reducing federal and Kentucky income tax and minimizing state and federal death and gift taxes. Tax laws studied in this context include Federal Income Taxation of trusts and estates, the Kentucky Inheritance Tax, the Federal Estate Tax and the Federal Tax on Generation Skipping Transfers. This functional approach, viewing together income, estate and gift tax, inheritance tax and generation skipping tax consequences in the context of non-tax objectives, is designed to develop lawyering skills of estate planning, will and trust drafting and counseling of clients. Use of this functional approach also imparts practical knowledge of diverse topics such as estate administration, Kentucky Inheritance Tax and Federal Estate tax return filings, drafting client letters and drafting wills and trusts. An overview of the Federal Estate Tax combined with a detailed examination of Federal Estate Tax provisions impacting upon drafting the marital deduction trust and the by-pass trust are emphasized in this course.

Because of the large exemption from Federal Estate Tax, most provisions of the Federal Estate Tax and the Tax on Generation Skipping Transfers are not examined in the traditional, detailed case method used in many law school courses. **RECOMMENDED:** Tax I and Trusts & Estates are strongly recommended.

LAW 866 ESTATE PLANNING SKILLS - 2 or 3 credits

This is a two-hour, problem-oriented, skills course. Problems will be distributed to the class involving detailed factual situations, e.g., owners of a small, closely held business; a middle income family with a disabled child; a low income family with three minor children. Students will be expected to draft appropriate wills, trusts, and other legal documents for their clients. Role playing will be used to better simulate realistic situations. Students will learn some of the more sophisticated estate planning techniques, e.g., home GRITS; use of last-to-die life insurance; planning for qualified pension plans; utilizing special farm use valuation; coordinating use of the \$1 million GST exemption and the \$600k unified credit; etc. Emphasis will be placed on teaching interviewing skills, communicating with clients, financial planning and drafting skills. Enrollment is limited to a maximum of 16 students.

PREREQUISITES: Estate and Gift Taxation and Trusts and Estates.

LAW 872 LAND USE PLANNING - 2 or 3 credits

A comprehensive survey of the basic legal devices to control the use of land, theories of land use planning, nuisance, easements and restrictive covenants, zoning and zoning procedure, the role of the state and federal government in land use regulation and environmental protection. There are no

prerequisites for this course. Students, however, would benefit from taking Constitutional Law II before or concurrently with this course.

LAW 874 BANKING LAW - 2 or 3 credits

This course surveys the operation, regulation and interaction of the four major types of financial institutions in the United States: banks, securities brokers, mutual funds, and insurance companies. We survey, for each type of firm: development of the industry and regulation, current regulatory standards, interaction with other firms and competition for products, and look finally at likely future development. Primary emphasis is given to banks, with the other types of firms studied to compare and contrast. We study also general issues involving statutory drafting and interpretation, and the political realities of regulated industries. No prior background in banking or finance is necessary.

LAW 875 SECURITIES REGULATION - 3 credits

The law governing the issuance, distribution and trading of securities under the Securities Act of 1933 (the "1933 Act") and the Securities Exchange Act of 1934 (the "1934 Act"); the obligation to register securities; public offerings by issuers; secondary distributions; registration requirements growing out of mergers; definition of a "security"; the exemptions from registration requirements; and insider trading prohibitions and antifraud provisions under the 1933 Act and 1934 Act. Students enrolled in Securities Regulation should have completed Business Associations. **RECOMMENDED:** Completion of Business Associations is strongly recommended.

LAW 876 TRUSTS AND ESTATES - 4 credits

Examination of rules governing intestate distribution of property; formal requirements governing execution, alteration, and revocation of wills; requisite elements of express trusts and requirements for their creation; special rules relating to charitable trusts and spendthrift trusts; rules concerning construction of wills and trusts and general rules governing administration of decedents' estates and trusts.

Content of the course:

- A. Intestate distribution of property
- B. Wills
 - 1. Family restrictions & Restrictions on Testator
 - 2. Execution of Wills
 - 3. Integration, Republication by Codicil, Incorporation by Reference, Extrinsic Evidence (all have to do with admissibility to probate)
 - 4. Revocation-Revival
 - 5. Will Contracts
 - 6. Construction Problems in Estate Distribution
 - 7. Probate and Contest of Wills
- C. Trusts
 - 1. Nature, use and classification
 - 2. Elements of a Trust
 - 3. Creation of Trusts
 - 4. Nature of Beneficiaries' Interests
 - 5. Modification and Termination
 - 6. Charitable Trusts
- D. Introduction to Fiduciary Administration

LAW 877 FUTURE INTERESTS - 2 credits

An advanced course for second or third year law students treating in-depth future interests of ownership in property, including; the kinds of future interests, rules as to class gifts, the rule against perpetuities, and powers of appointment with emphasis on the lawyer's use of future interests in estate planning and the pitfalls relating thereto.

Professor Bratt's Comments: This course is only offered every other year. Therefore, there is only one opportunity during a student's law school career to take the course. As the course description precisely reflects, this advanced course is quite important for those who may expect to function with sophisticated understanding in estate planning, in wills drafting and litigation, in structuring dispositive trusts and in creating and exercising powers of appointment. Although the legal fundamentals applicable to the creation of future interests of ownership are learned in earlier courses (Property, Trusts and Estates and Land Transfer), in this course the functionally important rules of validity and policy are covered in depth concerning the Rule Against Perpetuities (including modern statutory modifications), Class Gifts, and Implied Conditions of Survivorship. Perhaps most important of all for those interested in property law generally, this course emphasizes a dimension of problem recognition and solution that seldom is achieved absent taking the course.

LAW 881 PAYMENT SYSTEMS-2 or 3 credits

This course will focus on the basics of payment transactions using checks and other negotiable instruments. The course will cover the concepts of good faith purchase, negotiability, the rights of a holder in due course of a negotiable instrument and risk of loss from theft or fraud. These topics are governed by Articles 3 and 4 of the Uniform Commercial Code and related federal regulations.

LAW 882 SECURED TRANSACTIONS- 3 credits

This course will focus on secured credit transactions involving both businesses and individuals, and will include an examination of contemporary bank lending practices and questions that arise in analyzing, approving and monitoring loan transactions. Issues arising in the course are governed by Article 9 of the Uniform Commercial Code, however, there also will be some discussion of bankruptcy and related state and federal laws.

LAW 885 BANKRUPTCY (COMMERCIAL DEBTOR-CREDITOR RELATIONS) - 2 or 3 credits

Bankruptcy is the study of what happens to contractual and other relationships when one of the parties simply cannot fulfill duties established under other areas of the law. Thus the course picks up where other courses leave off. The coverage of the course is broad – examining the problems of individual consumer debtors as well as the problems of insolvent multinational corporations. The course will focus on the United States Bankruptcy Code, but will touch on other areas of debt collection law. Because bankruptcy has become a pervasive part of the legal landscape, the course is important for all practicing attorneys.

LAW 887 INSURANCE - 2 or 3 credits

Nature of contract, insurable interest, making the contract, concealment, representations, warranties, implied conditions of forfeiture, waiver and estoppel, rights under the contract, and construction of the policy.

LAW 890 EVIDENCE - 4 credits

A comprehensive course in the law that controls the admissibility of evidence in the trial of civil and criminal cases. The Federal Rules of Evidence are addressed extensively, although not at the expense of adequate treatment of state law. The following specific areas are addressed: (1) testimonial qualifications of witnesses; (2) relevancy; (3) lay and expert opinion; (4) credibility of witnesses; (5) direct and circumstantial evidence; (6) the hearsay doctrine; (7) the best evidence rule; (8) the requirements of authentication; (9) the preservation of errors for appellate review; (10) evidentiary privileges; and (11) burden of proof and presumptions.

The classroom experience is often supplemented by the use of computer exercises. Films and videotapes are also sometimes used (time permitting) to provide practical demonstration of problems associated with the presentation of evidence. Both the exercises and the films and videotapes are available for use by the students at their convenience.

LAW 898 ENVIRONMENTAL LAW - 3 credits

This survey course examines the role of the law in protecting the environment. The course provides an overview of the following principal federal environmental statutes: the National Environmental Policy Act, the Clean Water Act, the Clean Air Act, the Resource, Conservation and Recovery Act, and the Comprehensive Environmental Response, Compensation and Liability Act. We will also consider the problem of regulating toxic chemicals, the role of the common law in environmental protection, and the problem of judicial review and enforcement.

LAW 900 EXPERIMENTAL COURSE

This course number is used for courses offered on an experimental basis.

ELECTION LAW – 3 credits

This course looks comprehensively at the law governing the political process and democratic self-government. Topics covered include legislative redistricting, campaign financing laws, the regulation of political parties, the Voting Rights Act, and 'direct democracy' initiatives (such as binding public referendums). The course also addresses the alternative electoral structures being explored by many US cities, such as proportionate representation, cumulative voting and transferable vote systems. Students interested in law, government and democratic theory are encouraged to enroll.

ENERGY LAW – 3 credits

This course provides a survey of federal and state regulation of the major energy industries, including the electric industry, oil and gas pipelines, coal, and emerging energy markets and technologies. The course will consider applicable statutory and case law, current energy legislation and related economic and environmental factors affecting energy industries.

HEALTH LAW II - 3 credits

This course examines the liability issues that arise from the provision of medical care. The course studies the physician/patient relationship, when it begins and how it can be terminated. It examines the extent of the duties owed by providers to patients, including requirements relating to confidentiality, informed consent and records disclosure. The course also provides a detailed treatment of the common law of provider liability, focusing on medical malpractice. The course also examines the question of legislative reform of medical liability.

IMMIGRATION LAW - 3 credits

This course is designed to examine and interpret federal immigration legislation and policy. The course will include cover age of such topics as the constitutional origins of immigration legislation, definitions of immigrant and non-immigrant categories, grounds for exclusion and/or deportation, and asylum cases.

INTERNATIONAL TRADE LAW - 3 credits

This is a survey course on the legal regime of the World Trade Organization ("WTO"), which stands at the center of the current international debate about "globalization" and has triggered protests (and worse!) from Seattle to Doha. The course will examine, among other things, the legal structure of the WTO, dispute settlement, most favored nation and national treatment principles, trade in services, trade-related aspects of intellectual property rights, and linkages/conflicts between trade regulation and environmental protection, labor standards and other important areas of domestic policy. In addition, depending upon the class's interests, we will focus on one or two "hot topics" in international trade law chosen from such areas as the threat of globalization – myth or reality; the North-South divide over trade in agricultural products; national restrictions on importation of genetically modified organisms; the availability of patented pharmaceuticals in least developed countries; and "cultural" limits on trade in audiovisual products such as films, videos, and television programming. The grade will be based on a final examination, with a paper option for highly motivated individuals.

JURISPRUDENCE – 3 credits

Will you use jurisprudence on the bar? Not if you want to pass. So why bother taking this course? Consider the following: (1) it's cool, at cocktail parties, to explain just what "jurisprudence" means; (2) the readings are deep, way deep; and (3) judges will think that you're really smart if you quote Austin, Holmes, or Rawls. What, exactly, will we study? We will survey the various schools of legal philosophical thought, with an emphasis on exploring how these intellectual "value systems" necessarily inform judges' decisions, and how they might therefore influence one's choice of legal argument in a given case. The course will include readings from formalism, legal positivism, process theory, legal realism, law and economics, critical legal studies, feminist legal theory, and critical race theory, among others. Grades will be based on a final exam.

PATENT LAW – 2 or 3 credits

This course covers patent law and practice. Specific topics may include utility, novelty, nonobviousness, anticipation, the patent specification including objective disclosure and best mode, claims and claim drafting, prosecution in the Patent and Trademark Office, post-grant procedures, international prosecution, infringement, equitable defenses, remedies, and patent enforcement. Final grades will be based upon performance on one or more practical exercises, an exam, or both.

STATE AND LOCAL GOVERNMENT LAW – 3 credits

This course expands on the structural and institutional issues raised in Constitutional Law I, but focuses exclusively on relationships between states, between cities and states, and between cities and the federal government. Issues which will be addressed include the role of local government in our constitutional structure, the source of local government power, and the advantages and disadvantages of decentralized decision making. These questions will be explored generally and in the context of specific subject areas, such as school funding, municipal regulatory authority, and state constitutional interpretation. Kentucky case law will be used in particular subject areas, such as education funding, where the state law is unique, contested or particularly informative. Students interested in state and local government issues, and public law issues generally, are encouraged to enroll.

RACE, RACISM AND THE CRIMINAL LAW – 3 credits

This three(3) credit hour course increases the number of upper level criminal law classes. An interdisciplinary approach will be taken to examine the effects race has had and continues to have on the administration of criminal justice in the United States. The course begins by exploring the concept of race from different perspectives: biological; anthropological; sociological; psychological; and legal. Then how these legal constructs shaped the role race played in American culture will be examined. The course then delves into how race and the criminal justice system have interacted from historical and contemporary perspectives. Accomplishing this requires probing critical issues encountered at key stages in the process governing the administration of criminal justice. These issues include: the existence of offenses based on racial status (crimes such as rape, capital murder, drug offenses, racial profiling (driving and flying while black); victimology; pre-trial practices (bail); trial practices (misconduct by prosecutors and defense attorneys, urban rage defense, evidentiary issues, such as cross-racial identification and jury deliberations); and post-conviction (incarceration rates, loss of franchise) consequences.

Students are evaluated based on their performance on the take home final (60% of the final grade); on the writing assignment/class portfolio (30 % of the final grade); and on their class and TWEN participation (10% of the final grade).

INTERNATIONAL HUMAN RIGHTS - 2 or 3 credits

This course will look at institutions that comprise the international human rights system, such as the United Nations and the International Criminal Court, as well as conceptual debates that bear on international human rights, such as the relative standing of economic, cultural and social rights versus civil and political rights; whether rights are universal or culturally defined; whether rights or duties are the appropriate mechanism for advancing human interests; and whether international, regional, or national approaches to human rights are preferable. The class will involve a substantial amount of reading and will require active

class participation.

LAW 905 CONFLICT OF LAWS - 3 credits

This course explores three topics: choice of law doctrine, constitutional limits on choice of law doctrine, and enforceability of judgments, including res judicata and collateral estoppel principles. Half of the course is spent on choice of law which provides students an opportunity to consider both the policy and practical justifications that support how courts exercise power over the substance of disputes. It gives students an opportunity to think about the material learned in civil procedure and to gain a better understanding of the way in which principles of jurisdiction, choice of law, and enforceability of judgments relate. Because modern thinking about choice of law gives great weight to the underlying purpose of a rule of law, the course gives students an opportunity to exercise some creative reasoning. While personal jurisdiction is not covered in depth, it is covered in review in many of the cases and in the course materials because of its importance to choice of law and judgments enforcement.

LAW 910 LABOR LAW - 3 credits

Rights of employees to organize labor unions, obligations and prerogatives of employers, questions of representation, privileges and obligations of unions, collective bargaining and dispute settlement.

Professor Goldman's Comments: Although the portion of the work force represented by labor unions has declined significantly, the absolute number of those workers has seen little decline. Yet a large portion of the generation of lawyers who trained as specialists in this field in the 1950s and 60s has reached retirement age. Hence, there are growing job opportunities for those who have a background in the law of union-management relations. In addition, labor law provides an excellent opportunity to observe the varied characteristics of different techniques for conflict resolution and the problems of bridging the gap between legislative policy and the actual impact of the law.

There are no prerequisites for this course. However, constitutional law and administrative law may give students a better perspective for appreciating some aspects of the course.

LAW 912 EMPLOYMENT LAW - 3 credits

Survey of the values at issue and the legal doctrines, statutes and rules (including workers' compensation) that regulate those rights and responsibilities of employers and workers which are not controlled by collectively bargained agreements. The structures for administering the more important areas of such regulation are also studied. Course coverage includes: the law of individual employment contracts, the employer's responsibility for job health and safety, workers' compensation, wage-hour laws, retirement benefits, health insurance benefits, and unemployment compensation.

Professor Goldman's Comments: Total employee compensation, including wages, salaries and other benefits, represent about three-fourths of Gross National Income. The law of work, therefore, affects most Americans. Many aspects of employment generate legal problems and the law's intervention inevitably poses difficult policy choices. Often these are resolved through relatively unique administrative processes and involve special legal doctrines.

LAW 913 ADVANCED LEGAL RESEARCH - 2 credits

This course is designed to help students acquire the research skills needed to be effective practicing attorneys. Moving beyond first year basic legal research, this course integrates manual and on-line resources with emphasis on strategies for cost effective, efficient research. Assignments and a practice oriented research problem which includes a class presentation are required.

LAW 914 ADVANCED TORTS - 3 credits (Ausness)

Advanced torts will focus on the law of products liability. It will cover such issues as warranty law, design defects, failure to warn, hybrid transactions, federal preemption, comparative fault and assumption of risk, negligent marketing, punitive damages and class actions. The student's grade will be based primarily on the final examination.

LAW 914 ADVANCED TORTS - 3 credits (Davis)

Advanced Torts provides a detailed and sophisticated treatment of Products Liability. Approximately one-half to two-thirds of the course is devoted to Products Liability. The remainder is usually devoted to Defamation and Privacy, with Commercial Torts occasionally covered. There is no examination. The student's grade is determined on the basis of class participation and two papers written during the semester. The papers are not typical legal memorandum but rather are legal documents you might expect to prepare in a litigation practice. Students can expect to write a Motion for Summary Judgment and a Memorandum in Support in a products liability matter. Students will also write either a client opinion letter, discovery documents, bench memorandum, trial brief or other similar litigation document. The writing assignments are usually given eighty-five (85) to ninety (90) percent of the weight in the final grade, with class participation and attendance given the remaining weight.

LAW 915 FAMILY LAW - 2 or 3 credits

Family Law's primary focus is the establishment and dissolution of legally binding "domestic" relationships. Historically, the paradigm relationship between adults has been marriage. We will study marriage and its dissolution extensively not only to understand the rights and responsibilities arising from marriage, but also to examine the social policy inherent in limiting certain rights and responsibilities only to the marital relationship. The parent-child relationship is also an important social relationship. We study establishing parentage (paternity), child custody, child support, and termination of parental rights and adoption to examine private disputes over children as well as the state's right to interdict or re-assign the parent-child relationship.

Professor Graham's notes: I am very interested in the actual practice of family law. Many of the learning tasks in this course are oriented toward skills needed to practice family law in Kentucky. However, students who have no actual interest in family law should not take this course as bar preparation. There are no formal pre-requisites for the course but generally I think it ought to be a third year course. Family Law builds on many other disciplines— corporations, secured transactions, trusts and estates, etc.—and students who have a solid foundation in those courses will find the material much more accessible.

LAW 916 CHILDREN AND THE LAW - 2 or 3 credits

This course covers legal issues related to childhood or adolescence. The course focuses on dependency, neglect, termination of parental rights and adoption, but also covers status offenses, financial issues (though not child support) and children's rights in schools as well as some constitutional issues related to minority. The implementation of the Adoption and Safe Families Act and changes in planning for placement and permanency of children removed from their homes will be an important part of this course. Students who are interested in serving as court-appointed guardian ad litem for children or parents in dependency cases should take this course.

LAW 920 ADMINISTRATIVE LAW - 3 credits

Establishment of administrative tribunals, limits on discretion. Notice and hearing, orders, methods of judicial relief, scope of judicial review.

This course covers how administrative agencies fit into the legal scheme, and the extent to which they are subject to the control of the legislature, the executive, and, most importantly, the courts. Careful analysis is given to the nature and extent of substantive and procedural requirements imposed upon agencies by the courts, and, in some cases, by the Congress, notably through the Administrative Procedure Act. Methods of judicial review of administrative action, and obstacles thereto, are also covered. **RECOMMENDED:** Transfer students should complete Constitutional Law I before taking this class.

LAW 923 INTERNATIONAL ENVIRONMENTAL LAW - 2 or 3 credits

This course will allow for the study of the law relating to international environmental degradation. After a brief introduction to the problem of ensuring international environmental quality and the sources and forms of international environmental law, the course will examine a number of issues of international

pollution control. In this part of the course, we will study international responses to the problems of global warming, ozone depletion, and transboundary pollution. We will also consider issues of international resource management, such as those related to conservation of endangered species and preservation of biodiversity. In considering these issues, we will consider the developing principles of international environmental law (including the precautionary principle and the polluter-pays principle). We should also have sufficient time to consider the relation between international trade and environmental protection. There are no prerequisites for this course.

LAW 925 INTERNATIONAL LAW - 3 credits

This course provides an introduction to public international law with an emphasis on how international law is treated in the U.S. legal system. The course will cover such topics as sources of international law, the status of treaties and custom in domestic law, foreign sovereign immunity, the act of state doctrine, and allocation of legal authority among states.

LAW 926 INTERNATIONAL BUSINESS TRANSACTIONS - 3 credits

This course covers the basic legal structure (U.S., foreign, and international) regulating international sales contracts, international finance, international civil litigation and arbitration (jurisdiction, choice of law, enforcement of foreign judgments and arbitration awards), tariff and non-tariff trade barriers, export licensing, international aspects of intellectual property (patents, trademarks and copyrights), regulation of foreign investment, regional trade organization with emphasis on the EEC and North American Free Trade Area and fundamentals of taxation of international transactions.

LAW 927 LEGISLATION - 3 credits

Professor Healy's comments: This course provides a general introduction to legislation and the legislative process. Its goal is to help students develop a theoretical and practical understanding of statutes so that they have competence in working with the many statutes that are not specifically studied in law school courses. Our study focuses on the federal legislative process both because lawyers will typically be responding to problems arising under federal statutes and because the lessons learned in studying the federal process will also be useful for understanding state statutes.

This course begins with an overview of the legislative process by examining case studies, including the Civil Rights Act of 1964, that illustrate different models of the legislative process. These introductory materials provide a context for understanding House and Senate procedures, the transactions that often motivate legislators' decisions, and the impact that a court's theory of the legislative process may have on interpreting Congress' work product. Following these introductory materials, the course will turn to a detailed consideration of the concept of representation by a legislature, including relatively brief examinations of one person-one vote, the Voting Rights Act, gerrymandering, and campaign finance regulation. The class will then consider legal process theory and the roles that judicial review, implied rights of action, and separation of powers play in that theory. During the last part of the course we will consider statutory construction in detail. We will discuss and critique the rules and canons of statutory construction, as well as the use of legislative history in interpreting statutes.

LAW 928 EMPLOYEE BENEFITS LAW - 3 credits

This course provides a broad overview of federal law governing employee benefits. Topics covered include: origins and fundamentals of the pension system, origins of ERISA, taxation of employee benefits, fiduciary rules, and preemption. Students who take this course should have completed a basic tax course. The course will generally be offered every other spring.

LAW 929 COPYRIGHT LAW - 3 credits

Copyright law is hot! The news is replete with lawsuits challenging the application of conventional copyright laws to modern technology. Indeed, in the Information Age, attorneys in all sectors face copyright issues with increasing frequency. In this course, you will learn how Napster and Mp3.com fell, and why, sadly, Kazaa will follow. Learn to wow your clients with ready answers to: Is this thing copyrightable? How will copyright protect me? What are registration and deposit requirements, and who

needs 'em? What the heck is a "bundle of rights"? How does one infringe another's copyright, and--just hypothetically, of course--what can they do to me once I have? What is the "fair" in "fair use"? Intellectual Property is not a prerequisite. Grades will be based on a final exam.

LAW 930 ANTITRUST LAW - 3 credits

This course consists of an introduction to antitrust law. One important focus is on unlawful practices by which businesses eliminate competition among themselves, thereby harming consumer and other interests. These practices include price-fixing agreements, trade association activities, and mergers between competitors. The second important focus is on unlawful practices by which businesses exclude competitors from their markets, thereby harming the interests of the excluded firms, consumers, etc. These practices include monopolization, boycotts, price discrimination, mergers between noncompetitors, industrial espionage, and predatory pricing. The course covers criminal and civil liability under the federal antitrust laws, especially the Sherman and Clayton Acts.

Familiarity with federal and state antitrust principles is important for students planning to enter a general or business practice. The course places emphasis on antitrust considerations relevant to lawyers representing consumers or business clients of all sizes. Familiarity with antitrust principles also is important for students who plan to practice with a government agency that has antitrust responsibilities (e.g., U.S. Dept. of Justice; Federal Trade Commission; State Attorney General; various State and Federal Regulatory Agencies, etc.).

LAW 931 STATE AND LOCAL TAX - 2 or 3 credits

This course provides an introduction to the fundamentals of state and local taxation, a subject that has become increasingly important as the economy has expanded across state lines and state and local governments have sought new ways to finance government. The course will focus primarily on the constitutional limitations on state and local taxation and the recent Supreme Court decisions in the area. It will also include coverage of the states' various approaches to the taxation of corporate income. The course will generally be offered every other spring.

LAW 935 INTELLECTUAL PROPERTY - 2 or 3 credits

The Intellectual Property ("IP") course explores the legal protection afforded to information products of creative activity--ideas and their varied forms of expression (e.g., useful and ornamental inventions; works of authorship such as literature, visual art, computer programs, product designs, and music; trade symbols used to indicate the source or quality of products; confidential business plans). The course surveys federal IP law including the copyright, trademark, and patent statutes. It also surveys state IP law including the law of idea protection, unfair competition, and trade secrecy. Students are required to take a final exam.

LAW 936 INTELLECTUAL PROPERTY TRANSACTIONS - 2 or 3 credits

This course deals with legal problems in the commercialization of intellectual property. It is intended be of value to transactional attorneys representing technology clients. Topics may include the following.

- Licensing Intellectual Property.
- Confidentiality Agreements.
- Intellectual Property Audits.
- Antitrust Issues in Licensing and Technology Collaborations.
- Intellectual Property Financing.
- Valuation of Intellectual Property.
- Technology Joint Ventures.
- University Technology Transfer and Licensing.
- Ownership Issues.

Final grades will be based on a final exam, a writing project, or both. **PREREQUISITE:** Intellectual Property survey course.

LAW 937 INTERNATIONAL TAXATION - 3 credits

This course is a study of the federal income tax implications of investments and business activities undertaken by foreign persons in the United States and of foreign activities undertaken by US persons. There are numerous lesser included subject such as: the foreign tax credit; international tax treaties; foreign personal holding companies; special taxation of sales to US real estate between US and foreign persons; foreign sales corporations; and the taxation of foreign controlled corporations. It is a three hour course using cases, the Internal Revenue Code and Regulations and study problems.

SEMINARS

All seminars are for two credits, are limited to 16 students, and can be used to satisfy the Upperclass Writing Requirement. Not all seminars are described below.

ADVANCED PARTNERSHIP LAW

This seminar will look at the development of modern partnership law, as embodied in the crafting of the Revised Uniform Partnership Act and its associated forms. Starting from an overview of the uniform law process, the class will look at the initial reform agenda which led to the RUPA effort, as well as the policy issues which gave direction to the drafting of RUPA. The class will cover the creation of the limited liability partnership vehicle, as well as a selection of issues with the statute. The class will also discuss some significant state variations in partnership law and the practice implications of the developments covered earlier in the course.

The course will require a short group research project and presentation and a paper, with a preliminary draft and presentation. There will not be an exam. Successful completion of the paper is designed to satisfy the upper level writing requirement. **RECOMMENDED:** Business Associations is very strongly recommended for students wishing to take this course.

CAPITAL PUNISHMENT

This seminar allows students to explore in depth a topic on capital punishment. Paper topics must be approved by the professor. The paper can satisfy the substantial writing requirement. Each student must submit an outline, a bibliographic review, a good draft of the paper, and a final paper. A presentation of the paper is also required. The seminar begins by providing an overview of the history of capital punishment and the application of the Eighth Amendment in the death penalty context.

RECOMMENDED: The three-credit course on capital punishment is recommended for students wishing to take this seminar.

COMPLEX LITIGATION

One question that comes to mind when considering the topic of complex litigation is "What makes litigation complex?" This seminar helps answer that question by providing an opportunity to study the issues that courts are increasingly facing in trying to resolve, fairly and efficiently, such matters as consumer or business class actions, mass tort litigation involving products such as asbestos and pharmaceutical products, and document intensive commercial litigation. Students will explore all the various phases of litigation and examine ways in which complexity arises and can be addressed. A substantial final paper, of no less than 25 pages exclusive of footnotes, a rough draft, bibliographic review, and outline, are required. A presentation of your paper topic is also required. The seminar paper can fulfill the substantial writing requirement.

CRIMINAL LAW AND PROCEDURE ISSUES

This seminar focuses on issues in federal substantive criminal law, forfeiture and sentencing. The exact topics will vary from semester to semester. Some examples of particular topics include political

corruption, civil forfeiture, organized crime, the sentencing guidelines, and money laundering. This seminar is designed to satisfy the substantial writing requirement. **PREREQUISITE:** An upper level criminal law or criminal procedure course.

EDUCATION LAW SEMINAR

The focus of this seminar is current legal issues arising in the context of K-12 education. The issues will be drawn from seven broad topic areas: History and Structure of Public Education; Curriculum; Students' Rights and Responsibilities; Teachers' Rights and Responsibilities; Equal Educational Opportunity; Church-State Relations; and Tort Liability.

INTERNATIONAL LAW

This seminar will allow students to explore in depth a topic of their choosing in international law or international human rights. Each student is required to write a paper, which can satisfy the substantial writing requirement, and to make an in-class presentation on the topic of the paper. The final grade is based largely on the paper and in-class presentation. **PREREQUISITE:** One of the following: International Law; International Human Rights; International Trade Law; International Environmental Law.

LAW AND LITERATURE

This seminar explores the relationship between law and literature and focuses on critical reading, interpretation, and writing skills. Students will read some academic works challenging and defending the place of law and literature courses in the law school curriculum, as well as some works on interpretive theory and legal reasoning. A major task will be to read the assigned fiction, which may include short stories and drama as well as the novels that are the focus of student presentations. The amount of required reading is substantial. Students are also required to write a seminar paper on a topic chosen by the student and professor. Professor Graham will provide citations to student works that meet her aspirational goals for the course. If the student intends to satisfy the writing requirement with the paper, it must meet the criteria set out in the faculty rules. Otherwise, at a minimum, it must meet the criteria for a research paper in a two-hour independent study class. If you plan to sign up for this class, please plan to meet informally immediately prior to the end of the semester in which you are registering for the course (date to be announced later) At this meeting I will distribute the reading list for the course. Students will want to get started reading during the break or over the summer. Luckily, this reading will often be a pleasure as well as a task.

LEGAL PROFESSION

This seminar will explore the various kinds of lawyers' work in our society. American lawyers play a number of critical roles as advocates, as advisers, as participants in business ventures, as officials of public institutions and private organizations. The various roles present different sets of pressures, legal restrictions, potential liabilities, and other professional and personal concerns for lawyers. Through readings, discussions, guest lectures, and work on a paper, this seminar will focus on the various kinds of legal work and the impact of the work on the lawyers engaged in it. Particular emphasis will be placed on professional malpractice as well as other potential liability and sanctions facing lawyers. Legal ethics will provide a common theme for the discussions but will not be the exclusive focus of the seminar.

PREREQUISITE: Seminar participants must have completed or be concurrently enrolled in Professional Responsibility.

PRODUCTS LIABILITY

RECOMMENDED: Advanced Torts is strongly recommended.

PROPERTY LAW TOPICS

This seminar offers students the opportunity for in-depth study of a number of topics in property law. The seminar will begin with a study of property theory. It will then address some emerging property law issues, which may include property interests as they relate to genetic advances, return of art work stolen during World War II, property interests of aboriginal cultures, and property issues arising in Eastern Europe's transition from socialism to capitalism.

SCIENTIFIC EVIDENCE

This seminar deals with the presentation of scientific evidence; cross-examination of expert witnesses; ethical issues; problems in the presentation of specific types of evidence - topics may include polygraph, serology, DNA, handwriting, questioned documents, ballistics, explosives, hypnosis, memory, finger prints, medical-legal investigation of death, human factors, economics and statistics, etc. The course will involve panel presentations by experts and bench operators; later in the course by student presentations. Grading will be based on student's papers and presentations. The readings will be extensive. The course is modeled on a similar course at UC Davis taught by evidence guru Ed Inwinkelried.

TOPICS IN COMPARATIVE LAW – COMPARATIVE LAW AND SOCIAL PROBLEMS

This course will examine the constitutional structures of several common and civil law countries, and consider how these different structures influence the role of courts in deciding controversial social issues.

We will begin by comparing the constitutional structures of various civil and common law countries, including Canada, France, Germany, Great Britain and the United States. In particular, we will look at how each country's constitutional system approaches the concept of judicial review. The remaining class periods will be devoted to examining how different constitutional systems, with different notions of judicial review, shape a judiciary's decision-making process in cases involving contested social issues. These discussions will be organized around particular topics. For example, we will examine French, German and United States judicial decisions regarding abortion; United States, French and Israeli decisions involving political speech and political parties, and Canadian and United States decisions regulating pornography and obscenity.

Paper topics must be approved by the professor. All papers must include a comparative aspect, but wide latitude in choosing topics will be given. Papers may, for example, focus on any one system or issue studied, may compare multiple systems or issues, or may discuss the relative merits of comparative analysis generally. Papers topics are not limited to the specific issues discussed in class – students are free to exam similar issues or judicial systems, using a comparative methodology, as their interests dictate.

CLINICAL EXPERIENCES AND OTHER NON-CLASSROOM ACTIVITIES FOR WHICH CREDIT IS AWARDED

LAW 900 INNOCENCE PROJECT EXTERNSHIP 4 Credits(2-Fall/2-Spring)

This participants in this externship are placed with the Department of Public Advocacy's Kentucky Innocence Project. Students are assigned one or more cases involving claims of factual innocence. The clients are individuals convicted of serious criminal offenses who received sentences of twenty years or more. The experiential component of the externship will give students the opportunity to learn a variety of practical skills, such as developing, organizing, and conducting case investigations, interviewing clients and witnesses, researching legal issues, drafting legal documents and correspondence, and working with experts. The class room component provides instruction on the above topics and other topics such as DNA and problems with eyewitness testimony. The class generally meets every other week. Enrollment is limited to a maximum of ten (10) students. Students are required to work on their cases for a minimum of one hundred (100) hours each semester and must maintain a case log documenting their externship activities. **This course is only available as a full-year externship.** Credits will not be awarded for participation in the Fall only and students will not be permitted to register for the course in the Spring unless they have met the course requirements for the Fall semester. The course is worth four (4) credits – 2 for the Fall semester and 2 for the Spring semester. Students will receive a letter grade. Professor Harding is the externship's faculty supervisor. **RECOMMENDED:** Evidence and Criminal Procedure.

LAW 959 LEGAL CLINIC 2 or 3 credits (graded)

The clinical experience is open only to students who qualify under the third-year practice rule. The clinic provides third-year law students with a unique opportunity to advise, counsel, and represent needy clients on a variety of legal matters. Under the Kentucky Supreme Court's legal internship rule and supervision of the clinic director, students represent clients in negotiations with federal and state agencies, in administrative hearings or in court proceedings. Students also interview clients, draft legal documents, file pleadings, and conduct discovery. Eight to ten hours of clinical work per week is required throughout the semester. The clinical instructor may permit up to two students who have taken the course in one semester to take the course again for pass-fail credit for the purpose of providing supervision and assistance to other students.

The Legal Clinic is only open to students who are eligible for admission to the Kentucky bar under Supreme Court Rule 2.540, the limited student practice rule. A student is eligible for admission under this rule only if, at the time the course is taken, the student will have completed 60 hours (59 hours for students who will be receiving credit for work on JNREL, KLJ or TAB) of law studies. Students registering for this course must complete and have notarized a legal intern application form prior to the end of the Fall examination period. The required form is available at <http://www.kyoba.org/forms/legal%20intern.pdf>. Copies of the form are available outside of the Dean's office. If a student fails to provide this completed form prior to the end of Fall semester examinations, the student will lose a place in the course and a wait-listed student will take the

open place.

LAW 960 TRIAL ADVOCACY BOARD - 1 or 3 credits Pass-Fail

Credit for participation in the Trial Advocacy Board. In the second year all students who successfully complete the intra-school competition and are asked to become a member of the Board will receive one hour of pass-fail credit at the end of the spring semester of the third year for meaningful participation in the activities of the Board, which includes national inter-school competitions and conducting the second year membership competition. Members of a competitive team (the Kentucky Mock Trial Tournament, the American College of Trial Lawyers National Trial Competition, and the American Trial Lawyers Association Student Trial Competition teams) receive an additional two hours of credit. Students enroll in this course, which provides credit for work on the Board in the spring semester of the third year.

LAW 961 MOOT COURT - 1 or 3 credits Pass-Fail

Credit for participation in Moot Court. In the second-year all students who successfully complete the intra-school competition are awarded one hour of pass-fail credit. Second-year students enroll in this course in the fall of their second year. If a student is selected as a member of the Moot Court Board as a result of this second-year competition, he or she will enroll in this course in the spring semester of third year and receive two additional hours of pass-fail credit.

LAW 962 KENTUCKY LAW JOURNAL - 1 to 3 credits Pass-Fail

Credit awarded for participation on the Journal staff. Credit for two years of Journal work is awarded in the spring semester of third year when the student enrolls in this course.

LAW 963 JOURNAL OF NATURAL RESOURCES & ENV'L LAW - 1 to 3 credits Pass-Fail

Credit awarded for participation on the Journal staff. Credit for two years of Journal work is awarded in the spring semester of third year when the student enrolls in this course.

LAW 964 LAW CLERKSHIP ("JUDICIAL CLERKSHIP") - 2 credits Pass-Fail

The Student Judicial Clerkship course allows students to experience the court system by clerking for a local judge. Students can see how the system works, what makes some lawyers better than others, and how judges make decisions.

The class is taught by a professor. Each student is assigned to a particular local state or federal judge at the beginning of the semester. Students are required to work 100 hours with their judge and to prepare a typed log with an explanation of their activities. The log must be approved by the judge and submitted to the professor. The judge also evaluates the student's performance on a written questionnaire.

The class meets as a whole approximately every three weeks to discuss the experience. This course is offered on a two-hour pass-fail basis. The course is capped at 18 students.

LAW 965 LEGAL (PROSECUTORIAL) INTERNSHIP - 2 credits Pass-Fail

The purposes of the Third Year Internship course are to develop practical litigation skills, to give practical experience in researching legal topics, to increase understanding of the criminal justice system, and to improve writing, advocacy, and negotiation skills.

The Third Year Internship program is taught by Mr. Ray Larson, Fayette County Commonwealth Attorney and Adjunct Professor at the College of Law. The class meets on a bi-weekly basis. Students are required to work eight hours per week at their placement, which may be in either the Commonwealth Attorney's office or the County Attorney's office. In their placement, students work closely with prosecuting attorneys assigned to them by the instructor. They assist in criminal prosecutions under the State's third-year student practice rule. Students must maintain a placement activity log, and prepare a short paper evaluating their internship experience. The course is offered on a two-hour pass-fail basis. The course is capped at 12 students.

The Legal (Prosecutorial) Internship is only open to students who are eligible for admission to the Kentucky bar under Supreme Court Rule 2.540, the limited student practice rule. A student is eligible for admission under this rule only if, at the time the course is taken, the student will have completed 60 hours (59 hours for students who will be receiving credit for work on JNREL, KLJ or TAB) of law studies. Students registering for this course must complete and have notarized a legal intern application form prior to the end of the Fall examination period. The required form is available at <http://www.kyoba.org/forms/legal%20intern.pdf>. Copies of the form are available outside of the Dean's office.

LAW 967 PRISON INTERNSHIP - 3 credits Pass-Fail

The purposes of the Prison Internship course are to develop practical interviewing and counseling skills, to give practical experience in researching legal topics, to increase understanding of problems of indigent clients, to improve writing, advocacy, and negotiation skills, and to instill an ethical obligation to undertake pro bono work as a lawyer.

The course is taught by Mr. Ed Henry, a Lexington attorney and adjunct professor at the College of Law. The class meets weekly in the evenings. During the first part of the semester, classes cover how students should deal with the legal and practical issues that will arise during the internship. Subsequent classes involve discussions and guidance regarding actual cases handled by the students. Students work 150 hours per semester at the Federal Correctional Institution on legal problems of inmates. There is extensive client contact.

The course is offered on a three-hour pass-fail basis. The course is open to both second and third-year students. The course is capped at eight students in the fall and spring and five students in the summer. The prison requires all participating students to take a urine test for drugs.

LAW 968 and 969 RESEARCH PROBLEMS - 2 credits

This is the law school's independent research course. Law 968 can be taken by anyone after the first year, and Law 969 (officially titled Senior Research Problems) can be taken by students who have already taken the initial course (thus "Senior" research is not necessarily the course for third year students). In order to enroll in the course, you must have the approval of a sponsoring professor and the Associate Dean for Academic Affairs. Forms are available from the Dean's Office. Students who plan to take this course should be aware that they must present a completed prospectus about their research and a signed approval form before they will be allowed to sign up for the course. The Associate Dean will not normally approve proposals submitted after the first day of class. Students should expect that for two credits a paper 25 pages or more in length, exclusive of footnotes, is required.

FACULTY INFORMATION FROM THE AALS DIRECTORY OF LAW TEACHERS

AUSNESS, RICHARD, Prof. b. 1945. B.A. 1966; J.D., 1968, Univ. of Florida; LL.M., 1973, Yale. Note Ed., U. Fla. L. Rev. Admitted: L. 1968. Ass't Prof., Univ. of Florida, 1968-72; Assoc. Prof., 1972-73; Assoc. Prof., Kentucky, 1973-76; Prof., since 1976; Vis. Prof., Ind., Bloomington, 1978-79. Subjects: Estates; Land Use; Legal History; Products Liability; Property; Torts; Trusts. Model Water Code (with Maloney & Morris), 1972; Florida Water Law (with Maloney, et al.), 1980. Member: Coif.

BAKERT, DRUSILLA, Assoc. Dean & Dir. of Admissions b. 1952. A.B. 1974, Univ. of N. Carolina. J.D., 1977, Harvard. Admitted: GA, 1977; KY, 1984. Assoc., King & Spalding, Atlanta, GA, 1977-80; Staff Att'y, The Penn Central Corp., NYC, 1980-83; Sr. Att'y, 1983; Dir., Admin., The Stearns Co., Lexington, KY, 1983-86; Gen. Counsel, 1987; Assoc. Dean, Kentucky Since 1987. Dir., NALP, 1994-95.

BATT, JOHN, Prof. Emeritus b. 1934. B.A., 1956, Johns Hopkins; J.D., 1959, Wm. & Mary; LL.M., 1960, Yale. Assoc. Ed., Wm. and Mary L. Rev. Ass't Prof., Connecticut, 1960-61; Assoc. Prof., Kentucky, 1962-66; Prof., since 1966. Subjects: Criminal Law; Criminal Procedure; Domestic Relations; Family Law; Jurisprudence, (S); Law and Psychiatry, (S); Law and the Psychological Sciences, (S). The Criminal Corrections System, (S). The Family Law Decision Making Process (with James), 1979. Member: Int'l Penal Law Ass'n; Ass'n for Applied Psychoanalysis; Int'l Ass'n for Transactional Analysis. Adv'r, President's Comm. on Civil Disorders, 1967-68.

BRATT, CAROLYN S., Prof. b. 1943. B.A., 1965, SUNY at Albany; J.D., 1974, Syracuse. Admitted: NY, 1975; KY 1976. Grad. Study, Syracuse, 1966-70. Clerk, NY St. Sup. Ct., Appellate Div., 1974-75; Ass't Prof., Kentucky, 1975-79; Hearing Officer, Commonwealth of KY Dep't for Nat. Res. & Environ. Prot., since 1978; Assoc. Prof., Kentucky, 1979-84; Prof., since 1984. Subjects: Decedents' Estates; Future Interests; Land Transfer; Real Property; Women and the Law. Member: Order of the Coif. Chair, KY Gov'rs Comm. on Women, since 1985. Chair, Ad Hoc Com. on Status of Female Employees at Univ. of Kentucky, 1988-90; Fac. Trustee, Univ. of Kentucky Bd. of Trustees, 1990-93.

BUCKNAM, KEVIN Director, Office of Continuing Legal Education. b.1965. B.A., Eastern Kentucky University, 1987 J.D., 1992, California Western School of Law. Assoc., Robert A. Ball, APC, 1992; Associate Director, Office of Continuing Legal Education, 1994; Acting Director since 2000.

CAMPBELL, RUTHEFORD B, JR., Prof. b. 1944. B.A., 1966, Centre Coll.; J.D., 1969, Univ. of Kentucky; LL.M., 1971, Harvard. Ky. L.J. Admitted: NY, 1970; KY, 1975. Assoc., White & Case, NYC, 1969-70; Ass't Prof., South Carolina, 1971-73; Asst. Prof., Kentucky, 1973-74; Assoc. Prof., 1974-78; Vis. Assoc. Prof., Maine, spring 1978; Prof., Kentucky, since 1978; Part., Stoll, Keenon & Park, Lexington, KY, 1980-82. Dean, Kentucky, 1988-93. Subjects: Banking; Corporations; Corporation Finance; Securities Regulations. Member: Coif.

JONATHAN CARDI, Ass't Prof. b. 1969. A.B. Harvard University; J.D. 1998, U. of Iowa College of Law; Sr. Articles Ed., Iowa L. Rev. Admitted: D.C., 1999; W.V., 1998. Clerk, Hon. Alan E. Norris, U.S.C.A. 6th Cir., Columbus, OH, 1998-99; Assoc., Arnold & Porter, D.C., 1999-2002. Subjects: Copyright, Torts, Jurisprudence, Remedies. Member: Coif

CONNELLY, ALLISON, Associate Professor and Director, Clinical Program. b. 1951. B.A., 1980; J.D., 1983, Univ. of Kentucky. Admitted: KY, 1983. Asst. Public Advocate, KY Dept. of Public Advocacy,

1984-92; Public Advocate, 1992-96; Director, Clinical Program, Kentucky, since 1997. Subjects: Elder Law Clinic; Litigation Skills; Criminal Procedure; Criminal Trial Process; Legal Writing. Member, U.S. District Court Civil Justice Reform Act Advisory Committee, 1994-96; Kentucky Council on Domestic Violence, 1996; Appalachian Research and Defense Fund of Kentucky, 1992-96; Kentucky Crime Commission, 1994-96; Attorney General's Task Force on Child Sexual Abuse, 1994; Governor's Task Force on the Delivery and Funding of Public Defender Services, 1993-95.

DAVIS, MARY J., Prof. b. 1957. B.A., 1979. Univ. of Va.; J.D., 1985, Wake Forest. Mng. Ed., Wake Forest L. Rev. Admitted: VA, 1985; NC, 1988. Assoc., McGuire, Woods, Battle & Boothe, Richmond, VA, 1985-88; Assoc., Womble, Carlyle, Sandridge & Rice, Winston-Salem, NC, 1988-91; Adj. Lect., Wake Forest 1990-91; Ass't Prof., Kentucky, 1991-1995; Associate Professor, 1995-1999; Professor since 1999. Subjects: Advanced Torts; Conflict of Laws; Products Liability; Torts; Complex Litigation; Comparative Law. Member: ALI

FORTUNE, WILLIAM H., Professor. b. 1940. A.B., 1961; LL.B., 1964, Kentucky. Admitted: KY, 1964; CA, 1976; MA, 1985. Priv. Prac., Lexington, KY, 1964-69; Ass't Prof., Kentucky, 1969-73; Assoc. Prof., 1973-81; Fed. Public Defender, Los Angeles, CA, 1975-76; Fed. Public Defender, Lexington, KY, 1977-79. Prof., since 1981. Subjects: Civil Procedure; Criminal Law; Criminal Procedure; Evidence, Professional Responsibility; 1988 Member: Coif. Rptr., Nat'l Study Comm. on Defense Serv. (NLADA), 1974-76.

FROST, CHRISTOPHER W., Prof. B. 1960 B.B.A., 1983, J.D., 1986, Kentucky. Art. Ed., Ky. L.J. Admitted IL, 1986, Assoc. Sidley & Austin, Chgo, 1986-90; Ass't Prof., St. Louis, 1990-1994; Assoc. Prof., 1994-1997; Prof., University of Kentucky since 1998. Subjects: Commercial Law; Contracts; Corporate Finance; Corporate Reorganization, (S); Creditor' & Debtors' Rights; Law & Economics, (S). Member: COIF, ALEA.

GAETKE, EUGENE R., Prof. b. 1948. B.A., 1971; J.D., 1974, Minnesota. Admitted: MN, 1974. Priv. Prac., Grand Marais, MN, 1974-75; Spec. Ass't Att'y Gen., St. of MN, St. Paul, MN, 1975-77; Hearing Examiner, St. of MN, St. Paul, 1977-78; Ass't Prof., Kentucky, 1978-82; Assoc. Prof., 1982-85; Vis. Assoc. Prof., Ind., Bloomington, 1982-83; Prof., Kentucky, since 1985; Subjects: Commercial Law; Contracts; Legal Profession, (S); Legal Profession.

GOLDMAN, ALVIN L., Prof. b. 1938. A.B., 1959, Columbia; LL.B., 1962, New York Univ. N.Y.U. L. Rev. Admitted: NY, 1963; KY, 1969. Assoc., Parker, Chapin and Flattau, NYC, 1962-65; Ass't Prof., Kentucky, 1965-68; Prof.-In-Res., NLRB, Zagoria Staff, 1967-68; Assoc. Prof., Kentucky, 1968-72; Prof., since 1972; Vis. Prof., Cal., Davis, 1976-77. Subjects: Administrative Law; Arbitration Process, (S); Comparative Labor Law, (S); Constitutional Law; Employment Law; Labor Law; Negotiation Process. The Supreme Court and Labor-Management Relations Law, 1976; Labor Law and Industrial Relations in the U.S.A., 2d ed. 1983; Legal Protection for the Individual Employee (with Finkin & Summers), 1989; Settling for More: Mastering Negotiating Strategies and Techniques, 1991. Member: Int'l Soc. for Labor Law and Soc. Leg. (Exec. Com., U.S. Branch); Nat'l Acad. of Arbs.; Labor Law Grp. Trust (Chair since 1989). Ed'l Bd., Bull. of Comp. Lab. Rel.; Co-Rptr.-U.S.A., Int'l Lab. Law Rep.; Ed'l Bd., Comp. Lab. L.J.

GRAHAM, LOUISE EVERETT, Prof. b. 1943. B.A., 1965; J.D., 1977, Univ. of Texas. Tex. L. Rev. Admitted: TX, 1977; KY, 1984. Clerk, J. Homer Thornberry, U.S. Ct. of App., 5th Cir., Austin, TX, 1977-78. Subjects: Contracts; Domestic Relations; Children and the Law; Law and Literature. Kentucky Domestic Relations (with J.E. Keller), 1998. Member: Order of the Coif. Member, Children's Justice Task

Force.

HARDING, ROBERTA M., Prof. b. 1960. B.S.B.A., 1981, San Francisco; J.D., 1986, Harvard. Admitted: CA, 1986. Assoc., Pillsbury, Madison & Sutro, San Fran., CA, 1986-88; Co-owner, Legal English Assocs., Rome, Italy, 1989-90; Assoc., McCutchen, Doyle, Brown & Enersen, San Fran., CA, 1990-91; Ass't Prof., Kentucky, 1991-1995; Associate Professor 1995-1999; Professor since 1999. Subjects: Civil Procedure, Capital Punishment, Race and the Criminal Law, International Human Rights. Member: Department of Public Advocacy Commission.

HEALY, MICHAEL P., Prof. and Associate Dean for Academic Affairs. b. 1956. B.A., 1978, Williams College; J.D. 1984, Pennsylvania. Art. Ed., U. Pa. L. Rev. Admitted: DC, 1985. PA, 1985; Clerk, Hon. Edward R. Becker, U.S.C.A., 3d Cir., Phila., PA, 1984-85; Assoc., Shea & Gardner, DC, 1985-87; Appellate Lawyer, Envrmt. & Natural Resources Div., U.S. Dep't of Just., DC, 1987-90; Ass't Prof., Kentucky, 1990-93; Assoc. Prof., Kentucky, 1993-1998; Professor since 1998. Subjects: Administrative Law; Environmental Law; International Environmental Law; Land Use Planning; Legislation; Torts. Member: Coif.

HUBERFELD, NICOLE, Ass't Prof., BA, 1995, Pennsylvania; JD, 1998, Seton Hall; Book Rev. Ed., Seton Hall L. Rev. Admitted: NJ, 1998; NY, 2000. Assoc., Wilentz, Goldman & Spitzer, 1998-2000; Assoc., Gibbons, Del Deo, Dolan, Griffinger & Vecchione, 2000-2002; Assoc., Wolf & Sampson, 2002-2003; Adj. Prof., Fac. Fellow & Dir. Healthcare Compliance Certification Prog., Seton Hall, 2003-2005. Subjects: Health Law; Health Law Seminar; Constitutional Law I.

KIGHTLINGER, MARK F., Ass't Prof., BA Williams College, 1981, Yale, JD 1988, PhD 1991, Cambridge, MA 1995. Covington and Burling, Brussels and Washington DC 1991-2004, Subjects: Contracts, Administrative Law, International Trade Law.

LAWSON, ROBERT G., Prof. b. 1938. B.S., 1960, Berea Coll.; J.D., 1963, Kentucky. Ed.-in-Ch. & Assoc. Ed., Ky.L.J. Admitted: KY, 1963. Tax Counsel, Appalachian Power Co., Roanoke, VA, 1963-64; Priv. Prac., Lex., KY, 1964-66; Ass't Prof., Kentucky, 1966-69; Assoc. Prof., 1969-73; Acting Dean, 1971-73; Prof., since 1973; Dean, 1982-88. Subjects: Civil Procedure; Criminal Law; Criminal Procedure; Evidence. Kentucky Evidence Law Handbook, 1976, 2d ed. 1984; Beverly Hills: The Anatomy of a Nightclub Fire, 1984. Member: Coif. Mem., Sup. Ct. of KY Jud. Nom. Comm.; Mem., Comm. on Rev. of Penal Code; Consult., KY Comm. on Crime.

LEWIS, THOMAS P. Prof. Emeritus, b. 1930. LL.B., 1954, A.B., 1959; Kentucky; S.J.D., 1964, Harvard. Ed.-in-Ch., Ky.L.J. Admitted: KY, 1954; MA, 1974. Ass't Prof., Kentucky, 1957-60; Assoc. Prof., 1960-61; Prof., 1961-65; Prof., Minnesota, 1965-72; Prof., Boston Univ., 1972-76; Dean, Kentucky, 1976-82; Prof., since 1976. Subjects: Alternative Dispute Resolution; Civil Procedure; Constitutional Law; Contracts; Federal Jurisdiction; Labor Law; State Constitutional Law, (S). Social Welfare and the Individual (with Levy & Martin), 1971. Member: Nat'l Acad. of Arbs.; Phi Beta Kappa; Coif. Counsel, Wyatt, Tarrant & Combs, 1982-86; Mem., ALI.

MICHAEL, DOUGLAS C., Prof. b. 1957. A.B., 1979, Stanford; M.B.A., 1982; J.D., 1983, Cal., Berkeley, Assoc. Ed., Calif. L. Rev. Admitted: CA, 1984; DC, 1988. Staff Att'y, U.S. S.E.C., DC, 1983-85; Counsel to Comm'r, 1985-87; Assoc., Arnold & Porter, DC, 1987-89; Ass't Prof., Kentucky, 1989-93; Assoc. Prof., Kentucky, since 1993. Subjects: Accounting; Banking; Business Planning; Corporate Finance; Corporations. Member: Coif.

MOORE, DAVID , Asst Prof, 1992, B.A., 1996, J.D., Brigham Young University, Editor in Chief B.Y.U. L.Rev., Admitted: UT, 1996, Trial atty. U.S. Dept. of Justice, Civil Div. , 1996-2000, Clerk, Judge Samuel Alito, U.S.Ct.App. 3d Cir., 200-01, Olin Fellow University of Chicago Law School 2001-03, Asst. Prof. University of Kentucky.

MOORE, KATHRYN L., Prof. b. 1961. A.B., 1983, Michigan, J.D., 1988, Cornell. Note ed., Cornell L.Rev. Admitted: PA. Clerk, Judge Harold Fong, U.S.D.C., Honolulu, HI, 1988-89; Assoc., Sutherland, Asbill & Brennan, Washington, D.C., 1990-93. Subjects: Property; Land Use Planning, Pension Law, State and Local Tax. Member: Coif; Phi Kappa Phi.

RINGHAND, LORI A., Asst. Prof. B.A., 1992, J.D., 1997, Wisconsin, BCL, 2001, Oxford. Art. Ed. Wisconsin L. Rev., Assoc. Foley & Lardner, 1997-2000, Lecturer, Wisconsin 200-2001, Assist Prof. Kentucky 2002-present. Subjects Contracts, Comparative Law, State & Loc. Gov't, Election Law.

ROGERS, JOHN MARSHALL, Prof emeritus. b. 1948. B.A., 1970, Stanford; J.D., 1974, Michigan. Mich. L. Rev. Admitted: DC, 1975; KY, 1980. Trial Att'y., U.S. Dep't of Just., Civil-Appellate, DC, 1974-78; Ass't Prof., Kentucky, 1978-81; Assoc. Prof., 1981-86; Vis. Prof., U.S. Dep't of Just., Civil-Appellate, DC, 1983-85; Prof., Kentucky, since 1986. Judge, United States Court of Appeals for the Sixth Circuit, 2003. Fulbright Sr. Lect., Coll. of For. Affrs., Beijing, P.R. China, 1987-88. Subjects: Administrative Law; Constitutional Law; Federal Jurisdiction; International Law; Torts. Member: Phi Beta Kappa; Coif; ALI.

SALAMANCA, PAUL E., Assoc. Prof. A.B., 1983, Dartmouth College; J.D., 1989, Boston College. Admitted: Mass., 1989; NY, 1993. Assoc., Kaplan & Lenow, Newton, MA, 1989-90; Clerk, David H. Souter, 1st Cir., 1990, U.S.S.Ct., 1990-91; Assoc., Debevoise & Plimpton, NY, NY, 1991-94; Vis. Ass't. Prof., Loyola, New Or., 1994-95; Ky, since 1995. Member: Coif.

SCHWEMM, ROBERT G., Prof. b. 1945. B.A., 1967, Amherst Coll.; J.D., 1970, Harvard. Admitted: DC, 1971; IL, 1971; KY, 1977. Assoc., Sidley & Austin, Chicago, IL & DC, 1970-72; Ch. Trial Counsel, Leadership Coun. for Metrop. Open Communities, Chicago, IL, 1972-75; Vis. Ass't. Prof., Kentucky, 1975-76; Ass't Prof., 1976-78; Assoc. Prof., 1978-82; Prof., since 1982. Subjects: Civil Procedure; Civil Rights, (S); Constitutional Law; Trial and Appellate Practice. Housing Discrimination Law, 1983, supp. 1986; The Fair Housing Act After Twenty Years, 1989; Housing Discrimination: Law and Litigation, 1990. Member: Phi Beta Kappa. Mem., KY Comm. on Human Rts., 1986-90. U.S. Just. Dep't, Civil Rts. Div., DC.

STEEL, SUSAN BYBEE, Assoc. Dean, Career Servs. b.1963. B.S., 1985; J.D., 1988, Kentucky. *Admitted:* KY, 1988. Assoc., Ogden, Newell & Welch, Louisville, KY, 1988-95. *Member:* NALP.

TRAMMEL, REBECCA S., Dir., Library & Ass't Prof, Kentucky. b.1944, B.A., 1966, Lindenwood Coll.; M.L.S., 1977, Dominican Univ.; J.D., 1983, Denver. Access Servs. Librarian, N. Illinois Univ., DeKalb, 1988-92; Assoc. Law Library Dir., Nebraska, 1992-96; Assoc. Dean, Info. Servs., Barry Univ. Sch. of Law, Orlando, FL, 1997-02; Dir., Library & Ass't Prof., Kentucky, since 2002. *Subjects:* Gender & the Law; Legal History; *Legal Research*. Chair, Standing Com. for Law Library Serv. to Institutionalized Persons, AALL, since 1997.

UNDERWOOD, RICHARD, Prof. b. 1948. B.S., 1969; J.D., 1976, Ohio State. Mng. Ed., Ohio St. L.J. Admitted: OH, 1976; KY, 1985. Clerk, Judge D. S. Porter, USDJ, S.D.O., Cincinnati, OH, 1976-78; Assoc., Vorys, Sater, Seymour & Pease, Columbus, OH, 1978-80; Ass't Prof., Kentucky, 1980-83; Assoc. Prof., 1983-88. Professor since 1988. Subjects: Evidence; Federal Jurisdiction; Insurance; Law & Medicine; Legal Profession; Trial and Appellate Advocacy. Trial Ethics (with Fortune), 1988. Member: Coif. Chrm., Ethics Com., KY Bar Ass'n, since 1984.

VASEK, STEPHEN J., Jr., Assoc. Prof. b. 1940. B.S.B.A., 1961; J.D., 1966, Northwestern Univ.; LL.M., 1969, Harvard. Nw. U.L. Rev. Admitted: IL, 1966; KY, 1974. Teaching Assoc., Ind., Bloomington, 1966-68; Assoc. Prof., Kentucky, since 1972. Subjects: Corporate Finance; Estate & Gift Taxation; Estate Planning; Estates; International Law; International Transactions, (S); Taxation, Federal.

VESTAL, ALLAN WALKER, Dean and Professor of Law. b. 1953. B.A., 1976, J.D., 1979, Yale. Admitted: WI, 1979, FL, 1981, IA, 1982. Assoc., Foley & Lardner, Milwaukee, 1979-1982, Part. Shuttleworth & Ingersoll, Cedar Rapids, 1982-1989; Ass't Prof. Wash. & Lee, 1989-1994; Assoc. proff, 1994-1997; Prof. 1997-1999; Assoc. Dean, 1999; Dean, University of Kentucky since 2000. Subjects: Agency & Partnership; Commercial Law; Commercial Paper; Corporations; Real Estate Transactions. General and Limited Partnerships Under the Revised Uniform Partnership Act (with R.W. Hillman & D.J. Weidner), 1996; The Revised Uniform Partnership Act (with R.W. Hillman & D.J. Weidner), 1998, 1999. Member: ALI.

WEINBERG, HAROLD R., Prof. and Associate Dean for Administration. b. 1943. A.B., 1966; J.D., 1969, Case Western Res.; LL.M., 1975, Illinois. Ed. Bd., Case W. Res. L. Rev. Admitted: KY, OH; Fellow in Law and Econs., Univ. of Chicago, 1978-79. Assoc., Ulmer, Berne, Laronge, Glickman and Curtis, Cleveland, OH, 1969-71; Teaching Ass't, Illinois, 1971-72; Ass't Prof., Kentucky, 1972-76; Assoc. Prof., 1976-80; Prof., 1980-83; Alumni Prof., since 1983; Vis. Prof., Univ. of Va., fall 1987. Subjects: Antitrust; Commercial Law; Commercial Paper; Consumer Credit, (S); Intellectual Property. Member: Coif. Consult., KY Leg. Res. Comm., 1979-80, 1984-86; Mem., ABA Task Force on Security Interests in Intell'l Prop., 1990-91.

WELLING, SARAH NEWCOMB, Prof. b. 1952. B.A., 1974, Wisconsin; J.D., 1978, Kentucky. Ed.-in-Ch., Ky. L.J. Admitted: IL, 1978; KY, 1984. Clerk, Sixth Circuit Judge Eugene E. Siler, Jr. (then District Judge), U.S.D.C., Lexington, KY, 1978-79; Assoc., Isham, Lincoln and Beale, Chicago, IL, 1979-81; Ass't Prof., Kentucky, 1981-84; Assoc. Prof., 1984-89; Prof., since 1989; Vis. Prof., Wm. & Mary, spring 1996. Subjects: Criminal Law; Criminal Procedure; Federal Criminal Law. Federal Criminal Law and Related Actions: Crimes, Forfeiture, the False Claims Act and RICO (with Beale & Bucy), 1998 & supps. Member: Coif. Reporter, Com. on Crim. Pattern Jury Instr., 6th Cir.; Mem., Bank Secrecy Act Advisory Group, U.S. Dep't of Treasury since 1994.

WESTIN, RICHARD A. Prof. b. 1945. B.A., 1967, Columbia Coll.; M.B.A., 1968, Columbia; J.D., 1972, Pennsylvania. Admitted: CA, 1972, TX, 1992. Assoc., Dewey, Ballantine, Bushby, Palmer & Wood, NYC, 1972-75; Tax Counsel, Nat'l Life Ins. Co., Montpelier, VT, 1975-79; Assoc. Prof., Chicago-Kent, 1979-83; Assoc. Prof., Tennessee, 1983-84; Prof., Houston, 1984-1998. Prof., Kentucky since 1998. Subjects: Business Planning; Corporations, Environmental Taxes; Federal Taxation; Foreign Natural Resource Taxation, 1987; Natural Resources Tax: Cases and Materials, 1987; Federal Tax Planning, 1990; Shephard's Tax Dictionary, 1993. Consult., World Bank (Legal Dep't), 1969-72; Mem., ABA Sects. On Tax-Partnerships & Tax 'n Corps.; Consult., U.N. Natural Resources & Energy Div., 1991-92.

