

MASTER IN LAW COURSE DESCRIPTIONS 2019 -2020

American Constitutional Law LAWM 505-301: Fall (Gerhardt) Spring (Ruger)

This introduction to American constitutional law will cover fundamental constitutional doctrine and contemporary, controversial disputes in constitutional law. Among the subjects to be covered are the origins of the American Constitution, the foundations and scope of judicial review, basic civil liberties under the federal Constitution such as the freedoms of speech and religion, equal protection and due process, and foundational issues of separation of powers, executive and legislative power, and state sovereignty. Among the contemporary conflicts to be discussed will be the scope of the special counsel's powers to investigate corruption within or by people in the Trump administration, the President's options in response to the special counsel investigation, and the President's power to reshape the Supreme Court. Weekly readings will include major Supreme Court cases, selections from Professor Richard Fallon's short volume *The Dynamic Constitution* and other selected articles and materials.

Technology Law and Ethics LAWM 506-301: Fall (Cloak) Spring (Gowen)

Technology Law and Ethics is an innovative and practical course intended to provide students with key legal and ethical principles that technology professionals and high-tech entrepreneurs need to know as they innovate and carry out their professional responsibilities. A distinctive feature of this course is that it presents issues from the bottom up, the way a practicing technologist would experience them, using current and cutting-edge examples. Major topics will include the impact of potential liability of product design, differences when life-critical systems are involved, privacy considerations, proper and improper uses of intellectual property, data, and the proper bounds of employment relationships. The course will also focus on in-depth classroom discussion exploring decision making in the face of multiple and ambiguous sources of normative obligations.

U.S. Law and Legal Methods LAWM 511-011: Fall (Soven) Spring (Rosengard) Summer (Grogan)

This course is designed to be an introduction to the US legal system and the practice of law in the U.S. through an examination of some of the most significant areas of law including constitutional principles, civil procedure, contracts, torts, property, criminal law and professional ethics. Beginning with an overview to the U.S. judicial system, this course provides instruction in the effective reading of cases and the use of precedent. The focus will be on law, legal institutions and legal process as elements of the rule of law in a democratic, market-oriented society. In each section of the course, the goal is to understand the role of the law as a social, economic and political force in the life of the United States through case analysis and the Socratic Method.

Medical Negligence and Tort Law Fundamentals LAWM 513-301: Spring (Bezar & Guerrini)

This course is ideal for those in or studying medicine and for individuals pursuing employment in the medical profession. Designed for students with an interest in health care, medical malpractice, patient safety, complex tort issues and medical legal issues, this course will provide an insider's perspective on medical malpractice claims and the medico-legal considerations that those working in healthcare encounter in their daily work. We will begin with an introduction on basic concepts of negligence (tort) law. After covering these foundations, we will then discuss medical liability issues arising from the treatment relationship between health care providers and their patients. Topics will include the procedural elements that must be met before a suit can be filed; discovery that typically occurs in medical malpractice cases; specific claims and defenses that can be made in a malpractice case; the role and function of expert witnesses; the trend towards alternative dispute resolution; and an analysis of other health care issues.

Contracts and Negotiations LAWM 515-301: Spring (Shaffer)

Contracts and Negotiations, designed for non-law students, is a practical, inter-disciplinary course intended to provide students with a framework for drafting, understanding and, from the client's perspective, enforcing legal agreements, and the advocacy tools needed to negotiate them effectively. Students will be introduced to documents typically used in a variety of business transactions and provided opportunities to practice drafting and negotiation skills. In this course, students will learn how to use various contract concepts to accurately capture the parties' understanding and how to draft for clarity, advantage and compromise. Foundational concepts will be discussed with respect to both contract legal theory and negotiation principles in a legal setting, but the course will be participatory, involving in-class exercises and mock negotiations. Students will explore agreements based on actual or hypothetical business scenarios and will be encouraged to bring real-life problems to the class to be analyzed. Students will learn how to prepare for negotiations and how to deal with different negotiation styles and tactics. The course will also incorporate related topics, including the lawyer-client dynamic in contract negotiations, dispute resolution tools in the context of litigation, and ethical issues that may arise during negotiations.

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Corporate Compliance: Policy and Practice LAWM 522-301: Spring (Kandel)

Warren Buffet, building on a quote attributable to Benjamin Franklin, said, “It takes 20 years to build a reputation and five minutes to ruin it. If you think about that, you’ll do things differently.” An important mechanism for protecting a company’s reputation begins with the implementation of an effective compliance program. This course will teach the importance of corporate compliance and how to create and maintain an effective compliance program. The legal and ethical issues compliance officers face often arise in the context of everyday matters. Learning how to address these challenges and finding practical solutions are indispensable skills for anyone working in this field. Students will discuss issues facing many types of business organizations and how effective governance, culture and compliance programs can impact a corporation’s success – or failure. Students will learn the fundamentals of creating and implementing a solid compliance program and why this is vital. While the primary focus will be on the financial services industry, the course will blend the fundamentals of compliance with practical aspects that also arise in most other businesses. Those who wish to work specifically in compliance as well as those who work, or are looking to work, in any regulated industry, such as finance and healthcare, will benefit from this class. Class sessions will be supplemented by guest speakers, compliance “issues of the day,” and current compliance topics of interest including anti-corruption, cyber security, and data protection, insider trading and conflicts of interest.

General Business Law LAWM 528-301: Fall (Reavis) Spring (Cline)

This course, which is designed for non-law students, will examine the fundamentals of business law. The course will focus on the core legal issues faced by any business, including contracts, employment law, business organizations and governance, and intellectual property. At the course’s conclusion, students should be in a position not only to recognize potential legal issues but also better able to evaluate any offered advice.

Navigating the Regulatory State LAWM 529-301: Fall (Petersen) Spring (Howland)

Many federal and state laws are implemented by agencies, which develop, issue and enforce detailed regulations. This course will equip students to understand how legal, policy, institutional, and analytic considerations inform the design, scope, stringency, transparency, and enforcement of such regulations. Students will be introduced to administrative law, with an emphasis on how regulatory agencies in the United States carry out laws to reduce environmental, health, and safety risks, and ensure capital and energy markets efficiently and fairly operate. Major themes will include: the structure of the regulatory state (including issues of jurisdiction, delegation and pre-emption); the quasi legislative, judicial, and executive functions many agencies play; how the three branches of government as well as the public influence the internal processes of agencies; how the outputs of regulatory agencies are controlled; how agencies use different regulatory designs to balance the often-conflicting goals of efficiency, equity, simplicity, and flexibility; how agencies enforce their mandates; and finally, how distributional justice concerns are addressed (or not). Students will read and discuss various landmark court cases affecting regulatory outcomes, along with legal, policy and scientific articles regarding regulation, all while drawing from the current events which regularly raise these issues.

Health Law & Policy Fundamentals LAWM 530-301: Fall (Corbett) Spring (Largent)

Health Law and Policy is a survey course intended to provide students with an overview of the structure, financing and regulation of the U.S. health care system. This course will examine the federal government programs for financing the delivery of health care, namely Medicare and Medicaid, and will consider the tension between controlling costs and promoting quality, while assuring access. This course will focus on how health care laws and regulations impact various stakeholders, such as health care facilities, individual health care providers, and patients. Topics for selective study include health care reimbursement, the Affordable Care Act, fraud and abuse, privacy, technology, licensing, liability, and compliance.

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Fundamentals of U.S. Legal Research LAWM 536-301: Fall (Greenlee) - Online

This online class teaches students the key documents of the American Legal System, and how to locate and use these documents both in traditional legal research databases such as Lexis and Westlaw as well as on the many free websites available on the internet. The class will also discuss the availability and use of secondary sources such as periodical literature and legal treatises that assist in understanding and interpreting laws, court opinions, and administrative regulations. Students will learn how to use all of these sources both in academic projects and in their everyday professional lives. Students will also learn strategies to enable them to carry out their research in an efficient and effective manner. The course is designed for students in the Master in Law program as well as other non-JD students who want a thorough understanding of U.S. legal research methods.

Patent Law LAWM 576-301: Fall, Spring, Summer (Wagner) - Online

Knowledge of patent law can be a tremendous advantage for engineers, doctors, entrepreneurs, and other professionals who interact with or just want to have knowledge of the patent system. This online course taught by Professor Polk Wagner, an expert in patent law at the University of Pennsylvania Law School, takes a broad look at U.S. patent law, from the enforcement of patents to the interpretation of patent claims. With online interactive drop-in office hours and Q&A discussions, in this course, students will:

- Gain a better understanding of the policy principles and structure underlying the U.S. patent system;
- Learn how to read and interpret patent documents, better preparing them to interact with patent lawyers and representatives;
- Become familiar with the text and legal interpretation of modern patent statutes;
- Learn what it takes to get a valid patent for an invention or technology;
- Learn how entrepreneurs can enforce patents — or avoid infringing them;
- Awareness of damages in cases where patents are violated.