

## Fall 2018 Course Notes

### Enrollment Caps

Bankruptcy	25
Children's Law Clinic	8
Constitutional Litigation Clinic	8
Domestic Violence Seminar	40
E-Discovery	20
I.P. and Other Intangible Rights . . .	15 (must receive A.D. Rosenthal's permission)
Interviewing, Counseling, Negotiating	16
Kentucky Innocence Project	8
Legal Drafting – Litigation	20
Mediation	18
Pre-trial Litigation	20
Sixth Circuit Clinic	2
Small Business and Non-profit Clinic	8
Trial Advocacy	12

### AWR Research

Domestic Violence Seminar  
Gaming Law  
Insurance Law  
Environmental Law  
Supervised Independent Research

### AWR Drafting

Field Placements / Externships (with professor permission)  
I.P. and Other Intangible Rights . . .  
Interviewing, Counseling, Negotiating  
Legal Drafting - Litigation  
Mediation  
Pre-trial Litigation  
Small Business Clinic (possibly – see Prof. Furnier)

**Note – students cannot use one course for the skills/experiential requirement and an AWR requirement.**

### Skills

Clinics and Externships (possibly – must see professor)  
E-Discovery  
Interviewing, Counseling, Negotiating  
Kentucky Innocence Project  
Legal Drafting - Litigation  
Mediation  
Pre-trial Litigation

Representing Small Businesses (see Prof. Furnier)  
Sixth Circuit Clinic  
Trial Advocacy

**Experiential (applicable to students who entered fall 2016 and thereafter)**

Clinics and Externships  
Interviewing, Counseling, Negotiating  
KIP  
Mediation  
Pre-trial Litigation  
Sixth Circuit Clinic  
Trial Advocacy

**Pass/Fail Courses:**

All Foundations courses  
Effective Legal Analysis

**Prerequisites**

Administrative Law	Con Law (have taken or will be taking in the fall)
Advanced Small Business Clinic	Small Business Clinic (PR and Bus. Orgs. recommended)
Children’s Law Clinic	At least 28 hours; Prof. Resp. (can take concurrently)
Contract Drafting	Contracts I and II
E-Discovery	Civil Procedure
Field Placements	At least 28 hours; BLS (Research and Writing); Approval from Professor Kinsley (See notes at end of this document)
Foundations III	Must be in final semester (or need professor’s permission)
Interviewing, Counseling, Negotiating	2Ls (full-time), 3Ls, or 4Ls
IP and Other Intangible . . .	Intended for Lunsford Scholars; but not limited to them
Kentucky Inn. Project	Criminal Law
Legal Drafting - Litigation	BLS I and II; Civil Procedure
Pre-trial Litigation	Civil Procedure
Remedies	Successful completion of all 1L courses
Small Business Clinic	Pre/Co – requisite: Representing Small Businesses (PR and Bus. Orgs. recommended)
Trial Advocacy	Evidence; Civ. Pro
UCC Basics	Contracts I and II

**Course Notes**

**Advanced Small Business and Nonprofit Law Clinic:** Only students who have successfully completed one semester of the Small Business and Nonprofit Law Clinic may register for this course. Students may sign up for 1 (50 total hours), 2 (100 total hours) or 3 credits (150 total hours), (or more, with permission of the professor and subject to availability). Students complete similar work to the SBNLC; they are not

required to attend all SBNLC classes, but must attend at least 5 of the scheduled SBNLC class meetings. In addition, students must spend at least 2 hours per week in the clinic. Please see Prof. Furnier.

**Children's Law Clinic:** Please contact Professor Halbrook.

**Constitutional Litigation Clinic:** Please contact Professor Singleton.

**E-Discovery:** This course will be taught entirely online. It is not a learn-at-your-own-pace course, but students will be able to complete all course requirements asynchronously within the timelines set for each course element. There is no scheduled meeting time for the course.

**Evidence:** Will not be offered in the spring semester. Therefore, if you have not taken Evidence and you plan on graduating in May 2019, you must take this course in the fall of 2018.

**Field Placement Clinic:** Students must meet the following criteria: (1) completion of a minimum of 28 hours generally/60 hours for placements requiring courtroom activity; (2) good academic standing at the time the field placement is commenced; (3) satisfactory completion of BLS-Writing and BLS-Research; (4) have a pre-approved field placement location (these are listed on Simplicity) or obtain professor Kinsley's approval before beginning the field placement; and (5) successful completion of all registration enrollment forms required by Professor Kinsley.

**Foundations Review I:** This course guides students through a structured review of the most important doctrines of **Civil Procedure, Contracts, Real Property, and Torts** using Multi-State Bar Exam style multiple choice questions. The course is an excellent way to prepare for Foundations Testing I – the practice bar exam required for all full-time 2Ls and part-time 3Ls. This course is also an excellent opportunity for students to get an early start preparing for the bar exam. **This course is not designed to be a substitute for a commercial bar review course**, but it will give students the opportunity to review certain areas of substantive law that will play a major role on the bar exam and learn how they are tested on the multiple-choice section of the bar exam.

**Foundations Review II:** This course guides students through a structured review of the most important doctrines of **Constitutional Law, Criminal Law and Procedure, and Evidence** using Multi-State Bar Exam style multiple choice questions. Students will also do a more cursory review of Civil Procedure Contracts, Real Property, and Torts. The course is also an excellent way to prepare for Foundations Testing II – the practice bar exam required for all full-time 3Ls and part-time 4Ls. This course is an excellent opportunity for students to get an early start preparing for the bar exam. **This course is not designed to be a substitute for a commercial bar review course**, but it will give students the opportunity to review certain areas of substantive law that will play a major role on the bar exam and learn how they are tested on the multiple-choice section of the bar exam.

**Foundations Review III:** This course builds on the analytical and writing skills taught across the law school curriculum to enhance a student's ability to prepare for, take, and pass the bar exam. While the most intense preparation for the bar occurs during the weeks immediately prior to the examination, this course will prepare students for that period of study and practice. Therefore, the course is open only to students in their final semester of law school. Foundations I and II are NOT prerequisites. Students will be introduced to the format and components of the Kentucky, Ohio, and Uniform bar exams, to the

magnitude of the task of bar study, and to skills necessary for bar passage. Selected substantive topics must be reviewed, mainly the seven subjects tested on both the multiple choice and essay portions of the bar exam. Primarily students will learn study methods, answer practice essay and multiple choice questions, and receive feedback on written answers. Self-assessment techniques and group learning are emphasized and encouraged. Because so much material must be covered, a great deal of out-of-class preparation is necessary. Despite the pass/fail grading, the course is rigorous and requires students to read, think, discuss, write, and answer many questions over the course of the semester. **This course is not designed to replace commercial bar preparation courses, which all students are strongly encouraged to take.**

**Interviewing, Counseling, Negotiating:** There will not be a final exam for this course, but there will be role-plays throughout the course. Students must be prepared to fully engage in class discussion and to perform the roles of attorney or client in various role play scenarios. Participation in class discussion and role plays is an important element of each student's grade in developing and then demonstrating knowledge of interviewing, counseling, and negotiating skills.

**Kentucky Innocence Project:** This field placement is designed to develop critical legal skills while assisting the Department of Public Advocacy (DPA) in its endeavor to seek justice for innocent prisoners. Due to the nature of the work involved, this will be a two-semester (fall, 2018/spring, 2019) course. Students will receive a total of four credit hours, two hours for each semester. The specific objectives of this unique program are to enable the students to: 1) learn to interview clients and witnesses; 2) develop fact investigation skills by formulating investigation strategies and conducting case investigations; 3) enhance legal research skills in a practical context; 4) enhance legal writing skills by preparing a variety of legal documents such as memoranda to the file, case status reports, correspondence, and motions; 5) attend and assist at legal proceedings; 6) gain practical experience in file organization and maintenance; and 7) confront and resolve ethical issues in a professional setting. Students will be placed in the field and assigned cases by the DPA under the direction of its attorneys and the investigators. There will also be a faculty supervisor for the course. The field instructors will assign students to a criminal case that qualifies under the Kentucky Innocence Project guidelines. ***Any interested student should contact Professor Mannheimer.***

**Pre-trial Litigation:** This is a hands-on skills course. Students will be making presentations each week, including interviewing fact witnesses and clients, conducting depositions of witnesses, and conducting depositions of experts. Students will argue motions and participate in a pre-trial conference. Students will also prepare a complaint, an answer, written discovery, and summary judgment motions in a personal injury case. Students taking this class are encouraged to take Judge Thomas and Professor Wirthlin's Trial Advocacy course during the spring semester, as the case that is prepared and readied for trial in this course and will be tried during the trial advocacy course. Students taking this class will be given priority when registering for the spring Trial Advocacy course with Judge Thomas and Professor Wirthlin.

**Sixth Circuit Clinic:** Students must submit a resume and a letter explaining why they wish to participate in the clinic. Resumes and letters must go to Professor Kinsley.

**Small Business and Nonprofit Law Clinic:** This clinic involves representing small businesses and nonprofit clients on basic legal matters of a business nature from entity formation to contract drafting or advising on laws and regulations. Most students work with 2-3 clients during a semester, providing exposure to a variety of business and legal issues. Students may sign up for 2 credits or 3 credits; the credits are based on completing client work (50 hours of client work per credit hour). Students must spend 4 hours per

week of their required hours in the clinic, which is located on the third floor of Nunn Hall. Preference is given to students who have completed 60 or more credit hours (this makes you eligible for a student practice license). Strongly recommended: professional responsibility and business organizations. This clinic can readily accommodate evening students. **Registration requires interview; see Professor Furnier.** Students who have successfully completed one semester of the SBNLC may also sign up for Advanced Small Business and Nonprofit Law Clinic in a subsequent semester. See the video and further description on the Clinic Website: <http://chaselaw.nku.edu/clinical/sbnlc.html>

**Supervised Independent Research:** Must receive permission from instructor.

**Trial Advocacy:** Students who are on the Chase Trial Team are not allowed to register for this course.