Course Notes for Spring 2017

### Enrollment Caps

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<td>Constitutional Litigation Clinic</td>
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<td>Introduction to Cyber Law</td>
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<td>Marketing for Lawyers</td>
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<td>National Security Law</td>
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### Lunsford Academy Courses

(open to all upper-level students once LA students register)

- Marketing for Lawyers (**mandatory** for 2L Lunsford students)
- Law Practice Technology (**mandatory** for 2L Lunsford students)
- E-Discovery (2L or 3L)
- Information Privacy Law (2L or 3L)
- Introduction to Cyber Law (2L or 3L)
- Legal App. Development (2L or 3L)

*Lunsford students must take at least one of these * courses during the 2L or 3L years.*

### AWR-Research

- Elder Law
- Employment Law
- Entertainment Law
- Environmental Law
- Introduction to Cyber Law
- National Security Law
- Sexuality, Identity, and the Law
- Supervised Independent Research

### AWR – Drafting

- Advanced Criminal Law - Habeas
- Contract Drafting
Clinics (possibly, see professor)
Interviewing, Counseling, and Negotiating
Legal Drafting - Litigation
Mediation
Mergers and Acquisitions
Supreme Court Seminar
Trial Advocacy (Evening)

**Pass/Fail**

- Competition Teams
- Effective Legal Analysis
- Field Placements (not clinics) (there is one graded credit-hour for Field Placements)
- Foundations Review III (formerly “Advanced Legal Analysis Strategies”)
- Kentucky Innocence Project
- Law Review

**Skills Courses**

- Clinics (possibly – see professor)
- Competition Teams
- Contract Drafting
- Deposition Strategies
- E-Discovery
- Field Placement Clinic; Advanced Field Placement Clinic
- Interviewing, Counseling, and Negotiating
- Law Practice Technology
- Legal App Development
- Legal Drafting - Litigation
- Mediation
- National Security Law
- Semester in Practice
- Trial Advocacy
- Voir Dire Strategies

**Prerequisites**

- Applied Ethics
- Advanced Criminal Law – Habeas
- Foundations III
- Children’s Law Ctr Clinic
- Contract Drafting
- Deposition Strategies
- Field Placement Clinic/SIP
- Interviewing, Counseling
- Legal Drafting – Litigation
- Mediation
- Mergers and Acquisitions
- National Security Law

- Professional Responsibility
- Criminal Law
- Students taking the July 2017 bar exam
- 28 hours and PR (pre-req or co-req)
- Contracts I and II; Basic Legal Skills – Writing
- Evidence and Civil Procedure (pre-req. or co-req.)
- 28 completed hours; Professional Responsibility; BLS-Research;
  BLS-Writing; must see Prof. Kinsley for permission
- 2L/3L full-time; 3L/4L part-time
- BLS-Writing and Civ. Pro.
- 3L students preferred
- Business Organizations
- Permission from Professor
Prerequisites (continued)
Securities Regulation Business Organizations
Small Bus. & Non-profit Law Clinic 30 credit-hours; Recommended – Bus. Orgs. and PR
Taxation of Business Entities Tax – Basic Tax Concepts
Trial Advocacy (Thomas) Evidence and Civil Procedure
Trial Advocacy (Stephens) Evidence; Civ Pro; Crim Pro;
Workers’ Comp. Torts; Civ Pro

Course Notes:

Advanced Criminal Law – Habeas: This course will provide students with an understanding of federal habeas corpus practice, which is often an inmate’s last opportunity to overturn a conviction or avoid execution. The course will do so through real-life experiences from actual cases ongoing at that time and through discussion and analysis of doctrinal law. Federal courts deal with habeas petitions regularly. Yet, law students do not routinely learn federal habeas law. This course will bridge that gap and therefore make students more attractive candidates for prestigious federal judicial clerkships. This course will also provide students with the basic understanding necessary to assist attorneys on federal habeas proceedings and to work toward handling a federal habeas case as an attorney. Students will learn the requirements to proceed in federal habeas and the procedures to follow in filing and litigating a habeas petition from filing to conclusion. They will also learn the doctrines of exhaustion and procedural default, the limitations on granting habeas relief, what to do when habeas relief is denied, and stay of execution litigation in death penalty cases. In a nutshell, students will learn every aspect of federal habeas corpus with the goal that by the conclusion of the course, students will have a basic knowledge of a) what takes place in the federal courts in a criminal case after it concludes the state court process; b) how to litigate a federal habeas petition from filing to final appellate review, which results in either the inmate’s conviction/sentence being vacated, the inmate being executed, or the inmate serving the entirety of a prison sentence. This knowledge should enable students to assist federal district and appellate judges in deciding federal habeas petitions and to work on actual federal habeas cases. Depending on the professor’s scheduled court appearances, students may have the opportunity to observe post-conviction proceedings in a death penalty case (in addition to the classroom component of the course). There will be no casebook for the class. Students will work from a packet of materials provided by the professor that will include cases, briefs filed in actual habeas cases, law review articles, and other materials, some of which will be available through Westlaw. Students will also have the opportunity to draft federal habeas pleadings that could be used to satisfy the Advanced Research – Drafting requirement."

Applied Ethics: This course was created and developed from experiences on the Kentucky Bar Association ethics hotline, on the Board of Governors, and as an officer (President in 2013-14). It became obvious that attorneys involved in the discipline process often made the simplest of mistakes over and over – clients were being harmed, making complaints, and were filing lawsuits against their attorney not necessarily because the attorney lied, stole, or cheated but because the attorney did not...
communicate, keep confidences, stay diligent, or handle the money correctly. The goal of this class is to get to law students early, before they get caught up in the bar exam and job hunting ritual, so they have a firm grasp of reality, of common problems that are so easily avoided, and of the discipline process. Students will be introduced to the types of situations practicing attorneys confront that require a working knowledge of professional conduct principles for successful resolution. Students will be alerted to the mistakes that most frequently result in formal discipline and to the areas of practice that create malpractice exposure. Students will receive instruction on the need to participate in self-regulation, how to participate and how to protect themselves. Students will be instructed on the unique position attorneys hold in the system of justice in the United States.

**Children’s Law Clinic:** Clinic students must be available for Friday clinic class and some Monday/Wednesday mornings at 8:30 for court appearances. Please see Professor Halbrook with questions.

**Civil Procedure II:** This course will address topics not covered in the first year civil procedure course. These topics will include attachment, class actions, claim and issue preclusion, the final judgment rule, electronic discovery, the *Erie* doctrine, and an introduction to conflict of laws.

**Clinics and Field Placements:** Please see the faculty member responsible for the clinic in which you intend to participate. Please see Professor Kinsley for Field Placements (externships).

**Constitutional Litigation Clinic and Kentucky Innocence Project:** Limited to people who enrolled in the fall semester.

**Deposition Strategies:** This course will meet on the following five Saturdays.

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**E-Discovery:** This course will be taught entirely on line. 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 this course.

**Effective Legal Analysis I and III:** The purpose of these sessions is to build on critical skills necessary to success in law school, on the bar exam, and in the practice of law. Various hands-on activities will help you master skills such as careful reading, issue spotting, structuring an answer, managing time, balancing the analysis of a close question, and taking both multiple choice and essay tests. Although everyone is welcome to attend, students on academic warning must register as well. **You must register for and attend the section designated to your division and year.** If you are required to participate in ELA, you must arrange your class and work schedules around the scheduled section for your year and division. Effective Legal Analysis I is limited to first-year students, who must sign up in the division—day or evening—in which they take the majority of their doctrinal classes. Effective Legal Analysis III is limited to part-time students in their fourth semester, but one section accommodates students in the day and evening divisions.
**Foundations III (Formerly Advanced Legal Analysis Strategies):** 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. Students will be introduced to the format and components of the Kentucky and Ohio 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 six 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 fair amount 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. **This course is not designed to replace commercial bar preparation courses, which all students are strongly encouraged to take.**

**Information Privacy Law:** This class is a survey of information privacy law. The course will provide an introduction to the various legal doctrines involved with this emerging area of law. The course will include examination of common-law privacy, constitutionally protected privacy, and statutory-based privacy. The course will also examine the emerging role of surveillance and its effect on individual privacy. Throughout the semester, and where applicable, classes will include the policy reasons behind privacy law and use of real-life examples through guest speakers.

**Interviewing, Counseling, and Negotiating:** This is a skills course in which students will engage in role-playing. Students are also able to satisfy their AWR-Drafting requirement in this course (students may not, however, satisfy both the skills requirement and the AWR requirement in one course).

**Leadership Skills for Practice-ready Attorneys:** This course teaches leadership and professional development principles in the context of both the legal and business environments. The ultimate goal is to equip law students with tools and resources that enable them to distinguish themselves in the job market. Law school is designed to prepare students for a successful career in the law; however, in an increasingly competitive legal market, “success” requires more than just a keen understanding of black letter law. This course highlights the importance of leadership skills in the “real world.” The course will provide fundamentals of leadership which enable a student to excel and lead from anywhere in an organization. It also empowers students to understand and improve their emotional intelligence, which has an impact on a law student’s career trajectory. In short, this course offers an environment for students to focus on the practical aspects of professional and interpersonal leadership success within any legal or business organization. **This course will meet for only the first eight weeks of the semester.**

**Securities Regulation:** This is a gateway course for anyone thinking of a future career in transactional business law. Securities laws regulate the financial markets, such as stocks, bonds, limited partnership interests, and passive LLC interests. If you are interested in IPOs, in the stock markets, in high-tech startups, in real estate investments, or any other activity that involves raising capital, knowledge of the securities regulatory structure is of central importance. The course is also of significant value to those who plan to engage in business oriented litigation. Securities Regulation is a prerequisite for advanced third year courses in business law such as Startups and Venture Capital, and Mergers & Acquisitions.
Small Business and Nonprofit Law Clinic: Required pre-requisite: Representing Small Businesses (1-credit course). 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. Some students get the opportunity to represent finalist small business clients from Bad Girl Ventures. Clinic students must be available for the mandatory 4-hour training a few days before the spring semester begins. 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). Class meets on most Thursdays from 5:00-6:15. 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 (or either corporations or agency, partnerships and LLC’s). This clinic can readily accommodate evening students. Registration requires interview; apply through Symplicity. 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 on a space-available basis. See the video and further description on the Clinic Website: http://chaselaw.nku.edu/clinical/sbnlc.html

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. Space in advanced clinic is offered based on enrollment in the clinic, with priority given to clinic students. Apply through Symplicity.

Trial Advocacy (Thomas): This course is a hands-on skills course. Students will be making presentations (opening statements, direct examinations, cross examinations, voir dire, and closing arguments) each week. Students will try a bench trial and a jury trial during the course of the semester. Students in Prof. Thomas’s Pre-trial Litigation course (fall 2015) will receive registration preference for this course.

Voir Dire Strategies: This course will meet on the following five Saturdays.

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