

SUPPLEMENTAL COURSE INFORMATION — Summer 2021

LAW 702 1E INNOCENCE CLINIC (4 credit hours)

Professor Davis

This course focuses on the law and practice of challenging wrongful convictions cases in Alabama, but the Innocence Clinic is as much about working on actual cases as it is about the theory of wrongful convictions. Teams of students will be assigned a potential wrongful conviction case. These cases need review and investigation to determine whether the claim of innocence is factually and legally viable. To the extent possible, students may select case projects based upon your talents and interests. Some of our clinic work will be staggered, so please be flexible. We will be clear with deadlines, but we also expect students to make this work a priority whether we can plan ahead or whether we are taken by surprise. This course is limited to 8 students. Students may repeat this course for 2 credits.

Law 706 1E Cumberland Veterans Legal Assistance Clinic Summer (2 Credit Hours) Fall and Spring (4 Credit Hours)

Judge Carroll

The Cumberland Veterans Legal Assistance Clinic is, at its core, a classic legal problem-solving clinic. A legal problem is presented, possible solutions are discussed and then the Director and the students decide on a course of action. Students may contact someone on the veteran's behalf, write a letter, refer the matter to another legal assistance program or outside attorney or actually be involved in the representation of the veteran because the clinic has decided to take the veteran's case.

Since the Clinic began operations, we have been involved in a wide variety of matters including landlord-tenant disputes, driver's license issues, insurance claims, consumer credit and family law issues. The Clinic has also assisted veterans in municipal and district courts and represented veterans in getting criminal charges which have been dismissed expunged from public records. Students in the clinic have drafted pleadings, letters and memoranda. They have also drafted wills and estate documents such as power of attorney forms and the pleadings for uncontested divorces.

Students in the clinic will have a significant amount of contact with real clients and potential clients and will be the closely involved with their cases. There is also classroom component trains students in how to assist veterans.

Law 780 R**Selected Topics: Constitutional Law
Contemporary Constitutional Theory
(2 Credit Hours)****Dean Denning**

In the aftermath of the Constitutional Revolution of 1937, the U.S. Supreme Court largely abandoned its earlier use of judicial review to strike down state and federal regulations of the economy, but at the same time began judicial review of state and federal laws affecting “civil liberties” or which implicated “civil rights.” Defending judicial activity in one area while justifying judicial restraint in another required constitutional law to become more self-consciously theoretical than it had previously been. This need to conceive and defend coherent theories of constitutional interpretation and judicial review reached a critical stage in the wake of *Brown v. Board of Education*, a decision which, at first, raised anxieties about judicial overreaching, even among scholars inclined to support the goal of desegregation.

This course examines various approaches to constitutional interpretation developed since mid-century. We will proceed in roughly chronological fashion, beginning with early works of Learned Hand, Alexander Bickel, and moving through the process-oriented theories of the 1970s, the rise of originalism, pragmatic interpretive theories, and ultimately concluding with recent important works of contemporary scholars. Students will write and discuss weekly papers on the readings.

Law 798 W1**Data and Privacy in Education Compliance****TBD**

A study of student privacy laws and regulations in the higher education context. Includes an in-depth look at the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Family Educational Rights and Privacy Act (FERPA), and the compliance issues associated with each.

Law 798 W2**Business of Law****Kerry McInerney**

This course will explore the changing nature of the legal industry and how those changes impact legal operations in a variety of settings. Students will examine the structure and business of a law firm; a corporate law department; the emergence of law companies; legal technology; access to justice; employment and diversity in the legal profession; lawyer well-being; and legal education reform. Interviews with industry experts add real world context for the instructional materials and interactive exercises and assessments.

Law 799 W1**Banking Law & Regulation in the US****Kerry McInerney**

A survey of U.S. banking law and regulation. Provides students with an overview of the regulatory framework in which banks operate and the laws governing all aspects of bank operations. Legal and regulatory changes and challenges faced by banks since 2008 will be discussed.

Law 799 WBR**TAX POLICY****Professor Tracey Roberts**

This online summer seminar examines the legal, economic, and political considerations relevant to the formulation and implementation of federal tax policy. This class will examine the following issues: the concept of income, defining efficiency and equity, incidence, ability to pay, progressivity, the tax expenditure concept, taxing capital income, taxing labor income, consumption taxation, the double taxation of corporate income, cost-benefit analysis, political economy, externalities and public goods, insurance, and human capital. The course will require weekly worksheets, one short analysis of a law review article or other critical work, constructive comments on another student's draft seminar paper, and a seminar paper. The course fulfills the Upper Level Writing Requirement. By the end of the course, students who perform the reading assignments, complete all of the written assignments, and engage in class discussion (via the Canvas site) will be able to: 1. Understand and discuss economic concepts and foundational principles relating to tax and fiscal policy and the way they impact policy decisions. 2. Understand and apply these concepts and principles in evaluating alternative tax and budgetary policies. 3. Critique the work of well-known legal scholars on policy and evaluate their proposals. 4. Provide constructive criticism for others' written work and thereby improve their own writing.