SUPPLEMENTAL COURSE INFORMATION - FALL 2020

LAW 613 01
Advanced Evidence
(2 Credit Hours)
Professor McCarthy
This is a practical course that will help students address real world evidence issues, and it is designed to train students how to identify and handle evidence issues that may arise from the inception of the case. Pleadings, discovery, depositions, and other pre-trial issues have evidentiary implications, and the first portion of the course will address various procedural and other rules that impact a case long before it goes to trial. The remainder of the course will deal largely with evidence at trial and is more practical than theoretical. The course will focus on applying evidentiary concepts to actual trial problems, and will address the admissibility of social media and other cutting edge evidence issues. A premium will be placed on the student’s ability to articulate multiple grounds for both making and meeting objections to evidence. Each student will be given free access to a dropbox link that contains hundreds of pages of statutes, jury charges, cases, rules, articles, and other materials that will be a go to source for many evidence issues.

LAW 657 01
ALABAMA CIVIL LITIGATION PRACTICE & PROCEDURE
(2 Credit Hours)
Professor DeGaris
This course will present the practical aspects of civil litigation in Alabama, in the chronological order in which a practitioner will be exposed to issues in a real-world setting. It will involve the survey and analysis of the application of, and interplay between, the Alabama Rules of Civil Procedure, selected Alabama and federal statutory provisions, Alabama case law and selected provisions of the Alabama Rules of Appellate Procedure.

LAW 695 R
JURISPRUDENCE
(3 Credit Hours)
Judge Newsom and Professor Frederick
This course will explore several areas of jurisprudence, both generally and in their more specific applications. We will begin by covering the fundamental themes, including the relation between law and morality and the nature of legal reasoning. We will examine jurisprudential theories such as legal positivism, natural law, legal interpretivism, legal realism, and legal formalism. We will then turn to specific philosophical issues in the law such as the obligation to obey the law and punishment. We will use H.L.A. Hart’s *The Concept of Law* and Lon Fuller’s *The Morality of Law*, along with other excerpts and articles by various legal theorists and illustrative materials from cases.

Grades will be determined by a combination of class participation, weekly response papers, and one extended paper.
LAW 702 E
INNOCENCE CLINIC
(5 credit hours)
Professor Davis
This course focuses on the law and practice of challenging wrongful convictions in Alabama cases. In the course, students will read postconviction cases and articles, review substantive legal claims, research procedural avenues of relief, investigate facts and interview witnesses, and file pleadings for prisoners trying to vacate, set aside or correct non-capital convictions and sentences based on claims of factual innocence. Students will develop advocacy skills, communicate with clients, interview witnesses, spot and evaluate issues, research claims, and write legal memoranda and pleadings. Class meetings will vary between typically instructional formats, case updates, drafting, and group problem-solving.

Law 706 E
VETERANS CLINIC
(4 credit hours)
Judge Carroll
The Veterans Legal Assistance Clinic will teach students to assist veterans and their families in a variety of civil and administrative, litigation and non-litigation matters, including credit and related financial matters, housing, family law, expunging criminal convictions, and wills. Students will attend class and under attorney supervision, handle weekly out-of-class casework including volunteering at the Veterans Help Desk at the VA Hospital in Birmingham, AL, working with reentry programs, and at local Veterans Treatment Courts. Students may also be responsible for legal research for cases before the U.S. Court of Appeals for Veterans Claims as needed.

LAW 712 E
JURY SELECTION
(2 Credit Hours)
Judge Cornelius and Professor Rip Andrews
This course focuses on the substantive law relating to jury selection as well as the art and science of jury selection. Students will receive instruction through focused lectures, demonstrations, and feedback from the professors on in-class performances. Students will analyze civil case files, conduct case analysis, prepare voir dire questions and questionnaires, learn questioning techniques, and perform general and individual voir dire. Basic Skills in Trial Advocacy is a prerequisite for this class.

LAW 714 E
DEPOSITION SKILLS AND TECHNOLOGY
(3 Credit Hours)
Professor DiLorenzo
This course focuses on developing the skills required to prepare and conduct depositions. Students will receive instruction through focused lectures, demonstrations, and feedback from the professors on in-class performances. Students will analyze civil case files, prepare witnesses for depositions, learn questioning techniques, and perform depositions of lay witnesses, parties, and experts. Students will also use iPads with loaded deposition software to learn how to prepare and take depositions. Students will also use iPad technology to prepare post-deposition analysis of the depositions.
Basic Skills in Trial Advocacy is a prerequisite for this class. Additionally, this class is focused on civil litigation. Students should have familiarity with the pre-trial discovery process including, but not limited to, interrogatories, requests for production, and requests for admissions. To register for this course, students must submit a resume and a class transcript (it does not need to be an official transcript) to Tracy Luke (tnluke@samford.edu) by March 24, 2020.

**LAW 769 01**  
TECHNOLOGY FOR PRACTICE OF LAW  
(1 Credit Hours)  
Professor Simms  
Course description and objectives: this course is for law students that plan to go solo or practice law within a small firm as well as those that will practice in larger law firms. Students will leave at the end of the semester with a greater knowledge of how to promote themselves, use technology in a variety of ways, and be more prepared for the practice of law. Subjects covered – apps, software/hardware, social media/marketing, security, and the obligation to be competent in technology.

**LAW 777 01**  
Mergers & Acquisitions  
(2 Credit Hours)  
Professor Leara  
This course is offered to introduce upper-level law students to the practical aspects of transactional lawyering. The intent is to spend the semester analyzing a “deal”; starting from the “dating” phase – the preliminary discussions between the principals of two organizations, progressing through the “courtship” phase – the negotiation of a letter of intent, onto the “betrothal” phase – the execution of the purchase/merger agreement and performance of due diligence, and culminating with the “honeymoon” phase – the post closing experiences and price-adjusting events.

The course should be reserved for second and third year students who have already studied (or concurrently enrolled in) contracts, property, UCC (especially secured transactions), business organizations, tax (even though the course will only dabble slightly in the areas of corporate and securities taxation), and Constitutional law. Although the following suggested courses need not be prerequisites, students will be more prepared for the class and understand certain nuances that cannot be fully explained in great detail during the course of the semester if they have already been exposed to, or are currently studying: bankruptcy, antitrust, securities, corporate finance, banking and conflict of laws.

What is the real purpose of this course and does it accomplish? Simply put, to enhance students understanding of complex business transactions. The course covers a variety of substantive areas for which the students have already studied; this course will give them some practical insight as to how these areas mesh together, with the focus on how each side in a transaction is concerned about separate and distinct needs. Regardless of what area of law they eventually gravitate towards, every lawyer is exposed to a business transaction of some sort in their work experience. They will learn that, more often than not, the differences between the mega-merger and the local, closely held business merger are relatively small in scope.

We use a textbook authorized by Professor Williams J. Carney of Emory Law School, entitled *Cases and Materials on Mergers and Acquisitions*. Professor Carney’s text uses cases intermixed with examples of negotiated documents and provides great insight as to what level of detail is required for the negotiated
transaction and how important battle lines are drawn/develop over the assignment of various risks between the parties in transactions.

Finally, Cumberland offers this class to help nurture and cultivate quality transactional skills for its graduates. The legal profession is better served with more, competent transactional lawyers with some idea of what to do, as opposed to the “business” lawyer who tries to learn on the job or via an LLM program.

LAW 798 AML
AMERICAN LAW, PROCEDURE & PRACTICE: A Course for Third Year Law Students
(3 Credit Hours)
Professor Walthall
This course provides third year law students the opportunity to review selected areas of substantive law and civil and criminal procedure that are tested heavily on bar exams. Members of the class will study actual bar review materials on those subjects in the same intensive way in which they will prepare for the actual bar exam. Then they will take practice bar exam exercises on the subjects they have studied. The practice exercises will follow the multiple choice question format of the Multistate Bar Exam (MBE) and the essay question format of the Multistate Essay Exam (MEE). (Because of time constraints, students in the course will not generally do Model Professional Test (MPT) exercises). Throughout the semester students will self-assess their performance on these exercises, using analyses of and annotations to the exercise which are made available to them (and reporting to me on how they are doing).

There will be a final, graded exam.

But the weekly self-administered, self-assessed exercises will carry a substantial weight in the final grade, with full grades given for good faith submissions on a participatory basis.

Indeed the skills and knowledge developed in the weekly self-administered, self-assessed participatory exercises should equip students to do well on the final graded test.

More importantly, those exercises, coupled with the review of substantive law preceding the exercises, should equip the student to do well on their state’s bar exam.

This is particularly true of those who take the bar exam in a Uniform Bar Exam (UBE) state, such as Alabama, on “general law” as tested on the UBE (rather than state-specific law).

But even for students who plan to take the bar exam in a non-UBE state (such as Florida or Tennessee, which have state-specific essay components but do use the standard MBE multiple choice questions) the course allows them to develop their test taking skills.

Enrollment is restricted to third-year students. The course is especially urged for students who have received lower level grades in law school.

I would be glad to discuss the course with anyone interested.
My office is Room 210 (just across from the Great Room) and my email is hpwaltha@samford.edu. I look forward to hearing from you.

LAW 799 BCE
BANKRUPTCY & CONSUMER FINANCE
(2 Credit Hours)
Professor Hawkins
The objective of this course is to facilitate students’ development of practical management and lawyering skills through an immersive hypothetical experience as in-house bankruptcy counsel for a large financial institution. The primary legal framework for the course will be the United States Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Truth in Lending Act, the Real Estate Settlement Procedures Act, and the Fair Debt Collection Practices Act, the Fair Credit Reporting Act and the related regulations promulgated by the Bureau of Consumer Financial Protection.

LAW 832 E
SOLO PRACTICE
(2 credit hours)
Professor McCurley
This course will focus on issues that arise in the daily practice of law. ABA reports that 49% of all lawyers in America practice by themselves. All lawyers, regardless of their practice, will encounter clients with personal and family crises, this course is designed to provide students with the experience of a basic law practice. This includes drafting exercises for: divorce and child custody; collection of judgments; buying or leasing a house; guardians and conservators; forming a family LLC and wills and estates. The class will develop law practice skills as they discuss and prepare the necessary documents in a general law practice. Except for introductory classes to familiarize students with areas of law that are responsive to government documents or require trial skills each class will have a fact specific assignment for students to respond to a legal issue of the client by preparing documents to be completed and handed in the following class period.