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# SCHOOL OF LAW

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## Welcome to the School of Law Academic Bulletin

The School of Law Academic Bulletin is the official document of record concerning academic programs and regulations.

This bulletin is for information purposes only and does not constitute any contractual agreement between a student and the University of South Carolina. The University reserves the right to make changes in curricula, degree requirements, course offerings, or academic regulations at any time when, in the judgment of the faculty, the president, or the Board of Trustees, such changes are in the best interest of the students and the University.

## Academic Bulletin Information

### Bulletin Updates and Corrections

Noncurricular information (i.e., faculty listings, contact information, college or departmental descriptive text) can be updated by contacting the Office of the University Registrar ([bulletin@sc.edu](mailto:bulletin@sc.edu)) on the Columbia Campus. Any material pertaining to course descriptions or curriculum changes must have the approval of the Faculty Senate, Graduate Council, Board of Trustees, and/or S.C. Commission on Higher Education before it can be published in the bulletins.

### Printing Portions of the Online Bulletins

The academic bulletins are available online only. However, you may produce hard copy of any portion or all of an online bulletin using your local printer.

### Additional Information

Registration at the University of South Carolina assumes the students' acceptance of all published regulations, including both those which appear in this document and all others as applicable in any official announcement

The University has established procedures to certify that all classroom activities are conducted by individuals with spoken and written proficiency in the English language at a suitable level. Student complaints concerning the English proficiency of an individual with classroom responsibilities should follow the grievance procedures available from the Office of the Provost on the Columbia campus.

The University of South Carolina provides equal opportunity in education and employment for all qualified persons regardless of race, color, religion, sex, national origin, age, disability, or veteran status. The University of South Carolina has designated as the ADA Title II, Section 504 and Title IX coordinator the Executive Assistant to the President for Equal Opportunity Programs. The Office of the Executive Assistant to the President for Equal Opportunity Programs is located in:

Suite 805  
1600 Hampton St.  
Columbia, South Carolina  
telephone 803-777-3854

# THE UNIVERSITY

## UofSC System Mission Statement

Approved by the Board of Trustees- October 11, 2019

Next Board of Trustees Scheduled Review- January 2023

The primary mission of the University of South Carolina System is the education of the state's diverse citizens through teaching, research, creative activity, and community engagement. This public university system serves students from its flagship Columbia campus, three comprehensive universities (Aiken, Beaufort, and Upstate), and four regional Palmetto College campuses (Lancaster, Salkehatchie, Sumter, and Union).

The University of South Carolina System offers degree programs at the associate's, bachelor's, master's, and doctoral levels. Through classroom and laboratory instruction delivered in a variety of face-to-face and distance learning formats and modalities, degree programs are offered in the following areas: arts and sciences; business; education; engineering and computing; hospitality, retail, and sport management; information and communications; law; medicine; music; nursing; pharmacy; public health; and social work.

With a flagship campus recognized by the Carnegie Foundation as a top research and community engaged institution and nationally ranked in start-up businesses, and an eight-campus system that confers nearly 40% of all bachelor's and graduate degrees awarded at public institutions in South Carolina, the university has a profound relevance, reach, and impact on the people of the state. The University of South Carolina System provides all students with the highest-quality education, including the knowledge, skills, and values necessary for success and responsible citizenship in a complex and changing world through engagement in nationally and internationally ranked research, scholarship, service, and artistic creation.

## UofSC Columbia Mission Statement

Approved by the Board of Trustees- October 11, 2019

Next Board of Trustees Scheduled Review- January 2023

The primary mission of the University of South Carolina Columbia is the education of the state's citizens through teaching, research, creative activity, and community engagement. Among America's oldest and most comprehensive public universities, the University of South Carolina Columbia is the major research institution of the university system and its largest campus. At the heart of its mission lies the University's responsibility to state and society to promote the dissemination of knowledge, cultural enrichment, and an enhanced quality of life.

The University of South Carolina Columbia serves a diverse population of students with widely varying backgrounds, career goals, and levels of aspiration. The university offers over 320 degrees at the bachelor's, master's, doctoral, and professional program levels, affording students the most comprehensive array of educational programs in the state. Opportunities for personal and career development are provided to the citizens of South Carolina through outreach and continuing education activities. The university provides additional opportunities for associate degrees through Fort Jackson and through the oversight of regional Palmetto College campuses (Lancaster, Salkehatchie, Sumter, and Union).

Through classroom and laboratory instruction delivered in a variety of face-to-face and distance learning formats and modalities, degree programs are offered in the following areas: arts and sciences; business; education; engineering and computing; hospitality, retail, and sport management; information and communications; law; medicine; music; nursing; pharmacy; public health; and social work. The depth and breadth of its graduate programs distinguishes the University of South Carolina Columbia from all other institutions of higher learning in South Carolina.

Recognized by the Carnegie Foundation as a top research and community engaged institution, nationally ranked in start-up businesses, and conferring over 30% of all bachelor's and graduate degrees awarded at public institutions in South Carolina, the university has a profound relevance, reach, and impact on the people of the state. As the flagship institution of the university system, the University of South Carolina Columbia leads the way in providing all students with the highest-quality education, including the knowledge, skills, and values necessary for success and responsible citizenship in a complex and changing world through engagement in nationally and internationally ranked research, scholarship, community outreach, and artistic creation.

## Accreditation

The University of South Carolina Columbia is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award associate, baccalaureate, master's, and doctoral degrees. The regional Palmetto College campuses (Lancaster, Salkehatchie, Sumter, and Union) are branch campuses of the University of South Carolina Columbia; the branch campuses' accreditation is dependent on the continued accreditation of the University of South Carolina Columbia. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of the University of South Carolina Columbia.

In addition to this comprehensive accreditation, the professional schools on the Columbia campus are individually accredited by their respective associations as follows:

**College of Arts and Sciences:** In the Department of Psychology, the graduate degrees in clinical-community psychology are accredited by the American Psychological Association; graduate degrees in school psychology are accredited by the National Association of State Directors of Teacher Education and Certification, the National Council for Accreditation of Teacher Education, and the National Association of School Psychologists with the doctoral program also being accredited by the American Psychological Association. The Master of Public Administration degree offered by the Department of Political Science is accredited by the National Association of Schools of Public Affairs and Administration. The Department of Theatre and Dance is accredited by the National Association of Schools of Theatre and the University/Resident Theatre Association. The Department of Art is accredited by the National Association of Schools of Art and Design. The Department of Chemistry is accredited by the American Chemical Society.

**Moore School of Business and the School of Accounting:** American Assembly of Collegiate Schools of Business.

**College of Education:** National Council for Accreditation of Teacher Education, Council for the Accreditation of Counseling and Other Related Educational Programs.

**College of Engineering and Computing:** Programs in chemical engineering, civil engineering, computer engineering, electrical engineering, and mechanical engineering are accredited by the

Engineering Accreditation Commission of ABET, <http://www.abet.org>. The programs in computer science and computer information systems are accredited by the Computing Accreditation Commission of ABET, <http://www.abet.org>.

**School of Hospitality, Retail, and Sport Management:** Accreditation Commission for Programs in Hospitality Administration.

**School of Law:** American Bar Association, Association of American Law Schools.

**College of Information and Communications:** The School of Journalism and Mass Communications is accredited by the Accrediting Council on Education in Journalism and Mass Communications. The School of Library and Information Science is accredited by the American Library Association.

**School of Medicine:** Liaison Committee on Medical Education of the American Medical Association-Association of American Medical Colleges.

**School of Music:** National Association of Schools of Music.

**College of Nursing:** Commission on Collegiate Nursing Education.

**College of Pharmacy:** American Council on Pharmaceutical Education.

**Arnold School of Public Health:** Accreditation in Physical Therapy Education, Council on Academic Accreditation of the American Speech-Language-Hearing Association, Council on Education for Public Health, National Council for Accreditation of Teacher Education, National Association of State Directors of Teacher Education and Certification.

**College of Social Work:** Council on Social Work Education.

## University Officials

### Board of Trustees

Henry McMaster, *Governor of South Carolina, Ex Officio Chair*

John C. von Lehe, Jr., *9th Judicial Circuit, Chair*

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Mack I. Whittle, Jr., *13th Judicial Circuit*

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### Administrative Officers

Harris Pastides, *Interim President*

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Ed Walton, *Executive Vice President for Administration and Chief Financial Officer*

Mark Bieger, *Chief of Staff*

Larry Thomas, *Vice President for Communications*

Monica Delisa, *Vice President for Development*

Julian R. Williams, *Vice President for Diversity, Equity and Inclusion*

Caroline Agardy, *Vice President for Human Resources*

Doug Foster, *Vice President for Information Technology and Chief Information Officer*

Prakash Nagarkatti, *Vice President for Research*

Dennis Pruitt, *Vice President for Student Affairs and Vice Provost for Academic Support*

Bill Kirkland, *Executive Director of the Office of Innovation, Partnership, and Economic Engagement*

Walter "Terry" Parham, *General Counsel and Executive Director of Compliance Programs*

Ray Tanner, *Director of Athletics*

# SCHOOL OF LAW

The mission of the University of South Carolina School of Law is to provide students, through an in-depth legal education, with a foundation upon which they can build successful careers in the practice of law and public service; to contribute to the development of the law and legal theory through significant faculty scholarship on issues of state, national and international importance; and to advance the administration of justice through service to the legal profession, the state and the nation.

## Degree Programs

The School of Law offers a full-time day Juris Doctor program. To earn the J.D., students must successfully complete 90 hours of course work over six semesters, including at least four semesters of study in residence at the School of Law.

- Juris Doctor (p. 13)

## Dual Degree

The School of Law offers students the opportunity to complete work on a Juris Doctor and a graduate degree in one of the following programs:

- Accountancy / Law, M.A.C.C. / J.D. (p. 9)
- Criminology and Criminal Justice / Law, M.A. / J.D. (p. 9)
- Earth and Environmental Resources Management / Law, M.E.E.R.M. / J.D. (p. 9)
- Environmental Law and Policy / Law, M.E.L.P. / J.D. (Dual Degree Program with the Vermont Law School) (p. 9)
- Health Services Policy and Management / Law, M.H.A. / J.D. (p. 11)
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- Public Administration / Law, M.P.A. / J.D. (p. 15)
- Social Work / Law, M.S.W. / J.D. (p. 15)

## Deans and Professors

### Professors

Duncan E. Alford, J.D., University of North Carolina, 1991, Associate Dean and Director of Law Library

Derek W. Black, J.D., University of North Carolina at Chapel Hill, 2002, Ernest F. Hollings Chair in Constitutional Law

Elizabeth Chambliss, Ph.D., University of Wisconsin, 1992, J.D., University of Wisconsin, 1988, M.S., University of Wisconsin, 1984, Henry Harman Edens Chair

Thomas P. Crocker, J.D., Yale University, 2004, Ph.D., Vanderbilt University, 2000, N. Heyward Clarkson, Jr. Professorship

Joshua G. Eagle, J.D., Georgetown University, 1990, Solomon Blatt Professor of Law

Lisa A. Eichhorn, J.D., Duke University, 1990

Susan S. Kuo, J.D., Vanderbilt University, 1994, Associate Dean for Diversity & Inclusion, Interim Associate Dean for Academic Affairs, Class of 1969 Chair for Teaching Excellence

Benjamin Means, J.D., University of Michigan, 1999, John T. Campbell Chair in Business Law and Professional Ethics

Martin C. McWilliams Jr., LL.M., Harvard University, 1976, J.D., University of Mississippi, 1975

S. Alan Medlin, J.D., University of South Carolina, 1979, David W. Robinson Professor of Law

Colin Miller, J.D., College of William and Mary, 2003, , Thomas H. Pope Professorship in Trial Advocacy

Wadie E. Said, J.D., Columbia University, 1999

Joel H. Samuels, J.D., University of Michigan, 1999

Joseph A. Seiner, J.D., Washington and Lee University, 1998, Oliver Ellsworth Professor of Federal Practice

Ned Snow, J.D., Harvard University, 2003, Associate Dean for Faculty Development, Ray Taylor Fair Professor of Law

Robert M. Wilcox, J.D., University of South Carolina, 1981

Marcia Y. Zug, J.D., Yale University, 2004, Miles and Ann Loadholt Chair

## Associate Professors

Marie C. Boyd, J.D., Yale University, 2007

Josie F. Brown, J.D., Harvard Law School, 1985

James R. Burkhard, J.D., Ohio State University, 1968

Jaclyn A. Cherry, J.D., Duquesne University School of Law, 1988

Jesse M. Cross, J.D., Yale Law School, 2011, M.A. University of California, Irvine, 2007

Tessa R. Davis, LL.M., New York University, 2012, J.D. Florida State University, 2011

Ann M. Eisenberg, LL.M., West Virginia University College of Law, 2016, J.D., Cornell University, 2012

Jacqueline R. Fox, LL.M., Georgetown University, 1995, J.D., Georgetown University, 1991

Kenneth W. Gaines, LL.M., Emory University, 1990, J.D., University of Kansas, 1976

Josh Gupta-Kagan, J.D., New York University, 2004

David K. Linnan, J.D., University of Chicago, 1979

Lisa Martin, J.D., Georgetown University Law Center, 2003

Aparna Polavarapu, M.A.L.D., Tufts University, 2010, J.D., Georgetown University, 2005

Clare S. Raj, J.D., Case Western Reserve University, 2003

Nathan D. Richardson, J.D., University of Chicago, 2009

Seth W. Stoughton, J.D., University of Virginia, 2011

Howard B. Stravitz, J.D., Rutgers University Camden, 1972

Bryant Walker Smith, LL.M., New York University, 2009, J.D., New York University, 2008

Emily F. Suski, LL.M., Georgetown University, 2006, J.D., University of North Carolina at Chapel Hill, 2001

Clinton G. Wallace, LL.M., New York University School of Law, 2015, J.D., New York University School of Law, 2012

Shelley H. Welton, J.D., New York University, 2009, MPA, Columbia University, 2006

## Assistant Professors

Emily R. Winston, J.D., University of Chicago, 2010

Etienne Toussaint, LL.M., The George Washington University Law School, 2019, J.D., Harvard Law School, 2012, M.S.E, The Johns Hopkins University, 2009

Madalyn Wasilczuk, J.D., New York University School of Law

## Legal Writing Professors

Janice M. Baker, J.D., University of South Carolina, 1994

Robert T. Bockman, J.D., University of Georgia, 1975, M.A., University of Georgia, 1972

Shelby K. Leonardi, J.D., University of Notre Dame, 2002

Ami Leventis, J.D., University of Virginia, 2001

Amy L. Milligan, J.D., University of South Carolina, 2002

McKenzie Osborne, J.D., New York University School of Law, 2013

Michael J. Virzi, J.D., University of South Carolina, 2000

## Legal Research Professors

Daniel A. Brackmann, M.S.L.I.S., University of Illinois, 2014, J.D. University of Cincinnati, 1999

Terrye Conroy, M.L.I.S., University of South Carolina, 2002, J.D., University of South Carolina, 1987

Aaron J. Glenn, M.L.I.S., University of South Carolina, 2015, J.D., University of South Carolina, 2013

Rebekah K. Maxwell, M.L.I.S., University of South Carolina, 1995, J.D., Mercer University, 1994

Eve Ross, M.L.I.S., University of South Carolina, 2014, J.D., University of South Carolina, 2007

Candle M. Wester, M.L.I.S., University of Illinois at Urbana-Champaign, 2006, J.D., University of Nebraska, 2004

## Clinical Instructor

Clyde Gore, Jr., M.B.A., University of South Carolina, 2017, J.D., University of South Carolina, 2005

## Professors Emeriti

Gregory B. Adams, J.S.D., Columbia University, 1986, LL.M., Columbia University, 1979, J.D., Louisiana State University, 1973

F. Ladson Boyle, LL.M., New York University, 1975, J.D., University of South Carolina, 1974, Charles E. Simons Jr. Professor of Federal Law

R. Randall Bridwell, LL.M., Harvard University, 1971, J.D., Southern Methodist University, 1970

W. Lewis Burke, J.D., University of South Carolina, 1975

Katharine I. Butler, J.D., University of Tennessee, 1974

Nathan M. Crystal, LL.M., Harvard University, 1976, J.D., Emory University, 1971, Class of 1969 Distinguished Professor Emeritus of Professional Responsibility & Contract Law

Richard E. Day, J.D., University of Michigan, 1957

Robert L. Felix, LL.M., Harvard University, 1967, LL.B., University of Cincinnati, 1959, James P. Mozingo III Professor Emeritus of Legal Research

James F. Flanagan, LL.B., University of Pennsylvania, 1967, Oliver Ellsworth Professor of Federal Practice

Patrick J. Flynn, J.D., Indiana University, 1974

John P. Freeman, LL.M., University of Pennsylvania, 1976, J.D., University of Notre Dame, 1970, John T. Campbell Professor Emeritus of Business and Professional Ethics

Thomas R. Haggard, LL.B., University of Texas, 1967

F. Patrick Hubbard, LL.M., Yale University, 1973, Ronald L. Motley Distinguished Professor of Tort Law

Herbert A. Johnson, Ph.D., Columbia University, 1965, LL.B., New York Law School, 1960

Philip T. Lacy, LL.B., University of Virginia, 1972

Henry S. Mather, J.D., Cornell University, 1970

Ralph C. McCullough, II, J.D., Tulane University, 1965

John E. Montgomery, LL.M., University of Michigan, 1971, J.D., University of Louisville, 1969, Director, Nelson Mullins Riley & Scarborough Center on Professionalism

Dennis R. Nolan, J.D., Harvard University, 1970, Webster Distinguished Professor Emeritus of Labor Law

David G. Owen, J.D., University of Pennsylvania, 1971, Carolina Distinguished Professor of Law

Elizabeth G. Patterson, J.D., University of Arizona, 1976

Burnele V. Powell, LL.M., Harvard University, 1979, Miles and Ann Loadholt Professor of Law

Walter F. Pratt Jr., J.D., Yale University, 1977, James P. Mozingo III Professor Emeritus of Legal Research, Educational Foundation Distinguished Professor of Law

O'Neal Smalls, LL.M., Georgetown University, 1975, J.D., Harvard University, 1967

Stephan A. Spitz, J.D., University of Nebraska, 1974

Roy T. Stuckey, J.D., University of South Carolina, 1973, Webster Distinguished Professor Emeritus of Clinical Legal Education

Jon P. Thames, LL.M., Harvard University, 1971, J.D., University of Mississippi, 1965

James L. Underwood, LL.M., Yale University, 1966, J.D., Emory University, 1962

Eldon D. Wedlock, Jr., LL.M., Yale University, 1969, J.D., American University, 1968

# ADMISSIONS

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The admissions goal of the School of Law is to enroll qualified students who will make a positive contribution to the school's educational environment and to South Carolina, the region, and the nation after graduation. In making admissions decisions, the Faculty Committee on Admissions takes a holistic approach and considers myriad factors with emphasis on the cumulative undergraduate GPA and the Law School Admission Test (LSAT). Other factors that may influence the committee's decision include, but are not limited to, employment experience, military or public service, residency, diversity, course of study, personal statement, and letters of recommendation.

In order to be considered for admission, a candidate must have or expect to have an academic bachelor's degree from a fully accredited college or university by the date of the anticipated enrollment in the School of Law or must be a participant in the Honors College six-year B.A./B.S.-J.D. degree program. All applicants are required to take the LSAT and to register with the Law School Data Assembly Service.

The decision-making process begins in December of each year with the Faculty Committee on Admission reviewing completed files.

Applications to the School of Law must be received in the Office of Admissions by March 1. To receive priority consideration for merit-based scholarships, an applicant's completed admissions file (including all supporting material) must be received in the Office of Admissions by February 1. Accepted applicants may request a one-year deferment. Requests must be in writing and should set forth in detail the reason(s) for deferment. Deferment is granted in the discretion of the Office of Admissions.

For further information about the School of Law, interested applicants should contact:

Office of Admissions  
USC School of Law  
1525 Senate Street  
SC 29208

Information about the School of Law may also be obtained by visiting our Web site at [https://sc.edu/study/colleges\\_schools/law/admissions/](https://sc.edu/study/colleges_schools/law/admissions/).



## DEGREE PROGRAMS

The School of Law offers a full-time day Juris Doctor program. To earn the J.D., students must successfully complete 90 hours of course work over six semesters, including at least four semesters of study in residence at the School of Law.

- Juris Doctor (p. 13)

### Dual Degree

The School of Law offers students the opportunity to complete work on a Juris Doctor and a graduate degree in one of the following programs:

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- Environmental Law and Policy / Law, M.E.L.P. / J.D. (Dual Degree Program with the Vermont Law School) (p. 9)
- Health Services Policy and Management / Law, M.H.A. / J.D. (p. 11)
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- International Business / Law, I.M.B.A. / J.D. (p. 11)
- Journalism and Mass Communications / Law, M.M.C. / J.D. (p. 12)
- Public Administration / Law, M.P.A. / J.D. (p. 15)
- Social Work / Law, M.S.W. / J.D. (p. 15)

### Accountancy / Law, M.A.C.C. / J.D.

The Moore School of Business in cooperation with the University of South Carolina School of Law offers a combined degree program that permits a student to obtain the J.D. and Master of Accountancy (M.A.C.C.) degrees in approximately four years.

### Degree Requirements M.A.C.C. (30 Hours) / J.D. (90 Hours)

Through the combined program, the total course load may be reduced from that required if the two degrees were earned separately since 9 hours of electives toward the J.D. may be earned in the business administration program. Students in the M.A.C.C. program may use up to 9 hours of law course credit as electives. Prior to obtaining admission to the combined degree program, a student must be admitted to both the School of Law and the Moore School of Business.

### Criminology and Criminal Justice / Law, M.A. / J.D.

#### Admission

Prior to obtaining admission to the combined degree program, a student must be admitted to both the School of Law and the Department of Criminology and Criminal Justice. Upon admission to the combined degree program, the student will be assigned courses to be elected in both programs.

### Degree Requirements M.A. (30 Hours) / J.D. (90 Hours)

The Department of Criminology and Criminal Justice, in cooperation with the University of South Carolina School of Law, offers a combined degree program which permits a student to obtain both the Juris Doctor and the Master of Arts in Criminal Justice degrees in approximately four years. Through the combined program, the total course load may be reduced by as many as 15 credit hours from that required if the two degrees were earned separately, since 6 hours of electives toward the M.A. degree may be taken in law courses and 9 hours of electives toward the J.D. may be earned in the M.A. program.

### Earth and Environmental Resources Management / Law, M.E.E.R.M. / J.D. Admission

The combined J.D./M.E.E.R.M. program requires that students be accepted independently into each of the programs, that the students begin their first year with courses exclusively in the School of Law, and that the remaining years be divided between the two programs. Upon acceptance by both programs, students must complete a dual degree form. Acceptance into one program does not affect the decision of the other school with regards to admission. Upon admission to the dual degree program, the student must select electives from an approved list of courses.

### Degree Requirements M.E.E.R.M. (36 Hours) / J.D. (90 Hours)

The Environment and Sustainability Program in cooperation with the USC School of Law and The Graduate School offers a dual degree program. The dual degree program, the Master of Earth and Environmental Resources Management (M.E.E.R.M.) and law degree (J.D.), permits students to complete the joint program in approximately four years. Through the combined program, the total course load may be reduced by as many as 18 credit hours from that required if the two degrees were earned separately, since up to 9 hours of electives toward the M.E.E.R.M. degree may be taken in approved law courses and 9 hours of electives toward the J.D. may be earned in the M.E.E.R.M. program.

### Environmental Law and Policy / Law, M.E.L.P. / J.D. (Dual Degree Program with the Vermont Law School)

#### Accreditation

The University of South Carolina is accredited by the Southern Association of Colleges and Schools' Commission on Colleges to award Juris Doctor degrees. Because of its geographic location, Vermont Law School is accredited by a different body, and has no relationship with the Commission on Colleges. Both law schools are fully accredited by the American Bar Association. The Southern Association of Colleges and Schools' Commission on Colleges accreditation of the University of South Carolina does not extend to or include the Vermont Law School or its students. Although the University of South Carolina has faculty-approved regulations and accepts certain course work in transfer toward a credential from Vermont Law School, or collaborates in other ways for generation of course credits or program credentials, other colleges and

universities may or may not accept this work in transfer, even if it appears on a transcript from the University of South Carolina. Such a decision would be made by the institution subsequently considering the possibility of accepting such credits.

## Admission and Degree Requirements M.E.L.P. (30) / J.D. (90)

Application deadline is January 21, 2011. Applications will be available Fall 2010.

Students in the program may earn both degrees by completing 90 hours of J.D. study and 30 hours of M.E.L.P. study. Up to 9 hours of law study at South Carolina may be applied toward the M.E.L.P. degree and 9 hours of graduate study at Vermont may be applied toward the J.D. degree.

1. Students who enter the program must:
  - a. Be admitted to Vermont Law School's Master of Environmental Law and Policy (M.E.L.P.) Program.
  - b. Be admitted to the University of South Carolina (USC) School of Law.  
(a & b mean that the student must meet all entrance requirements of each school and be accepted as a student therein.)
  - c. Be admitted to the Dual Degree Program. Admission to the dual degree program must be made by application to both programs and both programs must approve the student's admission to the dual degree program.
  - d. Each program shall maintain appropriate records on each student in the program.
2. The program is prospective in operation.
  - a. Those students already holding a M.E.L.P. degree or a law degree will not be eligible for admission to the program.
  - b. Students currently enrolled in either school may enter the program and appropriate credit will be granted by both schools with due care exercised to effect the transition to insure the closest compliance with these regulations as the individual situation of each student permits.
3. Students will often complete the dual degree program in three years (including full-time summer study). Students shall begin the program by completing the first full year in USC's School of Law. At the end of that year, a student will enroll in the 1-credit USC course entitled Introductory Environmental Law and Policy. A student will thereafter enroll in Vermont M.E.L.P. courses via summer school, distance learning, and internships. A minimum of six (6) M.E.L.P. credits through distance learning must be earned during the course of the second and third years of study at USC's School of Law. The entire program for both degrees must be completed within a period of five academic years unless substantial reasons acceptable to the Joint Committee are given. In such event, each case will be judged on its individual merits and decisions in the case of other students will not serve as precedent.
4. Students must maintain the academic requirements presently in effect or as may be placed in effect to remain in the program.
  - a. Failure to maintain the requisite academic standing requirements of either school will preclude the student's continuation in the program in the semester he or she becomes ineligible.
  - b. The student may continue to complete the degree requirements in the school whose academic standing he or she has met.
  - c. A student dropped from the program for academic deficiency may not re-enter.

5.
  - a. The University of South Carolina School of Law will grant up to 9 hours credit toward the J.D. degree for work completed on the Vermont Law School campus toward the M.E.L.P. Degree with a minimum grade of C. The student must take the course for a letter grade if the course is offered on this basis. A grade of C or better shall be recorded on the student's USC transcript as a pass. No degree credit will be granted by the School of Law when the candidate earns a grade of less than C in the Vermont Law School course. Several courses published in the M.E.L.P. Program may be excluded as courses available for credit in the M.E.L.P.-J.D. dual degree program. These courses duplicate courses taught through the University of South Carolina's School of the Environment. This will be handled on a case-by-case basis as the program progresses.
  - b. Vermont Law School will grant up to 9 hours of credit toward the M.E.L.P. degree for specified course work completed in the USC School of Law. No credit will be granted when a candidate earns less than a C grade in the School of Law. All Graduate School academic requirements will be applicable to students participating in the Dual Degree Program.

VLS will award credit toward the M.E.L.P. degree for up to nine hours earned in the following School of Law courses:

Course	Title	Credits
LAWS 731	Environmental Law & Policy	3
LAWS 651	Land Use Planning	3
LAWS 709	Administrative Law	3

It may be possible to earn M.E.L.P. credit through other USC School of Law courses, as approved by the Joint Committee on a case-by-case basis.

6. Students enrolled in this program must take the one-credit LAWS 816 Introduction to Environmental Law and Policy, at the end of their first year.
7. Students enrolled in this program must have completed the requirements for both degrees to come within the provisions of paragraph 5.
8. The School of Law will assign a P, F, or W grade as may be appropriate for purposes of determining the Law School G.P.R. with respect to non-Law School courses taken in the M.E.L.P. Program.
  - a. The Joint Committee assigned to administer the program will take appropriate action to insure that each school is notified of the grades earned so that the proper entries are made on the student's record.
  - b. The Joint Committee will adopt any forms necessary to carry out the objectives of this program.
9. The Joint Committee shall consist of one or two designees from Vermont Law School appointed by the Director of the Vermont Law School Environmental Law Center, one or two faculty members from the USC Law School appointed by the Dean of the Law School, and the USC Law School Associate Dean for Academics. They shall each endorse all applications to the J.D.-M.E.L.P. program and take all necessary administrative action to insure that the purposes, spirit, and intent of the program are fulfilled.

The student may not take courses for credit under the dual degree program in one program where there is substantial duplication of material with a course which the student has taken in the other program.

- a. The Committee shall decide all questions of duplication or preemption of courses the student desires to take. It is understood that each committee member will confer with the member of his or her faculty whose course or seminar the student desires to take for credit in this program where it appears that there is substantial duplication of material or preemption of the course by a similar course in the other program.
  - b. If the Joint Committee shall be in disagreement with regard to the duplication of material or preemption then each shall confer as follows:
    - i. Vermont Law School's representative(s) of the Joint Committee shall confer with and abide by the decision reached by the Director of the Environmental Law Center.
    - ii. The USC School of Law's representative(s) on the Joint Committee shall confer with and abide by the decision reached by the Curriculum Committee of the School of Law.
    - iii. Each member of the Joint Committee shall be permitted to present and discuss the matter on which there is disagreement with the Committee of each program.
    - iv. In the event a student is aggrieved by a decision of the Joint Committee denying him or her permission to take a course in either program he or she desires to take under this Dual Degree Program, the student may appeal the decision to the Committee of the school in which he or she seeks to undertake such work.
10. The Joint Committee shall make every effort to accommodate the needs of the student consistent with the aims and objectives of the program. The Committee members shall counsel with the student, recommend alternative courses and otherwise assist him or her in furthering his or her career objectives through the Dual Degree Program.
  11. A Program of Study shall be approved by the Joint Committee prior to attending the Summer Session at Vermont Law School. Each student must submit his or her proposed schedule to the Joint Committee in sufficient time prior to registration to permit the Joint Committee to act on it. Therefore, students in the program should confer with the Joint Committee at regular and frequent intervals when schedules become available.
  12. The Joint Committee may make other such regulations concerning matters not contained herein which have not been anticipated and which are in keeping with the objectives of the program and the desires of both faculties, keeping always in mind the wishes of the student and his or her career objectives.
  13. Any student withdrawing from one of the programs in the Dual Degree Program will be required to satisfy all of the requirements of the degree program in which he or she retains candidacy.
  14. Enrollment in the J.D.-M.E.L.P. Dual Degree Program will not preclude simultaneous enrollment in the J.D.-M.E.E.R.M. Dual Degree Program.
  15. The University of South Carolina is accredited by the Southern Association of Colleges and Schools' Commission on Colleges to award Juris Doctor degrees. Because of its geographic location, Vermont Law School is accredited by a different body, and has no relationship with the Commission on Colleges. Both law schools are fully accredited by the American Bar Association. The Southern Association of Colleges and Schools' Commission on Colleges accreditation of the University of South Carolina does not extend to or include the Vermont Law School or its students. Although the University of South Carolina has faculty-approved regulations and accepts certain course work in transfer toward a credential from Vermont Law School, or collaborates in other ways for generation of

course credits or program credentials, other colleges and universities may or may not accept this work in transfer, even if it appears on a transcript from the University of South Carolina. Such a decision would be made by the institution subsequently considering the possibility of accepting such credits.

## **Health Services Policy and Management / Law, M.H.A. / J.D. Degree Requirements M.H.A. (58 Hours) / J.D. (90 Hours)**

The Department of Health Services Policy and Management and the School of Law offer a coordinated program that leads to a dual degree. Some courses do fulfill requirements for both portions of the dual degree. A dual degree program thus typically requires fewer semester hours in total than if the two programs were taken separately.

## **Human Resources / Law M.H.R. / J.D.**

The Moore School of Business in cooperation with the University of South Carolina School of Law offers a combined degree program that permits a student to obtain the J.D. and Master of Human Resources (M.H.R.) degrees in approximately four years.

## **Degree Requirements M.H.R. (45 Hours) / J.D. (90 Hours)**

Through the combined program, the total course load may be reduced from that required if the two degrees were earned separately since 9 hours of electives toward the J.D. may be earned in the business administration program. Students in the M.H.R./J.D. program may use up to 12 hours of employment-related law courses from the law school to fulfill requirements within the M.H.R. program. Prior to obtaining admission to the combined degree program, a student must be admitted to both the School of Law and the Moore School of Business.

## **International Business / Law, I.M.B.A. / J.D.**

The Moore School of Business in cooperation with the University of South Carolina School of Law offers a combined degree program that permits a student to obtain the J.D. and International Master of Business Administration (I.M.B.A.) degrees in approximately four years. Through the combined program, the total course load may be reduced from that required if the two degrees were earned separately since 9 hours of electives toward the J.D. may be earned in the business administration program.

Students in the I.M.B.A./J.D. program must take 9 credit hours of electives in the Moore School. An additional 12 credit hours in the School of Law will be used to satisfy the 21 elective credit hours required for the I.M.B.A. degree. All of these elective courses must be included in the I.M.B.A. program of study. Upon approval of the graduate director and dean of The Graduate School, business-related law school electives may be substituted for Moore School electives. Such substitution is permissible only if the business-related electives are not counting toward the J.D. degree. Students must supply the I.M.B.A. office with a letter from the law school registrar stating that any substitute business-related law school electives are not also being used to satisfy the J.D. degree.

Prior to obtaining admission to the combined degree program, a student must be admitted to both the School of Law and the Moore School of Business.

## Degree Requirements I.M.B.A. (68 Hours) / J.D. (90 Hours)

Students in the I.M.B.A./J.D. program must take 9 credit hours of electives in the Moore School. An additional 12 credit hours in the School of Law will be used to satisfy the 21 elective credit hours required for the I.M.B.A. degree. All of these elective courses must be included in the I.M.B.A. program of study. Upon approval of the graduate director and dean of The Graduate School, business-related law school electives may be substituted for Moore School electives. Such substitution is permissible only if the business-related law school electives are not counting toward the J.D. degree. Students must supply the I.M.B.A. office with a letter from the law school registrar stating that any substitute business-related law school electives are not also being used to satisfy the J.D. degree.

## Journalism and Mass Communications / Law, M.M.C. / J.D.

The School of Journalism and Mass Communications in cooperation with the University of South Carolina School of Law offers a combined degree program that permits a student to obtain the J.D. and Master of Mass Communications (M.M.C.) degrees in approximately four years. Through the combined program, the total course load may be reduced from that required if the two degrees were earned separately since 9 hours of electives towards the J.D. may be earned in the Mass Communication program. Students in the M.M.C. program may use up to 9 hours of law course credit as electives. Prior to obtaining permission to the combined degree program, a student must be admitted to both the School of Law and the School of Journalism and Mass Communication.

## Degree Requirements M.M.C. (36 Hours) / J.D. (90 Hours)

### Masters of Mass Communications Integrated Communications Area of Emphasis

Course	Title	Credit Hours
<b>First Year</b>		
<b>Fall</b>		
LAWS 505	Contracts I	3
LAWS 510	Property I	3
LAWS 524	Criminal Law	3
LAWS 530	Torts I	3
LAWS 535	Legal Writing I	2
LAWS 537	Legal Research	1
<b>Credit Hours</b>		<b>15</b>
<b>Spring</b>		
LAWS 506	Contracts II	3
LAWS 511	Property II	3
LAWS 525	Constitutional Law I	3
LAWS 531	Torts II	3
LAWS 536	Legal Writing II	1

LAWS 545	Civil Procedure I	3
<b>Credit Hours</b>		<b>16</b>
<b>Summer</b>		
Clerkship		
Option to enroll in graduate-level courses in the School of Journalism and Mass Communications		
<b>Credit Hours</b>		<b>0</b>
<b>Second Year</b>		
<b>Fall</b>		
LAWS 706	Administrative Law Externship (Summer)	4
Four additional courses selected from the Law School		12
<b>Credit Hours</b>		<b>16</b>
<b>Spring</b>		
Five courses selected from the Law School		15
<b>Credit Hours</b>		<b>15</b>
<b>Summer</b>		
Option to enroll in graduate-level courses in the School of Journalism and Mass Communications and/or Camp Carolina and/or clerkship		
<b>Credit Hours</b>		<b>0</b>
<b>Third Year</b>		
<b>Fall</b>		
JOUR 701	Research Methods in Mass Communication	3
MKTG 701	Marketing Management	3
JOUR 705	Strategic Communications Principles	3
JOUR 762	Issues in Mass Communication Management	3
<b>Credit Hours</b>		<b>12</b>
<b>Spring</b>		
JOUR 715	Strategic Communications Strategies	3
JOUR 771	Media Economics	3
JOUR 531 or JOUR 517	Public Relations Campaigns or Integrated Campaigns	3
JOUR 533 or JOUR 530	Public Relations Management or Creative Leadership	3
<b>Credit Hours</b>		<b>12</b>
<b>Summer</b>		
JOUR 777	Practicum in Mass Communications Management	3
<b>Credit Hours</b>		<b>3</b>
<b>Fourth Year</b>		
<b>Fall</b>		
Four courses selected from the Law School		15
<b>Credit Hours</b>		<b>15</b>
<b>Spring</b>		
Four courses selected from the Law School		15
<b>Credit Hours</b>		<b>15</b>
<b>Total Credit Hours</b>		<b>119</b>

## Masters of Mass Communications General Area of Emphasis

Course	Title	Credit Hours
<b>First Year</b>		
<b>Fall</b>		
LAWS 505	Contracts I	3
LAWS 510	Property I	3
LAWS 524	Criminal Law	3
LAWS 530	Torts I	3
LAWS 535	Legal Writing I	2
LAWS 537	Legal Research	1
<b>Credit Hours</b>		<b>15</b>
<b>Spring</b>		
LAWS 506	Contracts II	3
LAWS 511	Property II	3
LAWS 525	Constitutional Law I	3
LAWS 531	Torts II	3
LAWS 536	Legal Writing II	1
LAWS 545	Civil Procedure I	3
<b>Credit Hours</b>		<b>16</b>
<b>Summer</b>		
Clerkship		
Option to enroll in graduate-level courses in the School of Journalism and Mass Communications		
<b>Credit Hours</b>		<b>0</b>
<b>Second Year</b>		
<b>Fall</b>		
JOUR 706	Media Law	3
Four additional courses selected from the Law School		12
<b>Credit Hours</b>		<b>15</b>
<b>Spring</b>		
Five courses selected from the Law School		15
<b>Credit Hours</b>		<b>15</b>
<b>Summer</b>		
Option to enroll in graduate-level courses in the School of Journalism and Mass Communications and/or Camp Carolina and/or clerkship		
<b>Credit Hours</b>		<b>0</b>
<b>Third Year</b>		
<b>Fall</b>		
JOUR 701	Research Methods in Mass Communication	3
JOUR 762	Issues in Mass Communication Management	3
JOUR 705	Strategic Communications Principles	3
MGMT 770 or MKTG 701	Competing Through People or Marketing Management	3
<b>Credit Hours</b>		<b>12</b>
<b>Spring</b>		
Senior Semester		
MGMT 718	Management of Human Resources <sup>1</sup>	3
<b>Credit Hours</b>		<b>3</b>

<b>Summer</b>		
JOUR 777	Practicum in Mass Communications Management	3
<b>Credit Hours</b>		<b>3</b>
<b>Fourth Year</b>		
<b>Fall</b>		
Four courses selected from the Law School		12
MGMT 770 or MKTG 701	Competing Through People or Marketing Management	3
<b>Credit Hours</b>		<b>15</b>
<b>Spring</b>		
Four courses selected from the Law School		12
MGMT 718	Management of Human Resources <sup>1</sup>	3
<b>Credit Hours</b>		<b>15</b>
<b>Total Credit Hours</b>		<b>109</b>

<sup>1</sup> Or JOUR elective (can be satisfied through Law School).

Note: Three courses (9 hours) may count for dual credit. Therefore, a student enrolled in the dual program will have a Program of Study for the School of Law showing a total of 91 credit hours, and a Program of Study for the School of Journalism and Mass Communications showing a total of 36 credit hours.

## Juris Doctor Credit for All First Year Courses

The first year curriculum is designed to accomplish two objectives. First, it introduces students to the various fundamental areas of the law: civil procedure, constitutional law, contracts, criminal law, property, torts, and legal research and writing. These courses provide the foundation on which most second and third year work is based. Second, the course work as a whole is designed to teach students legal analysis, synthesis, and argumentation.

Effective for students graduating in December 2013 or later, except for dual degree students enrolled prior to Fall 2011:

Course	Title	Credit Hours
<b>First Year</b>		
<b>Fall</b>		
LAWS 500	Introduction to the Legal Profession	1
LAWS 504	Contract Law	4
LAWS 524	Criminal Law	3
LAWS 529	Torts	4
LAWS 533	Legal Research, Analysis and Writing I	3
<b>Credit Hours</b>		<b>15</b>
<b>Spring</b>		
LAWS 544	Civil Procedure	4
LAWS 523	Constitutional Law	4
LAWS 509	Property	4
LAWS 534	Legal Research, Analysis and Writing II	3
<b>Credit Hours</b>		<b>15</b>
<b>Total Credit Hours</b>		<b>30</b>

Students must complete all courses in the first year curriculum and earn a grade of D or better or pass for Introduction to the Legal Profession (entering Fall 2011). A first year student who receives a grade of F in a first year course receives no credit and is required to repeat the course. The Associate Dean, however, may waive for good cause the requirement that the student retake the course.

## Upper Level Credit Hour Requirements

During the second and third years, students must take no less than twelve (12) and no more than sixteen (16) hours each semester. During summer school students may take no more than six (6) hours. Students who wish to take additional hours must file a petition with the Associate Dean for Academic Affairs (see §VI.H). A form for this petition is available in the Office of the Registrar/Academic Services, room 137.

## Upper Level Course Requirements

The goals for the second and third year curriculum, as defined by the Curriculum Committee, are as follows:

- to expand the student's substantive knowledge of basic subject matters;
- to expand the student's range of legal skills; to expand the student's perspective on law and the legal process;
- to permit the intensive pursuit of specialized subjects by the student;
- to permit faculty to teach courses related to areas of individual research, interest, and expertise; and
- to allow for experimentation in subject matter and pedagogical methods.

**Note:** The Associate Dean for Academic Affairs will hold a meeting for students during the spring of each year, prior to registration for the following year, to guide students in selecting courses and to answer any questions they may have. Students are warned, however, that they have the responsibility of complying with all requirements for their degrees. The Office of the Registrar/Academic Services does not maintain a "running audit" of student's progress through Law School. The Registrar/Director of Academic Services will catch deficiencies only when checking the records of would-be graduating 3Ls.

While most upper level courses are elective, the following courses are required for graduation.

1. **Professional Responsibility.** Students must earn a grade of C or better in Professional Responsibility (2 credit hours) or Problems in Professional Responsibility (3 credit hours).
2. **A Professional Skills Course (not required for first year students entering in Fall 2017).** Students must earn a grade of Satisfactory, if the course is graded on a pass/fail basis, or a grade of C or better, if the course is graded on a letter basis, in at least one course that is designated as a professional skills course. A course taken to fulfill the professional skills requirement cannot fulfill the graduation writing requirement. Students must obtain the prior written approval of the Associate Dean for Academic Affairs in order to satisfy the professional skills course requirement by taking a course outside the Law School.

**Experiential Courses (starting with students entering the first year Fall 2016 and thereafter)** must earn a grade of Satisfactory, if the course is graded on a pass/fail basis, or a grade of C or better, if the course is graded on a letter basis, **in at least six credit hours of courses designated as experiential courses.** Courses taken to fulfill

the experiential requirement cannot fulfill the graduation writing requirement.

Students must obtain the prior written approval of the Associate Dean for Academic Affairs in order to satisfy the experiential course requirement by taking courses outside the Law School.

3. **A Perspective Course.** The faculty believes that graduates of the School of Law should understand the law in its broader social context, have some sense of its history, and appreciate the philosophical underpinnings of its operation.

## Perspective Course Requirement

The perspective course requirement may be satisfied during either the second or third year.

Courses taken outside the Law School may not be used to satisfy the Law School perspective course requirement except where:

1. there is good cause for not taking a perspective course at the Law School; and
2. the course involved is the equivalent in educational value to a perspective course offered in the Law School.

Students must obtain the prior written approval of the Associate Dean for Academic Affairs in order to satisfy the perspective course requirement by taking a course outside the Law School. A perspective course taken by a student prior to enrollment in the Juris Doctor program will not satisfy the perspective course requirement.

## Writing Requirement

To satisfy the writing requirement, a student must complete a substantial legal research project that meets the criteria in subparagraph "a" or satisfies the requirements of a proposal approved by the Curriculum Committee under subparagraph "b".

1. To satisfy the writing requirement a paper must:
  - a. Be in the form of a law review article, brief, or memorandum of Law
  - b. Be prepared under the supervision of a member of the faculty. The supervision requirement may be satisfied by:
    - i. taking a course with not more than 20 students in which all students are required to write a paper complying with the writing requirement (identified in the registration materials as a "writing seminar"); or
    - ii. through independent research supervised by a faculty member. No faculty member shall supervise more than five such papers in any given semester.
  - c. Be submitted in final written form of approximately 30 to 50 pages in length, after the submission of an outline and draft that have been critiqued by the professor.
  - d. When graded, receive a grade of at least a C. If written under a pass/fail election, receive a grade of S. Note that under a pass/fail election a grade of C or higher is recorded as an S, and a grade of lower than a C is recorded as an F

A brief submitted in a moot court competition can satisfy the writing requirement if:

- i. an outline and a draft of the brief has been critiqued and approved by a supervising faculty member; and
- ii. the student contributes at least 30 pages to the brief. If the rules of the competition in which the brief was submitted

preclude faculty involvement, the student must revise the brief to the satisfaction of the supervising faculty member after it has been submitted in the competition. This revision can include an outline and preliminary draft. If a student's contribution to the brief is less than 30 pages, the student may satisfy the page requirement by submitting a supplemental memorandum.

A note submitted to a law journal by a member of that journal can satisfy the writing requirement if it meets the requirements above and the student does not receive degree credit for the note under credit for serving on the editorial board.

2. The Curriculum Committee is authorized to approve on a case-by-case basis other Faculty proposals for satisfying the writing requirement, such as a series of shorter memoranda, problems, or drafting exercises. The Committee will approve only those proposals involving as much legal writing, in any appropriate form, as does the traditional 30-50 page paper.

Deadline for completion of the writing requirement. Unless the paper is written in a course that a student takes in his/her final semester, May graduates must submit their papers in final form by January 15, and December graduates must submit their papers in final form by September 1.

## Passing Grade in 90 Semester Hours of Course Work; Effect of F

Students must successfully complete at least 90 semester hours of course credit. In addition to earning 90 credit hours students must complete Professional Responsibility or Problems in Professional Responsibility and the writing requirement with a grade of "C" or better.

**Note:** Civil Procedure II, Constitutional Law II and Criminal Procedure are not required for students entering in the Fall 2011 and later. If a student has been required to take these courses they must earn a grade of "D" or better.

Students failing to meet these requirements are required to repeat the courses, but the initial grade will remain on the student's record. Law school courses taken by a student prior to enrollment in the Juris Doctor program will not be included in determining whether a student has met the 90 credit hour requirement. For good cause, the Associate Dean for Academic Affairs may waive the requirement to retake a required upper level course.

## Cumulative Grade Point Average of Not Less than 2.00

Students must have a cumulative grade point average of 2.00 or better for all work taken for Law School credit.

## Satisfaction of the Residency Requirement

Students must complete the equivalent of six (6) full semesters of law school residency, four (4) of which must have been completed while matriculating as a student at the University of South Carolina School of Law. A student obtains residency credit for a semester if the following requirements are met:

1. The student maintains registration for a minimum of twelve (12) law hours; and
2. The student receives a grade of Satisfactory or a letter grade of D or better in at least ten (10) credit-hours of course work.

If the student does not comply with either of these requirements, residency credit will not be granted for the semester in which the noncompliance occurs.

Merely complying with the minimum residency requirement of 12 credit-hours per semester for each semester in the second and third years will not enable a student to meet the 90 credit-hour requirement for graduation.

By attending summer school students may reduce their course loads during either the fall or spring semesters, but are still subject to the 12 law hours per semester rule.

In order to accelerate graduation by one semester (December graduation), a student must matriculate in two summer sessions and satisfactorily complete not less than 12 hours in the two sessions, with a minimum of 6 hours being required in each summer session. To satisfy this requirement, students taking Maymester courses must also take at least one course each summer that meets during the regular seven-week summer session.

## Completion of Course Study for Degree Requirement

Students must complete all degree requirements no later than 84 months (7 years) after first beginning as a law school student either at the University of South Carolina School or at a law school from which transfer credits has been accepted.

## Public Administration / Law, M.P.A. / J.D.

### Degree Requirements M.P.A. (39 Hours) / J.D. (90 Hours)

This degree program is offered in cooperation with the School of Law. It allows M.P.A. and J.D. students to receive "dual credit" for 21 semester hours of course work and acquire both a J.D. and a M.P.A. degree with fewer total credit hours than it would take to receive each degree independently. To be eligible, students must apply to, and be accepted by, both programs.

## Social Work / Law, M.S.W. / J.D.

### Degree Requirements M.S.W (60 Hours) / J.D. (90 Hours)

The joint M.S.W./J.D. degree program provides students an opportunity to complete these complementary professional programs in 135 semester hours of course work. Normally the two degrees, if taken separately, would require a minimum of 150 semester hours of study. The School of Law accepts up to 9 hours of social work courses as electives in its program, and the College of Social Work accepts up to 6 hours of law courses towards the M.S.W. degree. Formal admission to both programs under the standards established by each is required. The first year of law

studies must be completed at one time. For details, please refer to the law school bulletin.



# LEARNING OUTCOMES

## Goal 1

Graduates should be able to apply well-developed analytical skills to resolve legal problems with at least a fundamental knowledge across a broad range of substantive doctrines.

### Curriculum

In their first-year, law students receive instruction in 9 substantive courses, in addition to Legal Writing and Legal Research. The study of appellate cases and classroom discussion are designed to build analytical skills, while also providing doctrinal coverage in the fields studied. In their second and third years, students are required to take courses in Civil Procedure II, Criminal Procedure, Professional Responsibility, and Constitutional Law and are strongly encouraged to take a second semester of Income Taxation, Wills and Trusts, Corporations, and Evidence. These ensure that all students are exposed to a range of core legal concepts.

- Learning Outcome 1  
At the end of their first year, students will be able develop and apply a reasoned analytical framework for identifying and resolving problems presented to them.
- Learning Outcome 2  
By the end of their first year, students will be able to explain and apply basic civil litigation procedural rules.
- Learning Outcome 3  
At the end of their first year, students will recognize the need for and will have develop the ability to engage in life-long, independent learning, including the performance of independent legal research.
- Learning Outcome 4  
At the end of their second year, students will be able to relate concepts learned in different courses and apply well-developed critical thinking skills.
- Learning Outcome 5  
By the end of their third year, students will be able to analyze and solve complex real world legal problems.
- Learning Outcome 6  
By the end of their third year, students will be able to demonstrate a more advanced understanding of the fundamental concepts and policies underlying at least one area of law

## Goal 2

Graduates should be able to effectively use basic practice, research, and communication skills.

### Curriculum

First-year students develop their professional writing and research skills by taking legal writing and legal research. Each graduate is required to successfully complete at least one course designated by the faculty as a practice skills course, which includes substantial instruction in practice skills and individual feedback on student skills performance. In AY 2010-11, the law school will offer 29 sections of courses designated as professional skills courses. Other courses will have substantial practical drafting components. Skills taught in these courses include legal writing, advocacy, and drafting, as well as interviewing, counseling, negotiation, and methods of alternative dispute resolution. During Maymester and summer term, students may study international dispute resolution in the London program or take a variety of substantive and skills courses

in Columbia. The law school provides faculty coaches for a variety of moot court and mock trial teams and hosts 5 law reviews, each with at least one faculty adviser. These extra-curricular activities are important in the development of writing and oral advocacy skills for participating students.

- Learning Outcome 1  
At the end of the first two semesters, students will be able to locate and use basic paper and electronic reference sources and be able to perform basic legal research.
- Learning Outcome 2  
At the end of the first two semesters, students will be able to communicate effectively using both objective and persuasive forms of legal writing.
- Learning Outcome 3  
At the end of their second year, students will be able to engage in at least some forms of legal drafting.
- Learning Outcome 4  
At the end of their third year, students will be able to conduct a basic interview or counseling session with a client or witness and will develop basic competency in skills as a negotiator, arbitrator, mediator, or advocate.

## Goal 3

Graduates should have a strong sense of professional values and identity.

### Curriculum

- Students take a professionalism oath on the first day of law school and are introduced to sponsors who are practicing members of the Bar. Three sections of a required professional responsibility course will be offered during the regular year and one section is offered in Maymester. In addition, the school offers an elective seminar on current topics in professional responsibility and a final semester course on professionalism and advanced issues of legal practice. Specific professional responsibility issues are also taught pervasively within some of the other upper-level courses.
- Learning Outcome 1  
At the end of their first two semesters, students will recognize the need to comply with the Rules of Professional Conduct, other standards that govern the conduct and liability of lawyers, and the broader shared values of the profession.
- Learning Outcome 2  
At the end of their second year, students will be able to apply the Rules of Professional Conduct and other law governing the behavior of lawyers and be able to explain the various roles performed by lawyers within the legal system.
- Learning Outcome 3  
By the end of their third-year, students will be able, in an appropriate situation, to consider an issue using the principles of another discipline, in addition to traditional legal analysis.

## Goal 4

Graduates should have at least one interdisciplinary perspective on the law and an understanding of the sources of law and legal change.

### Curriculum

Each graduate must complete at least one course approved by the faculty as a perspective course, meaning that it provides study of legal issues in the perspective of another, related discipline or the study of international law or comparative legal systems. In AY 2009-10, 24

courses will qualify as perspective courses. History, literature, health, philosophy, and environmental science are among the disciplines applied in these courses.

- Learning Outcome 1  
By the end of their third-year, students will be able, in an appropriate situation, to consider an issue using the principles of another discipline, in addition to traditional legal analysis.

# ACADEMIC REGULATIONS

## Honor Code and Disciplinary Procedures

### Definitions

1. Academic Program  
“Academic Program” means any graduate or undergraduate course, independent study or research for academic credit, internship, externship, clinical program, practicum, field placement, or other form of study or work offered in furtherance of the academic mission of the School of Law. Academic work includes any work performed or assigned to be performed in connection with any Academic Program. Academic Program includes Extracurricular Activities.
2. Advisor  
“Advisor” means any person chosen by the Student to represent the Student and to present arguments and evidence on the Student’s behalf to a Hearing Panel.
3. Chair of Hearing Panel  
“Chair of the Hearing Panel” means a faculty member nominated by the Dean to serve the role of carrying out the duties specified in Section 3 of these Procedures.
4. Code  
“Code” means the University of South Carolina School of Law Honor Code.
5. Day  
“Day” means the period of time as computed under Rule 6(a) of the South Carolina Rules of Civil Procedure.
6. Dean  
“Dean” means the Dean of the School of Law or a designee of the Dean.
7. Extracurricular Activity  
“Extracurricular Activity” means an activity performed by a Student associated with the School of Law or the University of South Carolina that falls outside the realm of normal school curriculum. Extracurricular Activity includes, but is not limited to, participation on Moot Court and Mock Trial teams, law journals, and other student organizations.
8. Hearing Panel  
“Hearing Panel” means a 5 member panel designated to determine whether a Student has violated the Code and, if so, to determine what sanction that Student should receive. The Hearing Panel is comprised of 3 full-time faculty members, appointed by the Dean, and 2 Honor Council members, selected by the Chair of the Honor Council.
9. Investigator  
“Investigator” means a person appointed by the Dean for purposes of carrying out the duties of Sections 4.2 and 4.3. The Investigator may not be the Presenting Party.
10. Instructor  
“Instructor” means any person designated by the School of Law to teach or otherwise counsel students in an Academic Program.
11. Presenting Party  
“Presenting Party” means a person appointed by the Dean whose purpose is to present the case against the Student on behalf of the School of Law. The Presenting Party may not be the Dean or the Investigator.
12. School of Law  
“School of Law” means the University of South Carolina School of Law.
13. Statement of Allegations

“Statement of Allegations” means a document prepared by the Presenting Party for the purposes of notifying the Student of the facts alleged to constitute a violation of the Code and informing the Hearing Panel of the matter before them.

14. Student  
“Student” means any person who has accepted admission to the School of Law and has neither graduated, transferred to another institution or field of study, withdrawn, nor been expelled.
15. University Committee  
“University Committee” means the University Academic Responsibility Committee. This committee consists of five faculty members, two undergraduate students, and two graduate students.

## Honor Code

### Preamble

The preparation of Students for service in the legal profession requires not only academic rigor, but also adherence to the high standards of personal character and integrity expected of attorneys. As with the standards of the legal profession, the foundation of this Code is self-regulation. Whenever a Student is uncertain as to whether conduct would violate this Code, it is the Student’s responsibility to seek clarification from the Instructor in the affected Academic Program prior to engaging in such conduct.

#### *Section 1. General Applicability.*

The following rules govern the conduct of all Students at the School of Law. Former Students of the School of Law remain subject to this Code for violations committed while a Student. An applicant who later becomes a Student at the School of Law is subject to this Code with respect to any statements or representations made in connection with the application process.

#### *Section 2. Prohibitions.*

1. A Student shall not lie.  
A lie includes any form of dishonesty or misrepresentation, including the making of a statement known to be false or the willful omission of a material fact necessary to avoid a misrepresentation of the truth. A Student’s knowledge of a statement’s falsity may be inferred from the circumstances. This rule applies only to statements or omissions made in connection with an Academic Program at the School of Law. Examples include, but are not limited to, a Student’s communications with faculty, staff, or other Students of the University relating to academic issues; communications made in connection with the Student’s use of University facilities or services; and communications made while enrolled at the School of Law with third persons, such as a prospective employer, regarding the activities or record of the Student.
2. A Student shall not cheat or plagiarize.  
For purposes of this rule, cheating is construed broadly to include using unauthorized materials, disregarding a professor’s rule of anonymity, giving or receiving any unauthorized assistance in the completion of any academic course work, paper, examination, or in connection with a Student’s participation in any Extracurricular Activity. Plagiarism is the use or close imitation of the language and thoughts of another author and the representation of them as one’s original work. Plagiarism includes quoting, paraphrasing, or otherwise using another’s words or ideas as one’s own without crediting the source in a way that clearly indicates the nature and extent of the source’s contribution to the Student’s work. An act of cheating or plagiarism in which the Student does not actually obtain a benefit

from the conduct is an offense under this section. An act of cheating or plagiarism without specific intent is an offense under this section.

3. A Student shall not commit any criminal act. For purposes of this rule, a criminal act is one that reflects adversely on a Student's honesty, trustworthiness, or fitness for admission to the practice of law. This rule will be interpreted in accordance with the Model Rules of Professional Conduct § 8.4 (2008). Any criminal act that reflects adversely on the Student's honesty, trustworthiness, or fitness for admission to the practice of law and which occurs during the time that a Student is subject to this Code is a violation of this rule, regardless of where the conduct occurs. A conviction or plea of guilty in a criminal matter is conclusive proof that the Student committed the act that is the subject of that conviction or plea. The absence of a criminal conviction does not preclude a finding that a criminal act occurred for purposes of this rule.

#### *Section 3. Duties.*

1. A Student shall report those who they believe have violated this Code. A Student who has information sufficient to create a reasonable belief that another Student has violated this Code shall promptly report that information either to the Instructor in the affected Academic Program or to the Dean.
2. A Student shall testify fully and truthfully in regard to a Code violation when called to do so.

### **Disciplinary Procedures**

#### *Section 1. General Applicability.*

The following procedures govern enforcement of the Code at the School of Law. A revision of the Code or these Procedures may be adopted upon approval by a majority of both the faculty and the Honor Council, and only after the proposed revisions have been posted for Student comment either in the School of Law building or on an internet vehicle for a minimum of 12 Days.

#### *Section 2. Report of an Alleged Violation.*

1. Reports by Instructor. Any Instructor in an Academic Program who reasonably believes that a Student may have violated the Code shall report in writing the facts giving rise to that belief to the Dean.
2. Report by Persons Other than Instructor. Any person, other than the Instructor, who believes that a Student may have violated the Code shall report in writing the facts giving rise to that belief to either the Instructor of the Academic Program in which the violation allegedly occurred and to the Dean. In the event that a Student reports an alleged violation only to the Instructor, the Instructor shall inform the Dean in writing the facts alleged. A report must include the identity of the reporting person.

#### *Section 3. Disposition of Admitted Violation.*

1. Admission of Violation. An accused Student may, at any time, admit a violation of the Code by providing to the Dean a written statement admitting the allegation. If an Investigator has not been appointed pursuant to Section 4.1 prior to the admission of a violation under this Section, the Dean shall promptly appoint an Investigator to conduct a sufficient investigation to determine any additional facts relevant to the admission. If a Presenting Party has not been appointed pursuant to Section 4.5 prior to the admission of a violation under this Section, the Dean shall promptly appoint a Presenting Party to carry out the responsibilities set forth in Sections

3.2 and 4.9. The matter shall thereafter be handled as provided in Section 3.2.

#### 2. Sanctions Hearing.

- a. If the accused Student admits, pursuant to Section 3.1, that a violation has occurred, the Dean shall convene a Hearing Panel to hear the matter for the sole purpose of determining the appropriate sanction, as set forth in Subsection 4.9(b). This hearing must occur at the later of either the Investigator's completion of the investigation or not less than 5 Days, nor more than 21 Days, after the date on which the Dean has received the written statement of admission from the Student.
- b. At the conclusion of any matter in which a violation has been admitted, the Dean shall notify the School of Law Registrar, the University Office of Student Development, and any other appropriate University offices of the offense and the sanction imposed.

#### *Section 4. Disposition of Contested Allegations.*

1. Appointment of Investigator and Notice to Accused. Upon receiving a written report of an alleged violation of the Code, the Dean shall gather relevant information regarding the allegations. The Dean may consult with the Chair of the Honor Council regarding whether to initiate a formal investigation. If the Dean decides that the matter warrants a formal investigation, the Dean shall appoint one or more Investigators. Upon appointment of the Investigator, the Dean shall promptly notify the accused Student of the allegations by letter, addressed to the Student, delivered personally or by first-class mail to the accused Student's permanent address on record at the School of Law. The notice must inform the Student of the following:
  - a. An investigation is being conducted into a possible Code violation,
  - b. The general nature of the alleged violation,
  - c. The name of the Investigator,
  - d. At the conclusion of that investigation, the matter, and any other matters discovered during the course of the investigation, will either be closed or prosecuted in accordance with these Procedures;
  - e. If the Student either does not respond or is found to have committed the offense described, the Student may receive one or more of the sanctions described in Section 5.1.
2. Conduct of Investigation. The Investigator may interview witnesses, including the accused Student, and review any documents or other information that may assist in determining facts relevant to the alleged violation. An accused Student who refuses to answer inquiries regarding the matter shall not be subject to additional discipline for doing so. Finders of fact may, however, draw appropriate inferences from the accused Student's refusal to answer questions.
3. Submission of Investigation Report. The Investigator shall submit a written report to the Dean within 14 Days after appointment, unless the Dean has granted a reasonable extension of time. The investigation report must summarize the factual findings of the investigation. It must also contain a recommendation regarding potential actions under Section 4.4.
4. Action by Dean Upon Receipt of Investigation Report. Upon submission of the written investigation report, the Dean shall, within a reasonable period of time (generally not more than one week) take one of the following actions. In making the decision about the appropriate course of action, the Dean shall consult confidentially with the Chair of the Honor Council.

- a. If the Dean determines that the allegations in the investigation report, even if proven to be true, would not constitute a Code violation, the Dean may close the matter. The Dean shall, either personally or in writing, promptly notify the accused Student, the person who initially reported the allegation, and the Instructor in the affected Academic Program that the matter has been closed with a finding that no violation of the Code occurred.
  - b. If the Dean determines that the allegations in the investigation report, if proven to be true, would constitute a Code violation, the Dean shall refer the allegation to the Hearing Panel for hearing and disposition as provided in Section 4.5.
  - c. If the Dean determines that additional investigation of the original allegations or of additional allegations is needed, the Dean may request further investigation of the matter prior to disposition under either paragraph (a) or (b) above.
5. Referral of Allegations to the Hearing Panel.
- a. Upon a decision by the Dean to refer a matter for hearing, the Dean shall appoint a Presenting Party. The Presenting Party shall prepare a Statement of Allegations. No more than 14 days after being nominated by the Dean, the Presenting Party shall provide the Statement of Allegations to the Chair of the Hearing Panel (Chair), along with a list of witnesses likely to be called to testify at the hearing, including the Investigator, and copies of any documents likely to be produced at the hearing.
  - b. The Presenting Party shall request information regarding any prior violation by the accused Student of the Code or any history of academic discipline for dishonesty as disclosed on the accused Student's application for admission to the School of Law. The Presenting Party shall not reveal such information to the Hearing Panel until the sanction phase of the hearing according to Subsection 4.9(b).
  - c. Not less than 3 Days prior to the hearing date as set in Section 4.6, the accused Student and the Presenting Party shall provide the Chair and the opposing party, either personally or by first-class mail, a list of witnesses likely to be called to testify at the hearing and copies of any additional documents likely to be produced.
  - d. Not less than 3 days prior to the hearing date as set in Section 4.6, the accused Student shall provide notice to the Chair and the Presenting Party, either personally or by first-class mail, if the Student intends to have an Advisor present at the hearing.
  - e. The Chair may delay the hearing or exclude from the hearing any witnesses or documents not identified prior to the hearing, as required by Subsection 4.5(c), if the lack of prior notice would unfairly prejudice either party. The Chair, at its discretion, may delay the hearing or refuse to allow the person selected by the Student as an Advisor to participate actively in the hearing, if the required notice of that person's intended presence is not provided as required in Subsection 4.5(d).
  - f. No Hearing Panel member shall consider a matter in which that person is unable to serve with impartiality. If an accused Student believes that a member of the Hearing Panel should be recused for partiality, the accused Student shall notify the Dean in writing not less than 96 hours prior to the scheduled hearing, showing cause why a member should be removed from consideration of the matter. If a member is removed or unable to serve, a substitute shall be appointed as set forth in the Hearing Panel definition.
6. Hearing Date. Upon receiving the Statement of Allegations, the Chair shall set a date for a hearing, to be held not less than 14 Days nor more than 21 Days after notice to the accused Student of the hearing is mailed or personally delivered to the accused Student, as provided under Section 4.7. Notice of the hearing date also shall be sent to the Instructor in the affected Academic Program. The time provisions of this section may be waived by the Chair, with the consent of both the accused Student and the Presenting Party.
7. Notice to Accused Student. Upon setting the Hearing Date, the Chair shall deliver to the accused Student, either personally or by first-class mail to the Student's permanent address on record with the School of Law, the following information:
- a. A copy of the Statement of Allegations;
  - b. A copy of these Procedures and of the Code;
  - c. The Presenting Party's list of possible witnesses and copies of any documents likely to be presented at the hearing;
  - d. A list of the names of the members of the Hearing Panel and notice of the Student's right to request recusal of one or more panel members;
  - e. Notice of the time and place of the hearing;
  - f. Notice of the right to be accompanied by an Advisor at the hearing and the duty to notify the Chair, no less than 3 Days before the hearing is scheduled, of the Student's intention to have an Advisor present at the hearing;
  - g. Notice of the right to an open hearing and the duty to exercise this right by notifying the Chair no less than 3 days before the hearing is scheduled.
  - h. Notice that the Student must provide a list of witnesses and documents to the Chair and the Presenting Party no less than 3 Days before the scheduled date of the hearing;
  - i. Specific notice that the hearing is the Student's opportunity to defend against the allegations brought and that one or more sanctions specified in Section 5 may result from a finding that any violation occurred.
8. Attendance at Hearing. All hearings must remain confidential and closed to persons other than the Hearing Panel, the Presenting Party, the Instructor in the affected Academic Program, the witnesses during the time of their testimony, the accused Student, and the Advisor unless an open hearing is requested in writing by the accused Student not less than 3 Days prior to the hearing. Nothing in this Section shall be construed to diminish the Chair's authority to take any necessary measures to maintain order and decorum during a hearing, including the removal of any persons acting in a disruptive manner. In the event that the accused Student does not appear at the appointed time and place for the hearing, and the absence is without excuse, the Hearing Panel may elect to hear the matter in absentia. The Instructor in the affected Academic Program may attend the hearing in its entirety, but may not participate in the hearing unless called by either side as a witness or otherwise questioned by the Hearing Panel.
9. Conduct of the Hearing. The hearing shall be conducted in two parts, set forth in paragraphs (a) and (b) of this Section. Hearing Panel members must be physically present for the hearing.
- a. Violation Hearing. At the outset of the violation hearing, the Chair shall provide each member of the Hearing Panel with a copy of the Statement of Allegations or shall read aloud the Statement of Allegations in its entirety. The Presenting Party appointed pursuant to Section 4.5 shall proceed by presenting evidence supporting the allegations set forth in the Statement of Allegations. The Presenting Party may present and question witnesses and offer other relevant evidence in support of the allegations. The accused Student or the Advisor shall have

the right to question the witnesses. At the conclusion of the Presenting Party's case, the accused Student or the Advisor may present and question witnesses and offer any other relevant evidence for the purpose of defending against or mitigating the allegations set forth in the Statement of Allegations. The Presenting Party may question witnesses offered by the accused Student. Formal rules of evidence do not apply and any relevant evidence is admissible, including hearsay, unless excluded by the Chair for good cause. Members of the Hearing Panel also may question any witness presented by the Presenting Party or the accused Student. After all evidence has been presented, the Presenting Party may make a closing statement to the Hearing Panel followed by a closing statement by the accused Student or the Advisor. The Presenting Party may then offer a rebuttal statement. The Hearing Panel will then deliberate in private until a decision is reached on each allegation. In order to find a violation, the Hearing Panel must determine by a majority vote that facts sufficient to constitute a violation have been proven by clear and convincing evidence. If the Hearing Panel determines that a violation has not been adequately proven, the Hearing Panel shall prepare written findings of fact and conclusions dismissing the allegation. The Chair shall send a copy of the findings and conclusions to the accused Student and to the Presenting Party. Written notice of the findings and conclusions shall also be sent to the Dean and the Instructor in the affected Academic Program.

b. **Sanction Hearing.** If the Hearing Panel determines that a violation has been adequately proven, the Hearing Panel shall then reconvene to consider evidence in aggravation or mitigation of the offense for the purpose of determining a sanction. The Presenting Party shall at this time provide the Hearing Panel with information regarding the Student's history of academic dishonesty as provided for in Subsection 4.5(b). The Presenting Party may also call witnesses or present other relevant evidence in mitigation or in aggravation of the offense. The Student or the Advisor has the right to question the Presenting Party's witnesses. The Student may then call witnesses or present relevant evidence in mitigation of the offense. The Presenting Party may question the Student's witnesses. The Student may make a personal statement to the Hearing Panel. The Hearing Panel shall then deliberate in private and agree upon an appropriate sanction, as set forth in Section 5, by majority vote. The Hearing Panel shall, within 5 Days, deliver personally or send by first class mail to the permanent address of the Student on record with the School of Law, written findings of fact and conclusions, along with notice of sanctions imposed, to the Student, the Dean, the Presenting Party, the Instructor in the affected Academic Program, the School of Law Registrar's Office, and the University Office of Student Development.

10. **Record of Hearing.** An audio recording or other record of the hearing must be made and retained in the Office of the Dean.

11. **Written Report of Hearing.** The Hearing Panel shall prepare a report to be given to the Dean summarizing the matter and the disposition of the matter.

#### *Section 5. Sanction.*

1. **Sanction Options.** The following sanctions may be imposed upon a Student found to have violated the Code:
  - a. Permanent expulsion from the School of Law;
  - b. Definite suspension from the School of Law for a period of not less than one semester;

- c. Reprimand to be administered orally by the Chair to the Student, with a record of the reprimand to be maintained in the Office of Student Development and the School of Law Registrar's Office (first offense only);
  - d. A Letter of Warning from the Chair to be recorded in the Office of Student Development and the School of Law Registrar's Office (first offense only);
  - e. Revocation of admission to the School of Law or revocation of degree;
  - f. Any combination of the above sanctions.
2. **Aggravating Factors.** A history of discipline for academic dishonesty will be treated as a significant aggravating factor in determining the appropriate sanction for a subsequent offense. The sanctions provided for in this Section are intended to be disciplinary.
3. **Independent Academic Discipline.** Nothing in these procedures, including the imposition of any sanction, shall be interpreted to limit the academic authority of an Instructor to determine an appropriate grade for a Student. If an Instructor determines that, because of academic dishonesty, a Student's performance in an Academic Program merits a grade reduction or a failing grade, the Instructor's authority to award such an appropriate grade is not limited by the imposition of any sanction under this Section.
4. **Execution of Sanction.** The Dean shall notify proper University offices of the sanction imposed on the Student.

#### *Section 6. Appeals.*

1. **Grounds for Appeal of Dismissal.** Upon a dismissal of an allegation by the Hearing Panel, the Presenting Party may appeal the decision to the University Committee of Academic Responsibility ("University Committee") only on the ground that the Hearing Panel erred in its conclusion that the facts as set forth by the Hearing Panel in its written findings did not constitute a violation of the Code.
2. **Grounds for Appeal of Finding of Violation.** Upon the finding of a violation by the Hearing Panel, the accused Student may appeal the decision to the University Committee on any or all of the following grounds:
  - a. that specific procedural rules were not followed, resulting in prejudice to the accused Student;
  - b. that the facts as set forth by the Hearing Panel in its written findings of fact do not establish a violation of the Code;
  - c. that there is no evidence in the record to support a finding of fact by the Hearing Panel;
  - d. that there is specific evidence of improper bias on the part of any member of the Hearing Panel;
  - e. that there is specific new evidence, which could not reasonably have been discovered prior to the hearing and which likely would have changed the outcome of the hearing.
3. **Appeal of Sanction.** Either the Presenting Party or the accused Student or both may appeal the sanction imposed by the Hearing Panel on the ground that the sanction is unjust or inappropriate.
4. **Notice of Appeal.** A party appealing the decision rendered or sanction imposed by the Hearing Panel must notify the Chair of the University Committee in writing not later than ten (10) business days after the written findings of fact and conclusions are sent to the party appealing. The Notice of Appeal should set forth the specific ground or grounds of the appeal. Copies of any Notice of Appeal shall be sent to the Presenting Party or the accused Student (whichever did not file the notice of appeal), the Dean, the University Office of Student

Development, the School of Law Registrar's Office, and the Instructor in the affected Academic Program

5. Access to Record. Upon receiving a Notice of Appeal, the Chair of the University Committee promptly shall request from the Chair of the Hearing Panel a copy of the record of hearing, as prepared pursuant to Section 4.11. Upon receiving the record, the Chair of the University Committee shall notify the Presenting Party and the accused Student of its availability. Both parties shall have ten (10) business days after notice of the record's availability is sent in which to submit to the Chair of the University Committee any further written argument or information from the record to substantiate or refute the appeal.
6. Consideration of Appeal. After receiving the Record of Hearing and any written materials provided under Section 6.5, the University Committee shall meet to consider the matter. The University Committee may decide the matter on the written record or may allow the accused Student and the Presenting Party to appear before the University Committee upon reasonable notice. The University Committee promptly shall issue a written opinion either:
  - a. affirming the decision of the Hearing Panel;
  - b. remanding the matter to the Hearing Panel with a clear statement of specific reasons for requiring further consideration of the merits, the sanction, or both;
  - c. reversing or modifying the decision of the Hearing Panel as to the merits, the sanction, or both. (The University Committee also may, for example, affirm a matter in part, such as by affirming a finding of a violation, and remand in part, such as for reconsideration of sanction.)

The Chair of the University Committee shall send copies of the written opinion to the Instructor of the affected Academic Program, the Dean, and the University Office of Student Development. The Dean shall notify the Chair of the Hearing Panel and, if the matter is remanded, shall instruct the Chair to reconvene the Hearing Panel for any further proceedings that may be required.

#### *Section 7. Public Notification of Disposition.*

The Dean shall compile the Hearing Panel reports, as required by Section 4.11, not less than annually. The Chair of the Honor Council shall publish these reports to Students and faculty within the School of Law by public posting, distribution, or other appropriate means. The report shall not contain any information that would identify the parties or witnesses to the proceedings.

#### *Section 8. Effective Date.*

These Procedures as amended on May 4, 2010, take effect on August 19, 2010, and apply to all matters reported on or after August 19, 2010. The amended procedures also apply to any matters pending on that date unless, in the opinion of the Dean, the former procedures should apply in a particular case in the interest of fairness or because it would not be feasible to apply the amended procedures to the matter already pending.

### **Provisions on Arrest Reporting**

With the adoption of the School of Law Honor Code in August 2010 and the South Carolina Supreme Court's new requirement that the School of Law certify a graduate's fitness for admission to practice, a law student who is arrested for, charged with, or convicted of (including entry of a plea other than not guilty) any offense other than a minor traffic violation for which a fine of \$100 or less was imposed must report that information to the School of Law. This process replaces the prior obligation to report an arrest to the University's Office of Student Judicial Programs, although

the School of Law will notify OSJP when a law student is arrested, as required by University policy.

Relevant provisions from the Honor Code are as follows:

#### **Preamble**

The preparation of Students for service in the legal profession requires not only academic rigor, but also adherence to the high standards of personal character and integrity expected of attorneys.

#### **Section 1. General Applicability**

The following rules govern the conduct of all Students at the School of Law. Former Students of the School of Law remain subject to this Code for violations committed while a Student.

#### **Section 2. Prohibitions**

##### *2.3 A Student shall not commit any criminal act.*

For purposes of this rule, a criminal act is one that reflects adversely on a Student's honesty, trustworthiness, or fitness for admission to the practice of law. This rule will be interpreted in accordance with the Model Rules of Professional Conduct § 8.4 (2008).

Any criminal act that reflects adversely on the Student's honesty, trustworthiness, or fitness for admission to the practice of law and which occurs during the time that a Student is subject to this Code is a violation of this rule, regardless of where the conduct occurs. A conviction or plea of guilty in a criminal matter is conclusive proof that the Student committed the act that is the subject of that conviction or plea. The absence of a criminal conviction does not preclude a finding that a criminal act occurred for purposes of this rule.

In addition, as of August 2010, the Office of Bar Admissions of the Supreme Court of South Carolina adopted a requirement, already existing in many other jurisdictions, that applicants for admission to the Bar must obtain a character and fitness certificate from their law school. Questions relating to discipline include the following:

From the records in your office, including the applicant's law school application, and from your personal knowledge, [indicate if the applicant has ever been]:

- accused of a violation of the honor code or student conduct code, placed on academic or disciplinary probation, suspended, expelled, requested to withdraw, or otherwise subjected to discipline for academic or personal conduct reasons by any educational institution?
- a party to legal or administrative proceedings?
- charged with, arrested for, or convicted of any traffic or criminal offense?
- accused of a violation of trust?

If you are arrested for, charged with, or convicted of an offense other than a minor traffic violation, you must report that fact to Associate Dean for Student Affairs, within 72 hours of the event. You may notify the Associate Dean for Student Affairs in person, by e-mail, or by phone. If the Associate Dean for Student Affairs is not available, you may see the Associate Dean for Academic Affairs. You will be asked to complete a short form giving relevant information including the date, location, nature of the charge, jurisdiction, a summary of the circumstances leading to the event reported, and the anticipated timetable for disposition, if known. If the matter has not been finally resolved at the time of your initial report,

you will also have a continuing obligation to notify the Law School when the matter is resolved.

## Class Attendance

Students are expected to prepare all assigned work and attend all classes. A professor may reduce materially a student's grade in a course because of absences. A student who is absent from a class for more than ten percent (10%) of the recitation periods may not take the examination or obtain a grade other than F unless the attendance requirement is waived by the Associate Dean for Academic Affairs. A violation of the Attendance Policy means you must petition for an attendance waiver.

- A student violates the Attendance Policy by missing 6 classes in a 4 credit hour course that meets four times a week
- A student violates the Attendance Policy by missing 5 classes in a 3 credit hour course that meets four times a week
- A student violates the Attendance Policy by missing 5 classes in a 3 credit hour course that meets three times a week
- A student violates the Attendance Policy by missing 4 classes in a 5 credit hour course that meets twice a week
- A student violates the Attendance Policy by missing 4 classes in a 3 credit hour course that meets twice a week
- A student violates the Attendance Policy by missing 4 classes in a 2 credit hour course that meets twice a week
- A student violates the Attendance Policy by missing 2 classes in a 2 credit hour course that meets once a week
- A student violates the Attendance Policy by missing 1 class in a 2 credit hour course that meets once every other week

Students are responsible for keeping track of their own attendance. No absences from class are "excusable" for purposes of determining whether a student has violated the Attendance Rule. The Associate Dean for Academic Affairs, however, can waive the Attendance Rule if a student has not missed more than thirty percent (30%) of the classes in a course. In exercising this discretion to waive the rule, the Associate Dean will consider the total number of absences and whether a substantial majority of these absences are for reasons set forth in §VI.G.2

**Note:** Students' class schedules must enable them to attend all regularly scheduled classes in all of their courses. Therefore, students may not register for courses that have any overlapping classes.

## Waiver of the 10% Attendance Requirement

A student who has missed more than 10% but not more than 30% of the classes in a course, may petition the Associate Dean for Academic Affairs for a waiver of the attendance requirement. The petition shall contain a complete explanation of the reasons for all of the student's absences from class and shall be submitted prior to the examination or due date of a final paper. The form for the petition may be found on the Law Registrar's webpage.

In ruling on such petitions the Associate Dean for Academic Affairs shall balance the necessity of maintaining high academic standards and fairness to the student. The Associate Dean may consider the total number of absences, whether a substantial majority of the absences were the result of illness, personal or family problems, out-of-town job interviews, or out-of-town law school related activities, such as moot

court, and whether the student has otherwise made a good faith effort to minimize the total number of absences.

If the Associate Dean for Academic Affairs denies a petition for waiver of the attendance requirement, or if the number of absences exceeds 30%, a student may petition the Academic Responsibility Committee. The Committee's decision is non-reviewable.

## Outside Employment While Enrolled as a "Full Time Student"

Because of the rigorous nature of the Law School curriculum and the requirements of law school accrediting agencies, law students are required to be "full time" students. Students should not be employed during the first year of law school. Excessive employment during the second and third year is inadvisable; if undertaken employment should not exceed fifteen hours per week and must not exceed twenty hours per week during the second and third years of law school. The fact of employment will not be considered a mitigating factor in the event of academic difficulties.

## Add/Drop/Withdrawal Date

Courses may be added or dropped without penalty up to the end of the drop/add period designated in the Law School calendar. Following this date, students may withdraw from a course without penalty up to the end of the withdrawal period designated in the USC Master Schedule of Classes. A grade of "W" will be recorded on a student's transcript, but the grade will not affect a student's grade point average. Students withdrawing after the "withdraw without penalty" date will receive a grade of "WF". A "WF" is treated as an "F" in computing a student's grade point average. Note: No student will be permitted to drop or withdraw from courses that would result in the student taking less than 12 hours without written approval of the Associate Dean for Academic Affairs.

## Grading

### 1. Anonymous Examination Grading Policy

- a. Anonymous Examination Grading System (AEGS). The Law School provides an anonymous examination grading system. Under the AEGS students identify their examinations by placing only their AEGS number on their examinations. This system provides a mechanism for faculty members to grade examinations anonymously. Each semester the Office of the Law Registrar/Academic Services gives each student a new AEGS number, this includes the summer session. Use of the system is optional with the faculty. Faculty members who subscribe to the anonymous examination grading system may obtain the names of students only after they have turned in grades on the examination. They may then submit grades for the course that reflect class participation or other academic factors.
- b. Student Responsibility: Students have the responsibility to ask their instructors for information about the basis of grading in the course, use of materials on the examination, and use of the AEGS in the course.

### 2. Grade Distribution Policy

- a. The Law School's grade normalization policy for upper level courses is that the mean average grade in classes of more than 25 students should fall within .25 points of the class's mean average incoming GPA.
- b. The Law School's grade normalization policy for first-year courses other than Legal Research and Legal Writing I and II is that the



mean average grade in all classes shall fall within the range 2.7-3.0.

- i. Legal Writing I & II. While seeking to maintain consistency between sections and overall compliance with the general grade normalization range for first year courses, the Director of Legal Writing may authorize deviations from the normal range in sections of Legal Writing on a section by section basis.
  - ii. Legal Research. Legal Research will be graded on a Pass/Fail basis. Earned credit does not affect the allotment of six pass/fail hours.
  - iii. The Dean shall enforce the grade normalization policy as the Dean deems appropriate.
- c. The purpose of the grade distribution policy is to maintain relative parity in grading among the faculty, particularly among first year sections. Various systems of grade distribution or "curves" are used by a number of law schools.

The Faculty reserves the right to modify the Grade Distribution Policy and apply the modified Policy to students then enrolled in the Law School.

### 3. Submission and Posting of Grades

It is the policy of the faculty of the University of South Carolina Law School that all grades are due in the Office of the Registrar/Academic Services as follows:

- *Fall Grades:* The first day of class after January 15.
- *Spring Grades:* Thirty (30) days after the last regularly scheduled examination. Provided, however, the Dean has discretion to set a date for submission of grade information to determine the status of graduating seniors.
- *Summer Grades:* For each summer school course grades must be reported thirty (30) days after either the regularly scheduled examination date for the course or the last day of class if there is no examination in the course.

Grades for each course will normally be available on the University Computer system (VIP) the day after they are received in the Office of the Registrar/Academic Services.

### 4. Grade Changes

A grade in a course may be changed only on approval of the instructor teaching the course and the faculty of the Law School for computational error or other good cause. The refusal of the instructor to change a grade is not review-able except on petition to the faculty under the faculty bylaws. Special make-up work, extra work, or examination to change a grade already recorded is not permitted.

### 5. Class Ranks

Class ranks are computed twice yearly, and available for distribution on March 1 and August 1. Class ranks are calculated based on grades submitted when semester grades are due. Class ranks are not calculated after summer grades have been submitted. Summer grades are included when calculating Fall semester class ranks. Students can obtain their individual class ranks by making a written request to the Office of the Registrar/Academic Services on a form provided by that office.

### 6. Criteria for Academic Honors

- *Dean's Medallion.* This engraved medallion is presented each May to the graduate with the highest cumulative GPA.
- *President's List.* A student who earns a GPA of 4.000, having completed at least 12 graded law hours, will be named to the President's List.

- *Dean's List.* A student who earns a GPA of 3.500, having completed at least 12 graded law hours, will be named to the Dean's List.
- *Graduation Honors.* Graduation honors are based upon a student's final GPA after all grades have been submitted. Summa Cum Laude (3.950-4.000); Magna Cum Laude (3.750-3.949); Cum Laude (3.500-3.749).

### 7. Standards for Computing Grade Averages

Individual semester grade averages and cumulative overall grade averages, as used in these , shall be computed on the following basis:

- a. for each course, multiply the numerical value of the grade received by the credit hours of that course;
- b. total these figures (semesterly and cumulatively);
- c. divide this figure by the total number of credit hours taken (semesterly and cumulatively).

The numerical value of grades is as follows:

A = 4.0 = Highest Honors  
 B+ = 3.5 = Honors  
 B = 3.0 = Superior  
 C+ = 2.5 = Good  
 C = 2.0 = Competent  
 D+ = 1.5 = Marginal  
 D = 1.0 = Poor  
 F = 0.0 = Failure  
 WF = 0.0 = Withdraw with Failure

Courses in which the recorded grade is a No Report (NR), Withdrawal (W), or Pass (S) shall not be included in the computation of grade averages. WF is assigned for students withdrawing from a course after the penalty deadline prescribed in the USC Master Schedule of Classes. The grade of WF is treated as an F in the grade point average computation.

Except with respect to transfer students, only the grades received in courses taken at the University of South Carolina School of Law shall be included in the computation of grade averages for the purpose of these rules. Courses taken for Law School credit in other departments or schools of the University of South Carolina shall be recorded on a pass/fail basis by the Law School, with a grade of below C being recorded as a Failure. See also pass/fail rules on courses taken at other Law Schools.

Except as provided under the Academic Forgiveness Program, when a course is repeated both grades shall be included in the computation of the cumulative overall grade average, and each grade shall be included in the appropriate semester grade average.

## Pass/Fail Grading

### 1. Maximum Number of Credit Hours.

A student may receive a maximum of six (6) hours of credit on a pass/fail basis for course or non-course work in the Law School. Students may receive a pass/fail credit for approved course work done outside the Law School at either other ABA accredited law schools or departments at USC other than the Law School. If a student receives pass/fail credit for courses taken outside the Law School, the number of Law School credits that may be taken pass/fail is reduced, but a student shall be allowed to take at least four (4) hours of Law School work on a pass/fail basis. Additional hours taken pass/fail will not count toward meeting graduation requirements

unless the student obtains written approval from the Associate Dean for Academic Affairs.

**2. Standard for Earning an S in a Course Taken on a Pass/Fail Basis**

For all course work taken on a pass/fail basis, whether in the Law School or outside the Law School, a student must do C quality work to earn an S. A grade below C is recorded as an F.

**3. Law School Courses in Which Law Students May Earn Pass/Fail Credit**

The only Law School courses in which candidates for the Juris Doctor degree may earn pass/fail credits are those courses offered exclusively on a pass/fail basis, such as Criminal Trial Practice, Intensive Trial Advocacy and Trial Advocacy and with the professor's permission, Supervised Legal Research I and/or II.

A student who wants to take Supervised Legal Research on a pass/fail basis must obtain the written approval of the instructor prior to the end of the drop/add period. Note that the professor may refuse to allow a student to take Supervised Legal Research on a pass/fail basis. A form for such approval is available in the Office of the Registrar/Academic Services.

**4. Other Law School Credit Awarded on a Pass/Fail Basis**

Credit for serving on the editorial board of the Journal of Law and Education; the South Carolina Law Review, the Real Property Probate and Trust Journal, the Southeastern Environmental Law Journal and the South Carolina International Law and Business Journal is awarded on a pass/fail basis. In addition, credit for supervised extracurricular competition, such as moot court, is awarded on a pass/fail basis.

**5. Non-Law School Courses**

Credits earned by J.D. candidates for course work done in other departments of the University of South Carolina or at other ABA approved law schools are recorded on a pass/fail basis.

## Auditing

Law Students may audit courses subject to enrollment limitations and professor's approval. Students who wish to audit a course are given lowest priority in enrollment. Law students may audit non-law courses provided that University audit procedures are satisfied. If a course is audited, it may not be subsequently taken for credit.

## Transfer Students

Transfer students will receive a letter of acceptance from the Office of Admissions. After receiving the acceptance letter, students are required to meet with the Registrar/Director of Academic Services to review transfer of hours, grade point average, graduation requirements and registration. The grades earned at the student's former school in courses accepted for transfer credit will be included in computing the transfer student's cumulative grade point average. Although graded hours may exceed 30 hours, no more than 30 earned hours will be accepted toward the 90 hours required for graduation. During the first year a transfer student is enrolled at the Law School the student will not be awarded a class rank. Upon the completion of two full semesters at the Law School a transfer student will be awarded a class rank computed on the basis of all law school grades earned at both the Law School and the student's former school.

## Completion of Course Work at Another ABA/AALS Approved Law School

With approval of the Associate Dean for Academic Affairs, students may complete course work at another ABA/AALS approved law school (for example, by attending such school for the student's sixth semester) and transferring the credit for such work towards the granting of a J.D. degree from the USC School of Law. Petitions for such credit are granted only where:

1. there is good cause;
2. the proposed course work is substantially equivalent to course work at this Law School; and
3. the student will satisfy requirements concerning the minimum number of hours in residence needed for the J.D. degree by successfully completing at least 60 credit hours in law courses at the University of South Carolina School of Law. The 60 required hours shall not include course work in independent research and co-curricular activities such as law review, journals, moot court, mock trials or any other trial competitions.

Students must take courses at another law school on a graded basis if the course is offered on that basis. Grades in these courses will be recorded on a student's USC transcript on a Pass/Fail basis. Only grades of C or better will be recorded as a Pass. Grades of C or better will be recorded on the student's transcript as a S and any grade below a C will be recorded as an F. "Incomplete" (or its equivalent) will be recorded as an F if the work is not completed within three months of the end of classes for the session involved. Courses taken at another law school affect the number of credit hours a student may earn on a Pass/Fail basis at the Law School.

The law school shall not grant a student more than four (4) credit hours of distance education courses in any term, nor more than a total of 12 credit hours, toward the Juris Doctor degree for courses qualifying as distance education.

Students are required to complete the request to visit forms available in the Office of the Registrar/Academic Services and have the Associate Dean for Academic Affairs sign the forms. Students are also required to have an official transcript sent from the visiting school to the Office of the Registrar/Academic Services by the required date that students must discuss and confirm with the Registrar/Director of Academic Services.

## Dual Degree Programs

The Law School offers the following dual degree programs:

- International Master of Business Administration
- Master of Accountancy
- Master of Arts in Criminology and Criminal Justice
- Master of Earth and Environment Resources Management
- Master of Arts in Economics
- Master of Health Administration
- Master of Human Resources
- Master of Public Administration
- Master of Social Work
- Master of Environmental Law and Policy (with the Vermont Law School)
- Master of Mass Communications

### 1. Dual Degrees with other Departments at USC

Students admitted to a dual degree program must complete the law school's dual degree application available in the Office of the Registrar/Academic Services, room 137. Once officially recognized as dual degree, students may apply 9 graduate credit hours from the other program towards the student's J.D. degree. Similarly, students may apply 6 to 12 hours (depending upon the program) of Law School credit toward the other graduate degree. The hours transfer as pass/fail credits. Even if admitted to more than one dual degree program, a student may not apply more than a total of 9 graduate credit hours toward the J.D. degree. The courses which are transferred into Law School must have been begun subsequent to being admitted to Law School. In other words, courses completed prior to being admitted to Law School will not count toward a dual degree. Unless a waiver is obtained, all course work for the non-law program must be completed simultaneously with, or prior to, Law School graduation. If a course is offered both in Law School and in the graduate program, e.g., Administrative Law, the graduate school version may not be transferred in for Law School credit. In other words, these courses must be taken in the Law School. Students should obtain permission from the Associate Dean before taking the same titled course in both the Law School and Graduate school. Other than mentioned above, any graduate level course in the combined program may be transferred for the 9 Law School credit hours. Dual degree students must also comply with the 12 hour residency requirement when applying the 9 hours of graduate work. Students in the dual degree program will generally pay Law School fees, with exception of the Moore School of Business. Students enrolled in Law School and the Moore School of Business will pay law tuition and business school program fees. It is required that students enrolling in a dual degree program meet with the Registrar/Director of Academic Services to obtain additional information on graduation requirements and tuition/fee payment. For more specific information please contact the Law Registrar/Director of Academic Services.

### 2. Dual Degree in Studies in Environmental Law with the Vermont Law School

Students at the University of South Carolina School of Law can take advantage of the nation's largest environmental law curriculum through a Dual Degree program with Vermont Law School. The University of South Carolina School of Law's excellent in-house educational opportunities in the field of environmental law are expanded through the Vermont Law School's Master of Studies in Environmental Law (M.S.E.L.) degree program.

Together, the University of South Carolina and Vermont Law School offer a dual degree program that enables qualified University of South Carolina law students to earn two degrees in three or three and a half years: a J.D. from the University of South Carolina, and an M.S.E.L. from Vermont Law School. In addition to courses at the University of South Carolina, dual degree candidates take courses taught in Vermont's Summer Session and courses offered by distance learning during the regular academic year, or a combination of summer session and distance learning courses and approved internships.

#### a. Earning the MELP and JD Degree

University of South Carolina School of Law first-year students initially seek approval to participate in the MELP/JD dual degree program from the Office of the Associate Dean for Academic Affairs, who grants approval pursuant to regulations and in consultation with the Dual Degree Committee. Approved students then apply to Vermont Law School for the M.E.L.P. Degree early in the spring semester of their first year of law school. If accepted, dual degree students register for Summer Session courses later

in the semester. Dual Degree students must enroll in Introduction to Environmental Law at the Law School during the Maymester following their first year. Dual degree students also typically attend a ten-week Summer Session at Vermont Law School during the summer between their first and second years of law school. In the second and third years of law school, dual degree students complete additional environmental law courses via distance learning from Vermont Law School. Students may also combine distance learning courses with an approved internship at an organization involved with environmental work. Dual degree students share the remaining credits required for their J.D. degree with the M.E.L.P. degree, thus reducing the overall M.E.L.P. requirements.

#### b. The Dual Degree Progression

- 11 credits – M.E.L.P. courses (including Ecology) taken at Vermont Law School's Summer Session.
- 10 credits – M.E.L.P. courses taken via distance learning at the University of South Carolina during the second and third years of law school, or a combination of such courses and a limited number of credit hours for an approved internship.
- 9 credits – Environmental law courses taken at the University of South Carolina for J.D. credit shared with M.E.L.P. requirements. These courses typically include Administrative Law, Federal Environmental Law, and Land Use Planning. Even if admitted to more than one dual degree program (such as MEERM), a student may not apply more than a total of 9 graduate credit hours toward the J.D. degree

#### c. Financial Arrangements

Dual degree students pay tuition for their J.D. degree to the University of South Carolina, which includes the nine credits shared with the M.E.L.P. degree. Dual degree students pay Vermont Law School for M.E.L.P. credits on a per-credit basis at the prevailing tuition rate.

#### d. Note that students in the Juris Doctor – Master of Environmental Law and Policy dual degree program can also pursue the Juris Doctor – Master of Earth and Environmental Resource Management with the School of the Environment at USC. A student can earn all three degrees in four years.

## University Courses Outside the Law School

First year students are not permitted to take courses outside the School of Law under any circumstances.

With prior permission of the Associate Dean for Academic Affairs, second and third year students may take for Law School credit, up to two (2) courses or six (6) hours of credit in another department of the University. Only graduate (500 level and up) courses are acceptable. Grades in all such courses shall be recorded on a Pass/Fail basis, with a grade of below C being recorded as a Failure. Note further that such courses count affect the maximum number of Pass/Fail hours that can be counted toward the J.D. Students must also satisfy requirements concerning the minimum number of hours in residence needed for the J.D. degree by successfully completing at least 60 credit hours in law courses at the University of South Carolina School of Law. The 60 required hours shall not include course work in independent research and co-curricular activities such as law review, journals, moot court, mock trials or any other trial competitions.

Second and third year students may also enroll in courses in other departments of the University that are not taken for Law School credit without restrictions on the type of course. Note that the sixteen (16) hours maximum rule still applies.

A form for taking courses outside the Law School is available in the Office of the Law Registrar/Academic Services. This form must be filled out and submitted to the Associate Dean for Academic Affairs for approval.

## Approval of Course Credit

1. Petitions for approval of hours overload and approval of credit for courses taken at other law schools or in other departments of the University shall contain a complete description of the student's plans and the relief sought.
2. Petitions for approval of course credit may be granted by the Associate Dean for Academic Affairs if the Dean finds that approval is consistent with the letter and spirit of academic policies established by the Faculty.
3. Appeals from decisions of the Associate Dean for Academic Affairs dealing with course credit may be taken to the Curriculum Committee. The standard of review is whether the decision of the Associate Dean was clearly erroneous.

## Summer School

### 1. Eligibility; Graduation during the summer

The Law School offers a Maymester and one session each summer. No student may enroll for summer school who is not eligible to return in the following fall semester. The Law School does not contemplate that students will normally complete their legal education at the end of a summer session. Therefore, any student intending to complete the requirements for graduation by attending summer school should contact the Office of the Registrar/Academic Services prior to registering for summer school.

### 2. Accelerated Graduation by Attending Two Summer Sessions

Normally, students will obtain residence credit for the fall and spring semesters of each of their three years of law school and graduate in May of their third year. Students may elect, however, to accelerate their graduation by one semester (graduating in December of their third year rather than May) by attending two summer sessions. These two summer sessions taken together will qualify for one (1) semester of residency if the following requirements are met:

The student must matriculate in two summer sessions and satisfactorily complete not less than twelve (12) hours in the two sessions, with a minimum of six (6) hours being required in each summer session.

Although credit hours earned during Maymester can be included in determining the minimum 6 credit hours per summer session requirement, to receive residency credit a student must complete at least one course during both regular 7-week summer sessions.

## Co-curricular Activities

No credit is allowed for any co-curricular activity except as follows:

### 1. Editorial Board

Journal of Law and Education; South Carolina Law Review; Real Property, Probate and Trust Journal; Southeastern Environmental Law Journal; South Carolina Journal of International Law and Business. Students may obtain two (2) hours credit on a pass/fail basis for serving in a position on the Editorial Board of the Journal of Law and

Education; the South Carolina Law Review; the Real Property, Probate and Trust Journal; the Southeastern Environmental Law Journal; or the South Carolina Journal of International Law and Business. No credit may be given without the approval of a faculty advisor or the Associate Dean for Academic Affairs. In awarding credit the faculty advisor or the Associate Dean may rely on a certification from the Editor in Chief that a Board member has substantially fulfilled the duties of his/her position.

### 2. Supervised Extracurricular Competition.

Students participating in extracurricular competitions (for example, moot court, trial competition, client counseling competition, negotiation competition, etc.) may receive degree credit only once for participating in an extracurricular competition:

- a. The program must be supervised or advised by a faculty member and approved for credit by the curriculum committee or the Associate Dean for Academic Affairs.
- b. The student must make a substantial intellectual contribution to the activity. Alternates may receive credit if they make substantially the same contribution to the team as that made by the primary members of the team. Administrators or "managers" of the programs who do not participate in the intellectual exercises required by the program are not eligible for credit. However, an administrator or manager can receive credit if he/she qualifies for credit under paragraph (c) below.
- c. The student must complete a written exercise in connection with the activity, which will be evaluated by the faculty supervisor or advisor. In many cases this will be a requirement of the competition. When there is no such requirement, students may receive credit if they reduce their learning to a written form which is evaluated by the faculty supervisor or adviser. This may take the form of a brief, trial memorandum, file memorandum, or other document relating to what they learned in the preparation for the competition. If the rules of the competition limit the involvement of faculty supervisors or advisers, evaluation and criticism of the written product may be postponed until the competition is complete.
- d. To obtain credit for supervised extracurricular competition, a student must complete a form available in the Office of the Registrar/Academic Services.

## Credit Hour Policy

1. The Law School faculty, upon the recommendation of the Curriculum Committee, establishes the number of credit hours for each course. All course proposals beginning academic year 2016-17, must include a justification for the number of credit hours to be awarded (including out-of-course work).
2. In accordance with ABA Standard 310 (b), a "credit hour" is an amount of work that reasonably approximates:
  - a. not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time; or
  - b. at least an equivalent amount of work as required in number (1) of this definition for other academic activities as established by the institution, including clinical, simulation, field placement, co-curricular, and other academic work leading to the award of credit hours.
3. For each course, the course faculty member must determine that adequate work has been assigned such that a student would be expected to spend a minimum of 30 hours a semester per credit hour

outside of the classroom in preparation for the course. The hours include time spent preparing for and taking exams.

4. To document the basis for this determination, the faculty member must include in the course syllabus an adequate description of the work to be assigned.
5. Students enrolled in clinics or externships must submit written documentation for time spent on course-related work to their supervising faculty member at regular intervals, to be determined by their supervising faculty member. Faculty will determine the number of hours required for each unit of credit; at a minimum, students must complete 42.5 hours for 1 credit; 85 hours for 2 credits, and 127.5 hours for 3 credits.  
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6. Students enrolled in directed research and other non-regularly scheduled classes must complete a minimum of 42.5 hours for 1 credit; 85 hours for 2 credits, and 127.5 hours for 3 credits.
7. For Law Journals and Co-Curricular activities, such as mock trial and moot court, the Editor in Chief or similar position, is responsible for verifying to the faculty advisor that each student to be awarded 2 credits has completed 85 hours of work, which may include written materials, preparation time and performance in competitions.
8. The Associate Dean for Academic Affairs is responsible for interpreting this Policy to ensure consistency and compliance with ABA Accreditation standards and conducting a review of course syllabi every 3 years to ensure compliance with this credit hour policy. At the Associate Dean's request, the Curriculum Committee will further review a number of course syllabi to ensure compliance.

## Hardship Admission to Courses

1. Hardship petitions shall be filed with the Registrar/Director of Academic Services. The petition shall contain a complete statement of why the student is seeking hardship admission to the course. Except in extremely unusual circumstances, hardship petitions will not be granted to allow a second year student to change sections of a second year preference course subject to block pre-registration. Moreover, a petition will normally be denied if the student has an opportunity to take the course in a subsequent semester or if the student did not avail himself or herself of a second year preference. Desire for a particular professor or time does not constitute hardship. Students seeking hardship admission to second year preference courses during their third year shall explain why they did not take the course during the second year.
2. There is no appeal from the denial of a hardship petition by the Associate Dean for Academic Affairs.

## Postponement of Examinations and Papers

1. Petitions for postponement of examinations shall contain the following:
  - a. A list of the examinations that the student wishes to have postponed;
  - b. The reasons why the student is seeking postponement. If the postponement is sought because of medical reasons, the student should be prepared to present documentation of the medical problem on request.
  - c. The period of time for which the student is seeking postponement.
2. The Associate Dean for Academic Affairs may grant examination postponements for good cause, such as some physical or emotional

problem that has made preparation for or taking of the examination extremely difficult. The fact that a student has several examinations in sequence does not justify examination postponement. No examination postponement will be granted for a student who has already missed an examination unless the student can demonstrate that it was physically impossible for the student to seek advance approval of an examination postponement.

3. Makeup examinations shall be scheduled on the day designated as a make-up day on the examination schedule or on another day by mutual agreement of the professor, the Associate Dean for Academic Affairs, and the student.
4. There is no appeal from a decision denying postponement of examinations.

Note on Postponement of Papers. Postponement of the due dates of papers may be made by individual professors without the approval of the Associate Dean for Academic Affairs. Provided, however, the due date for any paper submitted to satisfy the Writing Requirement may not be postponed beyond the date for completion of the Writing Requirement without the approval of the Associate Dean and the professor to whom the paper will be submitted. For May graduates the paper must be submitted in final form to the faculty member by January 15. For December graduates, the paper must be submitted by September 1.

## Probation and Dismissal for Failure to Meet Academic Requirements

### Preamble

The faculty of the University of South Carolina School of Law believes that the rigorous maintenance of high academic standards is of utmost importance. The grade average requirements students must satisfy in order to remain in school represent the bare minimum of what can properly be demanded of one who expects to enter the practice of law. Clearly, the broader aim of the institution is to promote in all its graduates a higher level of competence. There is, thus, ample justification for dismissing any student who cannot meet even these minimal requirements, however narrow the margin of failure may happen to be in any given case.

Students will be held absolutely accountable for their performance at the Law School. It is thus incumbent upon all students to arrange their study habits and personal affairs in such a way as to maximize academic performance. When it appears that this performance will be adversely affected by extraordinary personal circumstances beyond the student's control, it is the responsibility of the student to determine this and to take such steps as are necessary to obviate the difficulty before it results in academic failure.

### Rule 1: Standards for Automatic Dismissal for Failure to Meet Academic Requirements.

Except for graduating seniors in their final semester (see RULE 5), any of the following will result in automatic dismissal for failure to meet minimal academic requirements.

1. A grade average for any individual semester after the first semester of the first year below 1.5.
2. A cumulative overall grade average at any time after the first semester of the first year of less than 2.0.

3. Failure to meet the requirements for being removed from academic probation as specified in RULE 3.
4. Obtaining a grade of F in more than two courses.

**Rule 2: Standards for Placing Students on Academic Probation for Failure to Meet Academic Requirements.**

Any student whose grade average for an individual semester falls below two point zero (2.0) but who is not otherwise subject to dismissal under RULE 1 shall be placed on academic probation for failure to meet academic requirements.

**Rule 3: Standards for Removing Students from Probation.**

Any student whose aggregate grade average for the probationary semester and the preceding semester is two point zero (2.0) or better, who satisfies such other requirements as may be imposed, and who is not otherwise subject to dismissal under RULE 1, shall be removed from probation at the end of the probationary semester.

**Rule 4: Standards for Conditional Readmission of Probationers Until Grades are Reported.**

Any student placed on probation under the provisions of RULE 2 shall be allowed to register and attend classes during the semester or summer school term following the probationary semester until such time as the student's grades for the probationary semester have been so reported. The student shall be allowed to continue enrollment as a student in good standing only if the requirements of the probation are met. If the requirements of the probation are not met, the student shall be required to withdraw from enrollment in the Law School and shall be dismissed under the provisions of RULE 1. A student who is required to withdraw under the provisions of this Rule shall be entitled to the return of such portion of the student's tuition as may be permitted by the regulations of the University of South Carolina.

**Rule 5: Standards Governing Students Who Fail to Meet Academic Requirements in the Semester They are Scheduled to Graduate.**

Violation of the provisions of RULE 1 in the semester a student is scheduled to graduate shall result in automatic dismissal except when the only subparagraph violated is Rule 1(a) (student's grade average for the semester is below 1.5) in which case the student shall not be dismissed but shall be placed on probation and required to complete an additional probationary semester under the conditions of RULE 3.

**Rule 6: Summer School Terms.**

The summer school term shall not be considered an "individual semester" or a "probationary semester" for any purpose under these Rules. Grades received during the summer school term shall be included in the average of the grades received in the next following individual semester, and the student's cumulative overall grade average shall not be computed until that time. Probationary students shall be allowed to enroll in the summer school subject to the provisions of RULE 4.

## Readmission after Academic Dismissal

1. A readmission petition shall include the following:
  - a. An explanation of the reasons for the student's lack of success in law school;
  - b. What the student plans to do to remedy these problems; and

- c. If the student is seeking a waiver of the waiting period (§3 below), an explanation of the hardship that would occur if the student were required to comply with the waiting period.
2. In passing on petitions for readmission, the Associate Dean for Academic Affairs shall consider the student's aptitude for the practice of law as reflected in the student's entire record. The Associate Dean shall not grant a petition for readmission unless the Dean finds that there is a high probability that the student will succeed on readmission.
3. Unless waived by the Associate Dean for Academic Affairs because of financial or personal hardship, petitions for readmission will not be granted until the student has complied with the following waiting periods: In the case of students dismissed at the end of the first year, the waiting period is two semesters. For other students, the waiting period is one semester.
4. A student who discontinues his/her legal education without approval of a petition for withdrawal shall be treated as being dismissed because of failure to meet academic requirements. Failure to seek permission for withdrawal shall be a negative factor in any petition for readmission.
5. Readmission shall be on such terms and conditions as may be set by the Associate Dean for Academic Affairs. Provided, however, that if a student is dismissed at the end of the first year and the student's grade point average is less than 1.80 (or the student has 50% or more exam performances less than C), the student may not be readmitted to the second year class but must instead repeat the first year. For students whose grade point average is between 1.80 and 1.99, the Associate Dean has discretion to readmit the student to the second year or require the student to repeat the first year. Students who are readmitted shall be on academic probation until the end of the second semester following readmission. Any readmitted student who does not comply with the requirements of §V, Rule 1, at the end of the probationary period shall be dismissed from School.
6. Neither the Associate Dean for Academic Affairs nor the Admissions Committee will entertain a petition for readmission from any student who has been readmitted after an academic dismissal and then dismissed for a second time. For purposes of this rule dismissal or suspension as a result of a violation of the Rule of Academic Responsibility shall be considered to be for failure to meet academic requirements. A student twice dismissed for failure to meet academic requirements may petition the faculty for readmission. The faculty will consider the petition only if two thirds of the faculty members voting vote to hear the petition. If the faculty hears the petition, the student will be readmitted only if two thirds of the faculty members voting vote to grant the petition.
7. Appeals from decisions of the Associate Dean for Academic Affairs on readmission petitions may be taken to the Academic Responsibility Committee. The standard of review is whether the decision of the Associate Dean is clearly erroneous. The Committee's decision is non-reviewable.

## Academic Forgiveness

A student readmitted as a first year student may petition the Associate Dean for Academic Affairs for academic forgiveness. Once academic forgiveness has been granted, the following apply to the student's academic record:

1. All curriculum requirements will be in accordance with those in force at the time of or subsequent to the student's readmission.

2. The student's grade point average is recalculated beginning with the semester in which the student was readmitted to the University.
3. Courses in which the student received a passing grade prior to readmission and the granting of academic forgiveness may, at the discretion of the Associate Dean for Academic Affairs, be used for academic credit, and in recalculating GPA.
4. The following statement shall appear on the official academic record of any student granted academic forgiveness: "This student was granted academic forgiveness under the University of South Carolina School of Law Academic Forgiveness Program. No courses taken at the Law School prior to (date of readmission) are used to meet degree requirements or in the calculation of the GPA. Introduction to the Legal Profession may be used to meet degree requirements if successfully completed."
5. The following statement shall appear on any unofficial academic record such as a grade sheet of any student granted academic forgiveness: "I was granted academic forgiveness under the University of South Carolina School of Law Academic Forgiveness Program. No courses taken at the Law School prior to (date of readmission) are used to meet degree requirements or in the calculation of the GPA. Introduction to the Legal Profession may be used to meet degree requirements if successfully completed."

## Withdrawal from Law School

1. A petition for withdrawal shall contain the following:
  - a. The reasons why the student wishes to withdraw. If the withdrawal is sought because of medical reasons, the student should be prepared to present documentation of the medical problem on request of the Associate Dean for Academic Affairs.
  - b. A statement of when the student would like to return to law school, if the student intends to do so.
2. Petitions for withdrawal shall be granted by the Associate Dean for Academic Affairs if the Dean finds that bona fide medical or personal circumstances have developed which make continuation of the student's education at this time difficult.
3. A student who discontinues his/her legal education without approval of a petition for withdrawal shall be treated as being dismissed because of failure to meet academic requirements. Failure to seek permission for withdrawal shall be a negative factor in any petition for readmission.
4. Appeals from decisions of the Associate Dean for Academic Affairs dealing with petitions for withdrawal may be taken to the Admissions Committee. The standard of review is whether the decision of the Associate Dean was clearly erroneous.

Note on One Semester Leave of Absence. After the completion of the first year of Law School, any student in good academic standing may elect to take a leave of absence for no longer than one semester, provided that the Associate Dean for Academic Affairs is notified of this in writing. Such a student shall be automatically entitled to register for the semester immediately following the leave of absence. The election to take a semester's leave must be exercised and the Associate Dean notified prior to the day that is designated, for that semester, the official "last day to drop without penalty." Any student who registers and then withdraws pursuant to this rule shall be entitled to the return portion of tuition as may be permitted by the regulations of the University of South Carolina.

## Readmission After Withdrawal

1. A petition for readmission after withdrawal shall contain an explanation by the student of how the circumstances that lead to the student's withdrawal have changed
2. Petitions for readmission after withdrawal shall be granted if the Associate Dean for Academic Affairs finds that the circumstances leading to withdrawal have been alleviated so that the student's education can continue.
3. Appeals from decisions of the Associate Dean for Academic Affairs dealing with petitions for readmission after withdrawal may be taken to the Admissions Committee. The standard of review is whether the decision of the Associate Dean was clearly erroneous.

## Waiver of Graduation Requirements

1. Petitions for waiver of graduation requirements shall state:
  - a. The requirement for which waiver is sought.
  - b. The reasons why the student failed to comply with the requirement
  - c. Why failure to grant the waiver would work a hardship on the student
2. The Associate Dean for Academic Affairs may grant a waiver of a graduation requirement if the Associate Dean finds that there is good cause for the waiver, that compliance with the requirement would work a hardship on the student, and that granting the waiver would not seriously undermine any academic policies of the Law School.
3. Appeals from decisions of the Associate Dean for Academic Affairs dealing with petitions for waiver of graduation requirements may be taken to the Curriculum Committee. The standard of review is whether the decision of the Associate Dean was clearly erroneous.

## Notification of Student Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.

A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the University to amend a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the University decides not to amend the record as requested, the University will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment.

Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The University may disclose Directory Information without prior written consent, unless the student has submitted a written request to the Office of the University Registrar not to release Directory Information pertaining to him or her. Students are notified annually, both in the academic bulletins and via email, of their rights under FERPA and are provided with instructions on how to request a "Confidentiality Indicator" on their academic record which prevents the disclosure of Directory Information. A Confidentiality Indicator will be placed on the release of Directory Information filed with the University Registrar, which will remain in effect until the student files a written request to remove it. A request not to disclose Directory Information applies to the entire category of such information and cannot be selective with regard to specific items defined as Directory Information. Similarly, a request not to disclose Directory Information applies to all individuals and cannot be selective with regard to specific individuals or organizations.
- The University discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, service provider or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
- A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University.
- To officials of other institutions in which the student seeks or intends to enroll provided that the student had previously requested a release of his/her record;
- To authorized representatives of the U.S. Department of Education, U.S. Department of Defense (Solomon Amendment), U.S. Attorney General, the Comptroller General of the United States, state education authorities, organizations conducting studies for or on behalf of the University, and accrediting organizations; to the Department of Homeland Security (DHS) and its Immigration and Customs Enforcement Bureau (ICE) in order to comply with the requirements of SEVIS.
- In connection with a student's application for, and receipt of, financial aid;
- To comply with a judicial order or lawfully issued subpoena;
- To parents of dependent students as defined by the Internal Revenue Code, Section 152;
- To appropriate parties in a health or safety emergency; or
- To the alleged victim of any crime of violence or the results of any disciplinary proceedings conducted by the University.
- The University may disclose the result of a disciplinary proceeding to a parent or guardian so long as the student is under the age of 21 at the time of the incident and the proceeding has resulted in a violation of University drug or alcohol policies, or any federal, state, or local law.

- To students currently registered in a particular class, the names and email addresses of others on the roster may be disclosed in order to participate in class discussion.

#### Release of Directory Information

In accordance with section 99.7 of the Family Educational Rights and Privacy Act (FERPA), the University of South Carolina provides students annual notification of their FERPA rights. The University of South Carolina has designated certain items as Directory Information. At the University of South Carolina, these items are as follows:

- Name
- Dates of Attendance
- Campus
- College or School
- Classification
- Primary Program of Study
- Full-time or Part-time Status
- Degree(s) Awarded Including Dates
- Honors and Award Including Dean's and President's List
- University Email Address
- City, State, and Zip Code Associated with a Student's Permanent Address

The University may disclose Directory Information without prior written consent, unless the student has submitted a written request to the Office of the University Registrar not to release Directory Information pertaining to him or her. Students are notified annually, both in the academic bulletins and via email, of their rights under FERPA and are provided with instructions on how to request a "Confidentiality Indicator" on their academic record which prevents the disclosure of Directory Information. A Confidentiality Indicator will be placed on the release of Directory Information filed with the University Registrar, which will remain in effect until the student files a written request to remove it. A request not to disclose Directory Information applies to the entire category of such information and cannot be selective with regard to specific items defined as Directory Information. Similarly, a request not to disclose Directory Information applies to all individuals and cannot be selective with regard to specific individuals or organizations.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of South Carolina to comply with the requirements of FERPA.

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

Questions concerning this law and the University's procedures concerning the release of academic information may be directed to the Office of the Registrar at 777-5555.



# TUITION AND FEES

Tuition and fees for the 2018-2019 academic year for the School of Law can be found at the following site: [https://sc.edu/study/colleges\\_schools/law/admissions/financial\\_aid/tuition\\_and\\_fees/index.php](https://sc.edu/study/colleges_schools/law/admissions/financial_aid/tuition_and_fees/index.php) ([https://sc.edu/study/colleges\\_schools/law/admissions/financial\\_aid/tuition\\_and\\_fees/](https://sc.edu/study/colleges_schools/law/admissions/financial_aid/tuition_and_fees/)).

## Refund Policy

### 1. Policy

The University will refund a part of academic fees in certain cases:

- a. Changes in a student's status, which may require a refund.
  - i. Change in a full-time student's schedule, which results in reclassification to part-time status
  - ii. Change in a part-time student's schedule, which results in fewer credit hours.
- b. Situations, which may require a refund.
  - i. Course or courses dropped
  - ii. Withdrawal from the University
  - iii. Cancellation of a class by the University

### 2. Refund Requests

All requests for refunds must be received during the academic year for which the fees were paid. The academic year begins with the fall term and ends with the last summer session (Summer II). Refunds may be requested at any time during the academic year in which the applicable term occurs.

### 3. Determining the Refundable Portion Procedure

The refund is for the portion of the tuition, fees, room, board, and other charges assessed the student under the control of the University equal to the portion of the period of enrollment for which the student has been charged that remains on the withdrawal date, less any unpaid amount of a schedule cash payment for the period of enrollment for which the student has been charged.

### 4. Withdrawal Refund Policies

Standard Refund Policy For Withdrawal From The University

- a. 100% refund of the charges if the student's **official withdrawal calculation** is by the first week of classes of a sixteen-week session
- b. 90% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (A) and on or before the end of the 10% period of enrollment for which the student was charged
- c. 70% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (B) and on or before the end of the 16% period of enrollment for which the student was charged
- d. 50% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (C) and on or before the end of the 25% period of enrollment for which the student was charged
- e. 25% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (D) and on or before the end of the 50% period of enrollment for which the student was charged

#### Title IV Funds

Refunds Policy For Students Who Have Received Title IV Funds And Withdraw From The University

Federal financial aid funds are awarded with the expectation that students will complete the entire period of enrollment. Students "earn" a percentage of the funds that are disbursed with each day of class attendance. When a student who has received federal aid funds (Title IV Funds) leaves school before the end of the semester or period of enrollment, federal regulations require the University of South Carolina to calculate the percentage and amount of "unearned" financial aid funds that must be returned. Once a student has completed more than 60% of the enrollment period, they are considered to have earned all funding received. This calculation may have the effect of requiring the student who withdraws before this time frame to repay funds that have already been disbursed to the student or credited towards their current account for tuition, fees, housing and/or meals. Students are encouraged to meet with a counselor in the Office of Student Affairs, or the appropriate office on their campus, prior to making the decision to withdraw from school.

#### Title IV Refund Distribution

For fully withdrawn students receiving federal and/or state funds, the refund will be governed by the current Federal Title IV refund policy. The Office of Student Financial Aid and Scholarships determines the amount of the refund that is distributed back to Title IV, HEA Programs or other Financial Aid sources. For students and their parents who have received student loans or other forms of financial aid, refunds will be returned in the order prescribed by federal regulations. The institution must return the refund to the financial aid program other than College Work Study, up to the amount of assistance that the student received from those programs. Refunds are to be distributed to the financial aid programs in the following order:

- Unsubsidized Federal Stafford
  - Subsidized Federal Stafford
  - Federal Perkins
  - Federal PLUS Loan
  - Federal Grants
  - Pharmacy, Nursing & Health Professions Loans
  - State funds
  - Private or institutional scholarship(s) and loan(s)
- Any remaining balance will first be used to repay any outstanding university charges and any subsequent balances will be refunded to the student/parent.

Exit interviews are required before leaving the University of South Carolina for all students who withdraw and have received Stafford, Perkins, or Federal Nursing Loans. Exit interviews can be completed on the Internet at <http://www.sc.edu/financialaid/>. Click on "Loan Counseling on the Web" and follow the instructions. Or, you may contact the Office of Student Financial Aid and Scholarships at (803)-777-8134 or the Loan Collection Department of the Bursar's Office at (803)-777-3559 for the Columbia Campus. Telephone numbers and referenced offices are different for each campus.

### 5. Summer Sessions and Other Shortened Sessions Refund Procedure for Withdrawal

Adjusted refund schedules are printed in the **master schedule of classes** and are available in the Office of Financial Services.

- a. 100% refund of the charges if the student's **official withdrawal calculation** is by the end of late registration period
- b. 90% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (A) and on or before the end of the 10% period of enrollment for which the student was charged
- c. 50% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (B) and on or before the end of the 25% period of enrollment for which the student was charged
- d. 40% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (C) and on or before the end of the 36% period of enrollment for which the student was charged
- e. 25% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (D) and on or before the end of the 50% period of enrollment for which the student was charged.

<sup>1</sup> All requests for refunds must be received in writing before the end of the first month of enrollment.

#### 6. Refund Schedules

Refund schedules are printed in the Schedule of Classes.

#### 7. Dropped Courses - Refund Procedure

A percentage of fees will be refunded for course(s) dropped within two weeks (fall, spring and summer) after the first official day of classes or within an equivalent period for other sessions. No refunds will be made thereafter.

- a. Drops - Fall And Spring Courses
  - i. 100% refund for courses dropped before the end of the late registration period
  - ii. 70% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (A) and on or before the end of the 16% period of enrollment for which the student was charged
- b. Drops - Summer Terms
  - i. 100% refund for courses dropped before the end of the late registration period
  - ii. 40% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (A) and on or before the end of the 36% period of enrollment for which the student was charged
  - iii. 25% refund of the charges if the student's **official withdrawal calculation** is between the period specified in (B) and on or before the end of the 50% period of enrollment for which the student was charged
- c. Other Shortened Sessions
 

Adjusted refund schedules are printed in the Schedule of Classes
- d. Correspondence Course Fees<sup>1</sup>

Circumstance:

  - i. 100% if application is not accepted
  - ii. 75% if withdrawal is within one month and/or before an assignment has been submitted for grading and correction
  - iii. No refund for withdrawal after one month, or after an assignment has been submitted for grading and correction

#### 8. Appeals Process

A process for appeals exists for students or parents who believe circumstances warrant exceptions from published policy.

A Withdrawal Appeals Committee reviews and act on all appeals.

# FEES AND REFUNDS

## Graduate Fee Schedule

Complete details about fees, payments, tax credits, loans, late charges, and related information may be found at the bursar's Web site, [www.sc.edu/bursar](http://www.sc.edu/bursar) (<http://www.sc.edu/bursar/>). For the complete graduate fee schedule, visit [www.sc.edu/bursar/studentfees.html](http://www.sc.edu/bursar/studentfees.html) (<http://www.sc.edu/bursar/studentfees.html>). Tuition and fees are approved by the Board of Trustees and subject to change at any time.

For information about non-academic fees, charges, and regulations, visit the Web sites below.

- University Housing: [www.housing.sc.edu](http://www.housing.sc.edu) (<http://www.housing.sc.edu>)
- Carolina Dining Services: [www.sc.edu/dining](http://www.sc.edu/dining) (<http://www.sc.edu/dining/>)
- Thomson Student Health Center: [www.sa.sc.edu/shs/tshc/](http://www.sa.sc.edu/shs/tshc/) (<http://www.sa.sc.edu/shs/tshc/>)
- Vehicle Management and Parking Services: [www.sc.edu/vmps](http://www.sc.edu/vmps) (<http://www.sc.edu/vmps/>)

## Checks, Money Orders, and Credit Cards

The University assesses a credit-card convenience fee for all students paying fees by credit card. If you decide to pay with a credit card, this nonrefundable fee will be added to your bill to cover the cost being charged to the University. Since the majority of students find Self-Service Carolina (<https://my.sc.edu/>) a convenient way to pay, Self-Service Carolina will present you with an option to accept this fee or decline the transaction. If you decline, you must select another method of payment. Alternative methods include payment by E-check, USC's preferred method of payment, when using Self-Service Carolina or payment by check or money order through the mail.

## Legal Residency

The University of South Carolina is required by state law to determine the residence classification of applicants. The initial determination of one's resident status is made at the time of admission. The determination made at that time, and any determination made thereafter, prevails for each subsequent semester until information becomes available that would impact the existing residency status and the determination is successfully challenged. The burden of proof rests with the students to show evidence as deemed necessary to establish and maintain their residency status.

## Legal Residency Requirements for Fee and Tuition Purposes

### Code of Laws Governing Residence

Rules regarding the establishment of legal residence for tuition and fee purposes for institutions of higher education are governed by Title 59, Chapter 112, of the 1976 South Carolina Code of Laws, as amended.

### Definitions

**"Academic Session"** is defined as a term or semester of enrollment.

**"Continue to be Enrolled"** is defined as continuous enrollment without an interruption that would require the student to pursue a formal process of readmission to that institution. Formal petitions or applications for change of degree level shall be considered readmissions.

**"Dependent Person"** is defined as one whose predominant source of income or support is from payments from a parent, spouse, or guardian, who claims the dependent person on his/her federal income tax return. In the case of those individuals who are supported by family members who do not earn enough reportable income for taxation purposes, a dependent person can be defined as one who qualifies as a dependent or exemption on the federal income tax return of the parent, spouse, or guardian. A dependent person is also one for whom payments are made, under court order, for child support and the cost of the dependent person's college education. A dependent person's residency is based upon the residency of the person upon whom they are dependent.

**"Domicile"** is defined as the true, fixed, principal residence and place of habitation. It shall indicate the place where a person intends to remain, or to where one expects to return upon leaving without establishing a new domicile in another state. For purposes of this section, one may have only one legal domicile. One is presumed to abandon automatically an old domicile upon establishing a new one. Housing provided on an academic session basis for student at institutions shall be presumed not to be a place of principal residence, as residency in such housing is by its nature temporary.

**"Family's Domicile in this State is Terminated"** is defined as an employer directed transfer of the person upon whom the student is dependent and is not construed to mean a voluntary change in domicile. Also included is a relocation of the person upon whom the student is dependent who is laid off through no fault of their own, e.g., plant closure, downsizing, etc., who accepts employment in another state prior to relocating.

**"Full time employment"** is defined as employment that consists of at least thirty seven and one half hours a week on a single job in a full time status, with gross earnings of at least minimum wage. However, a person who works less than thirty seven and one half hours a week but receives or is entitled to receive full time employee benefits shall be considered to be employed full time if such status is verified by the employer. A person who meets the eligibility requirements of the Americans with Disabilities Act must present acceptable evidence that they satisfy their prescribed employment specifications in order to qualify as having full time employment.

**"Guardian"** is defined as one legally responsible for the care and management of the person or property of a minor child based upon the five tests for dependency prescribed by the Internal Revenue Service; provided, however, that where circumstances indicate that such guardianship or custodianship was created primarily for the purpose of conferring South Carolina domicile for tuition and fee purposes on such child or dependent person, it shall not be given such effect.

**"Immediately Prior"** is defined as the period of time between the offer of admission and the first day of class of the term for which the offer was made, not to exceed one calendar year.

**"Independent Person"** is defined as one in his/her majority (eighteen years of age or older) or an emancipated minor, whose predominant source of income is his/her own earnings or income from employment, investments, or payments from trusts, grants, scholarships, commercial loans, or payments made in accordance with court order. An independent person must provide more than half of his or her support during the twelve months immediately prior to the date that classes begin for the semester for which resident status is requested. An independent person cannot claim the domicile of another individual as their own for the purposes of establishing intent to become a South Carolina resident. An independent person must have established his/her own domicile for

twelve months prior to receiving in-state tuition and fees. An independent person cannot be claimed as a dependent or exemption on the federal tax return of his or her parent, spouse, or guardian for the year in which resident status is requested.

**“Minor”** is defined as a person who has not attained the age of eighteen years. An “emancipated minor” shall mean a minor whose parents have entirely surrendered the right to the care, custody and earnings of such minor and are no longer under any legal obligation to support or maintain such minor.

**“Non-resident Alien”** is defined as a person who is not a citizen or permanent resident of the United States. By virtue of their non-resident status “non-resident aliens” generally do not have the capacity to establish domicile in South Carolina.

**“Parent”** is defined as the father, mother, stepfather, stepmother, foster parent or parent of a legally adopted child.

**“Reside”** is defined as continuous and permanent physical presence within the State, provided that absences for short periods of time shall not affect the establishment of residence. Excluded are absences associated with requirements to complete a degree, absences for military training service, and like absences, provided South Carolina domicile is maintained.

**“Resident”** for tuition and fee purposes is defined as an independent person who has abandoned all prior domiciles and has been domiciled in South Carolina continuously for at least twelve months immediately preceding the first day of class of the term for which resident classification is sought and for whom there is an absence of domiciliary evidence in other states or countries, notwithstanding other provisions of the Statute.

**“Spouse”** is defined as the husband or wife of a married person in accordance with Title 20, Chapter 1 of the 1976 South Carolina Code of Laws, as amended.

**“Temporary Absence”** is defined as a break in enrollment during a fall or spring semester (or its equivalent) during which a student is not registered for class. (62-606.A)

**“Terminal Leave”** is defined as a transition period following active employment and immediately preceding retirement (with a pension or annuity), during which the individual may use accumulated leave.

**“United States Armed Forces”** is defined as the United States Air Force, Army, Marine Corps, Navy, and Coast Guard.

**“Trust”** is defined as a legal entity created by a grantor for the benefit of designated beneficiaries under the laws of the state and the valid trust instrument. However, that where circumstances indicate that such trust was created primarily for the purpose of conferring South Carolina domicile for tuition and fee purposes on such child or independent person, it shall not be given such effect.

### **Citizens and Permanent Residents**

Independent persons who have physically resided and been domiciled in South Carolina for twelve continuous months immediately preceding the date the classes begin for the semester for which resident status is claimed may qualify to pay in-state tuition and fees. The twelve-month residency period starts when the independent person establishes the intent to become a South Carolina resident per Section 62-605 entitled “Establishing the Requisite Intent to Become a South Carolina Domiciliary.” The twelve-month residency period cannot start until

the absence of indicia in other states is proven. Absences from the State during the twelve-month period may affect the establishment of permanent residence for tuition and fee purposes.

The resident status of a dependent person is based on the resident status of the person who provides more than half of the dependent person’s support and claims or, only in the case of those individuals who are supported by family members who do not earn enough reportable income for taxation purposes, qualifies to claim the dependent person as a dependent for federal income tax purposes. Thus, the residence and domicile of a dependent person shall be presumed to be that of their parent, spouse, or guardian.

In the case of divorced or separated parents, the resident status of the dependent person may be based on the resident status of the parent who claims the dependent person as a dependent for tax purposes; or based on the resident status of the parent who has legal custody or legal joint custody of the dependent person; or based on the resident status of the person who makes payments under a court order for child support and at least the cost of his/her college tuition and fees.

### **Non-Resident Aliens, Non-Citizens, and Non-Permanent Residents**

Except as otherwise specified in this section or as provided in Section 62-609 (1) & (2), independent non-citizens and non-permanent residents of the United States will be assessed tuition and fees at the non-resident, out-of-state rate. Independent non-resident aliens, including refugees, asylees, and parolees may be entitled to resident, in-state classification once they have been awarded permanent resident status by the U.S. Department of Justice and meet all the statutory residency requirements provided that all other domiciliary requirements are met. Time spent living in South Carolina immediately prior to the awarding of permanent resident status does not count toward the twelve-month residency period. Certain non-resident aliens present in the United States in specified visa classifications are eligible to receive in-state residency status for tuition and fee purposes as prescribed by the Commission on Higher Education. They are not, however, eligible to receive state-sponsored tuition assistance/scholarships.

Title 8 of the Code of Federal Regulations (CFR) serves as the primary resource for defining visa categories.

### **Establishing the Requisite Intent to Become a South Carolina Domiciliary**

Resident status may not be acquired by an applicant or student while residing in South Carolina for the sole primary purpose of enrollment in an institution or for access to state-supported programs designed to serve South Carolina residents. An applicant or student from another state who comes to South Carolina usually does so for the purpose of attending school. Therefore, an applicant or student who enrolls as a non-resident in an institution is presumed to remain a non-resident throughout his or her attendance and does not qualify under any of the residency provisions.

If a person asserts that his/her domicile has been established in this State, the individual has the burden of proof. Such persons should provide to the designated residency official of the institution to which they are applying any and all evidence the person believes satisfies the burden of proof. The residency official will consider any and all evidence provided concerning such claim of domicile, but will not necessarily regard any single item of evidence as conclusive evidence that domicile has been established.

For independent persons or the parent, spouse, or guardian of dependent persons, examples of intent to become a South Carolina resident

may include, although any single indicator may not be conclusive, the following indicia:

1. Statement of full time employment;
2. Designating South Carolina as state of legal residence on military record;
3. Possession of a valid South Carolina driver's license, or if a non-driver, a South Carolina identification card. Failure to obtain this within 90 days of the establishment of the intent to become a South Carolina resident will delay the beginning date of residency eligibility until a South Carolina driver's license is obtained;
4. Possession of a valid South Carolina vehicle registration card. Failure to obtain this within 45 days of the establishment of the intent to become a South Carolina resident will delay the beginning date of residency eligibility until the applicant obtains a South Carolina vehicle registrations card;
5. Maintenance of domicile in South Carolina;
6. Paying South Carolina income taxes as a resident during the past tax year, including income earned outside of South Carolina from the date South Carolina domicile was claimed;
7. Ownership of principal residence in South Carolina; and
8. Licensing for professional practice (if applicable) in South Carolina.

The absence of indicia in other states or countries is required before the student is eligible to pay in state rates.

### **Maintaining Residence**

A person's temporary absence from the State does not necessarily constitute loss of South Carolina residence unless the person has acted inconsistently with the claim of continued South Carolina residence during the person's absence from the State. The burden is on the person to show retention of South Carolina residence during the person's absence from the State. Steps a person should take to retain South Carolina resident status for tuition and fee purposes include:

1. Continuing to use a South Carolina permanent address on all records;
2. Maintaining South Carolina driver's license;
3. Maintaining South Carolina vehicle registration;
4. Satisfying South Carolina resident income tax obligation. Individuals claiming permanent residence in South Carolina are liable for payment of income taxes on their total income from the date that they established South Carolina residence. This includes income earned in another state or country.

### **Effect of Change of Residency**

Notwithstanding other provisions of this section, any dependent person of a legal resident of this state who has been domiciled with his/her family in South Carolina for a period of not less than three years and whose family's domicile in this state is terminated immediately prior to his/her enrollment may enroll at the in state rate. Any dependent person of a legal resident of this state who has been domiciled with his/her family in South Carolina for a period of not less than three years and whose family's domicile in this state is terminated after his/her enrollment may continue to receive in state rates, however, a student must continue to be enrolled and registered for classes (excluding summers) in order to maintain eligibility to pay in state rates in subsequent semesters. Transfers within or between South Carolina colleges and universities of a student seeking a certificate, diploma, associate, baccalaureate, or graduate level degree does not constitute a break in enrollment.

If a dependent or independent person voluntarily leaves the state, and information becomes available that would impact the existing residency status, eligibility for in state rates shall end on the last day of the academic session during which domicile is lost. Application of this provision shall be at the discretion of the institution involved. However, a student must continue to be enrolled and registered for classes (excluding summers) in order to maintain eligibility to pay in state rates in subsequent semesters.

### **Effect of Marriage**

In ascertaining domicile of a married person, irrespective of gender, such a review shall be determined just as for an unmarried person by reference to all relevant evidence of domiciliary intent.

If a nonresident marries a South Carolina resident, the nonresident does not automatically acquire South Carolina resident status. The nonresident may acquire South Carolina resident status if the South Carolina resident is an independent person and the nonresident is a dependent of the South Carolina resident.

Marriage to a person domiciled outside South Carolina shall not be solely the reason for precluding a person from establishing or maintaining domicile in South Carolina and subsequently becoming eligible or continuing to be eligible for residency.

No person shall be deemed solely by reason of marriage to a person domiciled in South Carolina to have established or maintained domicile in South Carolina and consequently to be eligible for or to retain eligibility for South Carolina residency.

### **Exceptions**

Persons in the following categories qualify to pay in state tuition and fees without having to establish a permanent home in the state for twelve months. Persons who qualify under any of these categories must meet the conditions of the specific category on or before the first day of class of the term for which payment of in state tuition and fees is requested. The following categories apply only to in state tuition and do not apply to State supported scholarships and grants. Individuals who qualify for in state tuition and fees under the following exceptions do not automatically qualify for LIFE, SC HOPE or Palmetto Fellows Scholarships.

1. **"Military Personnel and their Dependents"**: Members of the United States Armed Forces who are permanently assigned in South Carolina on active duty and their dependents are eligible to pay in state tuition and fees. When such personnel are transferred from the State, their dependents may continue to pay in state tuition and fees as long as they are continuously enrolled. Such persons (and their dependents) may also be eligible to pay in state tuition and fees as long as they are continuously enrolled after their discharge from the military, provided they have demonstrated an intent to establish a permanent home in South Carolina and they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge. Military personnel who are not stationed in South Carolina and/or former military personnel who intend to establish South Carolina residency must fulfill the twelve month "physical presence" requirement for them or their dependents to qualify to pay in state tuition and fees.
2. **"Faculty and Administrative Employees with Full Time Employment and their Dependents"**: Full time faculty and administrative employees of South Carolina state supported colleges and universities and their dependents are eligible to pay in state tuition and fees.

### 3. “Residents with Full Time Employment and their Dependents”

Persons who reside, are domiciled, and are full time employed in the State and who continue to work full time until they meet the twelve month requirement and their dependents are eligible to pay in state tuition and fees, provided that they have taken steps to establish a permanent home in the State. Steps an independent person must take to establish residency in South Carolina are listed in Section 62-605 entitled (“Establishing the Requisite Intent to Become a South Carolina Domiciliary”).

### 4. “Retired Persons and their Dependents”

Retired persons who are receiving a pension or annuity who reside in South Carolina and have been domiciled in South Carolina as prescribed in the Statute for less than a year may be eligible for in state rates if they maintain residence and domicile in this State. Persons on terminal leave who have established residency in South Carolina may be eligible for in state rates even if domiciled in the State for less than one year if they present documentary evidence from their employer showing they are on terminal leave. The evidence should show beginning and ending dates for the terminal leave period and that the person will receive a pension or annuity when he/she retires.

South Carolina residents who wish to participate in the Contract for Services program sponsored by the Southern Regional Education Board must have continuously resided in the State for other than educational purposes for at least two years immediately preceding application for consideration and must meet all other residency requirements during this two year period.

### Application for Change of Resident Status

Persons applying for a change of resident classification must complete a residency application/petition and provide supporting documentation prior to a reclassification deadline as established by the institution.

The burden of proof rests with those persons applying for a change of resident classification who must show required evidence to document the change in resident status.

### Incorrect Classification

Persons incorrectly classified as residents are subject to reclassification and to payment of all non-resident tuition and fees not paid. If incorrect classification results from false or concealed facts, such persons may be charged tuition and fees past due and unpaid at the out of state rate. The violator may also be subject to administrative, civil, and financial penalties. Until these charges are paid, such persons will not be allowed to receive transcripts or graduate from a South Carolina institution.

Residents whose resident status changes are responsible for notifying the Residency Official of the institution attended of such changes.

### Inquiries and Appeals

Inquiries regarding residency requirements and determinations should be directed to:

Legal Residency Office  
University Of South Carolina  
Columbia, SC 29208  
803-777-4060

Any person, following a decision on his or her resident classification, may appeal the decision to the University Committee on Legal Residence. The committee, however, is bound by the same laws and regulations as the residency officials, so its purpose is only to review the facts and details of any case brought before it to evaluate the correctness of the decision

may by residency officials. Neither the committee nor residency officials may waive the provisions of the law or regulations.

Persons who appeal residency decisions must provide a letter to the Legal Residency Office informing the office that they want to appeal the decision made by the residency official. The letter must also include a summary of the person's situation and a statement which specifies the residency provision under which the person feels he or she qualifies to pay in-state fees. The director of legal residency will then schedule a hearing as soon as possible for the committee to hear the appeal.

The residency requirements are subject to change without notification.

## Academic Fees

### Application Fees

Every new graduate student will be charged a nonrefundable application fee of \$50. All applications must be accompanied by the application fee. International students pay an enrollment fee of \$500.

### Matriculation Fee

A nonrefundable matriculation fee of \$50 is assessed to all current degree-seeking students on a one-time basis. This fee is also assessed to entering (or re-entering) degree-seeking students.

### Free Tuition

**(This includes tuition only-all other academic and mandatory fees are the responsibility of the student.)**

Certain exemptions from tuition fees have been established under South Carolina Law. Relevant sections of the Code are reproduced below:

1. **S.C. Code Ann. § 59-111-110 (Law Co-op. 1976)** No tuition shall be charged for a period of four school years by any state-supported college or university or any state-supported vocational or technical school for children of firemen, both regularly employed and members of volunteer organized units, organized rescue squad members, members of the Civil Air Patrol, law enforcement officers or correction officers, as defined herein, including reserve and auxiliary units of counties or municipalities, who become totally disabled or are killed in line of duty (on or after July 1, 1964).
2. **S.C. Code Ann. § 59-111-320 (Law Co-op Supp. 1984)** Legal residents of South Carolina who have attained the age of sixty (60) and meet admission and other standards deemed appropriate by the University may attend classes for credit or non-credit purposes on a space available basis; provided, however, that neither such persons nor their spouses receive compensation as full-time employees.

## Examination Fees

### Graduate Record Examination

- General Test (\$60)
- Subject Test (\$60)

Revalidation examinations intended to revalidate USC courses, obsolete under the statute of limitations. Per hour, \$25.

**Note:** *Revalidation examinations require permission of the dean of The Graduate School. The fee must be paid in advance, and is nonrefundable, once the student is presented to the instructor for the examination.*

# Refund Policy

## 1. Policy

The University will refund a part of academic fees in certain cases:

- a. Changes in a student's status, which may require a refund.
  - i. Change in a full-time student's schedule, which results in reclassification to part-time status
  - ii. Change in a part-time student's schedule, which results in fewer credit hours.
- b. Situations, which may require a refund.
  - i. Course or courses dropped
  - ii. Drop/Withdrawal from the University
  - iii. Cancellation of a class by the University

## 2. Procedure

### a. Refund Requests

All requests for refunds must be received during the academic year for which the fees were paid. The academic year begins with the fall term and ends with the summer term. Refunds may be requested at any time during the academic year in which the applicable term occurs.

### b. Determining the Refundable Portion Procedure

Student refunds for tuition are calculated based on the student's liable hours after the drop/withdrawal. Liable hours are calculated as the total hours a student is still registered plus the liable portion of the dropped/withdrawn course(s). The liable portion is computed by taking the number of dropped hours times the liability rate (which is 100 percent minus refund percentage). The refund amount is determined to be the difference of the original assessment and the assessment based on the new liable hours. For students whose liable hours are 12 or above, no refunds are processed. Other academic fees are non-refundable after the 100 percent refund percentage. For students activated for full-time military service during an academic term, the University follows state law in Section 59-101-395. Any refund calculated will be applied to the student account.

### c. Drop/Withdrawal Refund Polices

#### Standard Refund Policy For Dropping/Withdrawal From The University:

All refunds will be based solely on the percentage of time (in days) between the first day of a part-of-term and the last day of a part-of-term. The percentage (in days) will include all Saturdays, Sundays, and holidays between the start and end dates of each part-of-term. Exceptions to this rule may only be made by the Bursar's Office. In these instances, any change in the refund percentage would be moved out to the next closest business day. Courses fewer than six days long, first day = 100% refund, remaining days = no refund

- i. 100 percent if the student's official drop/withdrawal calculation is within 6% of the enrollment period for which the student is liable.
- ii. 70 percent if the student's official withdrawal calculation is between the period specified in (1) or before the end of the 10 percent period of enrollment for which the student is liable.
- iii. 50 percent if the student's official withdrawal calculation is between the period specified in (2) or before the end of the 16 percent period of enrollment for which the student is liable.

- iv. 20 percent if the student's official withdrawal calculation is between the period specified in (3) or before the end of the 25 percent period of enrollment for which the student is liable.

### d. Refund Schedules

Refund schedules are relocated under the important deadlines on the Registrar's website (<http://registrar.sc.edu/>)

### e. Return of Title IV Funds

#### Refunds Policy For Students Who Have Received Title IV Funds And Withdraw From The University:

- i. Federal financial aid funds are awarded with the expectation that students will complete the entire period of enrollment. Students "earn" a percentage of the funds that are disbursed with each day of class attendance. When a student who has received federal aid funds (Title IV Funds) leaves school before the end of the semester or period of enrollment, federal regulations require the University of South Carolina to calculate the percentage and amount of "unearned" financial aid funds that must be returned. Once a student has completed more than 60 percent of the enrollment period, they are considered to have earned all funding received. This calculation may have the effect of requiring the student who withdraws before this time frame to repay funds that have already been disbursed to the student or credited towards their current account for tuition, fees, housing and/or meals. Students are encouraged to meet with a counselor in the Office of Student Affairs, or the appropriate office on their campus, prior to making the decision to withdraw from s
- ii. Title IV Refund Distribution
  1. For fully withdrawn students receiving federal and/or state funds, the refund will be governed by the current Federal Title IV refund policy. The Office of Student Financial Aid and Scholarships determines the amount of the refund that is distributed back to Title IV, HEA Programs or other Financial Aid sources. For students and their parents who have received student loans or other forms of financial aid, funds will be returned in the order prescribed by federal regulations. The institution must return the funds to the financial aid program other than College Work Study, up to the amount of assistance that the student received from those programs. Funds are to be distributed to the financial aid programs in the following order:
    - Unsubsidized Federal Stafford
    - Subsidized Federal Stafford
    - Federal Perkins
    - Federal PLUS Loan
    - Federal Pell Grant
    - Federal Supplemental Education Opportunity Grant
    - Federal TEACH Grant
    - Federal Iraq/Afghanistan Service Grant
  2. Any remaining balance will first be used to repay any outstanding university charges and any subsequent balances will be refunded to the student/parent.
  3. Exit interviews are required before leaving the University of South Carolina for all students who withdraw and have received Stafford, Perkins or Federal Nursing/Health Professions Loans. Exit interviews can be completed at [http://www.sc.edu/financialaid/loan\\_counseling/](http://www.sc.edu/financialaid/loan_counseling/)

default.html. Questions regarding exit counseling should be referred to the appropriate campus Financial Aid and Scholarships Office.

#### f. Appeals Process

A process for appeals exists for students or parents who believe circumstances warrant exceptions from published policy. The student must be fully withdrawn from the University in order to apply for an appeal.

The Withdrawal Refund Appeals Committee reviews and act on all appeals. Address appeals to:

Withdrawal Refund Appeals Committee  
(Columbia Campus Only)  
Office of the Registrar  
University of South Carolina  
Columbia, SC 29208  
803-777-5555

## Housing Fees

1. Students in the following categories are eligible for refunds in accordance with the terms shown in their Residence Hall contract:
  - a. newly admitted students who do not attend the University of South Carolina
  - b. students who graduate from school at the end of the fall semester
  - c. students who are suspended for academic reasons
  - d. students who get married.

Check the contract or call University Housing for deadline dates and other information.

2. Tenants who do not withdraw from the University but desire release from their contracts will be placed on a contract release waiting list with University Housing. Releases will be granted only when all other space is filled and the space can be rented for the balance of the year to another tenant. Students will be notified upon release and appropriate refunds will be made.

## Withdrawal Refunds

All full- or part-time students wishing to withdraw from the University or to discontinue enrollment from all courses for the semester should follow the instructions online at my.sc.edu (<https://my.sc.edu/>) when they request to drop their last course. Staff members of the Office of the University Registrar are available to assist students in completing the withdrawal process. In addition, staff from the Student Ombudsman Office located in the Osborne Administration building can provide counseling. Students requesting withdrawal for extenuating circumstances after the penalty date (last date for **W** grade) should see their college dean.

In establishing a diminishing-scale refund process for withdrawals, the University operates on the philosophy that many of the basic costs of instruction are incurred at the end of the first week of classes or within an equivalent period for nonstandard semesters. The assignment of a classroom seat to an individual student precludes any other student from occupying that seat. In addition, an instructor is assigned and the costs of instruction are encumbered on the first day of classes.

A student who withdraws from the University after the first week of classes has already occupied a classroom seat that cannot be reassigned. As a result, the University cannot both maintain its financial integrity and also provide a full refund. Accordingly, the University has

established a series of refund deadlines commensurate with student progress into the semester.

## University Withdrawal Refund Appeal Procedures

The University Withdrawals Refund Appeal Committee is authorized to consider appeals and approve extraordinary exceptions to the University's published withdrawal refund schedule due to humanitarian and due-process considerations.

Guidelines for committee consideration of withdrawal appeals are:

1. The appeal must be submitted in writing to the Office of the University Registrar and will be considered only in written form. A standardized appeal form must be submitted.
2. All requests for appeal must be submitted directly by the student through the Office of the University Registrar and must meet one or more of the following criteria to be considered and approved by the appeals committee:
  - a. Documentation of an accident, illness, injury, or incident which could not be influenced, predicted, planned for, or prevented by the student or the institution. This provision specifically excludes conditions or chronic illnesses known to the student at the time of enrollment
  - b. Demonstration that the application of the published refund policy would result in a specific and substantial personal hardship to the student. This provision specifically excludes circumstances or effects which would simply inconvenience the student or the student's family.
  - c. Documentation of substantiated circumstances where a student has in good faith relied upon the veracity of a University official's advice, or the official's interpretation of the text of a University document or publication, and was consequently misled or mistaken about the terms of the published refund policy.
3. The appeal must be initiated during the semester for which the refund is requested.
4. The appeal must involve a total withdrawal from the University. No partial withdrawals will be considered.
5. Appeals will only address whether or not a refund will be granted. No consideration will be given to grade assignment or other academic issues. Students must address such issues directly with the faculty members and the college. If applicable, requests for Extenuating Circumstances Withdrawals for grade change purposes must be resolved prior to deliberations by this committee.
6. Grounds for consideration of an appeal will be restricted to only those circumstances personally experienced by the enrolled individual with whom the University has a direct relationship. Loss or illness of a family member, close associate, or employee, and/or difficulty in family-operated businesses, are excluded from consideration.
7. Decisions will be made by a simple majority vote of the committee membership and documented in writing by the chair. The student will be informed of the outcome of the appeal by letter from the Office of the Associate Vice President for Student Life and Development.



# COURSE DESCRIPTIONS

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- Health Law (LAWH) (p. 41)
- Law School (LAWS) (p. 41)

## Health Law (LAWH)

### LAWH 700 - Legal Foundations of the Health Care System I (3 Credits)

Introduction to structure of government, sources of federal, state, and local law, judicial and administrative processes, the role of the lawyer, legal reasoning and analysis, and sources of law that govern and regulate access to U.S. health care system.

### LAWH 701 - Legal Foundations of the Health Care System II (2 Credits)

Holistic understanding of the various aspects of the healthcare system related to sources of care, sources of payment, and regulatory and other legal systems that constrain and control the behavior of these sources and how these sources impact each other.

**Prerequisites:** LAWH 700.

### LAWH 702 - Legal Foundations of Health Care System Lab (1 Credit)

Methods used to locate sources of health care regulations that require compliance and to collect required information.

**Prerequisites:** LAWH 700.

**Prerequisite or Corequisite:** LAWH 701.

### LAWH 710 - Public Health Systems (2 Credits)

Understanding the role and duties of public health officials in the healthcare system, the various public health regimes that require compliance, and the role of public health funding streams in achieving quality compliance for private parties. Health Care Compliance Certificate Students are excluded.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 712 - Bioethical Principles (Applied Learning) (2 Credits)

Moral obligations that influence health care professional norms and regulatory structures. Health Care Compliance Certificate Students are excluded.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 714 - Health Care Contracting (Applied Learning) (2 Credits)

Health care contracts. Health Care Compliance Certificate Students are excluded.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 716 - Medicare Compliance for Medical Facilities (3 Credits)

Medicare reporting and structural requirements for hospitals.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 720 - Health Policy Advocacy (2 Credits)

Communication of health policy concerns to decision makers. Health Care Compliance Certificate Students are excluded.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 722 - Risk Management (2 Credits)

Health care professionals' and institutions' limitation and management of risks.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 724 - Certificates of Need (2 Credits)

Navigating the certificate of need process in the health care industry.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 728 - Comparative Studies in International Health Care (2 Credits)

Examining health care systems from a legal and structural perspective in nations outside of the United States. Health Care Compliance Certificate Students are excluded.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 730 - Healthcare Structure Planning for Companies & Non-Profits (3 Credits)

Introduction to structure of health care practices and their relationships with others, examining the regulatory compliance requirements necessary to maintain nonprofit taxation status at the state and federal levels. Health Care Compliance Certificate Students are excluded.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 732 - Medicare Quality Compliance (3 Credits)

In-depth examination of compliance with various quality initiatives and an understanding of the sources for the regulations and rules.

**Prerequisites:** LAWH 700, LAWH 701, LAWH 702, and LAWH 716.

### LAWH 734 - Healthcare Fraud & Abuse Compliance (2 Credits)

Examining federal laws and regulations to prohibit healthcare fraud and abuse.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 736 - Third Party Billing Compliance (2 Credits)

Providing an understanding of the requirements for properly billing third-party payers.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 738 - HIPAA and Electronic Medical Records Compliance (3 Credits)

Requirements for organizations that handle protected health information, including information about which entities need to comply with laws protecting such information and to what extent.

**Prerequisites:** LAWH 700, LAWH 701, LAWH 702.

### LAWH 740 - Antitrust Compliance (3 Credits)

Introduction to potential antitrust issues for large scale healthcare organizations, offering a survey of situations that could trigger antitrust investigations and litigation from both state and federal antitrust enforcement agencies.

**Prerequisites:** LAWH 700, LAWH 701, and LAWH 702.

### LAWH 750 - Health Systems Legal Externship (2 Credits)

Learning about health systems through working at an approved location to gain first-hand experience in work related to the student's course of study. Health Care Compliance Certificate Students are excluded.

**Prerequisites:** LAWH 700, LAWH 701, LAWH 702.

## Law School (LAWS)

### LAWS 500 - Introduction to the Legal Profession (1 Credit)

This course provides an overview of the different roles in which lawyers serve and the different work environments in which lawyers are employed. Students will meet members of the legal profession, hear about the daily work of lawyers in different settings, receive information about handling the responsibilities of law practice, learn about the range of lawyers' duties and to whom those duties are owed, and be introduced to the basic principles of professionalism. Graduation Requirement: Course required for graduation. Basis of Grade: Class attendance and participation; project report. Form of Grade: Pass/Fail.

**Prerequisites:** None.

**LAWS 504 - Contract Law (4 Credits)**

An introduction to the law governing contracts, both common law and the Uniform Commercial Code. Topics covered include the agreement process, requirements for enforceability, interpretation and meaning, defenses, and remedies. Graduation Requirement: Course required for graduation. Basis of Grade: Examination. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 505 - Contracts I (3 Credits)**

An introduction to the common law and Uniform Commercial Code relating to the agreement process, including the requirements of offer, acceptance, and consideration for the formation of contractual relationship. Problems on the interpretation of the contract, negotiation, drafting, and legal planning are analyzed and discussed. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**LAWS 506 - Contracts II (3 Credits)**

Continuation of Contracts I. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 504.

**LAWS 509 - Property (4 Credits)**

In this course, students are introduced to major concepts of property law, including the historical development of private property rights. The course will focus primarily upon the acquisition, characteristics, and transferability of property interests, as well as the relationship between privately held property interests in land and government regulation of that land for public purposes. Topics covered in the course will typically include adverse possession, estates, future interests, landlord tenant, easements, covenants, purchase & sale, deeds, and financing. Graduation Requirement: Course required for graduation. Basis of Grade: Examination Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 510 - Property I (3 Credits)**

In this course, students are introduced to major concepts of personal and real property law, including the historical development of private property rights. The course will focus primarily upon the acquisition, characteristics, and transferability of property interests, as well as the relationship between privately held property interests in land and government regulation of that land for public purposes. Topics covered in the course will typically include personal property (gifts, bailments, lost & found), adverse possession, estates, future interests, landlord tenant, easements, covenants, purchase & sale, deeds, financing, and zoning. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**LAWS 511 - Property II (3 Credits)**

Continuation of Property I. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 510.

**LAWS 523 - Constitutional Law (4 Credits)**

A study of the structure of the Federal Government, the function of the Supreme Court in constitutional government, and the provisions of the United States Constitution that guarantee and protect individual rights against governmental encroachment. Topics include judicial review, sources and limits of congressional power, presidential power, equal protection, substantive due process and identification of unenumerated fundamental rights, freedom of speech, and the religion clauses. Graduation Requirement: Course required for graduation. Basis of Grade: Examination. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 524 - Criminal Law (3 Credits)**

This course provides an introduction to the substantive law of crimes. The primary emphasis is on those rules, principles, and doctrines applicable to most or many crimes. These doctrines include actus reus (What is a criminal act?), mens rea (What states of mind are criminal?), and the defenses of insanity, intoxication, impossibility, mistake, duress, necessity, and self-defense. Some attention is also given to several specific crimes and to theories of punishment. The primary materials are selected appellate court opinions and the Model Penal Code. Graduation Requirement: Course required for graduation. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 525 - Constitutional Law I (3 Credits)**

A study of the Structure of the Federal Government and the function of the Supreme Court in constitutional government. Topics include principles of justiciability and standing; the development of federal power through the commerce clause and limits on state power flowing from the commerce and contract clauses; executive powers and the practice of separation of powers. The course will also generally consider the effect of the Fourteenth Amendment upon federalism, and conclude with the concept of state action as a limitation on the reach of the Amendment's guarantees. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**LAWS 526 - Constitutional Law II (3 Credits)**

The second-half of the required year-long Constitutional Law sequence. This class focuses on provisions of the United States Constitution that guarantee and protect individual rights against government encroachment. Among the topics covered are: equal protection, due process, freedom of speech, and freedom of religion. Registration: Rising 2Ls have registration priority. Subject to block registration, required for graduation. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 525.

**LAWS 527 - Products Liability Problem Research Seminar I (1,2 Credits)****LAWS 528 - Products Liability Research Problems Seminar II (1,2 Credits)****LAWS 529 - Torts (4 Credits)**

The legal protection afforded in civil proceedings against interference by others with the security of one's person, property, or intangible interests; the analysis of intentional interference, negligence, and strict liability in the context of recognized categories of tort liability. Graduation Requirement: Course required for graduation. Basis of Grade: Examination. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 530 - Torts I (3 Credits)**

The legal protection afforded in civil proceedings against interference by others with the security of one's person, property, or intangible interests; the analysis of intentional interference, negligence, and strict liability in the context of recognized categories of tort liability. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**LAWS 531 - Torts II (3 Credits)**

Continuation of Torts I. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 530.

**LAWS 533 - Legal Research, Analysis and Writing I (3 Credits)**

This course integrates instruction in fundamental legal research, analysis, and writing. Students learn the basic methods of researching state statutes and case law. Students learn how to analyze cases and statutes, how to identify and understand legal rules derived from these authorities, and how to apply those rules to make informed predictions about legal issues. Students also learn how to convey legal analysis clearly and concisely, and how to draft a legal prediction in the form of a memorandum of law. Students prepare two full memoranda of law and independently conduct the research necessary to complete one of them. Graduation Requirement: Course required for graduation. Basis of Grade: Written Assignments. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 534 - Legal Research, Analysis and Writing II (3 Credits)**

This course builds on the research, writing, and analytical skills introduced in Legal Research, Analysis, and Writing I. Students learn how to research federal statutes and case law, regulations, and secondary sources. Students also learn the skills of persuasive writing and argumentation through the preparation of an appellate brief and oral argument. Students independently conduct the research necessary to complete the appellate brief. Graduation Requirement: Course required for graduation. Basis of Grade: Written Assignments and Exam. Form of Grade: Letter.

**Prerequisites:** LAWS 533.

**LAWS 535 - Legal Writing I (2 Credits)**

Students will learn how to read cases and statutes effectively, how to understand legal rules from these authorities, and how to apply those rules to new factual situations to make informed predictions about legal issues. Students will also be taught how to convey legal analysis in clear, concise prose and how to draft a legal prediction in the form of a memorandum of law. The course will also cover information regarding the court system, the litigation process, and the professional obligations of lawyers. Basis of Grade: Written assignments. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 536 - Legal Writing II (1 Credit)**

In this course, students build on the analytical and editing skills introduced in Legal Writing I. Students also learn the skills of persuasive writing and argumentation through the preparation of an appellate brief and an oral argument. Basis of Grade: Written assignments and oral argument. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 535.

**LAWS 537 - Legal Research (1 Credit)**

During the introductory course in Legal Research, students receive instruction in the basic sources and research techniques of American law. Emphasis will be placed upon the development of an effective and efficient research strategy for locating and updating state and federal cases, statutes, regulatory materials, and major forms of secondary legal resources. Students will examine and use resources in both print and online formats. While some attention will be paid, of necessity, to the details of each source, the course will focus upon the use of these sources within the context of efficient and cost-effective legal research. Basis of Grade: Final examination. Form of Grade: Pass/Fail.

**Prerequisites:** None.

**LAWS 538 - Legal Drafting (3 Credits)**

Students will learn the basic techniques of legal drafting - researching the document, finding the appropriate legal concepts to express the client's wishes, organizing the document, then actually writing the document. Students will then use these techniques to draft a variety of types of documents - including private law documents (contracts, releases, etc.), and public law documents (statutes and regulations), and a few pleading documents. The primary focus will be on form and style rather than on the substantive content of the documents. Graduation Requirement: This course satisfies the skills course graduation requirement. Basis of Grade: Drafting assignment. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 540 - Advanced Legal Writing (3 Credits)**

This course will focus on format, analysis, and organization with respect to a variety of legal documents, which may include objective memoranda, trial-level briefs, correspondence, discovery requests and responses, and jury instructions. Students will also receive instruction and tailored comments regarding writing style. Graduation Requirement: This course satisfies the writing requirement, or the experiential requirement, but not both; must earn a grade of C or better to satisfy either requirement. Basis of Grade: Written assignments. Form of Grade: Letter Grade.

**LAWS 542 - Advanced Legal Analysis (2 Credits)**

This course takes an explicit, problem-based approach to legal analysis in order to deepen students' ability to synthesize legal authorities and to formulate and critique legal arguments. Topics covered will include theories of legislative and regulatory interpretation, sources of "public policy" arguments, and an exploration of stare decisis and the weight of published, unpublished, and "depublished" judicial opinions. Throughout the semester, students will work through numerous exercises that require the analysis, synthesis, and application of legal authorities. Some exercises will require students to perform their own legal research; others will be based on the "File" and "Library" format of the NCBE MultiState Performance Test; and still others will ask students to critique the analysis in existing memoranda and briefs. All exercises will require intensive, focused, repeated reading of statutes, regulations, cases, or some combination thereof. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Short written exercises throughout the semester; take-home exam. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 543 - Advanced Legal Writing: Online Civil Litigation Drafting (3 Credits)**

This course is designed as an online course offering that combines components of two upper-level drafting courses currently offered: Advanced Legal Writing and Writing in Law Practice. The goal of the course is to expose students to the drafting skills private practice lawyers need to handle a case in the course of civil litigation. This class will not deal with trial skills; rather, this course will focus on prefiling and pretrial drafting skills and will simulate a realistic litigation experience in a law firm setting. The course will encourage students to build on the legal writing and research skills they learned in the first year and expose them to documents they will need to produce in practice that are not a part of the first year legal writing experience. Students will learn how to (1) draft common litigation documents; (2) produce clear and concise writing; (3) effectively analyze legal issues; (4) express legal analysis clearly in written and oral communications; (5) conduct legal research in context; (6) critically examine information in its original form and discern information relevant to the litigation; (7) make strategic decisions about litigation based on the client's expressed goals, the facts of the case, and the law; (8) draft a persuasive argument in the pre-trial context; and (9) produce documents necessary to resolve the pending litigation. Graduation Requirement: This course satisfies the experiential course requirement, must earn a grade of C or better. Basis of Grade: Written assignments. Form of Grade: letter.

**LAWS 544 - Civil Procedure (4 Credits)**

This course will provide an introduction and overview of the procedural steps in the prosecution and defense of civil cases in federal court. The course will focus on pleadings, joinder, discovery, summary judgment, trial and post-trial motions, preclusion doctrines, personal jurisdiction, subject matter jurisdiction, removal, supplemental jurisdiction, venue, and Erie doctrine. If time permits, opportunity to be heard, class actions, case management, appellate review, and alternative dispute resolution may also be addressed. The order of, and time allocated to, each topic will vary from instructor to instructor. Graduation Requirement: Course required for graduation. Basis of Grade: Examination. Form of Grade: Letter. **Prerequisites:** None.

**LAWS 545 - Civil Procedure I (3 Credits)**

An introduction to the Rules of Civil Procedure governing the civil litigation process, including rules regarding pleadings, discovery, joinder of parties, summary judgment, default, post-trial motions, and claim and issue preclusion. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 546 - Civil Procedure II (3 Credits)**

An analysis of the procedural steps in the prosecution and defense of a civil case with emphasis on the Federal Rules of Civil Procedure, including pleading, motions directed to pleadings, amendment, joinder, complex joinder devices, obtaining information from other parties through discovery, trial and post-trial motions, and standards for appeal. Special issues in federal procedure including subject matter jurisdiction, removal, jurisdictional limitations on procedural devices, transfer between federal courts, class actions and multi-district litigation and appellate issues and the relationship of the federal and state courts may also be explored. At the discretion of the professor some individual drafting problems may be assigned. Registration: Second year block course; 2L priority registration. Graduation Requirement: Required for graduation (students entering Fall 2009). Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 545.

**LAWS 547 - Criminal Procedure (3 Credits)**

The criminal process with emphasis on constitutional issues relating to arrest, search and seizure, and interrogation. Some consideration of issues relating to identification procedures, jeopardy, pre-trial procedure, and guilty pleas. Registration: 2L priority registration. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**LAWS 548 - Discovery Drafting (3 Credits)**

This course is a practice-oriented introduction to the discovery phase of litigation. The course will simulate a product liability case in which enrolled students will represent either the plaintiff or the defendant. Students will handle the case from the beginning of discovery until the case is ready for settlement or trial, focusing on drafting the discovery documents necessary to advance the case. This course will expose students to the specific skills needed for engaging in litigation discovery. Graduation Requirement: The course satisfies the experiential course requirement, must earn a grade of C or better. Basis of Grade: Each written assignment and course activity will be assigned a point value that will contribute to an overall point total for the entire course. A student's letter grade will be determined by the percentage of points the student earns throughout the course. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 549 - South Carolina Criminal Law and Procedure (3 Credits)**

This course examines the substantive criminal laws of South Carolina with an emphasis on the rules, principles, and procedures applicable to magistrate and General Sessions courts of South Carolina relating to arrest, bonds, pre-trial procedures, guilty pleas, and trials. To prepare students for practicing criminal law as prosecutors or defense attorneys in South Carolina, this course will focus on the criminal process in South Carolina for both the prosecution and defense from the decision to charge through the trial of a case. Graduation Requirement: Course satisfies the experiential graduation requirement. Must earn a grade of "C" or better. Basis of Grade: Written Assignments and Simulations. Form of Grade: Letter Grade.

**Prerequisites:** Evidence.

**LAWS 551 - Legal Analysis Workshop (2 Credits)**

This course will use questions from the Multistate Performance Test, the Multistate Essay Exam, the Multistate Bar Exam to focus on reviewing and reinforcing the students' ability to assess, interpret, and synthesize legal principles relevant to a fact pattern, as well as their core writing skills. Basis of Grade: Students will be required to pass one simulated mini bar exam at the end of the semester, graded like an actual bar exam (50 percent multiple choice, 30 percent essay, 20 percent performance test). Form of Grade: Pass/Fail.

**LAWS 554 - Problems in Professional Responsibility (3 Credits)**

A course that focuses on lawyers' ethical obligations in various areas of practice: criminal defense and prosecution, civil litigation, office practice, counseling, transactions work, corporate and organizational counsel, government, and the judiciary. The course also examines significant issues facing the profession, including limitations on advertising and solicitation, restrictions on the adversary model, and the national and global nature of the legal profession. Registration: 2L priority registration. Second year block course. Graduation Requirement: Satisfies Professional Responsibility requirement for graduation. Must earn a grade of C or better to satisfy the graduation requirement. Students who have taken Professional Responsibility may not enroll. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 555 - Professional Responsibility (2 Credits)**

Examination of the lawyer's obligations to clients, other lawyers, and courts, and also to society and themselves, with focus on the Rules of Professional Conduct. Graduation Requirement: This course or Problems in Professional Responsibility is required for graduation. Must earn a "C" or better to meet graduation requirement. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 556 - Advanced Legal Profession (2 Credits)**

An in-depth study of selected problems in ethics and professionalism confronting lawyers in the practice of law. Topics will include legal malpractice, the disciplinary system, ethical issues facing lawyers in particular fields, ethics and professionalism in litigation, office practice, and other issues of current interest. Instruction in the course will be by faculty members, practicing lawyers and judges. Basis of Grade: Written responses to problems; memos and drafting exercises. An assignment on substantive topic discussed in the course. Grade will be based on top 5 scores received on assignments. Form of Grade: Letter.

**LAWS 557 - Law Practice Workshop (2 Credits)**

The course provides a synthesis of the substantive knowledge and the practical skills and experience essential to a successful practice and the competent representation of clients in numerous areas of the law. The course will emphasize the analysis of client problems and the processes involved in effecting solutions. Practice areas covered from time to time during the semester may include, inter alia, bankruptcy, criminal defense litigation, criminal prosecution, civil defense litigation, plaintiff's litigation, construction law, elder law, fiduciary representation, estate planning, family court litigation, alternative dispute resolution, real estate transactions, workers' compensation, international law, health law, intellectual property, media law, poverty law, education law, commercial law, banking law, employment law, consumer law, business entities and agency law, appellate practice, tax practice, environmental law, regulatory practice, and administrative law. This course is not intended as a substitute for a more in-depth study of doctrinal law and procedure in these various areas but instead will serve as a transitional stage from the knowledge and skills obtained in other courses to the practice of law in those areas. Various presentations will be made by leading experts in their fields. Forms and other practice materials will be provided. Registration: This course is limited to students in their final semester of law school. Basis of Grade: Examinations and/or projects, attendance. Form of Grade: Pass/Fail.

**LAWS 558 - Advanced Civil Procedure (3 Credits)**

This course is designed to cover topics not covered in depth in the first-year Civil Procedure course and may include complex joinder rules, interpleader, discovery issues related to expert witnesses, offers of settlement, and appeals. It will emphasize federal procedure but note some ways in which South Carolina procedure differs. The course is also designed to enhance skills acquired in the first year including the ability to research, read, and understand procedural rules, statutes, and cases, and the ability to synthesize those sources. Students will spend some time practicing essay and multiple-choice questions of the type they may encounter on a bar exam, in addition to performing more practice-related exercises; the course may thus review, as necessary, some topics encountered in the first-year course. Basis of Grade: Exercises, Quizzes and Open-Book Final Exam. Form of Grade: Letter.

**Prerequisites:** LAWS 544.

**LAWS 559 - Advanced Topics in Criminal Law (2 Credits)**

This course is an advanced course in criminal law. Students will explore three different areas: First, they will take an in-depth look at topics that play an important role in criminal practice, but which typically go unmentioned or are only briefly discussed in first-year Criminal Law. Such topics include, for example, possession crimes and conspiratorial relationships. Second, students will survey high-profile criminal law topics that have attracted popular attention, such as cyber-crime, anti-terrorism enforcement, and forensic investigation. Third, students will finish the class by studying sentencing law and policy. The purpose of the course is both to provide students with a broad understanding of criminal law and to prepare them for a career by exposing them to legal doctrines that play a common role in criminal practice. Basis of Grade: 85% final exam, 10% other assignments, 5% participation. Form of Grade: Letter grade.

**Prerequisites:** LAWS 524.

**LAWS 560 - Foundations of Law Practice and Professionalism (2 Credits)**

This course has two objectives: first, to introduce students to fundamentals essential to successful private practice, whether solo or small or large firm, and second: to explore professionalism in the legal profession and its relationship to successful practice. Topics covered may include the economics of law practice, trust accounts and record keeping, common mistakes to avoid, interpersonal skills and leadership principles necessary in managing a practice, managing client relationships, marketing and professionalism. Basis of Grade: Final examination and group projects. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 554 or LAWS 555.

**LAWS 561 - Capstone Course: Small Business Organization (5 Credits)**

This course will provide students with practical and substantive knowledge and experience in transactional law using a small business nonprofit or small business for-profit organization model. It will be multidisciplinary and provide students a broad theoretical and practical experience with measurable outcomes and skills, including problem solving, project management, leadership, and teamwork. Students will act as counsel for a group interested in forming either a nonprofit 501(c)(3) organization or a for-profit entity that will own and operate a business. As counsel for the organization, students' responsibilities will include interviewing a client; reviewing a Retainer Agreement; preparing Articles of Incorporation; preparing Bylaws; preparing IRC Form 1023 (Application for Exemption) or LLC or other business documents; providing Board of Director education and advice at simulated board meetings; and preparing Contracts, Lease Agreements, and/or Sponsorship Agreements. Students may also advise the client and draft documents related to copyright issues, potential mergers, and partnership agreements. Registration: Limited to 3Ls only. LAWS 717, LAWS 637, and LAWS 771 are strongly recommended, but are not prerequisites. Students limited to enrolling into one Capstone course. Students cannot enroll in an externship or clinic course in the same semester as a capstone course. Graduation Requirement: This course satisfies the experiential course requirement, must earn a grade of C or better. Basis of Grade: Written and oral assignments. Form of Grade: Letter.

**Prerequisites:** LAWS 554 or LAWS 555 and LAWS 609.

**LAWS 562 - Advanced Legal Research (2 Credits)**

This course builds on the basic research skills gained in the first-year LRAW program. This course provides research experience through classroom instruction and mock legal research assignments that simulate tasks performed in a law firm setting. Upon completion of this course, students should be able to evaluate research options and demonstrate advanced research methods typical of attorneys in practice. Graduation Requirement: This course satisfies the experiential course requirement, must earn a grade of C or better. Basis of Grade: Written assignments and project. Form of Grade: Letter grade.

**Prerequisites:** LAWS 533, LAWS 534.

**LAWS 562A - Advanced Legal Research (3 Credits)**

This course is offered for 3 credit hours only during the summer session. This course builds on the basic research skills gained in the first year LRAW program. The course offers students the opportunity to develop an in-depth working knowledge of legal research methods through experience using and comparing a broad range of legal research tools. Upon completion of this course, students should be able to evaluate research options and demonstrate advanced research methods typical of attorneys in practice. Graduation Requirement: This course will satisfy the skills requirement. Basis of Grade: Written assignments and project. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 533 and LAWS 534.

**LAWS 563 - International Foreign Legal Research (2 Credits)****LAWS 564 - Free Speech and Democracy (3 Credits)**

This course will study the constitutional rights of freedom of expression guaranteed by the First Amendment. The course will consider constitutional questions related to regulation of offensive speech, defamation, pornography, symbolic speech, commercial speech, Internet and broadcast regulation, regulation of the public forum, and freedom of association. The course will emphasize the relations between free speech and democratic processes through consideration of campaign finance and election regulations. Registration: The optional paper DOES NOT satisfy the graduation writing requirement. Basis of Grade: Final examination or optional research paper with permission of the instructor. Form of Grade: Letter.

**Prerequisites:** LAWS 523.

**LAWS 565 - Beach Law Seminar (2,3 Credits)**

This seminar-style course will allow students the opportunity to discuss and to conduct research on current, specific beach law conflicts. Examples of the kinds of issues that could be the basis for research include sea-level-rise impacts on beaches, public access disputes during the COVID-19 era, recent public access litigation, the history of beach privatization, and differences in public beach rights across jurisdictions. Registration: Students can satisfy the writing requirement in the three-credit option by writing an outline, a first draft, and a 30-page paper, and receiving a grade of "C" or better in the course. Basis of Grade: Students who opt for the two credits will research and write a 20-page paper. Students who opt for the three credits will research and write a 30-page paper. In addition to submitting a final paper, all students will be required to turn in a detailed outline/bibliography; make an in-class presentation; and turn in a complete first draft. Form of Grade: Letter.

**Prerequisites:** LAWS 568.

**LAWS 568 - Coastal Law (3 Credits)**

This course explores legal approaches to avoiding and resolving conflicts between human use of coastal areas and the ecological integrity of coastal systems. We will cover relevant South Carolina and Federal law, looking at issues both above and below the tide line. Course readings represent a variety of disciplines, including law, economics, and the natural sciences. Students must participate actively in discussions, present their research proposals, and submit three writing projects. Graduation Requirement: This course satisfies the perspective course requirement. Basis of Grade: Final examination, written assignments and class participation. Form of Grade: Letter.

**LAWS 569 - Coastal Law Field Lab (6 Credits)**

Classes will have three modules. For the first two weeks students will study coastal land use and environmental issues. The second module, Climate Change and the Coast, will cover domestic and international climate change law, disaster law, and coastal development. The final module, Coastal Energy Law, will cover the fundamentals of energy law, offshore oil and gas law, and coastal impacts of on-shore energy. This is not your typical class because by the end of the course students will have spent eight out of the 20 class days in the field. Students will receive one grade for the three courses which will combine their individual grades from Coastal Law (3 credits), Climate Change and the Coast (1.5 credits), and Coastal Energy Law (1.5 credits). Basis of Grade: Exam. Form of Grade: Letter.

**LAWS 569A - Coastal Law Field Lab (2 Credits)**

This is a two-credit course taught at Belle Baruch Institute for Marine and Coastal Sciences near Georgetown, South Carolina over a seven-day period during the law school's spring break. The course is built around five half-day field trips to properties along the "north coast" of South Carolina (Charleston to Myrtle Beach) that have either been at the heart of important litigation or high-profile coastal law issues. Prior to each site visit, students will read the relevant case or issue briefing, then meet with the instructor for discussion. During the site visits, the class will meet with attorneys, parties, or government officials who have been involved in the matter for question and answer sessions. Basis of Grade: Writing Assignments. Form of Grade: Letter.

**Prerequisites:** LAWS 731 or LAWS 709 or LAWS 568.

**LAWS 570 - Supervised Legal Research I (1-4 Credits)**

Students must register for a minimum of two credit hours to fulfill the graduation writing requirement. Basis of Grade: Research paper 30-50 pages in length. Form of Grade: Letter or Pass/Fail.

**LAWS 571 - Supervised Legal Research II (1-4 Credits)****LAWS 572 - Supervised Legal Research III (2 Credits)****LAWS 578 - Supervised Extracurricular Competition (2 Credits)****LAWS 581 - Corporations (3 Credits)**

A study of the formation, structure, and characteristics of enterprises organized to do business in the corporate form. Areas discussed include shareholder and promoter liability, division of enterprise ownership, owners and control, duties of management, and securities regulation. Registration: Students who have taken LAWS 600 may not register for this course. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 585 - Journal of Law and Education (2 Credits)****LAWS 586 - Real Property, Trust & Estate Law Journal (2 Credits)****LAWS 587 - South Carolina Journal of International Law & Business (2 Credits)**

**LAWS 588 - South Carolina Law Review (2 Credits)****LAWS 595 - Legal Research for Practice Workshop (1 Credit)**

This workshop series (7 classes) is designed to expose students to specific research skills and resources identified by employers in the legal community as necessary for effective and efficient research in any law practice in South Carolina. Individual workshop sessions will be taught by law librarians with particular interests and expertise in the topics covered (see sample topics below), which may change to meet the needs of the legal community. A significant portion of each class session will be devoted to practicing these skills by working on client-focused research problems. Sample Topics: Free & Low Cost Resources; Forms; Practice Aids; Dockets & Finding Experts; Federal Legislative History; Administrative Agency Documents & Local Ordinances; Non-Legal Resources & Multi-State Resources. Basis of Grade: Research problems for each session/Participation. Form of Grade: Letter Grade. **Prerequisites:** LAWS 533 and LAWS 534.

**LAWS 596 - Going to Court in South Carolina (3 Credits)**

This course will cover the history, jurisdiction, practice elements, specific procedure and evidence rules, customs, access, and protocols of every tribunal within the South Carolina judicial system. A primary focus will be the differences among the courts' practice, procedure and evidence rules, and structure. A significant portion of the course will include a comparative aspect with other state courts and with federal courts. Students will visit tribunals and attend classroom presentations from practitioners and judicial officers from every level of court in South Carolina. The course will include lectures, practical experiences, observations, and student participation in exercises illustrating the differences in the jurisdiction and practices of the various courts and administrative law venues. Upon completion of the course, the student will understand the operations and history of all South Carolina state courts – probate, summary, general jurisdiction (civil and criminal), family, administrative, workers' compensation, and appellate. Basis of Grade: Examination and student participation in practical exercises. Form of Grade: Letter.

**LAWS 598 - FinTech Law, Financial Regulation, & Policy (3 Credits)**

"Mobile first, digital everything," has become the mantra of modern financial services. As technology revolutionizes financial services, legislators and regulators struggle to apply a pre-digital legal and regulatory regime to modern financial technology ("FinTech"). This course will explore the major categories of FinTech: (i) online lending, (ii) digital payments, (iii) digital assets and cryptocurrencies, (iv) neo-banks and banking as a service ("BaaS"), and (v) wealth and investment management. The course will focus on how FinTech is changing the interpretation of traditional banking laws and regulations, as well as how traditional banking law and concepts are reshaping FinTech. The course will include case studies on novel and emerging FinTech models and provide opportunities for practical application of financial regulatory regimes. The final module of the course will focus on numerous policy implications of FinTech including: (i) the democratization of finance, (ii) whether FinTech magnifies or minimizes access to financial services, (iii) the impact of FinTech on traditionally underserved communities, and (iv) proposed legislation and policies to tackle questions of financial inclusion. Unlike other technology fields, FinTech is tightly regulated with a culture of compliance. Financial services are heavily regulated with a series of overlapping governmental authorities. Graduation Requirement: Recommended courses: LAWS 618 and LAWS 657. Basis of Grade: Case Study on FinTech Company (Short Paper); Presentation on Legal Issue(s) Relating to Case Study (Legal Analysis Memo); Presentation; Memo; Class Participation; Research Paper on Policy Issue (Short Paper); Final Exam. Form of Grade: Letter.

**LAWS 599 - The Lean Law Firm Lab (2 Credits)**

This class will introduce students to advanced concepts in law firm management, including lean systems thinking, process design, visual information management, standardization and automation. Students will also be taught how to set goals and measure key performance indicators. Teaching will be accomplished, in part, by placing the students into a mock virtual law firm (or firms depending on enrollment) and requiring hands-on use of case management software and other automation. The goal of the class is to produce students with practical skills ready for the legal workforce (even if that student is considering solo practice). Basis of Grade: Class participation and team project. Form of Grade: Letter.

**LAWS 600 - Business Corporations (4 Credits)**

A study of the formation, structure, and characteristics of enterprises organized to do business in the corporate form. Areas discussed include shareholder and promoter liability, division of enterprise ownership, powers and control, duties of management, and securities regulation. The course will also briefly examine some basic agency, partnership, and LLC topics. Registration: Second year progression-entry course; 2L priority registration. Students who have taken the three credit hour LAWS 581 in summer school may not register for this course. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade. **Prerequisites:** None.

**LAWS 601 - The Constitution and National Security (2 Credits)**

This seminar will examine the constitutional and statutory law that governs U.S. national security policy and practice. The course will examine the Constitution's allocation of national security authority, the foreign relations powers, and war powers among the three branches of the federal government. The course will focus on specific issues arising from past and ongoing counterterrorism activities including detention, surveillance, interrogation, and targeted killing. In addition, the course will examine how constitutional and statutory authority relates to the role of international law in U.S. courts and the role of courts more generally in establishing boundaries for national security policy. The course will examine court cases, executive memos, and legislative materials. Graduation Requirement: This course satisfies the perspectives course requirement for graduation. Basis of Grade: Final examination or optional research paper with permission of instructor. Form of Grade: Letter. **Prerequisites:** LAWS 523.

**LAWS 602 - Project Finance (3 Credits)**

This course concentrates on project finance as a vehicle to explore general problems of domestic and international corporate finance in the context of a specific infrastructure finance strategy. Project finance refers to the financing of long-term infrastructure, industrial projects and public services based upon a non-recourse or limited recourse financial structure where project debt and equity used to finance the project are paid back from the cash-flow generated by the project (for example, borrowing to finance construction of an electricity generating plant and then repaying said loan from the proceeds of the sale of electricity generated by the facility). The goal is to give you some insight into how transactional lawyers deal with complex contracting and concepts in a sophisticated business practice. Each week there will be a 2 hour theoretical class shared with overseas students via videoconferencing, and a 1 hour local documentation and drafting class. Registration: Course will include video-conferenced guest speakers. An overnight out-of-town field trip may be required. Graduation Requirement: This course satisfies the experiential course graduation requirement. Form of Grade: Letter Grade. **Prerequisites:** None.

**LAWS 603 - Family Business Law (2 Credits)**

This course examines the distinctive characteristics of family businesses, with a particular focus on their governance needs. To be effective, a legal advisor must appreciate the overlap of family law and business law principles, and we will explore important areas of intersection, including (1) how business succession relates to estate planning, and (2) the potentially adverse business implications of marital divorce. We will also discuss ethical issues involving multiple representation that often arise in the context of family businesses. Finally, the course will take up conceptual and normative questions regarding the definition of family business and the extent to which family values influence business priorities. Basis of Grade: Grades will be based on class participation and a final project, which students will work on in small teams. Form of Grade: Letter.

**Prerequisites:** LAWS 609.

**LAWS 605 - Corporate Finance (3 Credits)**

This is a course in financial economics as applied to legal problems. Topics will likely include economics of valuation (including consideration of risk and return and the capital asset pricing model), the efficient market hypothesis and the accuracy of stock prices more generally (theories, evidence, and limits), the mechanics and economics of the stock market through which firms raise equity capital, the role of stock prices in capital allocation and corporate governance, event studies, option theory, dividends and share repurchases, debt and leverage, and the theory of the firm. Overall, the course can be seen as a financial-economics-based survey of some of the more prominent advanced-level topics in corporate and securities law. Basis of Grade - Exam performance, with slight adjustments based on in-class participation and performance. Class may involve both a midterm and a final exam. Form of Grade - Letter Grade.

**Prerequisites:** LAWS 581 or LAWS 600 or LAWS 609.

**LAWS 606 - Securities Regulation (3 Credits)**

A general review of the securities markets, including private actions and government regulation, with a particular focus on the Securities Act of 1933 and the Securities Exchange Act of 1934. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 609.

**LAWS 607 - White Collar Crime (2 Credits)**

This class will examine substantive federal criminal law, focusing on both the prosecution and defense of "white collar" crimes. Topics covered will include the various techniques used by federal law enforcement and prosecutors in white collar cases, including: the grand jury process; immunity; search and seizure warrants; subpoenas; the use of taint teams; and wire taps. We will discuss mens rea (the state of mind required for criminal liability) and entity liability. The issues which typically arise during corporate internal investigations will be addressed to include: the attorney client and work product privileges; Upjohn warnings; joint representation and identifying the client. Close examination will also be given to the Fifth Amendment self-incrimination privilege; proffer sessions, plea agreements and federal sentencing. The substantive areas to be covered will include but not be limited to: obstruction of justice, perjury, bribery and kickbacks, mail and wire fraud, securities fraud, RICO, tax evasion and money laundering. We will study related issues of prosecutorial discretion and attorney ethics. Emphasis will be given to providing students with the background and tools to reason through practical problems faced by federal prosecutors and white collar practitioners. Basis of Grade: Final examination and Class Participation. Form of Grade: Letter Grade.

**Prerequisites:** Non.

**LAWS 608 - Law and Economics (2 Credits)**

This course will provide an introduction to the positive economic analysis of legal problems. Students will be invited to use fundamental principles of economic science to explain legal doctrines. The inquiry, therefore, will not focus on normative aspects of economic analysis, on whether the law ought to promote efficiency. After a brief survey of macroeconomics, the course will address primarily the major common law areas of property, contracts, torts, and criminal law. In general, the course will attempt to demonstrate how fundamental economic concepts, such as transactions costs, externalities, and risk allocation, can help explain the logic of these large bodies of law, difference among them, and long standing principles within each. Depending on the availability of time and the students' prior exposure to economic analysis in these subjects, the course may cover topics in corporation law and the common law process. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Final exam. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 609 - Business Associations (3 Credits)**

This course focuses on the structure and characteristics of enterprises organized to do business in the partnership, LLC, and corporate form. Areas addressed will include the formation, ownership, operation, governance, and dissolution of the business entity. Substantial emphasis will be placed on the corporate form of business, but comparisons to the partnership and LLC forms will be included. The course will also examine fundamental agency principles important to all business organizations. This course is the foundation course for, and prerequisite for, all upper-level business-law courses, whether focusing on publicly traded entities or businesses owned by only a few persons. Business Associations is not a prerequisite for Agency, Partnerships, & LLCs. Registration: Second year progression course. 2L students have registration priority. Basis of Grade: Exam. Form of Grade: Letter.



**LAWS 611 - Agency Partnership and Limited Liability Companies (3 Credits)**

The principle focus of the course, however, will be on LLCs, and the issues relevant to starting, operating, and ending LLCs. Since LLC operations are based in large part on partnership principles, we will review some of these and see how they are incorporated into the operation of LLCs. We will consider the duties that LLC members owe to each other and the business. We will worry about when an LLC member may be personally liable for obligations of the entity. The financial operations of the business, and the financial rights of the members are important. In regard to Agency, we will review some of the basic principles you studied in Business Associations and may expand on these, including possible examination of issues involving "Undisclosed Principals," "Subagents," "Ratification," and "Notice." In regard to all these topics, we will pay particular attention to South Carolina law. Please note that you will be responsible for four projects done during the semester. These will all be graded. There will also be a brief final exam. 1. Project #1. In a group, your group will be responsible for working some basic "accounting" problems and explaining your results to the class. You will be required to "do math"! You will prepare these accounting problems outside of class. 2. Project # 2. Your group will present to both the class and to an actual client, an explanation of some of the risks the client will be faced in forming an LLC. You will be required to prepare and present during class a memo to the client explaining the risks that they may be subject to. We will probably set aside some limited amount of class time for you to work on this project. However, it will require out-of-class preparation. 3. Project # 3. An existing business is considering converting into an LLC. The new LLC will include investors who are interested, along with the business founders, of expanding and modifying the business. Your group will present both to the class and to the founders, a written memo listing key points (with explanations) the founders should consider in adopting this LLC. Another group will present to the class and to the investor group, a similar written memo listing key points (with explanations) the investors should consider in adopting this LLC. We will likely set aside some limited amount of time for you to work on this. However, it will require out-of-class preparation. 4. Project # 4 Essentially the Final Exam. You will individually draft certain specified provisions for the LLC that the folks identified in Project # 3 intend to adopt. You will draft two separate sections for each required provision - one favoring the founder group, and one favoring the investor group. This Project # 4 will count the most points for the course. This will likely be assigned the last week of the course and due during the first week of finals. 5. "Brief" Final Exam. The exam will cover those topics that are separate from the planning and drafting of the LLC. Form of Grade: Letter Grade

**LAWS 612 - Accounting for Attorneys (3 Credits)**

This course introduces students to the principles of accounting, including the theory and function of the financial statements and sources of authoritative accounting principles. The course studies the areas of accounting that commonly arise in day-to-day legal practice, including: law firm accounting, escrow accounting, internal controls, auditing, materiality, and financial ratio analysis. Other topics may also include partnership accounting, governmental/non-profit fund accounting, inventory accounting, and/or business decision-making topics. Registration: Students with six or more credits in Accounting need special permission from the Instructor to enroll in the course. Basis of Grade: Final Exam. Form of Grade: Letter Grade.

**LAWS 613 - Criminal Adjudication (3 Credits)**

This course examines the major procedural stages of a criminal prosecution from both a theoretical and practical perspective. At any given stage students should pay particular attention to the respective roles, objectives, and strategies of the judge, prosecutor, and defense counsel, and to the sometimes competing legitimate interests of law enforcement and criminal defendants. Principal topics to be covered include: the decision to charge and the issuance of complaints; initial appearance; bail and pretrial release and detention; the probable cause hearing; grand jury, indictment, and information; joinder; criminal discovery; guilty pleas and plea bargaining; speedy trial rights and provisions; jurisdiction and venue; civil forfeiture; double jeopardy; criminal trials and pretrial motions; sentencing, the death penalty, appeal, and post-conviction remedies (particularly habeas corpus). (Sentencing is also studied in greater depth in Sentencing and Correctional Law, to be given in spring 2012.) This course is taught primarily from a nationwide perspective, but as time allows, we may also make reference to practice under the South Carolina law where this state's procedure varies significantly from other jurisdictions. For students who are contemplating either prosecuting or defending criminal cases in their future careers, this course, in combination with courses in Criminal Procedure under the 4th, 5th, and 6th Amendments (sometimes mistakenly called "Constitutional Criminal Procedure," because a solid understanding of constitutional requirements is equally vital to both courses) and Sentencing and Correctional Law, provides a comprehensive nine-credit upper level study of criminal practice. However none of these courses is a prerequisite for the others, and any of these courses may be taken by any student regardless of future career interests. Basis of Grade: Final exam. Form of Grade: Letter.

**LAWS 614 - International Business Transactions (3 Credits)**

A consideration of some of the problems under international, foreign, and domestic law that American business may encounter in doing business abroad, in selling products for export, and in competing in the U.S. with imported goods. Particular emphasis is given to the transactions and mechanics of international trade and finance, the international settings, including both GATT and bilateral agreements, and national regulation of import and export trade and foreign investment. Basis of Grade: Exam. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 615 - Secured Transactions (3 Credits)**

An analysis of secured transactions under Article 9 of the Uniform Commercial Code. Topics to be considered include creation, perfection and priority of security interests; the impact of bankruptcy on secured transactions; and default foreclosure. Basis of Grade: Group problems and exercises; Final exam. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 615A - Secured Transactions Online (3 Credits)**

This course examines the rules governing transactions in which personal property and fixtures are used as collateral to secure an obligation. The primary source of authority is Article 9 of the Uniform Commercial Code, but students will also be introduced to other applicable laws, including primarily the U.S. Bankruptcy Code. This body of law addresses not only the rights of the debtor and creditor inter se but also the rights of third parties with an interest in the collateral. Registration: Students in enrolled in this course cannot take LAWS 615, Secured Transactions. Basis of Grade: Final Exam. Form of Grade: Letter.

**LAWS 616 - Capital Markets Regulation (2 Credits)**

This course concerns the regulation of capital markets: the New York Stock Exchange, NASDAQ, and the wide variety of other institutions devoted to the trading of securities. Capital markets perform important social functions: providing liquidity for investors and incorporating information into prices, which in turn serve as vital guides to real economic activity. The effectiveness with which capital markets perform these functions and their costs of operation are determined in significant part by the rules governing the persons who operate, and trade in, these markets. The course will begin with a consideration of major domestic and transnational capital market institutions. It will then address the economic theory that explains how capital markets operate (market-microstructure economics) and the incentives that motivate their various players. These beginning segments lay the groundwork for a more informed discussion of the substantive law that governs capital markets. Specific regulatory areas to be considered include the rules relating to (1) transparency: who knows (and when) the prices at which securities are being offered and sold (the "ask quotes") and the prices at which actual trades occurred, (2) a broker's execution of a customer's orders, (3) dealers transacting directly with retail customers, (4) market making more generally, (5) trading system alternatives to the NYSE and NASDAQ, (6) trader behavior including manipulation, short selling and insider trading. The course, with its focus on persons who operate or trade in capital markets, should be distinguished from Securities Regulation, which is devoted primarily to the regulation of the behavior of the firms that issue securities and their agents in connection with the primary offering and secondary trading of their securities. Basis of Grade: Exam performance, with slight adjustments based on in-class participation and performance. Class may involve both a midterm and a final exam. Form of Grade: Letter.

**Prerequisites:** LAWS 581 or LAWS 600 or LAWS 609 or LAWS 606.

**LAWS 617 - Commercial Law Seminar (2 Credits)**

The Seminar will cover the following commercial law topics: (1) the enforcement of money judgments; (2) letter of credit transactions; (3) financing secured by security interests in intellectual property; and (4) the past, present, and future of asset securitization. Registration: Course does not satisfy the graduation writing requirement. Basis of Grade: Written responses to problems and drafting exercises. Form of Grade: Letter Grade.

**Prerequisite or Corequisite:** LAWS 615.

**LAWS 618 - Consumer Law (3 Credits)**

A survey of federal and South Carolina consumer protection statutes, common law remedies, and enforcement in unfair and deceptive advertising and other sales practices, credit reporting and other disclosures, subprime consumer lending, mortgage lending and servicing, debt collection, landlord-tenant law, telephone privacy law, and arbitration. Basis of Grade: Class participation; writing assignment; class presentation. Form of Grade: Letter Grade

**Prerequisites:** None.

**LAWS 621 - Social Impact of Business Activity (2,3 Credits)**

This course will explore the ways in which laws and regulations surrounding business activity impact the social contributions of businesses. The course will cover theoretical perspectives on the social role of businesses, comparative approaches to improving the social impact of businesses both in the US and abroad, and case studies of business' positive and negative social contributions. Readings will come from a variety of sources, including chapters from books, journal articles, case studies, and news articles. Class meetings will center on discussion by all members of the class of the week's readings. The semester will end with presentations of students' written work. Graduation Requirement: Course satisfies the perspective graduation requirement. Course can also satisfy the graduation writing requirement if taken for three credit hours. Must earn a grade of "C" or better if completing for the writing requirement. Basis of Grade: Students will write one 15-20 page paper if they enroll for 2 credits or one 30-50 page paper if they enroll for 3 credits. All students will submit one substantial draft and give a presentation of their paper during in-class workshops. The final paper, including submission of a substantial draft, will constitute 50% of the students' grades, participation will constitute 30% and the final presentation will constitute 20%. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 609.

**LAWS 623 - Comparative Employment Discrimination Seminar (2,3 Credits)**

This course is a seminar focusing on a comparison of employment discrimination laws in the United States and abroad. Students examine timely issues under the American legal system and compare the American approach to these issues with that of foreign-based systems. Through this comparative approach, students will examine critically the American system of employment law primarily as it exists under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and Title I of the Americans with Disabilities Act. Graduation Requirement: This course satisfies the perspective course requirement. It satisfies the graduation writing requirement if taken for 3 credit hours. Basis of Grade: Paper, oral presentation, and class participation. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 624 - Employment Discrimination (3 Credits)**

This course is designed to provide a broad overview of the federal legislation which prohibits employment discrimination on the basis of race, color, religion, sex, national origin, age, and disability. The course also examines the prohibitions against retaliation in the workplace. The course explores the basic frameworks for how claims of intentional and unintentional discrimination are analyzed. The course also examines how employment discrimination statutes are enforced, and the remedies available in these types of cases. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade.

**LAWS 626 - Principles of Labor Law (2 Credits)**

This course will address the basic principles and labor protections found in the National Labor Relations Act (NLRA). The NLRA – and the foundations of labor law generally – address various aspects of collective activity, including the right to organize and join labor organizations, and the regulation of strikes, boycotts and picketing. Additionally, this course will examine the timely issues of labor law, and explore the direction that this field is heading. Basis of Grade: Final examination, class presentation and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 627 - Immigration Law (2 Credits)**

This course will examine the legal framework and criteria that govern who can legally enter, reside, and become a citizen in the polity of the United States, a country that has attracted large numbers of immigrants throughout its history and continues to do so today. Drawing on the Immigration and Nationality Act, attention will be paid to judicial, legislative, and regulatory construction of those provisions of immigration law relevant to defining who is allowed into the United States and in what category, who may be removed, and the more recent focus on security/terrorism concerns and immigration as a political issue. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 628 - Immigration and Family Law Skills Workshop (3 Credits)**

In this class, students will follow a simulated immigration case from beginning to end. The class will examine the common issues that undocumented immigrants face during deportation proceedings and learn the skills and defenses immigration attorneys use to represent undocumented immigrants seeking to challenge their removal. In addition, the class will also address how other legal issues pertaining to areas such as family law or criminal are complicated by a client's immigration status. Students in the class will be expected to draft various immigration documents and will be graded on these assignments. Lastly, throughout the semester, immigration law practitioners will be invited to share their expertise and experience with the class. Graduation Requirement: Satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Written exercises. Form of Grade: Letter Grade.

**LAWS 629 - Alternative Dispute Resolution (3 Credits)**

Over 95% of all legal disputes are resolved outside of the courts. This course will explore how most of those disputes are resolved. It will provide an overview of the main Alternative Dispute Resolution (ADR) processes: negotiation, mediation and arbitration. Each of these processes will be critically examined, through a combination of assigned readings, interactive role-play exercises, and possibly guest presentations. The primary goal of the course is to expose students to the theoretical and practical fundamentals of ADR, including when and how to effectively use these processes in a professional setting. The second goal is to impart an understanding of the ethical and legal implications of ADR processes. Students will leave this course with a basic competency in some key lawyering skills, including communication, negotiation and representing parties in various ADR fora. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Students will be graded on contributions to general class discussions; performance in a negotiation simulation; performance in a mediation simulation. Note that attendance and class participation will be significant parts of the assessment. Form of Grade: Letter Grade.

**LAWS 630 - Individual Employment Law (3 Credits)**

Legislatures and courts have steadily increased regulation of employment relationships in recent decades. The new regulations consist of a mixture of contract, tort, criminal, and administrative law. This course explores those developments, and we will study many of the statutory and common law rules governing the establishment and termination of the employment relationship and regulating the conditions of employment. Given the breadth of the subject matter, Individual Employment Law will be useful for students considering general practice or corporate law as well as those planning to practice labor and employment law. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 631 - Parents, Children and the State (3 Credits)**

This course addresses issues related to the legal status of childhood and the parent-child relationship, including: the foundations of parental authority over children, the foundations of the state's *parens patriae* authority to intervene in family life, the allocation of authority to make decisions concerning children, child abuse and neglect, the child protection legal system, and family courts and executive branch agencies which administer relevant areas of law. Basis of Grade: The grade will be based on the student's attendance, class participation, and performance on one or more examinations or other written assignments. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 633 - Income Taxation (3 Credits)**

Basic concepts of income taxation of individuals; gross income, adjusted gross income, applicable deductions, credits, gains and losses and nonrecognition transactions. Examination of concepts of capital gains and losses, including questions of basis, nonrecognition in certain exchanges and carry-over of losses. Registration: Second year progression-entry course; 2L priority registration Basis of Grade: Final examination, problems as announced in class and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 634 - Elder Law (3 Credits)**

This course will include a survey of the substantive topics about which a lawyer should have at least a basic understanding when representing an older client, a client with special needs, or a family member of an elder or a person with disabilities who is in need of protection. Some of the subjects included will be long term care planning; basic estate planning; advance directives; powers of attorney; Medicaid, Medicare and other government benefits; guardianship and conservatorship. The course will also address the many ethical issues which the attorney must resolve in the process of representation. Practical guidance, using both hypothetical and real life examples and sample forms, will be provided. Basis of Grade: Quizzes, writing assignments, class participation and attendance. Final exam. Form of Grade: Letter Grade.

**LAWS 636 - Corporate Tax (3 Credits)**

Federal income taxation of corporations and shareholders. The course will deal with the organization of a corporation; its' original capital structure; dividends and other non-liquidating distributions; and liquidations. Special emphasis is placed on the problems of the close corporation. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 633.

**LAWS 637 - Partnership and LLC Taxation (3 Credits)**

An examination of the classifications, organization, operation, and dissolution of partnerships for federal income tax purposes; basis of partnership interests; determination of partnership income; sales of partnership interests; death and retirement of a partner. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 633.

**LAWS 638 - Tax Policy Seminar (2,3 Credits)**

This seminar examines the legal, political, sociocultural, and economic considerations involved in the formulation and implementation of tax policy. Early weeks of the course will explore foundational concepts that provide the metrics by which we evaluate tax policy: simplicity, efficiency and equity. The course is inherently interdisciplinary. Students will engage with philosophy by tackling concepts such as redistributive theory that support or challenge progressive taxation and economic theory on what makes "good" tax policy. After building a foundation with which to evaluate tax law and policy, the course will explore different topics in tax policy, including, but not limited to: the taxable unit, wealth inequality and income redistribution, tax expenditures or subsidies, tax and environmental policy, critical tax theory, and double taxation of corporations. Graduation Requirement : Satisfies perspective course graduation requirement. This course will satisfy the graduation writing requirement if taken for three (3) credit hours and must earn a grade of C or better. Basis of grade: Class participation and multiple five page persuasive essays based on materials covered in class. Each writing assignment will require the student to argue for or against a given issue, proposed or current provision. Form of Grade: Letter.

**Prerequisite or Corequisite:** LAWS 633.

**LAWS 640 - State and Local Tax (2,3 Credits)**

A study of the tax systems of state and local governments. We will consider federal Constitutional and statutory restrictions on the ability of state and local governments to enact taxes, state restrictions on the ability of local governments to enact taxes, state income taxes, sales and use taxes, and property taxes. Special attention will be paid to policy; comparing and contrasting South Carolina law to laws of other states and federal income taxes; and comparing the United States' treatment of international transactions to the states' treatment of multi-state and international transactions. Registration: A student who registers for 2 hours may elect to write a paper or complete a take-home exam; the course will satisfy the graduation writing requirement if taken for 3 credit hours, must earn a grade of C or better. Basis of Grades: paper or take-home exam for 2 credits, and class participation. Form of Grade: Letter grade

**Prerequisite or Corequisite:** LAWS 633.

**LAWS 641 - Wills, Trusts, and Estates (3 Credits)**

Disposition of property upon death by intestacy, by will and by will substitute, including consideration of the related problems of limitations upon the testamentary power and contests of testamentary disposition; interviews disposition of property by gift and trust; brief survey of administration and probate. Registration: Second year progression-entry course; 2L priority registration. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 641A - Wills, Trusts, and Estates Online (3 Credits)**

This course addresses how property passes when a person dies intestate or with a will. In addition, the creation, administration, and enforcement of trusts will be discussed. Registration: Students enrolled in this course cannot take LAWS 641, Wills, Trusts, and Estates. Basis of Grade: Mid-term Exam; Final Exam; Discussions and Assignments (Class Participation). Form of Grade: Letter.

**LAWS 643 - Income Taxation of Trusts and Estates (2 Credits)**

Income taxation of trusts, estates, and gifts including the tax treatment of the decedent's final return, grantor trusts, income in respect of a decedent, interviews, testamentary, and charitable trusts, fiduciary accounting, accumulation trusts under the throw-back rules. Basis of Grade: Final exam and class participation. Form of Grade: Letter.

**Prerequisites:** LAWS 633, LAWS 641, LAWS 649.

**LAWS 644 - Bankruptcy (3 Credits)**

This course will cover the fundamental concepts and terminology of federal bankruptcy law. The course will provide the background necessary for students interested in specializing in bankruptcy and those with other practice interests who wish to become more marketable in a competitive job market. Students will learn to recognize common insolvency issues and to develop strategies for resolving such issues in both consumer and commercial bankruptcy cases. Some class time will be reserved for visits from legal professionals in the community, who will share their experiences in legal practice, including the field of bankruptcy law and other specialties, and offer advice to students about practicing law during this time of recession. Class time will also be reserved for students to attend court hearings during the semester which will require meeting outside of the regularly scheduled time. Registration: LAWS 615 recommended. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**LAWS 647 - Fiduciary Administration (2 Credits)**

Survey of the probate of wills, the appointment of Personal Representatives of decedents' estates, the administration of decedents' estates (duties and powers of Personal Representatives), and the administration of trusts generally (duties and powers of Trustees). South Carolina emphasis. Basis of Grade: Final examination, attendance and class participation. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 641.

**LAWS 649 - Estate and Gift Tax (2 Credits)**

Analysis of principles and application of federal estate and gift tax law, regulations and rules effecting (1) various methods for interviews and testamentary transfers including consideration of typical estate planning devises such as gifts, wills, trusts. Insurance, and other death benefits, (2) post-mortem planning, and (3) drafting techniques. Basis of Grade: Exam. Form of Grade: Letter.

**Prerequisites:** LAWS 641.

**Corequisite:** LAWS 641 with permission of instructor.

**LAWS 650 - Estate Planning (2 Credits)**

Commercial (practice) software will be used to prepare estate planning documents. The drafting assignments will include simple wills, wills for couples with minor children, wills and trusts that include provisions for the estate marital deduction and GST taxes, health and financial powers of attorney, as well as drafting for the South Carolina elective share. Other issues covered will include consideration of client competence, preparing for will contests, and ethical issues for estate planners. If time permits, the class will draft irrevocable life insurance trusts. Students will work on projects in teams of 2-3. Registration: LAWS 633 is recommended. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Exam, drafting projects, class participation and attendance. Form of Grade: Letter.

**Prerequisites:** LAWS 641.

**LAWS 651 - Land Use Planning (3 Credits)**

A study of regulation of land use. Topics include zoning, subdivision regulation, and takings. One emphasis of course is on practice in the area. To accomplish this goal, class methodology will include use of problems, based on South Carolina law and on the City of Columbia Code, that will be worked on in teams. In addition, students will be required to attend a total of four meetings of councils/commissions during the semester. Registration: Attending the Four Councils/Commissions meetings may require missing a class/classes in other courses. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 652 - Real Estate Transactions I (3 Credits)**

This is a course on the substantive law of real estate transactions. The course will cover a broad range of topics and issues related to real estate transactions, both residential and commercial, focusing on provisions typically found in real estate contracts and how those contract provisions manifest themselves in actual transactions. The course will also include a focus on various topics designed to provide a working knowledge of concepts and issues often encountered in a real estate practice.

Basis of Grade: Final Examination (Primarily), Class Projects, and Class Participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 653 - Real Estate Transactions II (2 Credits)**

An in-depth analysis of advanced level real estate planning and transactional matters with an emphasis on problems, techniques, and solutions. Course coverage may include residential closings (including condominium and planned unit developments), commercial closings, and commercial leases. Course material will also include examination of consumers' rights in real estate matters, of financing problems and techniques, and of problems and techniques of dealing with default by various parties to the transaction. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Projects and class participation. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 652.

**LAWS 654 - Commercial Law (3 Credits)**

This course is an introduction to the laws that govern the sale of goods and the means by which parties satisfy obligations by payment. The course primarily examines rules and principles codified in Articles 2, 3, and 4 of the Uniform Commercial Code regarding goods transactions, the use of checks and other negotiable instruments as a payment system, the collection process, and the process for allocating losses. Through statutory and case analysis and problem solving, students will develop skills in planning for and resolving disputes involving these issues, as well as the critical skills necessary to evaluate the goals and implications of these laws. Registration: This course is recommended for 2Ls. Basis of Grade: Final examination. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 655 - Food and Drug Law (3 Credits)**

Regulating products that account for approximately 25 cents of every consumer dollar expended in the United States annually, the Food and Drug Administration (FDA) is central to protecting and advancing the public health. FDA regulates food, drugs, biologics, medical devices, cosmetics, and tobacco products. This course will examine the federal regulation of products subject to FDA's jurisdiction, focusing on the regulation of human food, human drugs (prescription and OTC), biologics, and medical devices. It will examine the substantive law as well as FDA's enforcement power, practice, and procedure. This course will explore the historical development of food and drug law as well as contemporary issues, and examine the public policy considerations which have shaped the law. Basis of Grade: Examination and Class Participation. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 656 - Federal Litigation Clinic (4 Credits)**

Students will represent clients in cases presenting problems in civil Federal litigation. The casework will focus on problems of pleading, discovery and motion practice in the Federal Courts. Caseload will be limited and students will work on cases in teams under the supervision of clinical faculty; all aspects of client representation will be closely supervised. A one hour per week classroom component will address specific procedural and substantive problems in the context of individual student cases. Group discussion and decision-making will be employed to expose all students to the problems presented by the various cases. Registration: Subject to Client Contact Clinic Lottery. This course satisfies the skills course graduation requirement. Basis of Grade: Performance on casework, class attendance, preparation and participation. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 671.

**Prerequisite or Corequisite:** LAWS 555 or LAWS 554.

**LAWS 657 - Payment Systems (3 Credits)**

This course is an introduction to the laws that govern the means by which parties satisfy obligations by payment. The course considers the legal and economic implications of the use of checks and other negotiable instruments as a payment system, including the collection process and loss allocation principles under Articles 3 and 4 of the Uniform Commercial Code. The course also covers federal regulation of funds availability, credit cards, electronic funds transfers and wholesale wire transfers. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 658 - How Governing Institutions Fail (and Succeed) (2 Credits)**

This seminar prepares students for the work of designing, building, and working within complex institutions. Drawing on ideas from political science, law, history, economics (especially the economics of public choice), and social welfare, the seminar will focus on the often paradoxical and surprising reasons why institutions become co-opted, inefficient, unrepresentative, or otherwise fail to achieve their goals (and ways to avoid or prevent such failures). The course will examine institutions including legislatures, multi-member courts (like the Supreme Court), corporate boards, and administrative agencies. In considering case studies of possible institutional failure, the course will also examine how to design institutions to succeed. Students will read and discuss both theoretical texts and primary documents, including legislation and judicial opinions. Registration: This course satisfies the perspective course graduation requirement. Basis of Grade: Class participation and response papers. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 659 - Federal Courts (3 Credits)**

A study of the role of the federal courts in the operation of the federal system. The course is designed to cover the constitutional and statutory role of federal courts, including their relationship to other branches of the federal government, the interplay of federal and state law, and the distribution of judicial power between federal and state courts. Specific topics to be covered include, Congressional Power to control Federal Jurisdictional, supplemental and Removal Jurisdiction, Jurisdictional Amount, State Sovereign Immunity, Absenteeism, the Anti-Injunction Act and current Concepts of Federalism. If time permits, the course will also cover Habeas Corpus and Civil Rights Removal. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 662 - Islamic Law (2 Credits)**

Though often maligned and misunderstood, Islamic law is one of the longest enduring and most widely subscribed systems of law in the world. This course will give students a firm grounding in the sources, principles, concepts, and terminology of Islamic law as well as an in-depth review as to its history and role in the contemporary era. Students will gain practical insights into the sources and constructs of this religious-based legal system, including the substantive difference between Islamic Shari'ah and Islamic jurisprudence, as well as an in-depth analysis of the Qur'an, the Tradition of the Prophet Muhammad, as well as the various rational constructions devised by jurists and eminent legal scholars, the Islamic schools of law, differences between Shi'i and Sunni Islamic law, the historical demise and the modern resurgence of Islamic law, and Islamism as well as examination in the context Islamic fundamentalism, the law of war and modernism. Finally, students will gain an in-depth understanding of selected aspects of Islamic constitutionalism, Islamic criminal law, and how classical and contemporary Islamic law comports with international human rights law as well other contemporary issues. Basis for grade: 85% final exam, 15% participation. Form of grade: Letter.

**Prerequisites:** None.

**LAWS 663 - Legal and Equitable Remedies (2 Credits)**

An introduction to litigation theory and strategy through analysis of the various kinds of relief that may be obtained in the courts. Readings and problems will be used to analyze the difference among the various remedies, the theories upon which they are based, and their appropriateness in protecting specific legal interests. Problems of choice among remedies will be emphasized as a key factor in practical litigation strategy. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 664 - Forest and Natural Resource Law (3 Credits)**

This course explores the law and policy governing use and conservation of natural resources, such as forests, minerals, water, and wildlife. Natural resources laws and policies must balance conservation, environmental objectives, economic development, recreational use, and other priorities among various groups of users and between current and future generations. In doing so, they incorporate insights from science, economics, politics, and ethics. While legal regimes differ greatly, similar issues arise on both public and private lands. In studying this body of law, the course will focus on a single ecosystem - forests, particularly privately-owned forests in the Southeast US. This focus allows the wide variety of relevant legal tools to be explored in a consistent context, and avoids substantial overlap with courses covering specific areas of natural resources law (such as Water Law and Energy Law). The theories and doctrines studied will, however, have applications beyond forests and beyond the Southeast. In particular, we will study the National Forest Management Act, Endangered Species Act, and common law doctrines such as trespass, nuisance, and easements (including conservation easements). As part of our study, we will also examine theories of natural resources problems, including the tragedy of the commons, and solutions, including regulation and privatization. The course is relevant and useful for students interested in environmental law as well as private real estate practice - the course will consider the implications of natural resources law for both long-term environmental goals and individual land transactions and management practices. Registration: Students who have taken LAWS 684 may not enroll in this course. Basis of Grade: Class participation, short writing assignments, and final exam. Form of Grade: Letter.

**LAWS 665 - International Trade Law (2,3 Credits)**

This course focuses on the law of international trade, sometimes also called international economic law, which is a specialized area of public international law of growing importance because of economic groupings like NAFTA (representing a regional free trade area approach) and the WTO (representing the worldwide multilateral free trade approach) as well as foreign direct investment law. The world is in the early stage of another multilateral trade liberalization round (aka the Doha Round), and beyond existing law we shall look at how things are shaping up. This course will be taught using website materials (no book). This will be a shared video conference course taught together with foreign universities to make you work through trade law problems together with foreign students. Graduation Requirement: This course satisfies the perspective course requirement. It may be taken for 3 credit hours and satisfaction of the graduation writing requirement with the prior permission of the instructor, must earn a grade of C or better Basis of Grade: Paper. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 666 - International Environmental Law (2,3 Credits)**

Environmental concerns transcend national borders, but present distinctly different issues to differing groups of countries in an area where soft law predominates. This course looks at the nature of the international law process in the area (with its limited number of treaty and substantive law principles), economic perspectives on natural resource usage, state sovereignty and abiding tensions between industrialized and developing countries concerning pollution problems (beyond prohibitions, to technology transfer and the who pays question). Since established law is minimal, this course examines the public international law framework for international environmental law *de lege ferenda*. Registration: An overnight out-of-town field trip may be required. Graduation Requirement: Satisfies the Perspective Course requirement. Students may elect to satisfy the writing requirement, if taken for 3 credit hours with instructor's permission. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Final examination and tutorials or paper. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 667 - Technology and Criminal Prosecution (2 Credits)**

This course will explore the intersection between technology and criminal law. The course will begin with key terms and concepts that build upon the students' knowledge of criminal law and procedure. It will then divide the class into groups and examine the way technology intersects with the various phases of a single hypothetical criminal case, including pre-indictment investigation, post-indictment discovery obligations, and trial. In the pre-indictment phase, students will decide which technological tools would be appropriate to further the investigation, discuss the legal concerns governing those tools, and take the appropriate actions to employ those tools. In doing so, the students will learn when and how to use tools like search warrants, subpoenas, and court orders to seek electronic information. Students will also learn the pitfalls surrounding these issues, such as when a subpoena may be used instead of warrant, how to understand and work with electronic providers who notify subscribers about electronic data requests, and how to practically sort, store, and review such information. In the post-indictment phase, students will examine how our obtained information must comply with disclosure obligations such as Brady, Giglio, and Jencks. Students will discuss how to conduct electronic discovery in a criminal case. This will dovetail into a discussion about potential issues in the admissibility of electronic evidence at trial. As an example: how does one admit a Facebook post when the putative poster is the Defendant who cannot be called to authenticate the posting? The course will conclude with a discussion of how to effectively use the modern smart courtroom to present this electronic evidence. It is anticipated that we will have guest speakers throughout the semester to discuss the real-life issues presented throughout the course, including criminal defense lawyers, federal agents, forensic analysts, and federal magistrate judges. (This will vary based on the schedules and availability of potential guest speakers.) Although students will work through this case from a prosecution perspective, such a perspective is critical for either side of a criminal case as it will highlight both the prosecutor's ethical obligations and provide the necessary understanding of the criminal investigative process for effective criminal defense. Further, the course will focus on federal criminal law, and the hypothetical case will take place in the District of South Carolina. Graduation Requirement: This course satisfies the perspective graduation requirement. Basis of Grade: All students will be graded on a series of short assignments, an in-class presentation, class participation, discussion questions and responses, and a final paper of at least 5000 words (approximately 20 double-spaced pages in Times New Roman) conducting an analysis of technology as applied to current issues in criminal law. Form of Grade: Letter.

**Prerequisites:** None, but LAWS 547 and LAWS 671 are recommended.

**LAWS 668 - Liberty Seminar (2 Credits)**

This seminar examines a difficulty at the heart of the Constitution's commitment to liberty: how can we reconcile majority rule with individual rights? That is to say, how can we curtail our ability to govern ourselves as part of a community or our right to be free of interference in how we choose to live our own lives without sacrificing an important part of our freedom? To see whether there is any principled basis for limiting either collective judgment or individual liberty, students will review some of the more prominent arguments of political philosophy, paying particularly close attention to the writings of two great champions of liberty, John Stuart Mill and Isaiah Berlin. They will then examine competing conceptions of liberty as they relate to a number of specific legal topics, which may include the following: whether a patient has a right to assisted suicide; the ability of the majority to regulate or forbid certain sexual practices; the arguments for and against campaign finance reform; and the role of the business corporation in a free society. Graduation Requirement: This course satisfies the perspective course requirement, but does not satisfy the graduation writing requirement. Basis of Grade: Response papers, class participation, and final paper. **Prerequisites:** None.

**LAWS 669 - The Constitution (3 Credits)**

A study of the structure and theory of the U.S. Constitution as described in the organic laws and founding documents without the judicial exegesis. Specifically, we will examine the Colonial Charters; The Declaration of Independence (1776); The Articles of Confederation (1777); the Treaty of Paris (1783); The Northwest Ordinance (1787); Madison's Notes on the Philadelphia Convention (1789); the Proposal of the 11th Amendment by the Third Congress (1794); and the Virginia and Kentucky Resolutions (1798). The founders' ideas of self-rule, federalism, separation of powers, and man's relation to society will be traced back to Enlightenment writers such as Hume and Montesquieu and developed through the writings of Thomas Jefferson, James Madison and John Adams. Registration: Students who have enrolled in LAWS 835 may not also enroll in this course. Graduation Requirement: Satisfies perspective course graduation requirement. Basis of Grade: Paper. Form of Grade: Letter Grade. **Prerequisites:** None.

**LAWS 670 - Judges and the Rule of Law (3 Credits)**

This seminar will compare the nature and role of judges throughout the world in supporting and protecting the Rule of Law, focusing on judicial ethics and independence and investigating the influence of various methods of selecting judges and holding them accountable. It will cover the American Bar Association Model Code of Judicial Conduct, judicial disciplinary procedures, various methods used throughout the United States to select judges and to review judicial performance, as well as constitutional and policy issues arising from the tension between judicial independence and the roles of the executive and legislative branches of government and the electorate in the process of selecting judges and in extending their tenure. Additional insights will be sought from the way these issues are dealt with in other countries, correlating those insights with the Rule of Law Index. Registration: Students who have taken Comparative Seminar on Judges may not also take this course. Note: This course satisfies the perspective course requirement and the graduation writing requirement, must earn a grade of C or better. Basis of Grade: Class participation and a seminar paper. Form of Grade: Letter. **Prerequisites:** LAWS 554 or LAWS 555.

**LAWS 671 - Evidence (3 Credits)**

Preparation and presentation of various kinds of evidence, including: proof of writings; qualifications and examination of witnesses; privilege; opinion testimony; demonstrative, experimental, scientific evidence; determination of relevancy; and application of the hearsay rule. Registration: Second year progression course; 2Ls have priority registration. Basis of Grade: Final Exam. Form of Grade: Letter Grade. **Prerequisites:** None

**LAWS 672 - Public Health Law (2,3 Credits)**

This is a survey course on public health law, including constitutional law, administrative law, torts, taxation, public health ethics, and other, related areas. Students will also write at least two substantive papers on topics of their choosing in the area of public health law. Graduation Requirement: This class satisfies the requirement for a perspectives class and, if the student takes it for 3 credits, satisfies the graduation writing requirement, must earn a grade of C or better if taken for the writing requirement. Basis of Grade: This is a paper class. For 2 credits, students must write at least 2 separate papers of at least 7-8 pages in length for a total of 15 pages. For 3 credits, students must write at least 2 papers of at least 15-17 pages in length for a total of 30 pages. Form of Grade: letter. **Prerequisites:** None.

**LAWS 674 - Health Law: Finance and Organization (2,3 Credits)**

This course focuses on the business of health care and the laws that impact health care business enterprises, including the tax laws governing tax-exempt organizations, the antitrust laws, and the fraud and abuse laws. The course will also examine how health care is funded and regulated through both private and public insurance, including Medicare and Medicaid. The class will do problems for each reading assignment, some in groups and some individually. Graduation Requirement: Students who elect to take this course for three (3) credits will write a paper that meets the writing requirement and must earn a grade of C or better. Basis of Grade: In addition to problems, this is a paper course and students will be expected to draft an in-depth memorandum analyzing an issue related to one of these areas of the law. The specific topic will be up to the student. Form of Grade: Letter. **Prerequisite or Corequisite:** LAWS 676.

**LAWS 675 - Advanced Evidence: Law and Strategy (2 Credits)**

All great trial lawyers enjoy a mastery of the law of evidence, both its academic theory and its practical strategy. This course puts students on the path to that mastery by teaching the advanced academic theories of evidence, and by instilling the habits and principles of sound strategic thinking about real evidence problems. Students will learn to analyze complex evidentiary issues correctly, using the conceptual structure of the law of evidence. Graduates of this class will be able to recognize and solve evidence problems with the highest level of structured academic analysis, complemented by an instinctive knack for practical courtroom strategy. Basis of Grade: Examination. Form of Grade: Letter. **Prerequisites:** LAWS 671.



**LAWS 676 - Health Law and Policy (3 Credits)**

This introductory health law and policy course surveys current regulatory schemes governing the provision of healthcare. The class focuses on major themes such as quality of care, access to care, cost containment and the role of the public health. The goal of this course is to familiarize students with the laws and recurrent policy concerns that arise in health law by analyzing a broad spectrum of health law areas. Areas studied include malpractice, the provider-patient relationship, informed consent, the regulation of healthcare facilities, the regulation of health insurers and managed care providers, Medicare/Medicaid, and the power of the state during a health emergency. Basis of Grade: TBA. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 677 - Intensive Trial Advocacy (2 Credits)**

The subject matter covered in this intensive course will include direct, cross and redirect examination; impeachment; opening statements and closing arguments; evidentiary foundations; and expert witnesses. Students will be immersed in the actual performance of all phases of the trial. Participants will learn under the guidance of experienced trial lawyers and judges in a simulated courtroom environment. For ten days, students will devote full time to this course developing their skills in actual trial work. In the last phase of the course, students will be assigned to two person teams and conduct a full scale trial. Note: This course satisfies the skills course graduation requirement. It also offers an excellent opportunity for trial skills preparation for students participating in the Mock Trial program, but all students who have satisfied the pre-requisite may enroll. Students may not take this course and Trial Advocacy. Basis of Grade: Class exercises Form of Grade: Pass/Fail

**LAWS 679 - Trial Advocacy (3 Credits)**

This course is devoted primarily to developing trial advocacy lawyering skills by engaging students in practical exercises that simulate trial practice. Students prepare lay and expert witnesses examinations, perform exercises including direct examination, cross-examination, opening statements, and closing arguments. Students will learn to develop and implement a case theme and theory, argue motions, and practice making and responding to objections. Students consider ethical and tactical issues arising in the trial process. Students conduct regular self-evaluation of their preparation and performance, and the exercises are critiqued with respect to substance, strategy, and courtroom demeanor. Students will also receive instruction on effective ways to present evidence in a digital format. Particular attention will be given to integrating courtroom technology into trial presentation. Graduation Requirement: This course satisfies the experiential course graduation requirement. Basis of Grade: Class exercises. Students will be graded on the basis of in-class performances as an attorney. Factors to be considered when awarding grades include preparedness, thoroughness, organization, and improvement over the course of the semester. Form of Grade: Letter.

**Prerequisite or Corequisite:** LAWS 671.

**LAWS 680 - Technology Law : Law of the Newly Possible (2,3 Credits)**

This course examines how law responds to, incorporates, and affects the development of new technologies. The seminar addresses questions of risk and regulation from both public and private perspectives. It considers a range of currently emerging technologies as well as historic innovations that offer insights into anticipating and resolving key legal and policy tensions. Readings will be excerpted from source documents, academic and technical literature, and current drafts of bills and standards. All students will be expected to actively contribute during class and to critically reflect through regular response papers. Graduation Requirement: Satisfies the perspective course graduation requirement. If taken for three credits (which entails an assignment beyond the regular response papers), it also satisfies the writing requirement. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Response Papers and class participation. Form of Grade: Letter.

**LAWS 681 - Criminal Trial Practice (2 Credits)**

Understanding of the practical problems that arise in criminal cases; criminal investigation, pleadings and motions practice, criminal evidence, preliminary hearings, appeals, jury selection, discovery, trial practice, and other related issues. Graduation Requirement: This course satisfies the experiential course graduation requirement. Basis of Grade: Class performance in trial situations. Form of Grade: Pass/Fail.

**Prerequisites:** LAWS 547 and LAWS 671.

**LAWS 682 - Legal Writing for the Courts (3 Credits)**

This course will concentrate on format, organization, analysis and written expression of thought in a variety of documents which the students will prepare in the context of writing for a hypothetical appellate judge and court. The documents will include materials to support an application for a judicial clerkship, a bench brief, a pre-conference memorandum, an opinion for the court, a dissenting opinion, and editing exercises. The instructor will provide advice and individual comments tailored to each student's writing style. Graduation Requirement: Students may elect to satisfy the experiential graduation requirement, or writing graduation requirement, but not both. Must earn a grade of C or better. Basis of Grade: A series of writing assignments. Form of Grade: Letter.

**LAWS 683 - Appellate Advocacy (3 Credits)**

An intensive study of appellate litigation with a view to developing appellate practice skills, including formulation of strategies on appeal, use of the appellate record, brief writing, and oral advocacy. The course will focus on South Carolina appellate practice although federal practice will be included. Emphasis will be placed on individual learning and development. Registration: In the spring semester 2L members of the moot court board will be given priority. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Written and oral assignments, class discussion and individual critique. Form of Grade: Letter Grade.

**LAWS 684 - Environmental Law of Natural Resources (3 Credits)**

Natural resources laws are meant to ensure, among other things, that wildlife and fisheries are managed sustainably; that fresh water is conserved and allocated fairly; that endangered species are recovered to healthy populations; and that public and private lands provide a wide range of goods and services. Meeting these important objectives means resolving conflicts among various user groups and between current and future generations of users. There are a number of reasons why resolving these conflicts is both challenging and politically charged. Incomplete science often prevents government agencies from accurately assessing the current status of natural resources and predicting how potential future actions will affect them. Psychological traits such as optimism and loss aversion often prevent resource users from even acknowledging that there is a problem in the first place. New laws must often overcome long-standing cultural beliefs and traditions that evolved in the context of fewer resource demands. Finally, natural resource issues are characterized by the inherent political economy problems that arise when difficult-to-represent interests like the environment and future generations are involved. In this course we will study the ways that federal laws, including the Magnuson-Stevens Fishery Conservation and Management Act, the Marine Mammal Protection Act, the Endangered Species Act, and the National Forest Management Act, attempt to conserve and allocate natural resources. As part of our study, we will also examine theories of natural resources problems, including the tragedy of the commons, and solutions, including regulation and privatization. Note: Students who have taken LAWS 664 may not enroll in this course. Basis of Grade: Final examination, short writing assignments and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 685 - Serving the Court: Judicial Clerkships (2 Credits)**

This class will focus on the role, duties, and conduct of law clerks. You will learn how clerks should conduct themselves; maintain an appropriate relationship with the judge and other participants in the legal system and the type of work clerks perform. The class will offer instruction on how to understand and deal with the court docket of cases and motions, how to properly analyze cases (through case study with intensive analysis and extensive class discussion), how to write succinct and useful bench memos, and how to organize and draft opinions/orders for a court. The course will include speakers to include: judges (both federal and state), clerks, and others who will broaden your perspective and offer you advice if you decide to pursue a clerkship. The class will involve a very high level of classroom participation and out of class work. Registration: Students may not enroll for LAWS 682 and this course. Basis of Grade: Class participation, writing assignments. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 686 - The Future of the Legal Profession (3 Credits)**

This course examines new models for the delivery of legal services and the professional and regulatory challenges-and opportunities-such models create. It begins by analyzing U.S. lawyers' monopoly over the "practice of law" and comparing the U.S. regulatory framework to regulatory frameworks in other countries. It then surveys innovations in legal information technology and the expanding role of non-lawyer providers in both high-tech and low-tech settings, with each class built around case studies of specific companies, products, and providers. Each student will write a case study within the first six weeks of the course, plus a final, analytical paper that builds on the case study. Readings and comments for the final sessions will be organized around student topics. Graduation Requirement: This course satisfies the graduation writing requirement. Must earn a grade of C or better. Basis of Grade: Weekly comments, case study, and final paper. Form of Grade: Letter grade.

**Prerequisites:** LAWS 554 or LAWS 555.

**LAWS 687 - Fourth Circuit Practice (2 Credits)**

This course will concentrate on appellate practice before the United States Court of Appeals for the Fourth Circuit. It will focus on the proper way to prepare, present, and argue cases before that Court. Some time will be spent on rules and procedures for the Fourth Circuit, but the main emphasis will be effective advocacy before a federal appeals court. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Written and oral assignments, class discussions and individual critique. Form of Grade: Letter.

**LAWS 688 - Topics in Insurance Law (2 Credits)**

This course is designed to focus upon routine areas of insurance practice and timely statutory and common law updates. Although national standards are surveyed, the course work will focus upon State of South Carolina insurance rules, procedures, and issues. The course is not designed to provide a comprehensive study of all possible areas of insurance law or all possible insurance issues addressed upon the South Carolina Bar examination. Basis of Grade: Final Examination. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 689 - Construction Law and Litigation (2 Credits)**

This course covers the substantive issues that arise in litigation concerning major public and private construction projects. The course addresses the rights and liabilities of owners, lenders, prime contractors, subcontractors, suppliers, sureties, insurers, and design professionals arising under contracts, statutes, professional liability and certain business related torts such as misrepresentation. The course also address the use of litigation, arbitration, and mediation to resolve construction disputes. Registration: This course will be of interest to students interested in a career in state or federal government, construction contracting and litigation, or business litigation. Students with background in engineering, architecture, or construction management are encouraged to enroll. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 690 - Products Liability (3 Credits)**

A study of the law governing legal responsibility for losses caused by defective products. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 690A - Products Liability (2 Credits)**

A study of the law governing legal responsibility for losses caused by defective products. Basis of Grade: Exam. Class participation may be considered. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 691 - Russian Law and the Legal System (3 Credits)**

This course addresses the emergence of post-soviet law in Russia. The course covers the evolution of Russian law through the present stressing the current Civil and Criminal Codes, Civil and Criminal Procedure, and Constitutional Law. Graduation Requirement: Course satisfies graduation writing requirement and graduation perspective course requirement. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Paper. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 692 - Free Speech and Democratic Theory Seminar (2,3 Credits)**

This seminar will examine First Amendment free speech doctrines and practices in relation to democratic theories. Because protecting the ability for citizens to engage in democratic self-government is an important value protected by the First Amendment, it is important to understand how democracy works in relation to speech. This course will focus each week on case studies that will include campaign finance, regulation of the public sphere, the role of dissent, campus speech, speech at school, and related issues. The readings will include both cases and secondary literature regarding democratic theory. The course will cover a substantial amount of free speech doctrine, but the goal is to examine how speech works in relation to institutional design and democratic practice in greater depth. Graduation: Course will satisfy the perspective graduation requirement when taken for two credit hours. Course will satisfy the graduation writing requirement when taken for three credit hours. Must earn a grade of "C" or better to satisfy the graduation writing requirement. Basis of Grade: Class participation, written assignments in the form of memos and response papers, and if taken for 3-credits, a 30-page paper. Form of Grade: Letter.

**Prerequisites:** LAWS 523.

**LAWS 693 - Technology and the Practice of Law (3 Credits)**

This skills workshop will study the technologies used in practicing law, analyzing the ethical and other legal issues created by their use. Students will learn about current and future technologies and best practices in using them. Much of the learning will be hands-on in the computer lab. A number of practicing lawyers and technology experts will share their knowledge and experience. The American Bar Association has adopted the proposal of its 20/20 Commission on Ethics that the Model Rules of Professional Conduct be amended to specifically require lawyers to be techno- logically proficient. "Maintaining Competence. To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology." Cloud computing, internet hacking and government snooping, email, networked computers, flash drives, electronic signatures, smart phones, tablet computing, and ubiquitous public wi-fi net- works all create legal and ethical challenges for lawyers. Study materials will include cases, ethics opinions, statutes, and regulations. Class meetings will include lectures, demonstrations, hands-on experience, case studies, projects, discussion, and tech expert presentations. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Class participation and projects. Form of Grade: Letter grade.

**Prerequisites:** LAWS 554 or LAWS 555.

**LAWS 694 - Tax Practicum (3 Credits)**

This seminar is an advanced course in tax law and policy. The purpose of the course is to simulate the real world of tax practice and tax policymaking, helping students to understand how tax rules are made, interpreted, and applied by tax practitioners. Readings will include cases involving taxpayer challenges to tax rules and government challenges to taxpayer positions, and examples of "opinion letters" evaluating the U.S. federal income tax treatment of discrete transactions, examples of comment letters submitted to Treasury, and tax regulations with Treasury-produced explanatory preambles. During the semester, students will work collaboratively to produce the sort of written product that they might be tasked with in tax practice, for example, an opinion letter describing and assessing the tax treatment of a certain transaction; an appeal of an IRS proposed adjustment to a tax position; a petition to Tax Court to challenge a deficiency found by the IRS; or a comment letter in response to a proposed regulation. It is anticipated that the implementation of the Tax Cuts and Jobs Act (i.e. the tax bill enacted at the end of 2017) will result in substantial uncertainty and back and forth between taxpayers (and their representatives) and the government, so the precise nature of the writing assignments and the substantive issues students address will vary semester to semester based on current challenges the tax practitioner community confronts and students' particular interests. When possible, the curriculum will include guest visits from tax practitioners and/or IRS or Treasury personnel. Each student will individually produce an outline of the writing project as well as a first draft of 12-15 pages, which may require a statement of facts, legal analysis, policy arguments and data. Students will conduct an oral and visual presentation on their draft paper, and will be expected to review and critique each other's drafts and presentations. Students will then collaborate in small groups (3-4 students per group) to draft a final product that is 30-35 pages long and that integrates the individual work into a cohesive whole. Graduation Requirement: Effective Spring 2020 - This course can satisfy the graduation writing requirement, or experiential requirement, but not both. Must earn a grade of C or better in the course to satisfy either requirement. Basis of Grade: outline (10%), individual draft and in-class presentation (20%), foal group paper (40%), participation (30%). Form of Grade: Letter grade.

**Prerequisites:** LAWS 633. Prerequisites or

**Corequisite:** LAWS 636 or LAWS 637.

**LAWS 695 - Insurance (2 Credits)**

The purpose of this course is to impart to the student an understanding of basic insurance law, policy analysis, and the practical problems faced by the insurance industry, courts, attorneys and insurance regulators. Basis of Grade: Final examination. Form of Grade: Letter Grade. .

**Prerequisites:** None.

**LAWS 696 - Military Law (2 Credits)**

This course will center around the law of the military. Concentration will be on the need for a separate system of justice for the military, the constitutional limitations affecting service members, and the scope and limitations of the military justice system. Basis of Grade: Exam and class participation. Form of Grade: Letter.

**LAWS 697 - South Carolina Worker's Compensation (2 Credits)**

Historical background of Worker's Compensation Legislation; Rights of workers and dependents; injuries within worker's compensation law; employers and employees covered under the South Carolina Act; disability benefits; death or dependency benefits; common law actions; miscellaneous provisions of the South Carolina procedure, practice and appeals in compensation cases. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 698 - Food Law and Policy (2 Credits)**

This seminar will offer students an opportunity to study contemporary topics and issues in food law and policy. Students will critically examine the laws and policies that structure and shape the production, processing, transport, and consumption of food in the United States. They will also examine the consequences of these laws and policies for our food system. Topics covered may include genetically modified foods, meat and poultry, the U.S. Department of Agriculture's child nutrition programs, food allergens, cottage food, craft beer, food trucks, and farmers markets. Through the selected topics students may examine public health, food safety, nutrition, obesity, food scarcity, and First Amendment issues. Basis of grade: A series of short papers, an in-class presentation, and class participation. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 701 - Advanced Family Law (2,3 Credits)**

This course takes students beyond the issues covered in the basic Family Law course and offers an opportunity for in-depth study of contemporary issues in Family Law. The class will explore the legal, ethical, social and psychological aspects of the family. Topics covered may include parental rights and responsibilities in reproductive technology cases, medical decision-making, adoption, termination of parental rights, gender and sexuality, and special laws unique to Native Americans. Registration: Students who elect the 2 credit-hour option must either take the final examination or complete a paper of not less than 20 pages in length, which will not fulfill the graduation writing requirement. Graduation Requirement: A limited number of students may elect to fulfill the graduation writing requirement with the professor's prior permission by taking the course for 3 credit-hours and completing a paper of not less than 30 pages in length. Must earn a grade of C or better. Basis of Grade: Final examination or research paper. Form of Grade: Letter Grade.

**Prerequisite or Corequisite:** LAWS 759.

**LAWS 702 - Legal Aspects of Engineering (3 Credits)**

This course is designed for students who are enrolled in the graduate program for a Master of Science with a Major in Engineering Management. The course will introduce students to various areas of law and legal principles that may impact their ability to be effective managers. The lectures in the course will focus on a variety of topics, including: labor and employment law, business corporations, agency and partnership, contracts, intellectual property, administrative law, and environmental law. The goal of this class is to give the student a greater understanding of the law and help the student become more aware of legal issues that may affect them or their company in their future. In addition, another benefit of this class is exposing the student to higher level legal, political, and governmental issues and case studies that will be involved in shaping the future of the student's career, their company, and their industry. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 703 - Electronic Discovery (2 Credits)**

This course is a practical introduction to electronic discovery in civil litigation as governed by the Federal Rules of Civil Procedure. Students will be introduced to how computer files in litigation compare and contrast to traditional paper discovery. They will examine each stage of the discovery process, from identifying sources of potential electronic evidence to instituting a litigation hold, collecting, processing, reviewing, and producing electronic data. Emerging case law and trends for unsettled issues such as E-discovery ethics, privilege (nonwaiver/claw back agreements, not "readily accessible" data), and cost-shifting will also be addressed. Participants will be introduced to the electronic courtroom, from E-filing of documents in federal court to using trial presentation software to make the case to the jury and judge. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Final exam. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 705 - Child Protection Advocacy Clinic (6 Credits)**

In this clinic the students will receive instruction in all aspects of advocacy for abused and neglected children. Students will be responsible for preparing, filing and trying termination of parental rights cases on behalf of the S.C. Department of Social Services. All work will be under the supervision of an experienced clinical faculty member and attorney. Instruction will be through casework, classroom instruction, readings and case rounds. Enrollment is limited to ten students. Registration: Subject to Client Contact Clinic Lottery. Graduation Requirement: This course satisfies the professional skills graduation requirement. For first year students entering in fall 2016, this course satisfies the experiential course graduation requirement. Must earn a grade of C or better. For first year students entering Fall 2016, this course satisfies the experiential course graduation requirement. Basis of Grade: Case work, class participation and other related work Form of Grade: Letter. Prerequisites: LAWS 671 and LAWS 555 or 554.

**Prerequisite or Corequisite:** LAWS 679.

**LAWS 706 - Administrative Law Externship (4 Credits)**

Students will spend a significant amount of time (30 hours per week for 8 weeks during the summer) with either a state or federal agency. They will be exposed to the field of Administrative law by working with federal or state agencies. Typically, the student will work in a general counsel's office or an office with substantially similar duties and will assist the attorneys in research and drafting documents such as research memoranda and briefs. The student will also have the opportunity to observe court proceedings as well as depositions and interviewing witnesses. In addition to their work at the agency, students will meet periodically with a faculty member to reflect upon their fieldwork experiences. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better Basis of Grade: Journal; Example of written product or a short reflective paper on professional experience; and a brief presentation to the class. The fieldwork supervisor will complete an evaluation of the student's performance. The final grade will be determined by the instructor, based upon the evaluation submitted by the fieldwork supervisor, the quality of the student's written submissions, participation in the class sessions, and a determination by the instructor that all requirements of the externship have been satisfactorily completed. Form of Grade: Letter.

**Prerequisite or Corequisite:** LAWS 554 or LAWS 555.

**LAWS 706A - Administrative Law Externship (2 Credits)**

Students will work approximately 8-15 hours per week with either a state or federal agency. They will be exposed to the field of Administrative law by working with federal or state agencies. Typically, the student will work in a general counsel's office or an office with substantially similar duties and will assist the attorneys in research and drafting documents such as research memoranda and briefs. The student will also have the opportunity to observe court proceedings as well as depositions and interviewing witnesses. In addition to their work at the agency, students will meet periodically with a faculty member to reflect upon their fieldwork experiences. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: The final grade will be determined by the professor, based upon evaluation submitted by the fieldwork supervisor and upon a determination by the faculty member that all other requirements of the externship have been satisfactorily completed. Students must submit a contemporaneously maintained daily journal of their experience, along with either an example of a written product prepared during the externship or a short paper reflecting on a professional aspect of the experience. The fieldwork supervisor will also complete an evaluation of the student's performance. Form of Grade: Letter.

**Prerequisite or Corequisite:** LAWS 554 or LAWS 555.

**LAWS 707 - Children's Law Externship (2 Credits)**

This course places the student with a lawyer employed by a child-serving agency; an agency involved with child law issues where a child may be charged with a crime or is a victim of a crime; or with a lawyer in private practice that represents children. The student works approximately 8-15 hours per week with the lawyer. This work includes hands-on experience with the supervising lawyer to engage in the representation or advocacy process for those children based upon the legal setting chosen for the individual extern. The extern will observe the lawyer as the lawyer represents clients and also attend meetings, hearings, trials and other legal proceedings in order to experience the legal process firsthand. The student will provide assistance to the assigned lawyer by drafting memorandums, legal motions, proposed orders and providing legal research relevant to each case. The student will be immersed in each system as it relates to the assigned agency's duties and responsibilities to improve outcomes for children in the legal system. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: The grade shall be based on the student's attendance and class participation in the bi-weekly class, the evaluation of the student by the externship site supervisor/lawyer, and the journal submitted by the student. Each student will be expected to work 8-15 hours each week of the semester at the approved extern site and to attend a one and a half hour class every other week. Each student will be expected to maintain and submit both at midterm and at the end of the semester a journal of the student's activities at the extern site. This journal must state the dates and times of the student's experience and provide a summary of that event as it relates to the listed course objectives above. The student must also submit a weekly timesheet documenting the days and hours worked by the student and have it signed by the assigned supervising lawyer at the extern site. Form of Grade: letter.

**Prerequisite or Corequisite:** LAWS 554 or LAWS 555.

**LAWS 708 - Securities Litigation (3 Credits)**

This course aims to supplement Securities Regulation. Specifically, it seeks to introduce students to the litigation devices that help ensure more robust securities disclosure. (Securities-disclosure law forms the heart of the Securities Regulation class.) The class will focus on public and private litigation under Section 10(b) of the Securities Exchange Act. It will also likely touch on other important provisions under which much securities litigation proceeds today (namely, sections 11, 12, and 17 of the Securities Act of 1933). Lastly, the class will explore insider-trading prosecutions under the federal securities laws. Importantly, all three of these areas of securities litigation (those relating to Section 10(b), the '33 Act provisions, and insider-trading law) are not currently covered in the Securities Regulation class. Basis of grade: Final exam with both issue-spotting and multiple-choice questions. Class participation will also factor into grades on the margin. Form of grade: Letter.

**LAWS 709 - Administrative Law (3 Credits)**

Government agencies regulate almost every area of our lives. Many lawyers work for government agencies and many other lawyers work for people whose lives are affected by these agencies. Virtually every lawyer needs to know how government agencies operate. That is the subject of this course. The course is recommended for students interested in substantive areas in which agencies play an important role, such as environmental law, health-care law, and securities law (to name a few). Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade.

**LAWS 710 - Complex Civil Litigation (3 Credits)**

This course will study legal doctrine and current "best practices" relating to complex litigation. The focus is on multi-party, multi-jurisdictional disputes and on the increasingly administrative role courts play in these actions. Much of the attention will be devoted to class actions (mainly federal with some discussion of South Carolina class actions), including class certification, extraterritoriality, and interlocutory appeals. We will spend considerable time on complex joinder, aggregated claims, MDL practice, and the impact of CAFA. Some time will be devoted to the recent "Federal Courts Jurisdiction and Venue Clarification Act of 2011." Registration: It is strongly recommended that students also take LAWS 659, but it is not a prerequisite. Basis of Grade: In class final examination, plus class participation. Form of Grade: Letter.

**LAWS 711A - Antitrust Law and Trade Regulation (2 Credits)**

The course will focus on Sections 1 and 2 of the Sherman Antitrust Act, as well as selected other federal trade regulation statutes, including the Clayton Act (as amended by the Robinson-Patman Act). Topics typically covered may include monopolization and attempted monopolization, conspiracies in restraint of trade, e.g., price-fixing and bid-rigging, tying arrangements, the essential facilities doctrine, price discrimination, and merger review. The course will also cover how a heightened pleading standard has changed the civil antitrust litigation landscape. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**LAWS 713 - Trademark Law (2 Credits)**

A survey of federal and state trademark and unfair competition law with an emphasis on the nature, scope and enforcement of trademark rights. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 716 - Nonprofit Organizations Clinic (6 Credits)**

This Clinic provides legal assistance to nonprofit organizations of all types addressing the various needs of the community. Because many of these organizations lack the financial resources to retain private legal counsel, students provide legal assistance in transactional matters that include incorporation, preparation of by-laws, preparation and filing of 501(c)(3) applications, contract review and negotiation, real estate, intellectual property and land use issues. Students may attend board meetings, provide legal assistance to start up organizations or organizations that are merging, converting or spinning off new ventures. The nature of the clinic allows for experience touching many different legal disciplines and helps provide for the stabilization of these organizations so that they can better serve the community. Registration: Subject to Client Contact Clinic Lottery. Effective Fall 2020, a student who is enrolled in or has been enrolled in a clinical course may not enroll in LAWS 771. A student may not enroll in LAWS 771, an externship course, or a capstone course in the same semester. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Performance on casework, class exercises and participation. Form of Grade: Letter Grade. **Prerequisites:** LAWS 554 or LAWS 555.

**LAWS 717 - Nonprofit Organizations (3 Credits)**

This course will provide an overview of the nonprofit tax exempt sector. It will include the study of the formation, structure, and characteristics of nonprofit organizations and the major categories of federal tax exemption with an emphasis on charitable organizations such as religious organizations, churches, educational organizations, healthcare organizations and arts organizations. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade. **Prerequisites:** LAWS 609.

**LAWS 719 - Discovery Practice (3 Credits)**

This course will explore problems encountered in the conduct of discovery, primarily through the student's preparation and argument of discovery motions. Graduation Requirement: This course satisfies the skills course graduation requirement. Basis of Grade: Written and oral assignments and class participation. Form of Grade: Letter Grade. **Prerequisites:** LAWS 671.

**LAWS 720 - Criminal Law Externship (4 Credits)**

Students will spend a significant amount of time (30 hours per week for 8 weeks during the summer) at their placement. Placements will include: the Solicitors Office of various counties, the Public Defenders office, the Attorney General's office, and federal criminal agencies. Students will assist in the preparation of materials for court and can observe office attorneys in trial. A specific attorney in each office will be responsible for overseeing student experience in the office. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Journal; Example of written product or a short reflective paper on professional experience; and a brief presentation to the class. The fieldwork supervisor will complete an evaluation of the student's performance. The final grade will be determined by the instructor, based upon the evaluation submitted by the fieldwork supervisor, the quality of the student's written submissions, participation in the class sessions, and a determination by the instructor that all requirements of the externship have been satisfactorily completed. Form of Grade: Letter. **Prerequisite or Corequisite:** LAWS 554 or LAWS 555.

**LAWS 720A - Criminal Law Externship (2 Credits)**

Students will spend a significant amount of time, 8-15 hours per week, at their placement. Placements will include: the Solicitors Office of various counties, the Public Defenders office, the Attorney General's office, and federal criminal agencies. Students will assist in the preparation of materials for court and can observe office attorneys in trial. A specific attorney in each office will be responsible for overseeing student experience in the office. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Journal; Example written product or a short reflective paper on professional aspect of experience; and a brief presentation to class. The fieldwork supervisor will complete an evaluation of the student's performance. The final grade will be determined by the instructor, based upon the evaluation submitted by the fieldwork supervisor, the quality of the student's written submissions, participation in the class sessions, and a determination by the instructor that all requirements of the externship have been satisfactorily completed. Form of Grade: letter. **Prerequisites:** LAWS 554 or LAWS 555.

**LAWS 721 - Bioethics Seminar (2,3 Credits)**

This course explores the intersection of law and ethics in the field of medicine. The course will cover in-depth, at least three of the following issues: abortion and other issues of reproductive decision making, the right to die, allocation of health care resources, global HIV/AIDS, universal healthcare, organ transplantation and organ procurement, the identity and role of the patient, the research subject and the consumer of health care technology, rationing of healthcare and similar issues. Students may choose to write one paper of not less than 30 pages to satisfy the paper requirement or may write three smaller papers during the course of the semester. There will be no exam. Graduation Requirement: Course qualifies as a writing seminar for the graduation writing requirement if taken for 3 credit hours and the student chooses to write the 30 page paper with the permission of the instructor. Must earn a grade of C or better if taken for the writing requirement. Course satisfies the graduation perspective course requirement. Basis of Grade: Paper of not less than thirty (30) pages or three shorter papers. Form of Grade: Letter Grade.

**LAWS 722 - Patent Law (3 Credits)**

Consideration of the theoretical underpinnings of the United States patent system, the definition of patentable subject matter, the requirements governing novelty, utility and nonobviousness, the granting and enforcement of patents, the relationship of patents to other methods of protecting intellectual property, and the special role in patent law of the United States Court of Appeals for the Federal Circuit. Students need not have an engineering or science background. Basis of Grade: Final examination. Form of Grade: Letter Grade. **Prerequisites:** None.

**LAWS 723 - Copyright Law (3 Credits)**

This course will provide an in depth analysis of copyright law. Students will study case law and statutory authority pertaining to copyright protection of literary, musical, dramatic, choreographic, pictorial, graphic, sculptural, audiovisual, and architectural work, as well as computer software. In addition, the class will consider public policy issues raised by recent amendments to the Copyright Act of 1976. Basis of Grade: Final examination and problems. Form of Grade: Letter Grade.

**LAWS 724 - Intellectual Property (3 Credits)**

This survey course will provide a basic grounding in the law of Copyrights, Patents, and Trademarks. Subject covered will include the acquisition, maintenance and duration of intellectual property protections; the right and obligations of intellectual property owners; and causes of action and remedies for infringing activities. Registration: Students who have taken Patent Law and Copyright Law may register for Intellectual Property.

Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 725 - International Intellectual Property (2 Credits)**

Consideration of the international intellectual property (IP) legal framework, including an examination and analysis of international treaties which control IP-related interactions between nations as well as some specific focus on the IP laws of key nations worldwide (e.g. EU-UK/Japan/China). The course will provide a comparative overview of these varying national laws and will equip the students with some practical and experiential tools which they may need if they intend to engage in international intellectual property practice. Basis of Grade: Final Exam. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 726 - Constitutional Issues in Public Education Law (3 Credits)**

Survey of historical and contemporary civil liberties issues arising in the operation of the American public school system. Topics addressed will include religious activities in schools, the regulation of student and teacher speech, student privacy, school safety and student discipline.

Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Portfolio of advice memoranda plus class participation. Form of Grade: Letter.

**LAWS 727 - Special Education Law (3 Credits)**

This course will introduce students to federal laws and regulations concerning the provision of educational services to disabled students. We will cover the history and development of special education and civil rights for students with disabilities as well as the fundamental principles of the Individual with Disabilities in Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA). The course will focus on the rights of students and their parents as well as the responsibilities of educators when addressing special education needs. Basis of Grade: Class participation, small group projects and final exam. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 728 - Constitutional Issues in Property Law (2-3 Credits)**

This seminar will examine the intersection of property law and the Constitution, particularly the First, Fourth, and Fifth Amendments. Topics will include eminent domain, regulatory takings, religious land use, and architecture as speech. Basis of Grade: Final examination. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 729A - Legislation (3 Credits)**

This course will examine legislative law and the legislative process. Among the issues addressed will be the legislative power, legislative structure and procedures, interpretation and drafting of statutory law, election laws, legislative advocacy, and regulation of lobbyists. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Final examination and performance in a maximum of two written or oral class exercises. Form of Grade: Letter.

**LAWS 730 - Legislative Externship (2 Credits)**

Students will work under the supervision of a lawyer-legislator for 8-15 hours per week to evaluate whether proposed legislation might violate constitutional requirements or create unintended ambiguities or conflicts in the law. Students will be assigned actual bills to evaluate, will research any potential legal issues raised by the legislation, and prepare a written report on each bill assigned, setting forth the results of the research. Work will be assigned on a bi-partisan basis, and students will be asked, in appropriate circumstances, to draft alternative language that would eliminate an identified problem, while still achieving the purpose of the proposed legislation. The student's work-product will be submitted to the supervising lawyer-legislator. In addition to work supervised by a lawyer-legislator at the State House, students will meet as a class regularly through the semester with their professor for directed reflection upon their field experiences. Graduation Requirement: This course satisfies the experiential course graduation requirement. Basis of Grade: Written assignments and evaluation by fieldwork supervisor. Form of Grade: Pass/Fail.

**Prerequisite or Corequisite:** LAWS 554 or LAWS 555.

**LAWS 731 - Environmental Law & Policy (3 Credits)**

This is an introductory course in environmental law. The purpose is to give interested students a background in a number of federal environmental statutes, including NEPA (National Environmental Policy Act) CERCLA (Comprehensive Environmental Response, Compensation and Liability Act) ESA (Endangered Species Act) and CWA (Clean Water Act). Basis of Grade: Exam. Form of Grade: Letter.

**LAWS 732 - Sales (3 Credits)**

This course examines Uniform Commercial Code Article 2 governing sales of goods and Article 2A governing leases of goods. Through statutory and case analysis and problem solving, students will develop skill in planning for and resolving disputes involving transactions in goods, as well as the critical skill necessary to evaluate goals of the law of sales and leases of goods. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 733 - International Human Rights Skills (3 Credits)**

In this course, students will act as human rights attorneys advocating for governmental remedies for human rights violations. Students will: research international, regional, and other countries' laws; analyze a human rights issue in another country; conduct mock interviews; strategize as to what judicial and non-judicial avenues are best pursued to achieve the desired result; draft sections of a policy and legislative advocacy report; and participate in a simulated hearing before a panel of policy-makers. Through this course, students will: gain a better understanding of the international human rights system and the methods used by the human rights movement; improve their written and oral advocacy skills; gain or improve upon their interviewing and fact-finding skills; and gain an understanding of how to perform international and comparative law research and analysis. Note: Course satisfies the perspective and experiential course graduation requirements. Must earn a grade of C or better. Basis of Grade: Class attendance and participation; written and oral assignments. Form of Grade: Letter.

**LAWS 734 - Climate Change Seminar (2,3 Credits)**

This seminar will explore legal and regulatory options for addressing global climate change. We will begin with materials examining the scientific evidence and projections of climate change, then move on to attempts at international legal and quasi-legal mechanisms, including the United Nations Framework Convention on Climate Change, the Kyoto Protocol, and the Copenhagen Accord. We will also cover U.S. domestic climate policy options, including regulation under the Clean Air Act and at state level, and contrast these policies with those in place in other developed economies. Throughout, we will discuss the uniquely difficult challenges climate change creates for institutions, society, and the legal system. Registration: LAWS 731, LAWS 666, or LAWS 826 are recommended. Graduation Requirement: This course qualifies as a perspective course. If taken for three credits, it satisfies the graduation writing requirement and you must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Class Participation, Class Presentation, and Paper (2 credits: series of response papers; 3 credits: research paper, 30-page minimum). Form of Grade: Letter Grade.

**LAWS 735 - Advanced Environmental Law Seminar (2,3 Credits)**

This seminar addresses topics in environmental law that go beyond those covered in first- and second-level courses in the environmental law curriculum (Environmental Law, Administrative Law, Water Law, Coastal Law, Natural Resources Law, Energy Law, etc.). The specific topics covered will vary from year to year, but may include recent or ongoing environmental litigation, new or proposed legislation, and/or issues of current public debate. Students will read and discuss secondary and original documents related to the issues discussed, including judicial opinions, appellate briefs, and Federal Register notices of rulemaking. Graduation Requirement: This course satisfies the perspective course graduation requirement. If taken for three credits, it also satisfies the graduation writing requirement. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Class participation and response papers; if the class is taken for three credits, an original paper sufficient to meet the writing requirement. Form of Grade: Letter.

**Prerequisites:** At least one other course related to LAWS 684 (e.g. LAWS 684, 747, 826, 828, etc.), or permission of the professor.

**LAWS 736 - Legislative Drafting Practice and Policy (4 Credits)**

This course will explore the process of drafting legal codes in a real-world setting. Specifically, the course will give students the opportunity to participate in the creation of a legal code for the Catawba Nation. Students will be introduced to the relevant areas of Federal Indian law, the history, culture and legal conceptions of the Catawba Nation, and principles of drafting laws. Topics may shift from year to year. Students will use information collected during the course to draft laws to be submitted to the leadership of the Catawba Nation for adoption. Students will acquire the skills they need to draft a section of the Catawba legal code (in the first year this course will focus on domestic violence) for the Catawba Nation. In order to produce this code, students will examine numerous state and tribal statutes. They will discuss the relevant strengths and weakness of these laws with the goal of drafting a set of laws particularly suited to the history, culture and legal needs of the Catawba Nation. During the course, they will meet with leadership of the Catawba Nation and with lawyers, government officials and judges from other recognized Indian nations. Students will receive a letter grade at the end of each semester. Registration: LAWS 759 is recommended. Graduation Requirement: This course satisfies the graduation perspective course requirement. This course also satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: The grade will be based on the student's attendance and class participation as well as the quality of the research and drafting assignments produced through the semester.

**Prerequisites:** None.

**LAWS 737 - Civil Rights Seminar (2,3 Credits)**

This course focuses on federal civil rights relating to employment, education, housing, voting, and affirmative action. The course will survey the major issues and legal protections in each of these substantive areas, which includes laws relating to discrimination based on race, gender, disability, language status, and familial status. Students will examine the constitutional and statutory frameworks for addressing these issues, as well scholarly theories by which to critique them. Graduation Requirement: This course satisfies the perspectives course requirement. Students who elect to take this course for three (3) credits will write a paper that meets the graduation writing requirement. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Final Paper. Students electing 3 credits will write a paper that meets the graduation writing requirement. Students electing 2 credits will write a shorter paper. Form of Grade: Letter.

**LAWS 740 - Voting Rights & Representation Seminar (2 Credits)**

A survey of the protections afforded the right to vote by the U.S. Constitution and the Voting Rights Act. The course includes examination of the major Supreme Court cases involving access to the ballot and malapportionment. Primary emphasis will be on racial discrimination in voting under the 14th and 15th Amendments and Sections 2 and 5 of the Voting Rights Act. Basis of Grade: Paper plus credit for strong class participation. Form of Grade: Letter.



**LAWS 741 - Carolina Health Advocacy Medicolegal Partnership Clinic (6 Credits)**

The CHAMPS Clinic is a collaboration of the School of Law, the USC School of Medicine, Palmetto Health, Palmetto Health-USC Medical Group, and South Carolina Legal Services. It will provide students with the opportunity to engage in interdisciplinary learning and community engagement in the context of live-client legal cases. More specifically, students will take legal cases on behalf of low income families referred from Palmetto Health and Palmetto Health-USC Medical Group. These cases will address the social-determinants of clients' health. The law students will work collaboratively on these legal cases with doctors, social workers and other health professionals. In addition to case work, the course will have a seminar component during which students will learn the doctrine, theory, lawyering skills, and policy relevant to their case work. The seminar will also provide the students opportunities to lead discussions about case-related issues and solicit feedback from colleagues on those issues. Registration: Subject to Client Contact Clinic Lottery. Effective Fall 2020, a student who is enrolled in or has been enrolled in a clinical course may not enroll in LAWS 771. A student may not enroll in LAWS 771, an externship course, or a capstone course in the same semester. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Form of Grade: letter. Basis of Grade: Students will be graded on case work, including professional habits and the development of lawyering skills and identity; reflection essays; interdisciplinary collaboration

**Prerequisites:** LAWS 671 and LAWS 554 or LAWS 555.

**LAWS 742 - Sustainable Development Clinic (6 Credits)**

Through this clinic, students will provide transactional and advisory legal services to entities whose activities focus on sustainable development, and who would not otherwise be able to hire counsel. These entities (potentially to include non-profit organizations, local governments, public agencies, and others) may work on ecological conservation, agriculture and food access, land use resilience, or other areas. Students will interview clients, conduct needed legal research and writing, advise clients, and provide services in a variety of legal subject areas, likely to include administrative law, environmental law, property law, land use law, and non-profit organizations law. Students may draft and review legal instruments such as conservation easements, examine property title issues, review and advise on organizational documents, and research and advise on legal tools available for resilience initiatives. Through a seminar component and case rounds in addition to hands-on work, students will gain a more sophisticated understanding of the concepts of sustainability and resilience, attorney ethics and professional rules of practice, and other issues faced by land use lawyers, including interdisciplinary matters and policy questions. Registration: Recommended Courses are LAWS 731, LAWS 709, and LAWS 651. Graduation Requirement: For students entering in fall 2016, this course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Professionalism and adherence to clinic procedure/professional practice rules (20%); ability to work with teammates and supervisors (20%); quality of work products and other assistance to clients (20%); responsiveness to feedback (20%); and participation in seminar and case rounds, including completion of any assignments (20%).

**Prerequisites:** LAWS 554 or 555.

**LAWS 743 - Introduction to Drafting Business Agreements (2 Credits)**

This course will introduce students to the skill of translating a business deal into contract concepts, including representations, warranties, covenants, rights, and conditions. Assignments will familiarize students with the building blocks of a contract, including recitals; definitions; action and payment provisions; license grants and other substantive provisions; termination and breach provisions; and general provisions, such as assignment and delegation, severability, and governing law. Students will practice techniques for effectively drafting, reviewing, and commenting on contracts. Basis of Grade: Series of Drafting Assignments. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 744 - Drafting Business Agreements Workshop (1 Credit)**

Students will work in teams to negotiate and draft a business agreement based on a term sheet and other materials that define the parties' objectives. The proposed agreement, readings, and lectures will build on topics covered in Introduction to Drafting Business Agreements.

Graduation Requirement: Satisfactory completion of this course and its prerequisite satisfies the professional skills requirement. Basis of Grade: Negotiation and Drafting of a Business Agreement. Form of Grade: Letter.

**Prerequisites:** LAWS 743 taken during the same Maymester session.

**LAWS 745 - Drafting Business Agreements (3 Credits)**

This course will introduce students to the skill of translating a business deal into contract concepts including representations, warranties, covenants, rights, and conditions. Additionally, the course will familiarize students with the fundamental building blocks of a contract. Those building blocks include recitals; definitions; action and payment provisions; license grants and other substantive provisions; termination and breach provisions; and general provisions, such as assignment and delegation, severability, and governing law. Students will learn and practice techniques for effectively drafting, reviewing, and commenting on contracts in light of the parties' objectives and a client's attitude towards risk. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Series of Drafting Assignments. Form of Grade: Letter.

**LAWS 747 - Water Law (3 Credits)**

This course will study how society allocates and protects its most crucial natural resource – water. The emphasis will be on current legal and policy debates, although we will also examine the history of water development and politics in the United States. Among the many issues that we will consider are: alternative means of responding to the growing worldwide demand for water; the appropriate role for the market and private companies in meeting society's water needs; protection of threatened groundwater resources; environmental limits on water development; wetlands law; and interstate water disputes. Basis of Grade: Mid-term and final exam. Form of Grade: Letter.

**LAWS 748 - In-House Counsel Externship (4 Credits)**

During the Externship, students will spend a significant amount of time (10 hours per week during fall or spring and 30 hours per week for 8 weeks during the summer) at their placement. Placements would typically include general counsel offices in universities, hospitals, public utilities, and private corporations. Students will have the opportunity to strengthen their legal writing, research and analytical skills by assisting in various projects like the preparation of materials such as employee handbooks, memoranda of understanding, and compliance documents. The students may also have the opportunity to observe contract negotiations, interviews with employees and possibly discussions with outside counsel. An attorney in each office will be responsible for overseeing student experience in the office. The In-House Counsel Externship will expose students to how those offices function and what impacts in-house counsel to decide whether to manage certain issues or seek outside counsel. Further, students will have the opportunity to observe the attorneys role on the organization and the relationship between the attorney and "client." Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Journal; Example of written product or a short reflective paper on professional experience; and a brief presentation to the class. The fieldwork supervisor will complete an evaluation of the student's performance. The final grade will be determined by the instructor, based upon the evaluation submitted by the fieldwork supervisor, the quality of the student's written submissions, participation in the class sessions, and a determination by the instructor that all requirements of the externship have been satisfactorily completed. Form of Grade: Letter.

**Prerequisite or Corequisite:** LAWS 554 or LAWS 555.

**LAWS 748A - In-House Counsel Externship (2 Credits)**

Students will spend a significant amount of time (10 hours per week during fall or spring) at their placement. Placements would typically include general counsel offices in universities, hospitals, public utilities, and private corporations. Students will have the opportunity to strengthen their legal writing, research and analytical skills by assisting in various projects like the preparation of materials such as employee handbooks, memoranda of understanding, and compliance documents. The students may also have the opportunity to observe contract negotiations, interviews with employees and possibly discussions with outside counsel. An attorney in each office will be responsible for overseeing student experience in the office. The In-House Counsel Externship will expose students to how those offices function and what impacts in-house counsel to decide whether to manage certain issues or seek outside counsel. Further, students will have the opportunity to observe the attorneys role on the organization and the relationship between the attorney and "client." Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Journal; Example of written product or a short reflective paper on professional experience; and a brief presentation to the class. The fieldwork supervisor will complete an evaluation of the student's performance. The final grade will be determined by the instructor, based upon the evaluation submitted by the fieldwork supervisor, the quality of the student's written submissions, participation in the class sessions, and a determination by the instructor that all requirements of the externship have been satisfactorily completed. Form of Grade: Letter.

**Prerequisite or Corequisite:** LAWS 554.

**LAWS 749 - Consumer Bankruptcy Clinic (4 Credits)**

This course will provide both a substantive and clinical approach to consumer bankruptcy law and practice. Students will be placed with experienced consumer bankruptcy lawyers who will be handling pro bono cases. Substantively the course will cover discharge, asset retention, secured and unsecured credit, as well as the mechanics of filing and litigating consumer bankruptcy cases. Special emphasis will be placed on interviewing, fact investigation and counseling. In addition to their work on the pro bono cases the students will be required to do a simulated initial client interview and write an opinion letter to the client in the simulation. Registration: LAWS 771 and 644 are helpful, but not required. Graduation Requirement: This course satisfies the skills course graduation requirement. Basis of Grade: Performance on casework and simulations and class participation Form of Grade: Letter Grade. Prerequisite or Corequisite: LAWS 555 or 554.

**LAWS 750 - Clinics II (1-4 Credits)****LAWS 751 - Education Rights Clinic (6 Credits)**

The Special Education Clinic helps special-needs children and their families get access to equal educational opportunity. The clinic handles legal issues ranging from disability eligibility and entitlement to services, to developing adequate Individualized Education Programs and discipline matters. Law students will begin to develop a variety of legal skills including: interviewing clients, fact investigation, legal research and analysis, case strategy, negotiations, as well as participate in mediation and possibly litigation proceedings. Registration: Subject to Client Contact Clinic Lottery. Effective Fall 2020, a student who is enrolled in or has been enrolled in a clinical course may not enroll in LAWS 771. A student may not enroll in LAWS 771, an externship course, or a capstone course in the same semester. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Performance on casework, class exercises and participation. Form of Grade: Letter.

**Prerequisites:** LAWS 671 and LAWS 554 or LAWS 555.

**LAWS 752 - Domestic Violence Clinic (6 Credits)**

This course will train students to assume the role of lawyer and introduce them to domestic violence law and practice. Through classroom discussion, simulations, assigned readings, client representation, and community-based projects, the course will cover central concepts of laws governing civil injunctive remedies for intimate partner abuse, including orders of protection, restraining orders, and permanent protection orders, as well as related relief, such as custody and visitation, child support, and crime victims' compensation. Students will apply their substantive knowledge by representing clients seeking these forms of relief. Through client representation, students will have an opportunity to develop legal skills including: interviewing, counseling, fact investigation, legal research, writing, and analysis, case strategy, negotiation, and courtroom advocacy, as well as professional and life skills relating to legal practice. The course also will give students an opportunity to consider the broader context of their individual cases through class discussion and community-based projects, which may include know-your-rights presentations, limited advice and assistance clinics, and policy research. In some semesters, students may have the additional opportunity to represent clients in administrative matters related to their experience of domestic violence, such as in applying for affirmative immigration remedies or parole. All student work on cases and community based projects will be completed under the supervision of a clinical professor. Registration: Subject to Client Contact Clinic Lottery. Effective Fall 2020, a student who is enrolled in or has been enrolled in a clinical course may not enroll in LAWS 771. A student may not enroll in LAWS 771, an externship course, or a capstone course in the same semester. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Students will be graded on their performance on casework and community based projects, as well as their participation in class discussions and exercises. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 671 and LAWS 554.

**LAWS 754 - Advanced Trial Advocacy (2 Credits)**

This course will build on the skills learned in basic trial advocacy courses. Focus will be on more complex advocacy problems. Areas covered will include direct and cross examination, qualifying and examining expert witnesses, problems in jury selection, trial motions, offers of proof, and other means of preventing or preserving trial error. Other topics will include use of demonstrative evidence, including foundations for sophisticated exhibits, and the taking and use of depositions and other discovery at trial. Graduation Requirement: Course satisfies the professional skills course graduation requirement. For first year students entering Fall 2016, this course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Performance on simulations and class participation. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 679 or 677 and LAWS 671.

**LAWS 756 - Regulation of Vice (2,3 Credits)**

This seminar is an advanced course in criminal law that takes an in-depth look at the legal regulation, particularly the criminalization, of vice. The purpose of the course is to provide students with an understanding of and the ability to apply criminal law theory through a survey of six categories of vice: gambling, alcohol, illicit drugs (both marijuana and other drugs), nontraditional sex, prostitution, and pornography. For each category of behavior, students will review historical regulation, discuss contemporary legal regimes, and consider the justifications for continued criminalization and the expected benefits and costs of alternative methods of regulation. Through readings, guest speakers, and moderated in-class discussions, students will engage with both descriptive and normative questions about the regulation of vice. The course will meet once per week for two hours. Students may choose to take the course for 2 or 3 credit hours. Students who enroll in the 2 credit hour course are responsible for an in-class presentation and three one-page response papers during the semester and a ten-page research paper at the end of the semester. Students who enroll in the 3 credit hour course are responsible for an in-class presentation and three one-page response papers during the semester and a thirty-page research paper at the end of the semester. The three credit hour version of the course will satisfy the upper level writing assignment. Graduation Requirement: This course satisfies the perspective graduation requirement. If taken for 3 credit hours, this course satisfies the graduation writing requirement. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: 70% written work, 15% in-class presentation, 15% participation. Form of Grade: Letter grade.

**LAWS 757 - Criminal Practice Clinic (6 Credits)**

The clinic will afford participating students an opportunity to gain first-hand, closely supervised training and experience in the representation of real clients and the practice of the arts/skills of litigation planning, client counseling, fact development, negotiation and courtroom advocacy. The vehicle for such training and experience is the planning, preparation and presentation of the legal defense in actual cases involving allegations of criminal conduct. All casework will be done under the supervision of a clinical professor. In addition to the cases there will be assigned readings, lectures, discussions, and demonstrations. Criminal Practice Clinic places emphasis on jury trial practice before the Municipal Court for the City of Columbia. Registration: Subject to Client Contact Clinic Lottery. Effective Fall 2020, a student who is enrolled in or has been enrolled in a clinical course may not enroll in LAWS 771. A student may not enroll in LAWS 771, an externship course, or a capstone course in the same semester. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Performance on casework and participation in class discussions and exercises. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 547, LAWS 671, and LAWS 554 or LAWS 555.

**LAWS 758 - Eighth Amendment Law & Litigation (3 Credits)**

This course will explore the legal, social, and historical context of the death penalty and other forms of extreme punishment in the United States, with a special focus on the death penalty and life without parole in South Carolina. Pleadings, clemency petitions, and other primary litigation and advocacy documents will supplement case and secondary source readings to give students an understanding of current practice in capital case litigation. Challenges to the death penalty and other extreme punishments will be examined through review of the doctrine, jurisprudence, and social factors that shape this practice area. This course will also review the regulation of post-conviction remedies through state and federal habeas corpus and the availability of non-litigation remedies such as clemency. Students will also consider how race, poverty, and politics play a role in the administration of capital punishment and death in prison sentences. Finally, the course will place the U.S. death penalty and life sentencing practices in international context by reviewing recent developments in international human rights law and foreign death penalty litigation. Basis of Grade: Exam, presentation, discussion questions. Form of Grade: Letter.

**LAWS 759 - Family Law (3 Credits)**

Analysis of legal requirements and limitations on creation, maintenance and dissolution of family relationships. Basis of Grade: Final examination; the instructor may adjust grades 1/2 letter to reflect class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 760 - Transportation Law (2 Credits)**

Transportation plays a huge role in life and in law. This course generally focuses on a single case study to holistically analyze specific mobility-related legal issues; past topics have included sudden unintended acceleration in motor vehicles, unmanned aerial vehicles, and Robert Moses. In addition to this principal case study, each student typically selects, researches, and ultimately teaches a separate transportation law topic. Through these two parts, students engage with a range of legal and technical source materials to understand how lawyers (as well as legislators, regulators, executives, journalists, advocates, and engineers) confront interdisciplinary issues that affect human lives, challenge technical confidence, and implicate institutional credibility. The course materials introduce students to transportation law, and the broader lessons that emerge from the classroom discussions are intended to serve any attorney who must navigate complexity and confusion. Graduation Requirement: This course satisfies the perspective graduation course requirement. Basis of Grade: Final exam, class participation, class preparation. Form of Grade: Letter grade.

**LAWS 761 - Health Care Finance (3 Credits)**

Health care spending accounts for a significant portion of our economy – nearly 20 percent of the nation's GDP – and that spending is shaped by a unique web of laws and regulations. This class will examine those laws and regulations, studying the legal regimes that govern health care financing in the United States. Particular emphasis will be placed upon Federal statutes that shape and regulate health insurance, including a study of Medicare (in both its "traditional" form and its more recent variations), Medicaid, CHIP, the Affordable Care Act, any pending or new legislation to supplement or supplant the Affordable Care Act, and additional statutes that govern areas such as employer-based insurance and emergency care. The goals of the class will be to: (1) understand how statutory text and other legal rules rely upon (and attempt to enact) different models of health care financing; (2) understand the theories behind these different financing models; and (3) learn about the legal, economic, and policy-oriented debates that surround these models. Time permitting, additional topics may include fraud and abuse laws, antitrust, laws governing tax-exempt organizations, and medical practice relationships. Basis of Grade: Class participation, final exam. As part of the class participation grade, students will be expected to provide a brief introduction to one class's readings about the debates in health care financing, and to initiate class discussion on that topic. Form of Grade: Letter.

**LAWS 762 - Police Law and Policy (3 Credits)**

This course explores the roles that police play in our society, the ways in which police agencies and officers are regulated, and how those regulations translate into police policy and officer behavior. While the Fourth, Fifth, and Sixth Amendment govern police investigations—searches, seizures, arrests, and interrogations—much of what the police do does not implicate constitutional concerns. Instead, those actions—including the selection and training of new officers, the management of a police agency, the administrative investigation of misconduct, the imposition of disciplinary measures, and many others—are regulated by a complicated skein of doctrines, statutes, and administrative policies. And those regulations, along with public expectations and perceptions, can meaningfully affect officer behavior, changing the way that a police agency relates to the public and the way that individual officers interact with civilians. This course will examine the historic and contemporary intersection of regulation and behavior, investigating how laws, administrative directives, and other factors can both contribute to and resolve problematic aspects of policing. Registration: LAWS 547 is recommended. Basis of Grade: Written assignment, observation exercise(s), and participation. Form of Grade: Letter.

**LAWS 763 - Conflict of Laws (3 Credits)**

The law relating to transactions or relationships with elements in more than one state: judicial and legislative jurisdiction; federal law and state law; choice of law; recognition and enforcement of foreign judgments; interstate divorce, support, and custody. A review of selected aspects of civil procedure, torts, contracts, property, and family law. Basis of Grade: Final examination; class participation will also be considered. Form of Grade: Letter Grade.

**LAWS 763A - Conflict of Laws Online (3 Credits)**

This course will examine the legal problems that arise when litigation involves people and events that span multiple state or national boundaries, with a focus on the challenge of determining the applicable law. The focus is on US court approaches that are applied in interstate and international cases, constitutional limitations on those approaches, and party efforts to contract for their own resolution to questions of jurisdiction and choice of law. Registration: Students enrolled in this course cannot enroll in LAWS 763. Basis of Grade: Assignments; Discussions; Final Exam. Form of Grade: Letter.

**LAWS 765 - International Litigation (3 Credits)**

This course combines substantive instruction with a significant skills component in the form of drafting and oral advocacy. It will focus on litigation in US courts involving international parties. Topics include Jurisdiction, Choice of Forum, Choice of Law, and International Judicial Assistance (including the Recognition and Enforcement of Foreign Judgments). Registration: LAWS 784, LAWS 763, and LAWS 659 are recommended. Graduation Requirement: Satisfies Perspective Course requirement and skills course graduation requirement. Basis of Grade: Projects and written and oral skills exercises. Form of Grade: Letter Grade.

**LAWS 766 - Education Law and Policy (3 Credits)**

This course will consider constitutional, statutory, and policy issues affecting public education at the elementary and secondary levels. Topics include: the history of public schools, public school governance, public school finance and "adequacy" litigation, equal educational opportunity, school disciplinary issues, First Amendment concerns, Due Process concerns, special education, and school choice. Basis of Grade: Final examination and/or a series of writing assignments; class participation. . Form of Grade: Letter.

**LAWS 767 - Media Law (3 Credits)**

The course will focus on freedom and control of mass media in the context of the constitution, statutes, regulations and common law. The goal of the course will be to develop an analytical framework to assist in the resolution of conflicts arising from news gathering and publication in traditional and emerging media. Specific areas of discussion will include prior restraint, access to public records and places, defamation, invasion of privacy, copyright and privileges against compelled testimony and production from reporters. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 768B - Law, Society and Justice (2 Credits)**

Course will use a series of problems in the fictional state of Petigru to provide a concrete context for considering the nature and purpose of: law, legal systems, and the state in a modern pluralistic society. Topics will range from "simple" neighborhood disputes to broader issues like distributive justice, affirmative action, capital punishment, and liberty. Registration: Students who took Jurisprudence with Professor Hubbard may not enroll in this course. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Take-home exam and class participation. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 769 - Legislative Process (2 Credits)**

This course will examine the law making process at the state and federal levels from the source of an idea for a legislative proposal through its ultimate publication as a statute. Among the issues addressed will be constitutional parameters limiting legislative power, legislative structure and procedures, legislative advocacy, and regulation of lobbyists. Practical exposure to the legislative process will be gained through guest lecturers. Basis of Grade: Final examination and weekly quizzes. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 770 - Poverty Law and Policy (2 Credits)**

The course will examine how law has defined poverty and will assess the adequacy of that definition when measured against the experience of low income people. Throughout the course, we will pay special attention to how living in poverty affects children's well-being and development and how those effects should be redressed. In addition to considering the treatment of poverty as a constitutional category, we will survey the legal landscape of specific policy sectors: income support, housing, health care, education, and criminal justice. We will also scrutinize governmental and business practices that victimize and exploit low income people and investigate how such practices can be subjected to legal challenge and legislative or regulatory correction. The course will interrogate how political and ideological forces have shaped the law's understanding of poverty and will conclude by exploring anti-poverty activism, particularly the efforts of the poor themselves, and the law reform initiatives associated with such campaigns. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Portfolio of response papers. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 771 - Interviewing, Counseling and Negotiation (3 Credits)**

This course provides an introduction to interviewing, negotiation, and counseling in a variety of legal contexts. Emphasis is placed on helping students improve those skills which are essential to accomplish these tasks competently, particularly problem-solving skills. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Simulations; out of class assignments; final examination Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 772 - Juvenile Justice Clinic (6 Credits)**

The clinic will afford participating students an opportunity to gain first-hand, closely supervised training and experience in the representation of real clients and the practice of the arts/skills of litigation planning, client counseling, fact development, negotiating, and courtroom advocacy. The vehicle for such training and experience is the planning, preparation and presentation of the legal defense of juveniles in cases involving allegations of delinquent (i.e. criminal) conduct, including pre-trial issues, guilt or innocence, and disposition (i.e. sentencing) advocacy. All casework will be done under the supervision of a clinical professor. Registration: Subject to Client Contact Clinic Lottery. This course satisfies the Children's Law Concentration requirement. Students must be available to meet with clients Monday through Friday. Court hearings are most likely scheduled for Tuesdays and Wednesdays. Effective Fall 2020, a student who is enrolled in or has been enrolled in a clinical course may not enroll in LAWS 771. A student may not enroll in LAWS 771, an externship course, or a capstone course in the same semester. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Performance on casework and participation in class discussions. Form of Grade: Letter

**Prerequisites:** LAWS 671 and LAWS 554 or LAWS 555.

**LAWS 773 - Environmental Justice Seminar (2,3 Credits)**

This course explores the foundations, tenets and practices of the environmental justice movement, with its focus on centering and addressing the needs of people and communities that bear disproportionate environmental burdens. Although we will explore case law as appropriate, much of the course focuses on the ways that this social movement has necessarily deviated from a judicial-centered notion of justice. The course will include examinations of the history and theory of environmental justice in the United States, its application to a range of case studies, and its intersections with other emerging fields of justice studies—including climate change justice, energy justice, and food justice. We will pay particular attention to the ways that race, ethnicity, and class have shaped the challenges, tools, and politics of environmental justice. Graduation Requirement: This course satisfies the perspective course requirement. If taken for 3 credit hours, the student must earn a grade of C or better to satisfy the graduation writing requirement. Basis of Grade: Grades will be based on class participation, a short in-class presentation, and regular participation in a course discussion board/blog (along with a substantial research project for students taking the class for three credits). Form of Grade: Letter.

**LAWS 774 - Mergers and Acquisitions (3 Credits)**

This is an advanced course intended for students with a particular interest in business law on the national level. It will address applicable federal and state law (principally that of Delaware) relating to business combinations, both friendly and contested. Included will be coverage of asset acquisitions, mergers, leveraged buyouts, takeover defenses, directors' duties, and tax and accounting rules peculiar to merger and acquisition activity, among other matters. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 609.

**LAWS 775 - Law and Literature (2 Credits)**

This course explores the intersection of law and literature, with particular emphasis on the conceptual and cultural transmission of moral and legal concepts through literary and legal texts. Exploring works of moral and political theory, literary works, and legal cases, this course will examine themes such as the rule of law, justice, obedience, authority, power, duty, guilt, punishment and redemption. Readings will include works by Arendt, Kafka, Kleist, Melville, Camus, Plato, Faulkner, and others. Prerequisite: None.

**Prerequisites:** None Note: This course qualifies as a perspective course. It does not satisfy the graduation writing requirement. Basis of Grade: Final examination or paper. Form of Grade: Letter Grade. None.

**LAWS 776 - International Business Structures (2 Credits)**

A consideration of legal structures used by US businesses to undertake business outside the US and by foreign entities doing business in the US. The course uses case studies to examine tax and other legal reasons for choosing particular corporate and other business structures. Students will consider the strengths and weaknesses of various structures that are used in international business activities involving the trade of goods, technology and services (both outbound from the US and inbound to the US). Basis of Grade: Participation, Papers. Form of Grade: Letter.

**Prerequisites:** LAWS 633, 609.

**LAWS 777 - Sports Law (2 Credits)**

Through the use of problems, the Sports Law examines the issues of amateur and professional sports. Particular attention will be given to negotiation and arbitration as they relate to contract formation and as to dispute settlement techniques. Basis of Grade: Exam. Form of Grade: Letter.

**LAWS 778 - Entertainment Law (2 Credits)**

The course will examine the business and legal principles among several entertainment areas including music, film, television, and literary publishing. Although fundamental copyright issues will be touched on, the course will emphasize the practical aspects of legal representation of individuals, entities, and ideas in the entertainment business. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**LAWS 780 - Comparative Law (3 Credits)**

This course is an introduction to comparative legal study, and will cover the common law and civil law traditions, as well as Islamic law, Asian legal traditions, informal law, and mixed legal systems. The course also covers various methodological and theoretical approaches to comparative law, and the history and culture influencing the evolution of various legal systems. The course will go into some detail on the procedural and substantive aspects of different areas of law in various legal traditions, including constitutional law, criminal law, contract law, and family law. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Final exam or paper. Form of Grade: Letter.

**LAWS 781 - Gender-Based Violence Seminar (2,3 Credits)**

This course will explore U.S. and international legal responses to gender-based violence. Through classroom discussion, assigned readings and multi-media materials, and in-depth exploration of student-selected paper topics, the course will examine social constructions of gender and their relationship to violence, as well as the historical and contemporary treatment of multiple forms of gender-based violence under the law, such as trafficking, forced marriage, intimate partner violence, rape, sexual harassment, sexual violence within armed conflict, and ritualized practices. Graduation Requirement: This course satisfies the perspective course graduation requirement, and it satisfies the writing course graduation requirement, if taken for 3 credit hours, must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Students will write one 15-20 page paper if they enroll for 2 credits or 30-50 page paper if they enroll for 3 credits. All students will submit one substantial draft and give a brief presentation of the paper during in-class workshops. Students will be graded on their first drafts, workshop preparation and performance, final papers, participation in class discussions and workshops, and completion of written responses to discussion questions. Form of Grade: Letter.

**LAWS 782 - Race and the Law (2,3 Credits)**

This course offers an overview of how race has been treated in American law, emphasizing both a historical perspective and current legal issues. This course examines the historical treatment of African-Americans, Native Americans, Asian Americans, and Hispanics. The historical discussion includes an examination of slavery and the post-Civil War amendments. The course surveys many current legal issues impacted by race, including the desegregation of schools, affirmative action, racial justice in criminal law, voting rights, and employment discrimination. Graduation Requirement: This course satisfies the perspective course graduation requirement. It may be taken for 3 credit hours to satisfy the graduation writing requirement. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Student's choice of research paper or series of reading response papers, and class participation. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 783 - Law and Urban/Rural Divide (2 Credits)**

This seminar takes an in-depth look at the segment of the country known as "Rural America" through a law and policy lens. The purpose of the course is to provide students with an understanding of how law, policy, and place interact both in a theoretical sense and in ways that affect legal practitioners. Students will critically analyze the differences between "urban" and "rural" places, with a focus on local government, criminal, and land use law, access to justice, and socioeconomic issues such as class, race, and livelihoods. Students will also develop a deeper understanding of the historical laws and policies that shaped modern rural America, as well as current rural policy challenges, such as the opioid crisis. The last segment of the course will involve examination of case studies that illustrate the issues covered in the course, potentially to include disputes between ranchers and federal agencies in the West and the criminal trials of members of the Bundy family. Graduation Requirement: This course satisfies the perspective course graduation requirement. Form of Grade: Letter. Basis of Grade: Class Participation, Paper(s).

**Prerequisites:** None.

**LAWS 784 - Transnational Law (3 Credits)**

A survey course focusing on the actors, sources, and principles of international or transnational law. The transnational law course introduces students to the basic contours of public international law, private international law, domestic (U.S.) law on international issues, supranational law, and comparative law, with a particular focus on the former three categories. The course will provide foundations for further in-depth study in any of these areas and will also provide ample background in these concepts for students who may only take one international law course during their law school careers. Graduation Requirement: The course satisfies the perspective course graduation requirement. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 786 - Seminar on Restorative and Transformative Justice (3 Credits)**

In this course, students will learn about the concepts of restorative justice and transformative justice, how they developed from various systems of justice around the world, how they have been implemented in the United States, and how and when restorative justice can become transformative justice. Students will be expected to think critically about what existing state-centered justice systems achieve (versus what they purport to achieve), how restorative and transformative justice compare with such systems, and to what extent any of these systems further justice. Particular attention will be paid to various forms of implementation, and students will be asked to consider how and when restorative justice should be implemented. At the end of the course, students will have an understanding about what the terms restorative justice and transformative justice mean, why such forms of justice are being promoted as an alternative to the existing criminal justice system, and how to develop restorative and transformative justice processes. Graduation Requirement: Course satisfies the perspective course graduation requirement. Basis of Grade: In-class participation and assignments, final project. Form of Grade: Letter.

**LAWS 790 - English Legal History (2 Credits)**

The history of the development of English legal institutions, such as the courts and the jury system, and the evolution of the common law, up to the time of the American Revolution. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Exam. Form of Grade: Letter.

**LAWS 791 - Judicial Externship (4 Credits)**

Students will work approximately 210-245 hours (30-35 hours per week) with either a state or federal judge. They will be exposed to the work of the federal or state judiciary by working with the judge and the law clerk. Typically, the student will have the opportunity to observe court proceedings and conferences in chambers with the guidance of the supervising judge. The student may also assist the judge and the law clerk in research and drafting documents such as bench memoranda, jury instructions, and opinions. In addition to their work at the court, students will meet periodically with a faculty member to reflect upon their fieldwork experiences. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Students must submit a contemporaneously maintained daily journal of their experience, along with either an example of a written product prepared during the externship or a short paper reflecting on a professional aspect of the experience. The fieldwork supervisor will also complete an evaluation of the student's performance. Evaluation submitted by the fieldwork supervisor, the quality of the student's written submissions, participation in the class sessions, and a determination by the faculty member that all requirements of the externship have been satisfactorily completed. Form of Grade: - Letter.

**Prerequisite or Corequisite:** LAWS 554 or LAWS 555.

**LAWS 791A - Judicial Externship (2 Credits)**

Students will work approximately 8-15 hours per week with either a state or federal judge. They will be exposed to the work of the federal or state judiciary by working with the judge and the law clerk. Typically, the student will have the opportunity to observe court proceedings and conferences in chambers with the guidance of the supervising judge. The student may also assist the judge and the law clerk in research and drafting documents such as bench memoranda, jury instructions, and opinions. In addition to their work at the court, students will meet periodically with a faculty member to reflect upon their fieldwork experiences. Graduation Requirement: This course satisfies experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Students must submit a contemporaneously maintained daily journal of their experience, along with either an example of a written product prepared during the externship or a short paper reflecting on a professional aspect of the experience. The fieldwork supervisor will also complete an evaluation of the student's performance. Evaluation submitted by the fieldwork supervisor, the quality of the student's written submissions, participation in the class sessions, and a determination by the faculty member that all requirements of the externship have been satisfactorily completed. Form of Grade: Letter.

**Prerequisites:** LAWS 554 or LAWS 555.

**LAWS 792 - American Legal History (3 Credits)**

This course is a survey of American law, tracing the developments between the colonial period and the present day. The thematic element is that of change – asking how societal changes have affected the law, and conversely, how the law has changed society. The discussions will also consider the times when the law did not play role in substantial change. As with any survey course, the class proceeds rapidly, allowing coverage of roughly four centuries in a single semester. There will, however, be stopping points, especially when the relationship between law and society seems especially contentious. The course will include both public and private law, offering multiple opportunities for inquiry about change. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Final examination, plus contributions to class discussion. Form of Grade: Letter.

**LAWS 793 - Public Ethics Law (2 Credits)****LAWS 794 - Intersection of Health Law and Technology (2 Credits)**

Innovations in technology are continually reshaping the field of medicine - and the law, in turn, plays a significant role in shaping and enabling those innovations. Sometimes the role of the law is to fund or otherwise incentivize these technologies; other times, it is to regulate or even prohibit them. In each instance, the law plays an important role in shaping the future of medicine. This course will examine the many ways that the law intervenes in the development and implementation of medical technologies, with a particular focus on federal law. It will include an examination of how federal law regulates and interacts with medical technologies such as: health information technology, telemedicine, and the development of new drugs. Looking at these and other issues, we will examine the conflicting social goals and values that often emerge when a new medical technology becomes possible - and we will examine the ways, both successful and unsuccessful, that the law has attempted to manage these tensions. Basis of Grade: Class participation, final paper. As part of the class participation grade, students will be expected to briefly introduce and initiate class discussion on one topic during the semester. Form of Grade: Letter.

**LAWS 795 - Election Law (2 Credits)**

This course provides a broad introduction to the substantive law governing campaigns and elections. It focuses specifically on the election process beginning with the nomination of candidates, the campaign for office, voting, and election protests and challenges. The course will also highlight legal issues in redistricting after a census. The course also covers the intersection of election law with campaign regulation and First Amendment free speech rights. Students will gain practical insights into the handling of disputes arising out of the election process. Basis of Grade: Final Exam and Class Participation Form of Grade: Letter

**LAWS 796 - Statutory Interpretation (1 Credit)**

This course will examine the theories and techniques by which courts determine the meaning and application of statutes. Techniques explored will include the "plain meaning rule", textual and other indicators of legislative intent, the significance of legislative history, the canons of statutory construction, and deference to administrative interpretation. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 797 - Juvenile Justice (2,3 Credits)**

The course will examine a range of juvenile justice policy issues. Topics will include: quality of and access to counsel for youth in delinquency cases, systemic racial and ethnic disparities, over incarceration of youth, the role of schools as feeders to the juvenile justice system, and transfer of youth to the adult criminal justice system. The course will also examine social science related to adolescent development. Graduation Requirement: This course satisfies the perspective course graduation requirement. This course also will satisfy the writing course graduation requirement, if taken for 3 credit hours, must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Paper. Form of Grade: Letter.

**LAWS 798 - Death Penalty Seminar (3 Credits)**

A survey of the history, law, and policy underlying the capital punishment system in the US. Topics will include the eligibility of offenders and offenses for the possibility of death, procedural issues in death sentencing, and methods of execution. Graduation Requirement: This course satisfies the graduation writing requirement. Must earn a grade of C or better. Basis of Grade: Paper. Form of Grade: Letter Grade.

**Prerequisites:** None.



**LAWS 799A - Tort Theory Seminar (2 Credits)**

The seminar addresses the relationship between tort theory and doctrine. Though one focus of the seminar is on the role in tort law doctrine of control of people or property, students will be given latitude in selecting a paper topic in terms of tort law doctrine to be addressed and theoretical framework to be used. Students may focus on the South Carolina law on the chosen topic or address the "national" law on the topic. Where appropriate, proposals for changing doctrines should be included. Registration: Class will not meet regularly during the middle of the semester while students are writing their papers. During the final part of the semester, students will present their papers to the class. Graduation Requirement: Satisfies the perspective course graduation requirement. Basis of Grade: Paper, presentation, and class participation. Form of Grade: Letter.

**LAWS 800 - Comparative Legal Institutions (1.5 Credits)**

This course is designed to demonstrate to our students the origins of our own justice system and the manner in which the English tri-partite governmental polity, which so strongly resembles our own, is significantly different in professional training, law formation, and the interaction among the executive, legislative, and judicial sectors. Registration: Students are also required to enroll in the other London program course. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Participation and exam. Form of Grade: Letter grade.

**LAWS 801 - Comparative Environmental Law (2.5 Credits)**

This course will examine European environmental law, comparing and contrasting the character and development of legal and policy responses to the problems created by industrial society in Europe with those created to address similar problems in the US. Specific topics may include regulation of greenhouse gas emissions, oil and gas extraction, and production and disposal of toxic materials. The course will also examine the influence of structural features of European law, such as the precautionary principle and multi-layer federalism. Registration: Students must also enroll in the other London program course. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Participation and exam. Form of Grade: Letter.

**LAWS 802 - Taxation of Property Transactions (3 Credits)**

Taxation of Property Transactions is the second step in a course progression from Income Tax to upper level tax courses such as Corporate Tax and Partnership Tax. The course will build upon the foundation established in Income Tax, delving into more complex tax provisions and concepts that govern a wide variety of property transactions, including topics such as: treatment of capital assets, anti-abuse doctrines, installment sale rules, like-kind exchanges, deferred payment sales, cost recovery mechanisms, loss limitations, and sale/lease back arrangements. The course will appeal to students interested in real estate practice, as well as those interested in continuing tax studies. In addition to broadening students' knowledge of tax law doctrine, the course will also enable them to continue to develop their statutory interpretation and advocacy skills. Basis of grade: Class participation (10%), a midterm question (10%), and a final exam (80%). Form of grade: Letter grade

**Prerequisites:** LAWS 633.

**LAWS 803 - Women and the Law (3 Credits)**

This course will address how the legal system has constructed and applied notions of gender and gender equality. It will introduce students to significant contemporary legal scholarship on the status of women in modern America, and will explore how gender affects legal relationships including some consideration of employment. The materials will include sexual harassment, domestic violence, and domestic relations disputes. Graduation Requirement: This course satisfies perspective course graduation requirement. Students who have taken LAWS 624 may register for this course. Basis of Grade: Written exercises. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 804 - Environmental Advocacy Seminar (3 Credits)**

This course explores and develops practical advocacy skills in the area of environmental representation. Topics include: case planning; administrative, legislative, and litigation practice; policy development; settlement/negotiation; remedies; ethical considerations and effective communication between lawyers and environmental scientists, engineers, and other professionals. In order to facilitate meaningful learning regarding all aspects of advocacy, the course relies heavily on simulations, guest lecturers from lawyers and non-lawyers, and collaborative work. This course is required for students participating in the Environmental Law Clinic, but is open to non-clinical law students as well as graduate students from other schools in the university-wide School of the Environment. Registration: LAWS 731 is recommended. Graduation Requirement: This course satisfies the perspective course graduation requirement and the writing course graduation requirement. This course satisfies the skills course graduation requirement. Basis of Grade: Paper, performance on simulations and class participation Form of Grade: Letter Grade.

**LAWS 805 - Environmental Law Clinic (6 Credits)**

The Environmental Law Clinic is one of two transactional clinical offerings at the School of Law. Students in this clinic will learn transferable legal skills advising organizational entities on complex environmental and land use matters. Students will interview and counsel their clients, take a leadership role to strategize on addressing client needs, conduct factual investigations and legal research, and draft legal documents. Substantive matters in the past have involved green space, forest, and agricultural conservation, regional water planning, carbon cap-and-trade programs, local government law, and federal environmental law. Matters have also involved contract-drafting, ordinance review, and other forms of legal analysis. Clients are either non-profit organizations or public entities working on environmental matters in the public interest. Registration: LAWS 731 and LAWS 709 recommended. Subject to Client Contact Clinic Lottery. Effective Fall 2020, a student who is enrolled in or has been enrolled in a clinical course may not enroll in LAWS 771. A student may not enroll in LAWS 771, an externship course, or a capstone course in the same semester. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Student grades will be based upon quality of interactions with and services provided to clients, including communication, interviews, work products, counseling, and other tasks (60%); class participation, including active and prepared contributions to seminar and case rounds and the timely completion of assignments (20%); and professionalism and adherence to clinic procedures/professional practice rules, including the ability to work with teammates and supervisors, as well as responsiveness to feedback (20%). Form of Grade: Letter Grade.

**Prerequisite or Corequisite:** LAWS 554 or LAWS 555.

**LAWS 806 - Cybersecurity Law and Policy (2 Credits)**

Students in this course will study the applicability of both criminal sanctions and civil remedies against cybersecurity attacks by non-governmental individuals or entities and the availability of other measures that impose costs upon foreign state actors who engage in cybersecurity attacks. The course also will cover legal responsibilities and potential liabilities that encourage potential victims of attacks to better secure their systems against attack. Government regulations, disclosure requirements after an attack, potential civil liability of system operators, and cybersecurity insurance are addressed in detail. The course will look at ways in which governmental entities are able to protect against or mitigate harm from a cyber attack. Other topics that may be covered include the drafting of a legally adequate response plan and consideration of issues related to lawful hacking, as well as government use of hacking for intelligence gathering and espionage. Prior technical understanding is not required to succeed in this course. At the start of the course, students will be introduced to the anatomy of a typical cybersecurity attack and to the terminology most frequently used in cybersecurity discussions. Basis of Grade: Research Paper (20 pages) or Equivalent Drafting Project. Form of Grade: Letter.

**LAWS 807 - Business Torts (2 Credits)**

A review of various business torts with an emphasis on liability arising from the theft of prosecution and defense of business torts, and will involve a number of practical case studies which will require students to determine how to counsel clients, advocate positions, develop policies and procedures and refine litigation strategies. Basis of Grade: Final Exam. Form of Grade: Letter.

**LAWS 808 - Writing in Law Practice (3 Credits)**

This course will simulate a law firm setting in which enrolled students will work as junior associates in the law firm representing the plaintiff or the law firm representing the defendant. Students will handle a case from the time the client seeks legal advice from the firm until the case is ready for trial. This course will expose students to the drafting skills private practice lawyers need to handle a case in the course of civil litigation. Specifically, students will (1) build on writing and research skills learned in the first year; (2) express legal analysis clearly in both written and oral communications; (3) critically examine information in its original form and discern information relevant to the litigation; (4) make strategic decisions about litigation based on the client's expressed goals, the facts of the case, and the law; (5) cooperate with other small group members to produce a final, written document and to orally advise the supervising attorney on the status of the pending litigation; and (6) practice the interpersonal skills needed to work cooperatively and collegially with attorney colleagues, opposing counsel, and support staff. Graduation Requirement: Students taking this course may elect to satisfy either the graduation writing requirement or the skills course graduation requirement, but not both. Basis of Grade: Written assignments. Form of Grade: Letter.

**LAWS 809 - CAPSTONE COURSE: Civil Litigation (5 Credits)**

Students will be divided into two "law firms" and serve as "associates" in the law firms. The assignments will focus on the pretrial aspect of a civil litigation. Students will have an initial client meeting, write a research memo to the client, draft pleadings, draft and argue motions, prepare discovery requests and answers, take depositions, and hire and prepare witnesses for a deposition. In the course of these exercises students will confront problems dealing with choosing the proper parties, identifying the proper jurisdiction for the litigation, settling discovery disputes, and calculating damages. Registration: Limited to 3Ls. Students are limited to enrolling into one Capstone course. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Written and oral assignments. Form of Grade: Letter.

**Prerequisites:** LAWS 554 or LAWS 555, LAWS 671.

**LAWS 810 - Comparative UK/US Negligence Law (2 Credits)**

TBD

**LAWS 811 - ADR in Employment Law Workshop (3 Credits)**

This course explores the use of alternative dispute resolution to resolve employment disputes. The course will examine the use of methods other than litigation to enforce employment contracts and statutory rights related to employment. The course will focus on the intricacies of arbitration and mediation in the employment setting. The course includes several practical exercises involving the use of alternative dispute resolution techniques. Completion of this course with a grade of C or higher will satisfy the graduation writing requirement. Registration: Prior exposure to courses or practice in the employment law area would be beneficial. Graduation Requirement: This course satisfies the the writing course graduation requirement, or the experiential course graduation requirement, but not both. Must earn a grade of C or better. Basis of Grade: Written assignments and class participation. Form of Grade: Letter Grade.

**LAWS 812 - International Human Rights Seminar (2 Credits)**

This seminar will explore themes in international human rights law, such as the rights and duties of states, minority rights, and the use of international bodies to air and resolve grievances. The course will include both a theoretical and practical component and will be primarily discussion based. Graduation Requirement: This course satisfies the perspective course graduation requirement. It does not satisfy the graduation writing requirement. Basis of Grade: Paper. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 814 - Structuring Secured Transactions (3 Credits)**

This course covers the same material as LAWS 615: the creation, perfection, priority, and enforcement of security interests under Article 9 of the Uniform Commercial Code. This course, however, analyzes Article 9 from a more transactional perspective than LAWS 615. The primary focus of the course is on structuring transactions to resolve potentially controversial issues through prior agreements rather than subsequent litigation. Students, working both individually and in groups, will draft written responses to problems and present those responses in class. In addition, students will be assigned exercises including drafting financing statements and the provisions of security agreements, intercreditor agreements, and third party opinion letters. Registration: Students who have taken LAWS 615 or are registering for LAWS 615 in the spring 2014 semester, cannot register for this course. Basis of Grade: Problems and Drafting Exercises. Form of Grade: Letter.

**LAWS 815 - Rule of Law Seminar (3 Credits)**

This course will review key components of rule of law programs undertaken by the United States and the international community in post-conflict, transitional, and developing states. The course will consider the theories, goals, and effectiveness of rule of law programming. Class discussion will involve critical analysis of the strategies and methodologies relating to some of the key components of rule of law programming, such as: constitutional development, judicial reform, accountability for atrocities, alleviation of corruption, use of local customary law, and resolution of land and property disputes. Readings will include scholarly analyses and case studies of rule of law programs in various countries. Graduation Requirement: This course satisfies the perspective course graduation requirement and the writing course graduation requirement. Must earn a grade of C or better. Basis of Grade: Class participation and student's choice of research paper or series of response papers. Form of Grade: Letter .

**LAWS 816 - Introduction to Environmental Law and Policy (1 Credit)**

Intensive one-credit course on certain basics of environmental law and policy. The course will cover: relevant history of environmental law and policy; fundamental statutory, regulatory and case law as well as other authorities in the environmental field; an overview of the relevant federal agencies; and a case study. We will use a combination of interrelated classroom work, discussion, presentations, video and web access, reading, and a simulation to explore environmental law and policy. This course is neither a substitute nor a prerequisite for the more in-depth Federal Environmental Law course. This course is required for Dual Degree students pursuing a Masters of Studies in Environmental Law through Vermont Law School, and is also open to all USC law students and other graduate students in the University. Registration: Required for students in the JD/MELP program. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 817 - International Criminal Law (3 Credits)**

This course focuses on individual criminal responsibility for aggression (crimes against peace), offenses against the law of war (humanitarian law), and grave human rights abuses (genocide and crimes against humanity) in the modern era. The course explores the development of extra-territorial and international jurisdiction over criminal suspects of non-consenting states in the post World War II era. We will examine the work of the Nuremberg Tribunal and the International Military Tribunal for the Far East, ad hoc United Nations tribunals including the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, the International Criminal Court, and prosecutions in the national systems of various states including the U.S. We will pay close attention to enforcement of the United Nations Charter and the Geneva Conventions. The course will also explore cutting edge contemporary issues such as resistance to I.C.C. authority, the legality of forceful humanitarian intervention absent Security Council authorization, detention and interrogation of combatants, and (time permitting) problems associated with new methods of warfare, including the use of unmanned drones and suicide bombers. The course is designed to help students develop a sophisticated appreciation of criminal theory and the structure of criminal law. Registration: LAWS 784 is helpful, but is not required, and students without a prior background in LAWS 666 have frequently earned top grades in this course. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Examination. Form of Grade: Letter.

**Prerequisites:** LAWS 524.

**LAWS 819 - Regulation of the Financial Sector and Money (3 Credits)**

The American financial sector is among the most sophisticated in the world, but has been undergoing rapid change since the early 1980s. The course has four goals and is targeted primarily at students interested in the Charlotte practice or JD/MBA students (Charlotte now being the second largest banking center in the United States). The first is to introduce you to enough regulatory and market history to understand where financial sector law comes from, because many of the older institutions designed for a different world are still out there. The second goal is to introduce you to the current regulatory structure(s) that in many ways reflect compromises cobbled together following different financial sector crises since the early 1980s, and are still subject to lively debate. The third goal is to introduce you to the on-going changes in financial sector and the more likely prospective regulatory responses, because it seems highly likely that change shall continue. The hidden fourth aspect is that much of financial sector regulation is undertaken by independent regulatory agencies (such as the Federal Reserve, FDIC or SEC), rather than directly under statute, so that the changes for the past 25+ years typically are either foreshadowed or reflected more in regulation and administrative actions, rather than in legislation. So you have to understand how the regulatory agencies work because they create and apply most of the applicable law in the form of regulation. Basis of Grade: Drafting legal and regulatory documents for use in the regulation process, in teams. Form of Grade: Letter Grade. Corerequisite: LAWS 609.

**Prerequisites:** None.

**LAWS 820 - Religious Legal Systems: Jewish Law (2 Credits)**

The course presents the basic features of the Jewish legal system and a number of points of comparison to American law. The first half of the course will provide an historical and literary conspectus to Jewish Law by examining the eternal question of the appropriate remedies for personal injuries. Specific topics covered include: the Biblical Law of Injury; Biblical Methods of Resolving Disputes (including references to the New Testament); and the Rabbinic Law of Injuries. This will be followed by several class hours devoted to the laws of marriage. The remaining class sessions will examine the process used to reach religious legal decisions from three modern perspectives, including decisions concerning Sex and Family Life. These discussions should help you see how the Jewish legal tradition is being applied in modern times by different groups within the Jewish community. The comparative study of another legal system can be an important part of learning about one's own system. A religious legal system is especially useful for comparative purposes. Its religious roots feed a set of assumptions about the nature of humanity and of the law considerably different from those of a self-consciously secular system like American law. All class materials are in English and it is assumed that students have no special background or familiarity with the materials. Students of all religious, racial, or ethnic backgrounds are encouraged to enroll in this course. The comparative focus of this course puts all students on a level plane at the beginning, with perhaps a minor advantage for those who have studied some philosophy in their undergraduate training. Graduation Requirement: This course satisfies perspective course graduation requirement. Basis of Grade: Final examination and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 823 - Religion and the Constitution (2 Credits)**

This course will: (1) review seminal Supreme Court precedents addressing the free exercise of religion and the Establishment Clause; (2) introduce students to influential scholarship addressing the Religion Clauses; and (3) analyze important contemporary controversies involving both the interpretation of the Religion Clauses and the challenge of integrating other constitutional guarantees with the protection of religious liberty and freedom of conscience. The course will also have a comparative component in which American constitutional approaches to questions such as the manifestation of religious identity, the role of religion in civic ceremonies, and the relationship between government and religious institutions as well as the relationship between civil and religious law will be juxtaposed with the legal experience of other nations. Basis of Grade: Either a final examination or three writing assignments, at the discretion of the professor. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 825 - Medical Legal Partnership Clinic (6 Credits)****LAWS 826 - Energy Law (3 Credits)**

This course provides an introduction to the law and regulation of energy resources, primarily in the United States, focused on three core areas within the field. The first part of the course will cover extraction of energy resources, primarily coal, oil, and natural gas. The second part will cover regulation of the electricity generation and distribution system, including public utility and rate regulation, transmission, and relevant environmental regulations. The final part of the course will address legal and regulatory issues specific to nuclear and renewable energy, with a particular focus on the Southeast. Throughout, the course will focus on the ability (or inability) of legal and regulatory regimes to keep pace with rapid change in the energy sector. Registration: LAWS 731 and 709 are recommended. Basis of Grade: In-class exam. Form of Grade: Letter Grade.

**LAWS 827 - Law and Rhetoric (2,3 Credits)**

Rhetoric is the study of how societies govern themselves and resolve conflict through the construction of knowledge, power, and language. Rhetoric is at once civic art, hermeneutical method, and persuasive technique. Drawing back to ancient times, rhetoric is a foundation of law, and has through history brought to forefront the lawyer's ethical and political roles within society. In this seminar, students will learn to integrate the substance and practice of legal rhetoric. From a substantive standpoint, students will learn about legal rhetoric as an instrument of knowledge and power. They will learn that words and ideas cannot be neatly or easily separated, and that all ideas come from distinct perspectives that are expressed through language – language that can be analyzed to reconstruct perspectives and even motives. In law, rhetoric exists not only in briefs and oral arguments; it pervades every piece of legislation, every judicial opinion, and even the procedures through which law does its work. This means – and students will learn – that the law is always “interested,” reinforcing particular social relations and ways of thinking at the expense of others. From a practice standpoint, students will explore how lawyers and judges use language to persuade. We will examine a variety of rhetorical methods and modes of rhetorical analysis, including the classical modes of appeal (pathos, ethos, logos), rhetorical criticism, and the use of categories, metaphor, storytelling, and informal logic. Students will prepare an interim writing assignment and will conclude the course with an original rhetorical analysis of one or more legal artifacts of their choosing. Graduation Requirement: Course qualifies as a writing seminar for the graduation writing requirement if taken for 3 credit hours and the student chooses to write the 30 page paper. Must earn a grade of C or better if taken for the writing requirement. Course satisfies the graduation perspective course requirement. Basis of Grade: Students who take the course for three credits will complete the two writing assignments below: 1) An interim writing assignment of at least 2500 words each (approximately 10 double-spaced pages in Times New Roman), using one or more assigned rhetorical approaches to analyze an assigned legal artifact. 2) A final paper of at least 5000 words (approximately 20 double-spaced pages in Times New Roman) conducting a rhetorical analysis of the student's chosen legal artifact(s). Students who take the course for two credits will complete the two writing assignments below: 1) An interim writing assignment of at least 2500 words each (approximately 10 double-spaced pages in Times New Roman), using one or more assigned rhetorical approaches to analyze an assigned legal artifact. 2) A final paper of at least 2500 words each (approximately 10 double-spaced pages in Times New Roman), using an assigned rhetorical approach that differs from the first paper's approach to analyze the student's legal artifact. Form of Grade: Letter.

**LAWS 828 - SC Administrative Law (2 Credits)**

This course provides an overview of practice and procedure before administrative agencies in South Carolina. It will introduce administrative law concepts such as notice and due process, rulemaking, the South Carolina Administrative Procedure Act, and associated case law, as well as provide a survey of state agencies, their jurisdiction, and specific agency statutes such as the Revenue Procedures Act. Practical information on practice and procedure before adjudicative administrative bodies such as the Administrative Law Court will be an integral part of the course. Registration: Students may take both this course and LAWS 709. This course does not satisfy the LAWS 709 requirement of Vermont Law School for students in the dual-degree program. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 829 - Veterans' Rights Advocacy Seminar (2 Credits)**

This seminar teaches practical advocacy necessary to represent the interests of military veterans in administrative, legislative, litigation and other matters. Students learn advocacy skills through interaction with simulated clients and decision makers. This course is a prerequisite for participating in the Veterans' Rights Clinic, but is not limited to those students. Enrollment in this course does not ensure later enrollment in the Veterans' Rights Clinic. Registration: This course does not satisfy the graduation writing requirement. Basis of Grade: Simulations, papers and class participation. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 830 - Veterans Legal Clinic (6 Credits)**

The Clinic will provide direct legal services to veterans with legal issues that are most likely to affect their ability to obtain or retain employment and contribute to homelessness among this population. The Clinic will help to resolve housing, debt and domestic issues that affect the client and others in the home, thereby stabilizing communities with low-income veteran populations. Students will have an opportunity to develop legal skills, including: interviewing and counseling clients, fact investigation, legal research, writing, and analysis, case strategy, negotiations, and courtroom advocacy. The course also will give students an opportunity to consider the broader context of their individual cases through class discussion and community-based projects, which may include know-your-rights presentations, limited advice and assistance clinics, and policy research. Registration: Subject to Client Contact Clinic Lottery. Effective Fall 2020, a student who is enrolled in or has been enrolled in a clinical course may not enroll in LAWS 771. A student may not enroll in LAWS 771, an externship course, or a capstone course in the same semester. Graduation Requirement: This course satisfies the experiential course graduation requirement, must earn a grade of C or better. Basis of Grade: Students will be graded on their performance on casework and participation in class discussions and exercises. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 671 and LAWS 555 OR LAWS 554.

**LAWS 831 - Children and the Courts (2 Credits)**

This course will address issues related to children in the courts, with particular attention to children who are in criminal or family court as witnesses (including as victims of abuse and neglect) and to children who are in family court as delinquents. Specific issues covered will include an overview of legal systems, the role of counsel in representing children, evidentiary rules, and systemic issues involving children and the courts. Graduation Requirement: This course satisfies the perspective course graduation requirement. It does not satisfy the graduation writing requirement. Basis of Grade: Final examination or paper and class participation. Form of Grade: Letter Grade.

**LAWS 832 - Current Topics in Professional Responsibility Seminar (2,3 Credits)**

This is a seminar focusing on current topics relating to lawyer ethics and the legal profession. It is intended for students who desire an intensive study of legal ethics. Students will be expected to take an active role in class discussions and will have input in the selection of topics for discussion. With the guidance of the professor, each student will be responsible for organizing and preparing one or more of the classes. Students will prepare short weekly papers on issues raised in class, as well as one longer paper. All papers will be posted on the class Internet discussion board. Graduation Requirement: Students who select the three-credit hour option may satisfy the graduation writing requirement. Must earn a grade of C or better. Basis of Grade: Paper. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 554 or 555.

**LAWS 833 - The Warren Court (3 Credits)**

This seminar will study the interrelated changes in law and in society, focusing on the decisions of the United States Supreme Court during Earl Warren's term as Chief Justice. The course will consider how the "Warren Court" changed constitutional law, and in turn, changed American society. Graduation Requirement: This course satisfies the perspective course graduation requirement. It does not satisfy the graduation writing requirement. Basis of Grade: Paper. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 834 - Caretaking, the Family and the Law (2,3 Credits)**

In this seminar, which will satisfy the perspective course requirement and the graduation writing requirement, students will explore how law, policy, and cultural norms shape conceptions of family and caretaking of those who cannot fully care for themselves and, conversely, how shifting cultural notions of family and caretaking affect law and policy. Throughout the course, students will also specifically consider how cultural and legal notions of privacy and gender affect the law and policy of family and caretaking. Students will analyze these ideas in a variety of legal contexts including how they impact the law of child welfare, public benefits and poverty law, public education, work, and disability. It is anticipated that the first half of the course will be spent on readings and class discussions analyzing these concepts. During this time student will also begin developing paper topics in close consultation with the professor. In the second half of the course, class time will be spent on presentations of student papers. Students will be required to read each others' papers and will prepare questions and critiques for the presenters. Following their paper presentations, students will have the opportunity to revise their papers and submit a final draft for grading at the end of the semester. Graduation Requirement: This course satisfies the graduation perspective course requirement. This course will satisfy the graduation writing requirement if taken for three credit hours. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Students will be graded on a draft and final paper, class participation, a class presentation, and a critique of a colleague's paper and presentation. Form of Grade: Letter .

**LAWS 835 - Federal Constitutional Convention (3 Credits)**

This seminar will focus on the debates at the Federal Constitutional Convention of 1787, concentrating on the delegates to the Convention, their arguments during the Convention, and the compromises thought necessary to secure the Constitution's approval. Graduation Requirement: This course satisfies the perspective and writing course graduation requirements. A student taking this course may not also take LAWS 669. Basis of Grade: Paper. Form of Grade: Letter.

**LAWS 836 - Consumer Bankruptcy Drafting Workshop (3 Credits)**

This course provides an introduction to consumer bankruptcy law with an emphasis on drafting exercises related to practice in the subject area. Students learn basic consumer law issues, with a brief overview of relevant Bankruptcy Code sections and procedural rules. The writing component introduces students to motion practice through simulated cases. Each student must draft one client opinion letter, one demand letter, two common motions, two complaints, a supporting memorandum of law, and at least one type of discovery request. Students receive instruction in Bankruptcy research and will be expected to perform research necessary to complete the writing assignments. Previous study in bankruptcy law is not required. Students may take both this course and Bankruptcy Law. Graduation Requirement: Students taking this course may elect to satisfy either the graduation writing requirement or the skills course graduation requirement, but not both. Basis of Grade: Drafting assignments. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 837 - Commercial Speech Seminar (3 Credits)**

In *Valentine v. Chrestensen*, 316 U.S. 52 (1942), the United States Supreme Court said, "We are ...clear that the Constitution imposes no ... restraint on government as respects purely commercial advertising." Since 1942, however, speech that is "commercial" has been afforded greater constitutional protection against government regulation. This seminar will explore whether commercial speech is different from other speech and whether the identity of the speaker matters in determining the extent to which commercial speech may be regulated. The course will trace the development of the "commercial speech doctrine" and seek to provoke inquiry into the consequences of providing full First Amendment protection for commercial speech. Graduation Requirement: This course satisfies the graduation writing requirement. Must earn a grade of C or better. Basis of Grade: Paper. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 838 - Federal Indian Law (2,3 Credits)**

This seminar explores the basic legal principles that govern the relationship between American Indian tribes, the federal government, and the state governments. Topics covered will include jurisdictional issues arising between those governments, the source and scope of Indian sovereignty, and the recognition and enforcement of Indian land and treaty rights. Graduation Requirement: This course satisfies the perspective course graduation requirement and the writing course graduation requirement if taken for three credit hours. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Research Paper (three credit hours) or exam/paper (determined by professor) (two credit hours) Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 839 - Transnational Disputes Resolution (4 Credits)**

This course is offered at Gray's Inn in London, England. The course consists of five components: (1) Introduction and U.S. - U.K. Comparative approach (2) International Litigation; (3) International Arbitration; (4) Discovery and Investigations; and (5) Private Dispute Resolution through International Organizations. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Final examination. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 841 - Law and Social Justice Seminar (2,3 Credits)**

This course explores whether and to what extent our legal system, including its law schools, perpetuates or counteracts social injustice. Many of the readings derive from modern critical legal theory, particularly critical race theory and radical feminism, and from liberal and non-liberal responses thereto. These readings primarily address the subordination of particular groups in our society and ways in which taken-for-granted legal categories – such as objective/subjective, public/private, and negative rights/positive rights – serve to entrench hierarchies of power and wealth. Other readings include foundational political theories and classic texts on topics such as civil disobedience and justified revolution. Graduation Requirement: This course satisfies the perspective course requirement. It may be taken for 3 credit hours and satisfaction of the graduation writing requirement with the prior permission of the instructor. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Paper. Form of Grade: Letter Grade.

**Prerequisites:** None.

**LAWS 843 - First Amendment (2 Credits)****LAWS 844 - Data Privacy (3 Credits)**

After exploration of the topic of privacy generally and concept of data privacy specifically, the course surveys the legal landscape of data privacy in the United States. Legal principles rooted in constitutional law provide the basis for the examination of statutes, regulations, torts, contracts, private standards, and societal norms that impact data privacy. Students will learn how lawmakers, the courts, and data privacy practitioners have balanced data privacy and other interests in areas such as business dealings, free speech, social media, financial transactions, education, health care, and cybersecurity. Case studies on novel and emerging topics provide opportunities for practical application of data privacy concepts. Graduation Requirement: The course satisfies the perspective course graduation requirement. Basis of Grade: Class Participation, Short Paper, Final Exam. Form of Grade: Letter Grade.

**Prerequisites:** LAWS 504, LAWS 523, LAWS 529.

**LAWS 845 - Race and Class in American Public Education Seminar (2,3 Credits)**

Education plays a crucial role in sustaining a democratic society. As such, it is critical that we understand and are able to critique the legal and public policy choices that shape our education system. This course will explore issues of equity, access, and reform in American public education, particularly as it pertains to race and class. It will examine the right to equal educational opportunity and will consider the various state and federal legal efforts to improve K-12 education and to increase accessibility to institutions of higher education. Topics that will be discussed include, among other things, school desegregation, school finance litigation, school choice, and affirmative action. We will scrutinize a variety of reform efforts, which may include the federal government's expanding role in education, single-sex education, magnet programs, and charter schools. We will also examine higher education admissions policies such as racial preferences, percentage plans, and reliance on standardized test scores. In addition to examining legal authority and the work of legal scholars, we will examine the writings of historians, social scientists, and education policy experts. Graduation Requirement: This course satisfies the perspectives course requirement. Students who elect to take this course for three (3) credits will write a paper that meets the writing requirement. Must earn a grade of C or better if taken for the writing requirement. Basis of Grade: Paper(s). Form of Grade: Letter.

**LAWS 847 - Ethical Issues in Criminal Practice (2 Credits)**

This workshop will study the ethical issues faced by prosecutors and defense counsel in criminal practice. Although many of the same Rules of Professional Conduct that govern civil litigation also apply to criminal cases, constitutional rights and duties often require that they be applied differently than in civil cases. In addition, there are particular provisions in the Rules of Professional Conduct that only apply in criminal cases, including the rules governing prosecutors. Our understanding of the special role of the prosecutor and the prosecutor's duty to seek justice may create prosecutorial duties, as do constitutional rights of persons accused of crime and constitutional duties of, and restraints upon, the government. The workshop will meet once a week for two hours. Students will read assigned laws, rules, cases, and analytical materials and will discuss those readings in class. In addition, the class will study cases that illustrate the problems – and often the injustice – that may flow from violations of the applicable Rules of Professional Conduct and constitutional mandates. Experienced prosecutors, defense attorneys, and judges will share their experiences and insights with the class. Written assignments will be based on the kinds of issues lawyers face in criminal practice and the types of work product lawyers have to create in dealing with those issues in their practice. Basis of Grade: Class participation and written projects. Form of Grade: Letter.

**Prerequisites:** LAWS 554 or 555.

**LAWS 849 - The Great Recession of 2008: Statutory Background and Legislative Response (3 Credits)**

Like many people who rely on a 401K plan for retirement, I have taken a personal interest in the "Great Recession of 2008." The students at the law school lived through the Great Recession and are currently facing a diminished job market as a result of its effects. Some economists project that the careers of those now entering the workforce will be permanently impacted by the near-collapse of the banking system in October of 2008. I have read a number of books on the causes of the Great Recession, most by economists or financial journalists. All of the books refer to the statutory background as a cause of the credit collapse, but none of them ever quote or analyze the statutory material at length. None are really satisfactory from the lawyer's point of view. Lawyers should read the statutes before drawing conclusions about the causes of the Great Recession. This seminar would require all the students to read Charles Gasparino, *The Sellout: How Wall Street Greed and Government Mismanagement Destroyed America's Global Financial System* (2009). Other reading assignments would be made from the attached Bibliography. The out-of-class readings would be supplemented by an in-class review of the statutory basis of the banking and home mortgage industries, including the major U.S. Banking laws, the enabling statutes of the Federal Reserve, the FDIC, Glass-Steagall Act of 1933, Gramm-Leach Bliley Act of 1999 (which repealed Glass-Steagall), the Community Reinvestment Act of 1977, and the authorizing acts for the Federal Home Loan Mortgage Corporation (Freddie Mac), and the Federal National Mortgage Association (Fanny Mae), and regulation of the bond, futures, derivative, and Credit Default Swap markets. In-class presentations would also cover the economic events that pre-cipitated the statutory schemes in place as of 2008, e.g., the Panic of 1907, the Great Depression, the Savings and Loan crises of the 1980's, the dot.com bubble, and the collapse of Long Term Capital Management. The class would also look at the key features of the Dodd-Frank Act to see whether those changes really addressed the Recession's underlying causes. Basis of Grade: 30 page paper and class presentations. Form of Grade: Letter grade.

**LAWS 850 - Government Regulation of Businesses (3 Credits)**

This course surveys the legal, economic and policy framework that governs American business. In doing so, it examines the core principles that guide our economy and, against the backdrop of the proposition that non-regulated markets are generally preferred, introduces a number or areas of regulation, including antitrust, securities, environmental, patents, health-care, advertising/information and consumer protection. We will critically examine economic rationales, legal ground rules and regulatory models. One objective will be to gain a good understanding of how government intervention has actually played out in selected markets and why. We will also examine markets that, though once regulated, have since been deregulated. Basis of Grade: Final exam and class participation. Form of Grade: Letter.

**LAWS 853 - Real Estate Transactions Capstone (5 Credits)**

This course is designed to be a Capstone course for third year (3L) students interested in an in-depth, practical and advanced course in real estate law and real estate finance. Students will participate in simulated experiences throughout the semester, and will end the semester negotiating a real estate development deal. The course will explore land development, real estate finance, foreclosures and receiverships and the development of real estate projects such as condominium, office and retail facilities. The focus will be on real estate commercial transactions in South Carolina, but will have general applicability to real estate transactions in other jurisdictions, as well as general application to residential real estate transactions. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: Assigned exercises and class participation. Form of Grade: Letter .

**Prerequisites:** LAWS 652.

**LAWS 856 - Lawyers as Leaders (2 Credits)**

This course will introduce students to key leadership principles and equip them with best practices necessary to assume leadership positions in an increasingly complex and evolving profession. Students will read and learn about effective leadership, engage in discussions and case studies with respected leaders, participate in exercises designed to develop strong judgment and analytical reasoning, participate in self-assessment and peer assessment exercises, and complete a leadership initiative project that demonstrates leadership principles learned in the course. Basis of Grade: Participation in class discussions, writing assignments, and a final leadership project and presentation. Form of Grade: Pass/Fail

**Prerequisite or Corequisite:** LAWS 554 or LAWS 555.

**LAWS 857 - The American War on Terror: The U.S., Counter-Terrorism and International Law (2 Credits)**

The focus of this course will be on the United States policies and practices in response to the events that occurred on its territory on September 11, 2001. The course will be unique in that it will examine the approaches of both the Bush and Obama Administrations, as foretold through the principles of international law: to this end, we shall consider the legal arguments put forward by both of these governments for the recourse to force (*jus ad bellum*) and for the conduct of hostilities (*jus in bello*), and of the changing significance of the “war on terror” in the rhetoric from September 11, 2001, until the present day. Not only shall we explore the legal questions surrounding the military engagements of the United States in Afghanistan (2001) and Iraq (2003), but, also, with respect to its presences in Yemen, Somalia and Pakistan. Candidates shall be encouraged to adopt a critical understanding of the rules of warfare as applied to evolving forms of combat (e.g. drone activity, suicide bombings, targeted killings) as well as explore the traditional modes of regulating prisoners-of-war and the protection of civilians both in the United States and beyond. Firm emphasis shall be placed on historical examples for class exercises, but candidates will also be called upon to question the relevance of these analogies as well as test other possibilities for how best the prosecution of the “war on terror” can occur today and in the future. Registration: LAWS 784 is recommended. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Examination. Form of Grade: Letter.

**Prerequisites:** None.

**LAWS 858 - Counterterrorism (2 Credits)**

This course will examine the legality of methods adopted by the government to combat what it defines as terrorism, primarily, though not exclusively, in the period after September 11, 2001. The course will be roughly divided between a review of extraordinary methods that followed more closely a “war” model, such as renditions, mass surveillance, the use of drones, torture, and military commissions, and those that follow a criminal prosecution model, which include the use of informants, the material support law, expert evidence, and sentencing/confinement. Graduation Requirement: This course satisfies the perspective course graduation requirement. Basis of Grade: Weekly reaction papers and class participation. Form of Grade: Letter.

**LAWS 859 - Federal Criminal Practice Capstone (4 Credits)**

This simulation course is for third year (3L) students interested in the practice of criminal law. During the semester, students will apply the knowledge and skills learned in prior law school courses by simulating the litigation of a federal criminal case beginning with the investigative and grand jury phases; through charging, pre-trial, and plea proceedings; and ending with sentencing and appeal. Students will: (1) prepare prosecution memoranda and indictments; (2) conduct mock grand jury sessions; (3) prepare or respond to motions to suppress evidence; (4) argue suppression motions; (5) conduct sentencing guideline calculations and prepare sentencing memoranda; and (6) file a notice of appeal. Students will also have an opportunity to observe actual federal court criminal proceedings; and gain practical insight from prosecutors, law enforcement officials, members of the criminal defense bar, and judges, who will serve as guest speakers. Although the course will highlight the role of the federal prosecutor, students will serve as both prosecutors and defense counsel during practical exercises. They will also hear the perspective of criminal defense practitioners through guest lecturers, legal articles and treatises. Thus, the skills developed during this course will easily translate to a state, tribal, or military criminal practice as a prosecutor or defense counsel. Graduation Requirement: This course satisfies the experiential course requirement for graduation. Must earn a grade of C or better, Basis of Grade: Class and outside court event participation and attendance, demonstrated research, writing, and oral advocacy skills. Form of Grade: Letter.

**Prerequisites:** LAWS 547, LAWS 671, and LAWS 555 or LAWS 554.

**LAWS 860 - Special Topics in Legislative Drafting I (2 Credits)**

This course will explore the process of drafting legal codes in a real world setting. Specifically, the course will give students the opportunity to participate in the creation of a legal code for the Catawba nation. Students will be introduced to the relevant areas of federal Indian law, the history, culture and legal conceptions of the Catawba Nation, and principles of drafting laws. Topics may shift from year to year. Students will use information collected during the course to draft laws to be submitted to the leadership of the Catawba Nation for adoption. In the first year of the course, students will focus on drafting a family law code. They will be introduced to crucial family law concepts relevant to the law-making process. Specifically, students will examine numerous state and tribal family law codes. They will discuss the relevant strengths and weakness of these laws with the goal of drafting a family law code particularly suited to the history, culture and legal needs of the Catawba Nation. During the course, they will meet with leadership of the Catawba Nation and with lawyers, government officials and judges from other recognized Indian nations. Students will receive a letter grade at the end of each semester. Registration: Instructor will select students for this course. Interested students shall submit (1) statement of interest of no more than 500 words; and (2) updated CV. LAWS 759 or LAWS 838 is encouraged, but not required. Students are expected to take both Special Topics in Legislative Drafting I and II. Basis of Grade: The grade will be based on the student’s attendance and class participation as well as the quality of the research and drafting assignments produced through the semester. Form of Grade: Letter.



**LAWS 861 - Special Topics in Legislative Drafting II (3 Credits)**

This course will explore the process of drafting legal codes in a real world setting. Specifically, the course will give students the opportunity to participate in the creation of a legal code for the Catawba nation. Students will be introduced to the relevant areas of federal Indian law, the history, culture and legal conceptions of the Catawba Nation, and principles of drafting laws. Topics may shift from year to year. Students will use information collected during the course to draft laws to be submitted to the leadership of the Catawba Nation for adoption. Using the skills learned in Legislative Drafting I, students will draft family code for the Catawba Nation. In order to produce these code, students will examine numerous state and tribal family law codes. They will discuss the relevant strengths and weakness of these laws with the goal of drafting a set of laws particularly suited to the history, culture and legal needs of the Catawba Nation. During the course, they will meet with leadership of the Catawba Nation and with lawyers, government officials and judges from other recognized Indian nations. Students will receive a letter grade at the end of each semester. Graduation Requirement: This course satisfies the experiential course graduation requirement. Must earn a grade of C or better. Basis of Grade: The grade will be based on the student's attendance and class participation as well as the quality of the research and drafting assignments produced through the semester. Form of Grade: Letter.

**Prerequisites:** LAWS 860.

**LAWS 899 - Reading Group (1 Credit)**

The class will meet for at least 13 hours over the course of one academic year. Students will be assigned a series of books or similarly-substantial materials and required to produce a minimum of five pages of writing as described below, requiring at least 2 hours of out-of-class work for each hour that reading groups meet. Reading Groups are intended to facilitate an intellectually rich academic experience through informal, in-depth discussions between faculty and students. Each Reading Group will be convened to explore a legal topic or theme through the study of appropriate readings, films, and other materials. Reading groups are intended to foster deeper conversations about legal issues than traditional classes permit, especially including conversations regarding sensitive or controversial legal issues between diverse groups of students. Basis of Grade: Attendance, participation, and written work that totals a minimum of five (5) pages. Written work could include reflections on different materials, discussion guides created by students for particular readings, comparisons between different materials, or other assignments required by the faculty member. Form of Grade: Pass/Fail.

**LAWS 999 - Law General Course (1 Credit)**

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