

# LAW (LW)

## Courses

### LW 700 Contracts (4)

This foundational course in transactional and commercial law explores basic contract formation and liability under the common law and the Uniform Commercial Code. The course covers mutual assent, consideration, contract interpretation, grounds to avoid a contract, breach of contract, and associated remedies. This course also covers equitable obligations (promissory estoppel and restitution). Graded.

### LW 702 Kansas Legal Research (2)

Kansas Legal Research will expand on research skills first explored in Legal Analysis, Research, and Writing (LARW) I and II with the focus on Kansas-specific resources. Topics for the class will include sources for Kansas case law, statutory and regulatory research, secondary sources and practitioner's materials specific to Kansas, Kansas legislative history, and an overview of the research resources from state and local offices relevant to the practicing attorney. This class will include in-class activities with print and electronic resources and guest speakers from the local legal and governmental communities. Prerequisite(s): Legal Analysis, Research, and Writing I and II. Graded.

### LW 703 Business Associations (4)

An analysis of the legal attributes of available business organization forms. Emphasis will be on partnerships, limited liability companies and corporations. The law of agency, as applied to each of these forms will also be emphasized. Rights, duties and liabilities of managers, owners, and agents will be examined. The course also focuses on formation issues, operational powers and fundamental changes in business forms such as dissolution, merger, or acquisition. Prerequisite(s): None. Graded.

### LW 706 Agricultural Law (3)

This course provides an introduction to the subject matter and the practice of agriculture law. As a matter of substantive law, agricultural law consists of two principal areas: general law concepts and subject material (such as contracts, tax, real property) as they are applied to agriculture; and the distinctive (and often exceptional) treatment which agriculture receives under the law. As a matter of practice, a principal goal of the course is to train students to identify agricultural law issues. This course should be viewed as a supplemental course to the subject areas which the law school's curriculum covers elsewhere. This is because agricultural law is often "law by the exception." Special rules often apply to farmers, ranchers and agribusinesses that are uniquely different from the rules that apply to individuals and firms not involved in agriculture. Prerequisite(s): None. Graded.

### LW 707 Transactional Drafting (3)

This course teaches students a systematic approach to drafting legal documents associated with various types of transactions. By completing a variety of drafting exercises, students will learn to identify issues, further develop the analytical ability to research and isolate applicable substantive legal principles, and use the substantive law to draft documents designed to accomplish clients' goals. Drafting exercises will be reviewed and critiqued to provide students feedback as they practice identifying relevant legal principles and applying sound drafting techniques used by effective transactional lawyers. Graded.

### LW 708 Education Law: Special Education (1)

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 examine the right to equal education opportunity and will consider the various state and federal legal efforts that address K-12 education in the context of special education. These include exploring issues of equity, access, and reform at the local, state and federal levels in a variety of areas, and the evolving role of the federal government in shaping education policy. Perspectives course. Graded.

### LW 709 Employee Benefits Law (2-3)

As Americans increasingly rely on employers to provide post-employment income security (retirement benefits) and other benefits such as health insurance (welfare benefits), employee benefit law remains a central feature of American employment law. This course provides a survey of the specialized employee benefit plans governed by the Employee Retirement Income Security Act (ERISA) and the Tax Code. In addition, this course will explore the rules governing coverage, vesting, funding fiduciary standards, claims administration, remedies, and preemption of state law. While there will be some exploration of the tax benefits and consequences of these plans, no prior knowledge of taxation law is assumed or required. Graded.

### LW 710 Insurance Law (2-3)

This course is a broad examination of insurance law foundational concepts and practical knowledge. This includes reviewing the legal, regulatory, and economic issues that support an analysis of many common insurance coverages, including life, property, auto, and liability (but not health/Affordable Care Act, although this material is available in the text). The course material includes insurance law cases and policy contract language, covering both commercial and personal insurance through descriptive material. Prerequisite(s): Contracts and Torts. Graded.

### LW 712 Natural Resources Law: The River (2)

This hybrid classroom/field course immerses students in the major natural resources legal regimes and controversies of one of two interstate rivers: the Upper Arkansas River Basin in Colorado and Kansas, or the Rio Grande Basin in Colorado, New Mexico, and Texas. These two basins have produced numerous and major legal and policy controversies since the Mexican War (1846-48), which secured most of the region for the United States. The course consists of two components. The first component is based in the classroom and will consist of lectures and discussions concerning the history of the relevant basin and its principal legal and policy issues. Students will select a legal topic or controversy from the basin, compile and refine a bibliography, and draft a bibliographic essay. The second component takes place in the field, lasting between five and seven days, traveling across the basin. The professor will lead field sessions with help from local lawyers, judges, scientists, agency representatives, and private businesspeople; students will deliver presentations based on their bibliographic essays. After returning from the field, students will submit a final draft of their essay, together with a field journal of their experience in the basin. This course is intended to provide a capstone experience for students in natural resources law, showing how water law, environmental law and policy, public land law, energy law, and agricultural law all converge and cross-communicate in natural resources law practice. Prerequisites/ Corequisites: at least TWO of the following: water law, environmental law, public land law, oil and gas law, or agricultural law.

**LW 716 Divorce Practice (2)**

An advanced seminar course that explores the practical aspects of drafting prenuptial contracts, property settlement agreements, and child custody arrangements. Prerequisite(s): Family Law. Graded.

**LW 717 Law and Accounting (2)**

The course explores accounting theory and practice. The focus is on what lawyers need to know to engage effectively in a wide range of practice areas including, but not limited to, corporate and securities law, family law, bankruptcy, probate, trust and estate law, real estate law, administrative law and regulated industries. In these fields of practice, as in others, financial information presented in a organized manner is essential for industry and governmental decision making. It is account theory put into practice which provides the rules and rationale for the presentation of this financial information. Graded.

**LW 718 Debtor/Creditor Relations (3)**

The focus of this course is on the problems incident to the disposition of the estate of a failing or insolvent debtor. It looks at problems relating to execution of judgments, fraudulent conveyances, compositions, assignments for the benefit of creditors, receivership, and problems arising under the Federal Bankruptcy Act. Prerequisite(s): Contracts. Prior completion recommended of Secured Transactions. Graded.

**LW 720 CJ Sem: Sntcng, Incarc & Rls (2)**

The study of criminal justice problems from conviction through release from confinement or parole. Students will look at sentencing considerations, post-conviction remedies, parole and legal problems related to the confinement of persons in correctional institutions. Graded.

**LW 721 Writing Debtor-Creditor Pract (1)**

Attorneys practicing in the debtor-creditor sphere must be able to file executions on judgment, as well as write letters to communicate with opposing counsel and their clients. They must also be able to draft various motions and properly respond to opposing counsel's filings. Clients are best served when filings are professional and persuasive. This intercession course will provide students with a basic understanding and the ability to demonstrate effective debtor-creditor pleadings and motions practice in the Kansas courts. Students will draft demand letters, garnishment filings, aid in execution filings, a settlement and release, and a letter to their client explaining the resolution of the case. Graded.

**LW 722 Education Law (2-3)**

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 examine the right to equal educational opportunity and will consider the various state and federal efforts that address K-12 education. These include exploring issues of equity, access, and reform at the local, state and federal levels in a variety of areas. Topics explored may include special education, racial and ethnic school desegregation, school tracking, gender equity, language access, attendance and truancy, privacy rights, search and seizure of students, discipline and harassment, funding issues, school choice reform and the evolving role of the federal government in shaping education policy. Prerequisite(s): None. Graded. Satisfies perspectives requirement.

**LW 723 Torts: Product Liab. & Privacy (2)**

This course will explore the various liability regimes encountered in product liability and privacy. More specifically, the product liability aspect will include an examination of design defects, manufacturing defects, and warnings defects. The privacy aspect will explore the four privacy torts and examine the effect of the First Amendment and the associated newsworthiness defense in an era of electronically stored information on the continued viability of the privacy torts. Prerequisite(s): Torts. Graded.

**LW 724 Advanced Trial Advocacy (2)**

This is an advanced litigation skills course. The primary focus is simulated trial experience. Other topics include the use of expert witnesses, innovative demonstrative evidence, the art of oral persuasion and communication science. Sections will be offered with either a criminal law or civil law focus. Prerequisite(s): Evidence and Trial Advocacy. Satisfies skills requirement. Graded.

**LW 725 Torts (4)**

A survey of civil wrongs arising from breaches of legally imposed duties. The initial focus is on the intentional torts of assault, battery, false imprisonment, mental distress, conversion, and trespass. The focus then turns to the exploration of liability for negligently caused physical harm covering areas of general duty of care, breach, cause-in-fact, proximate cause, defenses, and special or limited duties of care. There will be limited exploration of strict liability, product liability, and protection of economic and dignitary interests such as defamation, malicious prosecution, fraud, and civil rights. Graded.

**LW 728 Family Law (3)**

This course introduces the numerous subject areas which comprise family law today starting with the often complex federal and state laws and cases on how to define a family. In addition to the traditional topics, such as marriage, parent-child relationships, divorce, property division, maintenance, child custody and child support issues, the course covers premarital, cohabitation and postmarital contracts, paternity, adoption, assisted conception, the role of the lawyer in family law, and alternative dispute resolution. Graded.

**LW 729 Criminal Law (3)**

An introduction to substantive principles of criminal law. The course examines the elements of crimes at common law and under modern statutes, together with the history and development of criminal law, including the various theories of criminal responsibility. Graded.

**LW 730 Crim Law: Defense/Prosecution (1)**

Using the ABA Criminal Justice Standards as a framework, this course will examine the specific duties associated with the prosecution and defense of criminal cases. The course will identify and apply Kansas statutes and case law to the unique duties of state prosecutors and criminal defense attorneys; it will emphasize the practical application of "best practices" in real world situations. Prerequisite: Criminal Law. Credit/no credit.

**LW 732 Property (4)**

The course examines the concept of property, personal property interests, formation of interests in land, including freehold and non-freehold estates, concurrent ownership, adverse possession, marital interests, landlord and tenant relations, and allocation and development of land resources, including easements, covenants and equitable servitudes. Graded.

**LW 733 Real Estate Transactions (3)**

This course focuses on the residential real estate transaction. Stressing the lawyer's role in the real estate transaction, the course examines the numerous federal and state laws which regulate even the most basic land transaction – the single family residence. Other topics include the duties of broker and lawyer, financing arrangements (including mortgages, trust deeds and installment land contracts), the contract for sale of land, deeds, land descriptions, recording acts, title examination and protection. Prerequisite(s): Contracts and Property. Graded.

**LW 735 Admiralty and Maritime Law (3)**

Admiralty and maritime law is the complex body of federal statutory and common law governing most aspects of maritime commerce and activity. In the United States admiralty and maritime jurisdiction and the associated admiralty and maritime law relates not only to the sea but extends inland to all rivers, streams, lakes, and other navigable bodies of water. The purpose of this course is to introduce students to the unique jurisdictional issues and substantive elements of federal admiralty and maritime law such that they will be equipped to litigate a multitude of admiralty and maritime issues competently. Prerequisite(s): Civil Procedure I and Torts. Graded

**LW 737 Adv Evidence: Expert Witnesses (1)**

In recent years, the use of expert witnesses has proliferated as both civil and criminal litigation have become more complex and technical. This course introduces students to hiring, deposing, and obtaining trial testimony from an expert in a real case. During class, students will prepare a witness to give a deposition, practice voir dire, and prepare a cross examination of an opposing expert. Students will also learn the applicable FRE, FRCP, and case law. Prerequisite(s): Evidence. Satisfies the skills requirement. Graded.

**LW 739 Remedies (3)**

This course surveys the law of remedies in civil litigation, exploring the most significant alternatives available to civil litigants – compensatory and punitive damages; equitable relief, including injunctions and specific performance; legal, equitable and specific restitution; rescission; and reformation. The course considers remedies from a problem solving perspective and as a set of choices made by clients and their lawyers. Graded.

**LW 740 Oil and Gas Law (3)**

Some of the most complex contract and property law issues concern the determination of rights and obligations in the oil and gas natural resource. Students will learn the law governing oil and gas ownership, development, marketing, and transfer. This course also studies the "upstream" exploration and production elements of the oil and gas industry to fully appreciate how law can impact an industry, and how an industry can impact the law. Even students who may not have a particular interest in oil and gas law will find this course very useful in further developing their contract and property law skills. This class is a prerequisite for Advanced Oil and Gas Law.. Graded.

**LW 742 Water Law (3)**

This course covers both traditional water law rules and modern water management challenges. It covers Eastern and Western U.S. water law, examining both classic principles and statutory modifications of the riparian rights and prior appropriation doctrines. It also explores public dimensions of water law, the Public Trust Doctrine, environmental quality issues in water management, and government takings relating to water use restrictions and flood damages. In addressing issues from drought to flooding, the course considers the challenges posed by climate change for managing water resources in the 21st Century. Prerequisite(s): Property. Graded.

**LW 743 Advanced Water Law (1)**

This one-credit course exposes students in greater depth to topics that rarely receive coverage in Water Law: interstate litigation (a subject that is of particular importance to Kansas), groundwater law and policy, federal reserved water rights, international relations in water (including water treaties and conflicts), and how water quality and water quantity issues interrelate. Prerequisites: Water Rights. Satisfies Perspectives requirement. Graded.

**LW 744 Environmental Law (3)**

A survey course in environmental regulation. The primary focus is on the structure and enforcement of major federal anti-pollution schemes such as the Clean Water Act and Clean Air Act. Because these laws are implemented by the Environmental Protection Agency, considerable time is spent understanding basic administrative law, including the National Environmental Policy Act (NEPA). Statutes regulating solid and hazardous waste, the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) are also covered, but students desiring in-depth examination of these acts should consider also enrolling in Hazardous Waste Regulation. Prior Completion Recommended: Administrative Law. Graded.

**LW 747 Public Land Law (2, 3)**

Examination of issues involved in managing land owned by the federal government, nearly one-third of the nation's land base. The course explores the constitutional and statutory rules that have been layered on top of each other since founding of the country, the problems presented in navigating through the layers and issues of federal/state relations raised by national ownership of land. Covered topics include federal water rights, regulation of mining, grazing and forestry, protection of wildlife and preservation of scenic and wild areas. Recommended prerequisite: Administrative Law. Graded.

**LW 749 Estate Planning and Taxation (4)**

In this course, students will learn the planning techniques, ethical and professional considerations, legal issues, tax consequences, and practice considerations associated with trust and estate planning and administration. Subjects include planning and drafting techniques focused on meeting client goals, minimizing federal taxation, maximizing asset protection for clients and the beneficiaries of their estates and trusts, maximizing the availability of governmental resources and minimizing the risk of family disharmony in the administration of trusts and estates. This course will also focus on estate planning for a client's mental disability through "advance directives," including financial powers of attorney, healthcare powers of attorney, living wills, and do not resuscitate directives ("DNRs"). Prerequisite(s): Taxation of Individual Income; Decedents' Estates and Trusts. Graded.

**LW 750 Criminal Procedure I (3)**

An examination of the role of law and the Constitution in police investigation covering in-depth most of the important Fourth and Fifth Amendment limitations on police investigative practices. Case analysis combined with the problem analysis method encourages students to examine important legal issues from various perspectives and viewpoints and recreates the lawyer's experience in analyzing, distinguishing, and reconciling legal authorities in the process of advising clients and preparing for litigation in criminal cases. Graded.

**LW 752 Crim Law: Ethics of Pro. Discr (1-2)**

An examination of the broad discretion wielded by prosecutors, and the ethical considerations that arise from its use. Analyzing recent cases and engaging in simulated fact patterns, students will engage with the concept of prosecutorial discretion in a practical sense, developing unique perspectives and weighing them against the ethical and statutory responsibilities of a prosecutor.

**LW 753 Alternative Dispute Resolution (3)**

A foundational course that introduces upper level students to a variety of non-judicial processes for resolving disputes, with emphasis on negotiation, mediation, and arbitration. The course will explore these and other hybrid dispute resolution processes by analyzing state and federal statutes, emerging case law, court rules, and standards established by the American Bar Association, the American Arbitration Association, and other dispute resolution organizations. Students will compare private alternative dispute resolution systems to traditional adjudication and court annexed systems, and examine ethical problems, societal perspectives, and practical limitations on these alternatives. Prerequisite(s): None. Satisfies skills requirement. Graded.

**LW 754 Family Law Seminar (2)**

This seminar explores the theoretical, sociological and psychological aspects of current legal issues in family law. Prerequisite(s): Family Law. Graded.

**LW 755 Conflict of Laws (3)**

A study of the problems presented because of differences in the laws of the several states and jurisdictions. Particular attention is given to acquisition of judicial power over litigants; the methods for choosing the applicable law when a transaction or occurrence has a relationship with two or more jurisdictions, each having different laws; and evolution and policies of conflicts theory, with emphasis on current developments and problems peculiar to a federal nation, including constitutional limitations on the power of a state to apply its law to transactions or occurrences that touch other states. Prerequisite(s): Civil Procedure I and Constitutional Law I. Graded.

**LW 756 Clinic: Litigation (4-5)**

In the Litigation Clinic, students learn core lawyering skills by engaging in the practice of law under Kansas Supreme Court Rule 719 with close support from faculty supervisors who are licensed attorneys. After registration, students are assigned to one of three litigation practice areas (based upon student preference and supervisor availability): Family Justice and Immigration Practice, Criminal Defense, and Civil Practice. In the Family Justice and Immigration Practice, students represent low-income parents, children, and victims of abuse in a wide variety of domestic relations, civil, and administrative matters. In Criminal Defense, students represent individuals charged with misdemeanors in Topeka Municipal Court and Shawnee County District Court. In the Civil Practice, students represent low-income clients in a variety of civil matters in state and municipal courts and before administrative agencies. In all practice areas, students have the opportunity to practice a range of skills, including interviewing, client counseling, strategic case planning, legal drafting, negotiating, and trial advocacy. Clinic students meet twice weekly for seminar, which provides background knowledge and skills necessary for success in client representation. Students also have regular supervision meetings and perform casework. Prerequisite(s): 44 hours completed, minimum 2.0 GPA, certification as a Legal Intern and successful completion of, or concurrent enrollment in, Professional Responsibility and Evidence. Students are encouraged to talk to Clinic faculty about how their course choices may impact their clinical experience. Because of potential conflicts of interest, students who are working for the Topeka City Attorney, the Shawnee County District Attorney, or clerking for a Shawnee County District Court judge or a Topeka Municipal Court judge, may not concurrently enroll in Law Clinic. Interns must pay a \$50.00 fee to the Clerk of the Kansas Supreme Court for their student practice certification. Enrollment in Clinic may be limited as in any other course. Satisfies skills requirement. NOTE: Students enrolled in clinic may elect to take clinic for either a grade or credit/no credit. Students have until the end of the first week of classes to change this election. Students must NOT inform the Law Clinic faculty or staff of their choice.

**LW 756D Clinic: Advanced Litigation (1-3)**

Once students have completed a semester of Litigation Clinic, they may participate in advanced clinic for one to three hours depending on faculty availability and approval. Students in Advanced Litigation Clinic will further hone their core lawyering skills by engaging in the practice of law under Kansas Supreme Court Rule 719 with close support from faculty supervisors who are licensed attorneys. Prerequisite(s): Clinic: Litigation; faculty approval. Because of potential conflicts of interest, students who are working for the Topeka City Attorney, the Shawnee County District Attorney, or clerking for a Shawnee County District Court judge or a Topeka Municipal Court judge, may not concurrently enroll in Law Clinic. Credit/No Credit.

**LW 757 Evidence (4)**

The presentation of proof before judicial and quasi-judicial tribunals gives rise to questions regarding the admissibility of evidence. These questions are studied in the context of examination of witnesses, competency, privilege, relevancy, the hearsay rule, judicial notice, and the presentation of scientific and demonstrative evidence. Prerequisites: Criminal Law, Torts, and Contracts. Graded.



**LW 759 Federal Courts (3)**

An examination of the broad institutional restrictions on the federal courts in the federal system and the policies aimed at achieving a fair and efficient allocation of judicial power. The course explores the balance of power between the federal courts, the states and the two other branches of federal government. The issues examined in this course will have implications for federal practice in a variety of areas, including civil rights, bankruptcy, environmental, oil and gas, and real estate financing law. Graded.

**LW 760 Civil Rights Litigation (2)**

The class will provide a thorough overview of the rules and doctrines governing civil rights enforcement and litigation. While maintaining an in-depth approach to the substantive legal concepts, the course will ultimately be organized around the ideas most central to bringing, or defending, civil rights claims in court. 42 U.S.C. section 1983 claims, and the procedural issues around them, will be analyzed in-depth but not exclusively. The course will deal with substantive rights but the focus will be on the enforcement mechanisms, and procedural hurdles, used to bring or defend claims regardless of the rights involved. In addition, there will be discussion of civil rights issues in a broader context, including (1) the power and limitation of litigation and the courts generally; (2) the social and historical context in which the covered doctrines developed; and (3) the place of litigation in larger efforts to build movements and change. The coursework will predominantly cover rights and remedies in the context of individual, civil claims as opposed to federal agencies' claims or criminal defenses. Classwork will proceed based on case and text readings as well as model problems. Graded. Prerequisites: None.

**LW 762 Moot Court (1-2)**

Participation as a team member in any major Moot Court competition. To receive credit, each team member must make a substantial contribution toward the team brief and the oral argument and participate as a team member in the competition. No more than one hour credit will be given for any competition. Students who participate (as described above) in more than one competition (including the same competition in different years) may earn one credit for each competition for a total of two credit hours during law school. Credit/No Credit.

**LW 763 Directed Research (1-3)**

In-depth legal research and writing. Offered only upon prearrangement with a faculty member to direct the project and then with the Associate Dean for Academic Affairs. Projects for three hours credit will rarely be approved and only for student work that substantially exceeds that required for most projects. See Standards for Directed Research. Graded.

**LW 764 Law Journal Editorial Board (1-2)**

Law Journal members chosen to serve as members of the Journal's Editorial Board, and the Editorial Board generally consists of the following: an Editor-in-Chief; an Executive Editor; a Managing Editor; a Senior Articles Editor; a Comments Editor; other specialized editors, and multiple Articles Editors and Notes Editors. Editorial Board Members generally must be present on campus for at least four business days each week, and devote significant time and effort in producing the Washburn Law Journal. Their responsibilities will continue until the book proofs for Issue Three are received, reviewed, and returned to the printer (even if that is after graduation). All Editorial Board Members are required to fulfill all Law Journal Member duties; provided, however, that during the semesters such Members are part of the Editorial Board, the Editorial Board Members will not be required to prepare pieces of scholarly writing. Prerequisite(s): Law Journal Member and selection to serve on the Editorial Board of the Journal. Credit/No Credit.

**LW 765 Pretrial Advocacy-Civil (3)**

This course gives students an opportunity to develop a case from the time a client walks into the office with a problem to the final pretrial conference and is designed to provide a bridge to the world of real practice from the realm of legal theory. The class consists of a combination of lecture/demonstrations by faculty and frequent opportunities for student performances, both written and oral, which are critiqued by adjunct professor practitioners in small groups. All aspects of pretrial practice are covered. Each student develops and practices interviewing skills, drafts pleadings, drafts and argues motions, drafts discovery, prepares witnesses for deposition, conducts and defend a deposition, and participates in a final pretrial conference. Prior completion recommended of or concurrent enrollment in Professional Responsibility. Outstanding (equivalent of A work), credit (equivalent of C work), No Credit.

**LW 766 Trial Advocacy/ITAP (2)**

This course concentrates on the trial phase of a civil and a criminal case. Emphasis is placed on development of skills and techniques for planning and trying a hypothetical case. Each student performs exercises with critiques from the instructor and group discussions and each participates in a full jury trial. This course is offered as either a 13-week full semester course or a one-week summer intersession course. Prerequisite(s): Evidence (or concurrent enrollment). Outstanding (equivalent of A work), Credit (equivalent of C work), No Credit.

**LW 767 Appellate Practice (2)**

A study of appellate procedure in Kansas and federal courts. Topics include perfecting the appeal, jurisdiction, preparation of a brief and oral argument, and principles of appellate review. Prerequisite(s): None. Satisfies the skills requirement. Graded.

**LW 768 Pretrial Advocacy-Criminal (3)**

This course will focus on applying criminal procedures to two simulated cases. One case will involve a state prosecution, the other will involve a federal prosecution. Students will follow these criminal cases through every step of the pretrial procedure, acting as the attorneys in these cases. Each student will have the chance to handle one case as a prosecutor and one case as a defender. Practical skills taught will range from drafting complaints/informations; conducting bail arguments; presenting cases to a grand jury (for federal cases); conducting preliminary hearings (for state cases); making and responding to discovery demands; drafting and responding to motions to suppress evidence and motions to dismiss; conducting evidentiary suppression hearings; and participating in negotiations and pretrial conferences. Prerequisite(s): Criminal Procedure I. Outstanding (equivalent of A work), credit (equivalent of C work), No Credit.

**LW 770 Professional Responsibility (3)**

Study of the legal profession and the law governing lawyers, focusing on the ethical rules for professional behavior, the disciplinary system for ethical misconduct, and other legal rules controlling lawyer behavior. The course will also address the importance of cross-cultural competency, the risks of bias, and the influence of racism in the law and legal profession. Graded.

**LW 771 Law Journal Membership (1)**

Students chosen to become members will assist in the publication of a scholarly journal known as the Washburn Law Journal. Law Journal members have the unique opportunity to learn and practice advanced legal research, writing, and editorial skills and engage in academic and professional development. Students are invited to become members of the Journal based upon superior academic and writing abilities. Law Journal members cite-check, proofread, and edit scholarly articles and prepare these for publication. In addition, each member will research and write at least one piece of scholarly writing of publishable quality during their first year and at least one piece of scholarly writing for the online journal content during their second year on Journal. Students cannot enroll in the summer—only fall and spring. Students can take Law Journal Membership a total of four semesters (1 hour per semester) or two semesters if they are on the Editorial Board instead. Maximum is 4 credit hours. Prerequisite(s): LARWI. Credit/No Credit.

**LW 773 Natural Resources Law & Policy (2-3)**

This two-credit course provides a general introduction to the field of natural resources law. It does so in two ways. First, it surveys the principal property, regulatory, and policy components of natural resources law, broadly construed: land, water, energy, public lands, mining, agriculture, and environmental law. Next, it places these components within several of the most important policy challenges in natural resources law: climate change; commons and common-pool resource problems; the role of the public; environmental justice; and property justice. No previous coursework is required. Graded.

**LW 774 Adv. Natural Resources Law (2-3)**

Advanced Natural Resources Law explores legal and policy matters not covered in Oil and Gas, Water Law, Federal Indian Law, and Public Lands Law. These include: the environmental regulation of oil and gas and of water rights; "cross-resource" issues such as the water-energy nexus and water-dependent ecosystems; inter-jurisdictional resources issues (interstate, state-federal, and state-tribal); takings issues in oil and gas development and in water law; and property rights and regulation in renewable energy (hydropower, wind, and solar). Students may opt to take the course for three-hour credit, which requires the completion of a research or readings paper. Doing so satisfies the writing requirement for the Natural Resources Law Certificate as well as the upper-level writing requirement. Prerequisite(s): Oil and Gas Law and Water Law (can be taken concurrently; may be waived by professor). Recommended: Environmental Law. Satisfies perspectives requirement. Graded.

**LW 775 Human Trafficking Law in U.S. (2)**

This course will cover the development, adoption and implementation of the federal Trafficking Victims Protection Act (TVPA) and its reauthorizations. Students will learn the legal definitions of slavery, peonage, involuntary servitude debt bondage, and sex trafficking; how to identify potential clients in these scenarios; and how to provide trauma-informed legal services to survivors. Areas of law this course will intersect include immigration law, family law, victim advocacy in the criminal prosecution process, expungement and vacatur, employment law and civil litigation. Graded.

**LW 776 Legislation (3)**

In this course, students will gain an understanding of the legislative process and principles of statutory interpretation. Toward those ends, students will study and apply various tools of statutory interpretation in class exercises and simulations. The knowledge and skill-set developed in this course can apply to virtually all areas of law. Graded.

**LW 777 Negotiation Competition (1-2)**

Open to students who prepare for an compete in the ABA Regional Negotiation Competition. In addition to participating in the competition, students must submit a memorandum on one of the problems designed for the competition. Students may earn 1 hour per regional competition, not to exceed 2 hours. Credit/No Credit.

**LW 778 Intl Business Transactions (3)**

This course will provide an introduction to the rules governing international business transactions. It will cover basic U.S. trade rules, and the organization of the World Trade Organization and regional trading arrangements. Topics will include tariffs and non-tariff barriers, responses of domestic producers to import competition, and the resolution of trade disputes. The course will also focus on issues that arise in typical international business transactions, such as the choice between CIP and FOB contracts, the risks of international trade and allocation of risks by contract, and the use of letters of credit. Graded.

**LW 780 Administrative Law (3)**

This course examines procedures before administrative boards and tribunals as well as their powers and duties and the scope and availability of judicial review of their decisions. Prerequisite(s): Constitutional Law I. Graded.

**LW 781 Workers' Compensation (2)**

The primary focus of this course is workers' compensation statutes although other selected areas concerning economic protection of employees, such as Social Security Insurance and Unemployment Insurance, may also be included. Prerequisite(s): Torts. Graded.

**LW 782 Antitrust (3)**

The course examines the Sherman Antitrust Act and related federal legislation. It includes an examination of the legal restraints on monopolies, unfair competition, price-fixing agreements, and corporate mergers. Prior completion recommended: Business Associations. Graded.

**LW 783 Labor Law (3)**

An examination of decisions and statutes relating to the rights of workers to act in combinations; legal aspects of strikes, picketing and related activities; and problems of state-federal law relating to labor disputes. Graded.

**LW 785 Corp. Compliance: Law & Policy (2, 3)**

Compliance is a practice area that many attorneys confront. Attorneys advise clients about how to comply with new laws or regulations, help design programs for clients to implement, and prosecute or defend clients who have failed to stay within the parameters of the law. This class will teach students about compliance from two perspectives. First, it will equip students to deal with the basics of several major compliance practice areas including banking/anti-money laundering, securities/periodic financial disclosure, Foreign Corrupt Practices Act, and information security to name just a few. Second, the class will help students think about the policy behind compliance. What role should attorneys play? What role should whistleblowers play? How much prosecutorial discretion is appropriate? Who are the gatekeepers? What are the limits of attorney-client privilege? Who has the final say for the company? How should risk be managed? By discussing both the policy goals and the practical applications, this class will help students engage in compliance work both effectively and responsibly. Graded.

**LW 786 Employment Discrimination (3)**

This course focuses on the theory and practice of Title VII of the 1964 Civil Rights Act, which prohibits discrimination on the basis of race, sex, religion, national origin, and color. Sexual harassment law receives considerable attention. Coverage of process and procedure includes examination of the growing use of alternative dispute resolution to resolve discrimination claims. Other statutes such as the Americans with Disabilities Act and the Age Discrimination in Employment Act are studied, but because their basic structure is parallel to Title VII, they require less discussion. Graded.

**LW 788 Tax. by State & Local Govts. (2)**

Surveys structure and concepts in sales, use, income, gross receipts, corporate franchise and property taxation. The course also focuses on interstate allocation or apportionment of tax burdens and the constitutional limitations of state taxing power. Prerequisite(s): Taxation of Individual Income (recommended). Graded.

**LW 790 Taxation of Individual Income (3)**

This course introduces students to federal tax law. In the context of federal income taxation, the course focuses on the essential legal skills of reading, understanding, and applying statutes (the Internal Revenue Code) and administrative regulations. The prevalence of tax law makes the course important for every area of legal practice. The course will help students develop essential legal skills and also to spot tax issues that arise in numerous contexts. Students who wish to take additional tax courses should take this course during their second year because it is a prerequisite to most other tax courses. Graded.

**LW 792 Artificial Intelligence & Law (2)**

This seminar examines a broad range of legal and policy challenges posed by artificial intelligence (AI), machine learning and related technologies. Through assigned readings, weekly discussion, and engagement with experts, students are encouraged to think critically and creatively about how existing laws might be adapted to meet the regulatory and policy needs relevant to AI technologies. Coverage will include subject areas ranging from constitutional rights, criminal justice, public administration, education, torts, privacy, national security, energy and environment, healthcare, finance, intellectual property, transportation, and employment. Coverage will also include jurisprudential themes, such as "soft" versus "hard" law, risk-based approaches to regulation, behavioral economics, rule of law, personal autonomy, government legitimacy, and the socio-legal challenges associated with disruptive technological innovation. This course satisfies the perspectives and upper level writing requirements. This course is an elective/option for the following certificate programs: (1) Intellectual Property; and (2) workplace law. No previous coursework is required. A science or technology background is not necessary to take the course. Interest in AI's intrigue and social implications is all that is needed. Prerequisites: None. Graded.

**LW 794 Sports and the Law (2)**

Sports law is not a specific area or type of law, but rather an avenue through which we can explore how various bodies of substantive law are applied in the context of the sports industry. Course will be a broad overview, and will touch on many aspects of law, including contracts, antitrust, torts, IP, and constitutional law, as they relate to sport on the professional, collegiate, and individual/Olympic level. Graded.

**LW 798 Legal History Seminar (2)**

This seminar provides a substantial introduction to Anglo-American legal history, with an emphasis on three inter-related topics: (1) the development of the common law and of natural law theories as competing epistemological systems with political and constitutional consequences during the seventeenth and eighteenth centuries; (2) the development of property law and political rights during the nineteenth century, with special attention to American slavery and westward expansion; and (3) the rise of the public (the "public sphere," the public interest, the public trust) as legal and historical concepts with profound consequences in environmental and natural resources law during the twentieth century. Across these topics, the seminar will invite comparisons between the ways in which historians argue about the past and the ways in which legal academics, lawyers, and judges argue about common law precedent, constitutional interpretation, and statutory construction. Central to the seminar is sustained attention to the relationship between what is legal and what is legitimate. Prerequisite(s): Property, Constitutional Law I and II. Graded.

**LW 799 Jurisprudence (2)**

An inquiry into the realm of legal philosophy. Students will analyze fundamental issues and major lines of thought in attempted resolution of those issues. Graded.

**LW 800 Advanced Legal Research (2)**

A survey of legal and law-related research resources not introduced in the first year Legal Analysis, Research and Writing courses. The course emphasizes computer-assisted, Internet and interdisciplinary sources. Each student selects a legal specialty and prepares a written, selective guide (pathfinder) to the legal and law-related research sources for the chosen specialty. Prerequisite(s): Legal Analysis, Research and Writing I and II. Graded.

**LW 803 Energy Regulation (2)**

Students learn public utility regulation by examining state and federal price and non-price controls on the production, transmission, and sale of natural gas and electricity. Also examined are domestic and international laws designed to promote and regulate various forms of energy, to include oil, natural gas, coal, nuclear, water, wind, solar, and emerging alternatives. Laws designed to promote energy conservation, and to encourage the use of renewable forms of energy, are also studied. Graded.

**LW 805 Trial Advocacy Competition (1-3)**

Open to students who have participated in an inter-law-school trial competition. Students who participate as advocates may receive one hour credit for each competition, for a total of two credits during law school. Students who only participate as witnesses may also receive credit, but may not earn more than one hour of credit for being a witness during law school as well as one hour of credit for participating as an advocate, if applicable. To receive any credit, participants must develop a substantial trial notebook for the competition. Credit/No Credit.

**LW 808 Intellectual Property (3)**

An introduction to patents, trademarks and copyrights, including creation and protection of rights in intellectual property and enforcement of rights against infringers. Graded.

**LW 809 IP Licensing & Tech Trans (2)**

This course focuses on intellectual property and technology transactions. After an overview of the key intellectual property rights - patents, copyrights, trademarks, and trade secrets - students learn the art of drafting transactional documents associated with these rights. These documents may include trademark license agreements, patent license agreements, reseller agreements, and intellectual property assignment agreements. The course covers both drafting techniques and substantive issues that drafters should address in the agreements. The goal of the course is to give students practical experience with negotiating and drafting provisions essential to intellectual property and technology transactions.

**LW 811 Environmental Rights Practicum (3)**

Ever wonder how constitutional rights work in other systems around the globe? This practicum will provide an opportunity to find out in the context of global efforts to vindicate constitutional environmental rights. This class is in some ways similar to a seminar: students will research a topic, write a paper and make a presentation. What makes it a "practicum" is that students will work in close collaboration with selected non-governmental organizations from around the globe that are advancing constitutional environmental rights claims in their countries. Because students will actually be contributing to ongoing litigation efforts, the course will combine educational, constitutional and social interests. Graded

**LW 812 International Human Rights (2-3)**

This is a seminar course that serves as an introduction to international human rights. Starting from an exploration of the theoretical and philosophical foundations of human rights, the course will examine the different treaty regimes and their reporting mechanisms, different regional systems, and different dispute resolution processes that together form the international human rights regime. This will focus on some of the more fundamental substantive rights, such as the right to life, the right to freedom from torture, the right to liberty, the right to equality, freedom of expression, and freedom of conscience. In examining the jurisprudence of various dispute resolution bodies, the course will also examine the different analytical approaches to the adjudication and enforcement of human rights claims. Students will be required to write and to present in class a research paper. Prior completion recommended of Public International Law. Graded.

**LW 815 Immigration Law (2-3)**

An examination of immigration law, procedure and professional responsibility in its practice. Moral and social implications of immigration policy. Related topics such as the right to communicate in this country in languages other than English, the rights of citizen children of undocumented parents, rights of refugees, amnesty, and employer sanctions. Graded.

**LW 817 Mediation (2)**

This is a practicum designed to equip law students with skills as a mediator and to provide them with an in-depth examination of the technical, legal and ethical aspects of mediation in the context of civil, domestic and parenting time issues. Components of the course will address typical civil mediation scenarios, psychological aspects of family conflict, child development needs, domestic violence screening, premediation statements and documents, essential elements in drafting agreements, and the role of the lawyer as an advocate in mediation, and as a mediator. The course will employ mediation exercises, role plays, simulations, self-critique and group discussions to demonstrate and evaluate effective communication skills, negotiation strategies, mediation styles and settlement techniques. Graded.

**LW 819 Human Dignity Rights (2)**

Human Dignity Rights covers an emerging area of law as practiced and evolving in constitutional courts and otherwise throughout the world. First reflected in international law by the Universal Declaration of Human Rights in 1948, human dignity stands for the idea that every person has equal worth. The constitutions of nearly 170 countries acknowledge a right to dignity, including every constitution adopted or significantly amended in the last 50 years. Most multilateral regional agreements recognize the right to dignity. The constitutions of Montana and Puerto Rico do, too. What does legal recognition of the right to dignity mean? Constitutional recognition has resulted in thousands of court decisions upholding an array of rights, including those to free speech, trade, travel, employment, education, migration, health care, incarceration, reproduction, and climate stability, among others. We'll study these developments and consider modern applications to emerging geopolitical, economic, and environmental challenges. Simply, dignity rights matter now more than ever. Graded.

**LW 820 Local Government Law (2)**

The course covers a host of current constitutional issues covered by the Bill of Rights and other Amendments to the U.S. Constitution as local governments (over 90,000 nationwide) regulate the conduct of their citizens and their employees. Topics include, various civil rights related issues, free speech and assembly, openness in government, tort, public contracts, powers and structures of local governments, labor issues, land use and a host of other topics. Most attorneys in private practice or in public employment will either represent or interact as a litigant with local governments. Graded.

**LW 821 Crim Law: Prosecutorial Ethics (1-2)**

An examination of the broad discretion wielded by prosecutors, and the ethical considerations that arise from its use. Analyzing recent cases and engaging in simulated fact patterns, students will engage with the concept of prosecutorial discretion in a practical sense, developing unique perspectives and weighing them against the ethical and statutory responsibilities of a prosecutor.

**LW 822 Capital Punishment Seminar (2)**

This seminar will focus on the intricate Eighth Amendment jurisprudence that has developed since the United States Supreme Court's decision in *Furman v. Georgia*. Some of the main themes will include; recent history of the death penalty and its "constitutionalization"; role of aggravating and mitigating evidence in guiding the sentencer's discretion; application to juveniles and mentally retarded; political and social influences and debate; mechanics of trial and appeal; scope of appellate review, right to counsel and habeas corpus controversy; insanity, methods of execution and the role of clemency; and constitutional challenges to arbitrary imposition of the death penalty including race-based claims. Prerequisite(s): None. Satisfies perspectives requirement. Graded.

**LW 823 Tax Policy Seminar (2)**

The broad impact of tax legislation makes tax policy a topic relevant to every individual, business, and governmental entity in this country. This seminar focuses on the purposes presented as support for various tax regimes and specific tax laws. Students study and discuss statutes and regulations, legislative and administrative history, case law, and law review articles about tax policy and write and present a tax policy article. Prerequisite(s): Taxation of Individual Income. Graded.



**LW 824 Law Practice Management (2)**

The areas of study include perception of the legal profession, legal profession trends, small law office survival, products and services, case planning, fee contracts, fee arrangements, common ethical complaints and methods to avoid them, civility in the profession, marketing and promotion of legal services, firm performance evaluation, financial analysis of the firm, strategic planning, modern law office technology, use of law clerks and paralegals, pro bono obligations, and human resource management. Graded.

**LW 825 Client Counseling Competition (1-2)**

Open to the final four students in the annual intramural client counseling competition who advance to the regional competition. Students interview mock clients, prepare with faculty for competition with other law schools, and write a memorandum on a legal issue raised in the competition. Emphasizes effective communication and counseling in the first interview with a client. Students may earn 1 hour per regional competition, not to exceed 2 hours. Credit/No credit.

**LW 826 Ind Rdngs Natural Resources Lw (1-2)**

A candidate seeking an environmental law certificate may earn up to two hours credit for independent reading supervised by a faculty member. Offered only upon prearrangement with the faculty supervisor and the Associate Dean for Academic Affairs. Credit/No Credit.

**LW 827 Fundamentals of U.S. Int'l Tax (3)**

Have you ever wondered why Apple and other big name companies operate overseas? Do you know what a blacklist country is? Ever wonder how different our tax code is from the rest of the world? This course will answer those questions and much, much more. Fundamentals of United States International Taxation will provide a hands-on approach to the study of international taxation employing a combination of guided subject matter lectures and practical scenario problem sets. Topics of study will include: (1) Residency and Source Rules; (2) Inbound Taxation; (3) Outbound Taxation; (4) Foreign Tax Credit; (4) Anti-abuse rules including Controlled Foreign Corporations and Subpart F Rules; (5) Tax Treaties; and (6) Nonrecognition Transactions with Foreign Entities. Prerequisite(s): Taxation of Individual Income. Graded.

**LW 829 Moot Court - Goodell Int Comp (1)**

The Washburn Law School sponsors the Goodell Intramural Moot Court Competition, upper-level internal appellate advocacy competition each year open only to Washburn Law students. Each student on a two-person team must select one of two issues for which they will draft half a brief for a pre-assigned side and orally argue at least once on behalf of each side. All students competing must complete and submit an Intent to Compete form available from the course instructor. In no event may a student receive more than a total of 3 credits for intra- and interscholastic competitions under LAW 762 during their studies at Washburn Law. Once students are registered, no student may drop this course without permission of the course instructor. To receive credit, each student must record a minimum of 43 hours of work on the brief writing and oral argument practice and delivery. This course is graded on a credit/no-credit basis.

**LW 830 Health Care Law and Policy (2-3)**

Examination of the health care system in the United States with emphasis on the law and policy pertaining to the delivery of health care services on a national basis. Specific areas considered include such matters as access to health care, quality assurance, cost control and other topics of current interest. Graded.

**LW 838 Secured Transactions (3)**

Examines Uniform Commercial Code provisions on secured transactions and related areas. The course also explores the application of bankruptcy law to secured transactions and the effects of consumer legislation on secured credit. Graded.

**LW 839 Criminal Procedure II (3)**

A second course in criminal procedure law covering criminal process after arrest. Coverage spans the pre-trial, trial, and post-trial process, including prosecutorial discretion to charge, pretrial discovery, plea negotiation, grand jury and preliminary hearing screening, jury selection, double jeopardy, severance and joinder of trials, sentencing, and appeal. Prerequisite(s): Criminal Procedure I. Graded.

**LW 841 Federal Indian Law (2, 3)**

This course focuses on the framework which bears upon Native Americans and Indian reservation transactions. The course explores the Native Americans and the federal government, powers of tribal government, Indian civil rights, Indian lands, water and mineral development, Bureau of Indian Affairs authority, and federal/state conflicts regarding jurisdiction over Indians and Indian affairs. Graded.

**LW 850 Law and Politics (3)**

This course addresses itself to the ways that power and values are exercised within the legal system. It examines law as a constraint on political actors that they seek to circumvent when it disserves their preferences. In this course, students will skeptically approach the fundamental assumptions of the legal profession and test them against real-world observation. The purpose of the course is to enable students to advise clients on the ways that the rule of law limits political decision-making and how it does not. The course will address social science criticisms of legal systems, consider the limits of scientific methods to investigate law, investigate the role and rule of law in semi-authoritarian and authoritarian systems, and consider the normative objections raised to the causal theories offered by social scientists. It will consider the relationships between law and politics in courtrooms, administrative agencies, and legislatures. Graded.

**LW 851 Osaka: Compar Con Law - Rights (3)**

This course is a seminar that explores how different rights are enshrined, interpreted, and enforced in different constitutional systems. It will be limited to an examination of a few systems, and only a few specific rights. The emphasis will be on comparing the systems of the United States with those of Canada, Japan, and both the E.U. and in some cases certain specific European countries. Some reference will also be made to systems such as South Africa. The analysis will focus on equality rights, freedom of expression, freedom of religion, and security of the person and autonomy. The course will begin with a theoretical exploration of the different understandings of the nature of rights, the role of the judiciary and judicial review in a democracy, and how the limitations on rights and justifications of infringement are, and ought to be, analyzed. Prior completion recommended of Constitutional Law II. Graded.

**LW 852 Comparative Family Law (2)**

This class provides a comparative analysis of the legal approach to substantive family law, exploring issues of the foundations of English and European family law. Among the topics discussed will be the definition of family, regulation of marriage, legal recognition of non-marital relationships, parentage, child custody or parental responsibility, dissolution of relationships and child support. The course will also explore the UN Convention on the Rights of the Child and international treaties on adoption, child abduction, protection of children and international enforcement of child support. Prerequisite(s): Family Law. Graded.

**LW 853 Law and Economics (2, 3)**

An introductory exploration of the application of economic analysis to legal problems. Basic economic principles will be discussed and analyzed in a legal context, but no prior work in economics is necessary. A fundamental goal is to explore and understand the applications as well as the limitations of economic analysis to law. Graded.

**LW 854 Arbitration (2)**

This course focuses on the adjudicatory dispute resolution process of arbitration. It provides an examination of the legal and practical contexts in which arbitration is used, with specific study of arbitration in the international and securities arenas. The course will consider arbitration systems in international compacts, treaties and conventions and in commercial and labor transactions. This course is designed for advanced law students and may be of particular interest to those with a concentration in business or international law. Prior completion recommended: Alternative Dispute Resolution. Graded.

**LW 856 Oil and Gas Joint Operations (2)**

In the course, students will learn the law and drafting technique associated with joint operations in the context of oil and gas projects. The course will be guided by the American Association of Professional Landmen (AAPL) model form for joint operation in the U.S. and contrast the U.S. approach to joint operation internationally. The international focus will be guided by the Association of International Petroleum Negotiators (AIPN) model form for international operations. Graded.

**LW 857 Negotiation (2)**

This class teaches negotiation theory and its practical application. Negotiating is one of the most important skills used by attorneys. The class will not focus on dispute resolution specific to litigation such as ADR or mediation. Rather negotiations skill is learned by understanding strategy and theory, and students will have the opportunity to experiment through classroom exercises and simulations. The class will encompass a combination of readings, discussion and in-class exercises in which students will conduct negotiations and role play. In-class negotiations will draw from many potential scenarios, including business transactions, international disputes, labor and contract negotiations. Students will be evaluated based on self and peer review, results achieved in the mock negotiations, and a written paper or midterm. Graded.

**LW 858 Rural Practice Externship (3-6)**

This externship immerses students in the practice of law in a rural community. It provides the opportunity to experience living in a rural community and to appreciate the many civic roles fulfilled by lawyers. In addition to working with the designated supervising lawyer, students will interact with a number of judges, lawyers, government officials, business and civic leaders, and social service providers. The goal is to provide students with a thorough understanding of the varied legal issues addressed in a rural law practice and the professional and personal benefits of living and working in a rural community. Prerequisite(s): Completion of one year of academic study. Grading is based on Credit/No Credit, and Credit requires a minimum performance of "C" level work.

**LW 859 Advanced Oral Arguments (1-2)**

The course will build on the skills introduced in Legal Analysis, Research, and Writing (LARW) II and allow students to further develop their oral advocacy skills in the context of civil or criminal appellate practice. After the first class session, students will be assigned to take a civil or criminal track for the remainder of the course. Criminal and civil students will then meet separately during the course. The students will learn how to advocate for their client by highlighting their arguments' strengths, learning to distinguish opposing cases, and, importantly, how to present the best argument in fifteen minutes or less. The course will focus on the preparation needed to succeed at oral argument. The course will be taught primarily through practice drills but will also include classroom instruction on organizing the argument, preparing for questions, and researching your opposing party's strongest cases. The course will end with a graded oral argument. Prerequisite(s): LARW II. Satisfies skills requirement. Graded.

**LW 860 Bioethics and the Law (2)**

This course examines the ethical and legal dimensions of current controversies surrounding the rapid development of new technologies across a range of scientific fields. Topics include beginning of life issues, such as abortion and facilitated reproduction; end of life issues, such as pain management, advance health care directives, and medically assisted dying; genetic issues, such as cloning, genetic testing, genetic engineering, and genetically modified organisms; stem cell and cloning research; human subject and animal subject research; patenting life; and the use of Artificial Intelligence (AI) and other technologies in science and medicine. Additional topics include research misconduct, conflicts of interest, informed consent, data management, and public health and environmental impacts.

**LW 861 Constitutional Law I (4)**

This course examines the role of the Supreme Court in the interpretation and enforcement of the Constitution. It also examines the powers of Congress and the Executive Branch, separation of powers, and federalism principles, including the powers of the federal government in relation to the states and federal limits on state power. Graded.

**LW 862 Constitutional Law II (3)**

A study of the constitutional provisions guaranteeing individual rights, including the rights of freedom of expression found in the First Amendment and due process and equal protection principles found in the Fifth and Fourteenth Amendments. Prerequisite(s): Constitutional Law I. Graded.

**LW 863 Civil Procedure I (4)**

An in-depth analysis of the litigation process. Topics studied include the rules about pleadings, motion practice, discovery, and other aspects of pre-trial adjudication, such as joinder of claims and joinder of parties. Trial motions and judgments are covered as well. Also examined are the constitutional and statutory bases for subject-matter jurisdiction. Prerequisite(s): None. Graded.

**LW 865 Probate Procedure and Drafting (1, 2)**

This course is designed to provide practical instruction to the probate process, specifically in the state of Kansas. This course is geared toward students who have had Decedents' Estates and Trusts and provides information on how to work with probate issues in a practical sense. The course focuses on drafting different probate documents for decedents' estates issues and trust administration. The course starts out with information on speaking with prospective clients initially, issue spotting, and advising new clients on different probate procedures (opening a probate estate versus a determination of descent). The course covers the pros and cons of different types of probate procedures, and when different procedures should be used at what times, along with alternate probate procedures and how to draft the necessary documents. Additionally, the course includes trust administration, including drafting exercises for the documents for a successful administration. The class combines theoretical knowledge of the laws governing decedents' estates and trusts with drafting skills and procedural instruction. In general, the course instructs students on how to take a fact pattern from a client, determine what probate procedure should be used, and decide how to draft the documents (pleadings, proposed orders, notice, etc.) for successful representation of the decedent's fiduciary. Prerequisite(s): Decedents' Estates and Trusts. Credit/No Credit

**LW 868 Civil Procedure II (2, 3)**

Building on the topics covered in Civil Procedure I, this course examines doctrines about personal jurisdiction and venue; service of process; the availability of appellate review; jury trials; and claim and issue preclusion. Also studies are the relationship between procedural and substantive law and an introduction to the principles of federalism and conflict of law that arise in a system where state and federal courts have concurrent jurisdiction. Prerequisite(s): Civil Procedure I. Graded.

**LW 869 Legal Res. for Legal Scholars (1)**

This course will offer students advanced training on the sources, tools, tactics, and strategies commonly used to conduct in-depth, academic research on legal topics. Students will learn effective methods for finding and using legal scholarship in various forms, including journal articles, scholarly monographs, edited collections, amicus briefs, dissertations and theses, think tank materials, white papers, etc. They will become familiar with the life-cycle of legal scholarship and with the roles played by academic blogs, workshops, conferences, and preprint repositories. They will gain an appreciation for the interdisciplinary nature of scholarship and exposure to the research tools used for scholarly work in related disciplines. They will learn to find and make use of empirical research and statistical resources. Finally, students will practice strategies for developing a comprehensive literature review, with particular focus on methods of citation tracing, the application of controlled vocabularies, and the proper use of modern research tools that benefit from algorithms, AI, and machine learning processes. Prerequisite(s): Legal Analysis, Research, and Writing I and II. Graded.

**LW 870 Commercial Law (4)**

This course studies the financing and distribution of goods from manufacturer to their ultimate consumer. The course will emphasize the financing of sales transactions (Article 9 of the Uniform Commercial Code). The course additionally will introduce students to the traditional processes for payment of sales-generated obligations (Articles 3, 4, and 5 of the Uniform Commercial Code). The course finally will provide an introduction to the growing world of online sales and provide an introduction to blockchain and the developing "lex digitalis" or commercial law of the internet. Prerequisite(s): Contracts. Graded.

**LW 871 Commercial Leasing (1)**

Commercial Leasing is a transactional course that teaches foundational transactional skills related to a commercial leasing legal practice. After reviewing landlord-tenant concepts and learning how these apply in a commercial leasing context, students will spend the remainder of the course engaging in a series of simulated transactions related to commercial leasing. These may include drafting and negotiating shopping center leases and office leases, and examining leases in the context of assignment and sublease, leasehold financing, and lease acceptance or rejection in bankruptcy. As part of these simulations, students will have extensive opportunities to examine and draft transactional documents related to commercial leasing and engage in various role-play exercises designed to teach relevant lawyering skills. Prerequisite(s): Property and Contracts. Graded.

**LW 874 Farm Income Tax Estate & Succes (2)**

This course addresses tax, estate, and business law issues unique to farm and ranch clients. Key tax topics include IRS rules on farm payments, cooperative agreements, deferred contracts, Commodity Credit Corporation loans, self-employment income, crop insurance, weather-related livestock sales, Sec. 1231 gains, easement payments, depreciation, QBID, repair/capitalization rules, R&D expenses, soil and water conservation, lease payments, like-kind exchanges, pre-paid inputs, interest expense, business use of home, pre-productive expenses, hobby losses, NOLs, various credits, capital gain tax, Medicare surtaxes, and net investment income tax. Estate and business topics include common estate planning mistakes, federal estate and gift tax, special use valuation, charitable remainder trusts, estate tax inclusion for farm property, life estate-remainder arrangements, liquidity issues, trust application, long-term health care planning, parent-child business relationships, multiple entities, manager-managed LLCs, federal farm program rules, entity choice, income tax on corporate formation, in-kind wages, and partnership issues.

**LW 875 Lgl Analysis Rsrch Writing I (3)**

Introduction to fundamental legal thought and the art of lawyering, including legal process, legal reasoning, case analysis and synthesis, statutory construction, introduction to legal research, and objective legal writing, with a focus on office memoranda. Graded.

**LW 876 Lgl Analysis Rsrch Writing II (3)**

Further development of legal analysis and research skills and an introduction to legal advocacy through persuasive legal writing, such as trial and appellate briefs, and oral argument. Graded.

**LW 877 Jury Selection and Voir Dire (1)**

This course examines the art and science of jury selection through a study of the law and courtroom procedures pertaining to voir dire. The skills associated with jury selection will be taught, demonstrated, and practiced by having each student pick a jury for trial of a selected case scenario. General and specific questions on voir dire will be conducted by students acting as counsel and presided over by a judge. Student performance will be critiqued and the final grade will be assigned based on class participation and a final examination. Prerequisite(s): Trial Advocacy/ITAP. Graded.

**LW 881 Externship: Workplace Law (2)**

Students work at a federal or state workplace law related agency or in another appropriate placement addressing primarily workplace law issues. Placement in certain positions may be competitive. All externships require certification of a minimum amount of student time on qualifying externship activities, regular attendance and participation in the classroom component of the course (to be held currently with the general Externship I class), satisfactory evaluations from the sponsor, and completion of all written work and evaluations. Credit/No Credit.

**LW 883 Leadership for Lawyers (2)**

As lawyers advance in their careers, they often find themselves in leadership roles with responsibilities beyond traditional legal work. The numbers also bear out that Washburn Law graduates find themselves as leaders in private practice, government positions, and in the corporate world. Therefore, the concepts surrounding the topic of leadership are issues all law students could benefit from giving further examination. This class intends to provide a thorough introduction to leadership topics encountered in any setting but with a focus on how the legal world handles these many layered issues. For this two-credit class, we will focus on topics including motivating employees, generational differences in the law firm, dealing with conflict, diversity, working in teams, and making a difference in the legal profession. This class will rely heavily on case studies to discuss relevant topics, along with background readings and guest speakers, to cover the concept of leadership. Graded.

**LW 884 Dir Res/Adv Topics Workplace (1-2)**

Students focus on an area of special interest by engaging in supervised research and writing to complete a project that expands their knowledge of workplace law. Students must propose a project for review and approval by the faculty supervisor and the Associate Dean for Academic Affairs. Graded.

**LW 885 Children in the Law (2)**

The course includes a detailed look at the current system for the child in need of care and look at balancing the interests of parents, child and state. The topics will cover foster care; the Adoption and Sales Families Act; working with children in the legal system; defining abuse and neglect; reintegration of families; guardianship; access to medical treatment and mental health care; disability issues, access to special and regular education services; balancing the interests of children and their parents; the role of the guardian ad litem. Prerequisite(s): None. Graded.

**LW 886 Juvenile Offender (2)**

This course will cover juvenile delinquency including purposes of punishment and juvenile justice; the juvenile courts; jurisdiction and disposition of juvenile court; procedural differences between the delinquency process and adult criminal process; and the role of the lawyer in the juvenile court process. Recommended prerequisite: Criminal Procedure. Graded.

**LW 887 Adoption (2)**

This course will cover all aspects of adoption law – consents of parents; termination of rights; Indian Child Welfare Act; transracial and transcultural adoptions; the Hague Convention on Intercountry Cooperation in Respect to Adoption, access to information; the effects of adoption; and actions for wrongful adoption. Prerequisite(s): Family Law (or concurrent enrollment). Graded.

**LW 888 Financial Issues in Divorce (1-2)**

This course addresses financial issues associated with divorce including the identification, valuation, and division of property. Students will learn how to work with appraisers to value physical assets and complex intangible assets such as pensions, stock options, closely-held corporations, and businesses. The drafting, administration, and effect of pre-marital agreements will be addressed along with the taxation and planning aspects of divorce. Prerequisite(s): Family Law. Graded.

**LW 889 Transactional Law Meet Comp. (1-2)**

The Transactional Law Meet Competition requires a team of students to research, analyze, draft, and negotiate complex issues of business and transactional law and then engage in a competition with similar student teams from other schools (the transactional equivalent of a moot court). Preference will be given to students who are pursuing the Business and Transactional Law Certificate and satisfies the Experiential Requirement for that certificate. Prerequisite(s): Instructor Approval (limited enrollment). Credit/No Credit.

**LW 890 Domestic Violence (1-3)**

The course includes recognizing the signs of abuse; the cycle of violence; readings on domestic violence, representing the victim of domestic violence, advising a victim in divorce; effects of domestic violence on children; "battered women's syndrome" in criminal cases; working with other professionals and representing the abuser. Graded.

**LW 891 Climate Change Crisis and Law (2)**

This seminar course will provide an introduction of the law and policy responses to the climate-change crisis, and examine the significant challenges to developing legal regimes and employing law and policy methods for purposes of adequately addressing the crisis. The course will examine the complex nature of the climate change crisis, study the development and current operation of the international climate change law regime, consider some of the different law and policy approaches adopted by different countries, discuss the technical, ethical, and legal issues that confront the search for common solutions, and explore the significant challenges that must be overcome in order to develop a successful global response to the crisis. Prior completion recommended of Public International Law. Graded.

**LW 892 VITA and Compliance (1-2)**

The course will concentrate on legal tax compliance for individual taxpayers, and will encompass work with clients from the Volunteer Income Tax Assistance (VITA) program to put these legal rules into practice. VITA Site Coordinators and Directors would be eligible for this course, with professor permission, and will be able to choose 1 or 2 credit hours. The students in this course will be expected to develop a tax compliance training program, and administer it to the VITA program volunteers. Prerequisite(s): Permission of professor. Credit/No Credit.

**LW 893 Lawyering Competencies I (1)**

Lawyering Competencies I provides the educational framework for students enrolled in Third Year Anywhere. This is not a self-paced class. Throughout the class, students will have readings and/or videos and discussion assignments. In addition to discussion topics, students will also submit weekly journals to the faculty supervisor. Journals will allow students to reflect on what they are learning in the placement and to share information with faculty in a more private setting. This course will help students build competencies identified as important by legal employers while allowing students to undertake reflective learning. Specific competencies covered in this class include, but are not limited to the following areas: Reflective and Ethical Lawyering; Financial Literacy for Lawyers; Research, Writing, and Oral Advocacy; Organizing and Managing One's Own Work; Stress and Time Management; Cultural Consciousness and Anti-Racism; Collaboration. Depending on the field placement location, students may acquire competencies in areas such as Lawyering in Rural Locations or International Lawyering. Prerequisite(s): Eligibility for enrollment in Third Year Anywhere. Credit/No Credit.



**LW 894 Lawyering Competencies II (1)**

Lawyering Competencies II is the second semester of Lawyering Competencies I which provides the educational framework for students enrolled in Third Year Anywhere. This is not a self-paced class. Throughout the class students will have readings and/or videos and discussion assignments. In addition to discussion topics, students will also submit weekly journals to the faculty supervisor. Journals will allow students to reflect on what they are learning in the placement and to share information with faculty in a more private setting. This course will help students build competencies identified as important by legal employers while allowing students to undertake reflective learning. Depending on the field placement location, students may acquire competencies in areas such as Lawyering in Rural Locations or International Lawyering. Specific competencies covered in this class will include topics not covered in the Lawyering Competencies I course in the fall/first semester and may include, but not be limited, to the following areas: 1) Legal Advertising in Different Markets; 2) Challenges of Legal Representation on a Client's Budget; 3) The Business of Running a Law Office; 4) Professional identity and Reputation; 5) Ethical Issues in the Real World - Conflicts and Access to Justice; 6) Referrals and Collaborating with Other Lawyers and Mentors; 7) Battling Burnout - Mental Health for Lawyers. Prerequisite(s): Eligibility for enrollment in Third Year Anywhere. Credit/No Credit.

**LW 898 Trademark Law (3)**

This course focuses on federal statutory protections for trademarks and related source indicators. It covers substantive requirements and procedures for obtaining trademark protection from the U.S. Patent and Trademark Office, the scope of protection once granted, standards for infringement and dilution, limitations and exceptions to protections, and appropriate remedies. The course also covers related federal and state doctrines such as unfair competition, anti-cybersquatting protections, issues related to domain name registration. At the discretion of the professor, the course may touch on the intersection of trademark rights with other legal frameworks such as privacy law, advertising law, constitutional law, and international law. Graded.

**LW 901 Writing for Law Practice (3)**

This course is designed to supplement the first-year curriculum by strengthening legal writing, analysis, and critical thinking skills. Students will learn to apply principles of logical analysis, plain English, and proper planning, organization, and drafting by preparing legal documents commonly assigned to new law firm associates. Students will be expected to develop a portfolio of graded writing assignments for a variety of audiences, including but not limited to client letters, dispositive motions, proposed jury instructions, and judicial opinions. The focus of the course is the enhancement of analytical writing skills for law practice. Prerequisite(s): Legal Analysis, Research and Writing I and II. Graded.

**LW 902 Race and the Law (2-3)**

This course explores the concept of race and civil rights issues from a multiracial perspective and examines anti-discrimination laws in such areas as interracial marriage, public accommodations, housing, education, employment and voting. Major institutions studied include courts and legislatures at both the state and federal levels, with particular emphasis placed on the role of these institutions in the preclusion and allowance of political, social and economic opportunities for racial and ethnic minorities. Prerequisite: Constitutional Law II (or concurrent enrollment). Graded.

**LW 903 Criminal Appeal Advocacy (3)**

In this course students write and file two appellate briefs on behalf of Kansas Appellate Defender Office clients, under the supervision of a KADO attorney. Students who qualify as legal interns under Kansas Supreme Court Rule 719 may sign the briefs, although such certification is not a prerequisite for the course. The course includes a seminar consisting of lectures and exercises dealing with a variety of aspects of criminal appellate defense. Prerequisite(s): Criminal Law, Criminal Procedure I, Evidence, and Professional Responsibility. Graded.

**LW 903D Crim. Appeal Adv.-Adv. Topics (1-2)**

Once students have successfully completed Criminal Appeal Advocacy, they may participate in a directed internship of one-to-two hours depending on faculty availability and approval. Topics may include briefs, oral arguments, or other assignments involving criminal appellate advocacy. Prerequisite(s): Criminal Appeal Advocacy. Graded.

**LW 906 Cross Examination Techniques (1)**

Students will acquire advanced cross examination skills through short lectures, readings, use of audio-visual materials, self-reflective study, and skills practice in small group workshops. The course will focus on making the case to the fact finder through the witness on cross, techniques for controlling the adverse or hostile witness, mastery of impeachment techniques, and integrating the examination effectively into the case theory. Topics will include: use of courtroom technology in cross examination, use of deposition and reports to impeach, get help, and discredit, confronting the difficult witness, law enforcement witnesses, and other kinds of witnesses. Prerequisite(s): Evidence and Trial Advocacy (or ITAP). Graded.

**LW 907 Taking & Defending Depositions (1)**

This is a course in effective questioning strategies and techniques in deposition practice. Students will gain hands-on skills experience in taking and defending depositions. Topics to be covered include deposition strategy, preparation of the deponent, dealing with the difficult lawyer opponent, using exhibits during the deposition, furthering the case theory in depositions, and gaining the maximum of helpful information from the witness, including admissions. Students will attend classroom sessions, practice their skills in small workshop groups and review videotapes of their performances. Prerequisite(s): Evidence and Trial Advocacy (or ITAP). Graded.

**LW 911 Clinic: Transactional (4-5)**

In the Transactional Clinic, students learn core lawyering skills by engaging in the practice of law under Kansas Supreme Court Rule 719 with close support from a faculty supervisor who is a Kansas licensed attorney. During the semester students engage in entity representation of nonprofit organizations and small businesses. Students have the opportunity to practice a range of skills, including interviewing, client counseling, strategic case planning, meeting planning, legal and business drafting, negotiating, web conferencing, public speaking, time-keeping/management, and leading with mindfulness. Students also perform presentations for community partners. Each semester students give a Legal Issues for Your Small Business presentation for clients of the regional Small Business Development Center and a Nonprofit Governance CLE for the Kansas Bar Association. Clinic students meet twice weekly for seminar, which provides background knowledge and skills necessary for success in client representation. Students also have regular supervision meetings and perform casework. Prerequisite(s): 44 hours completed, minimum 2.0 GPA, certification as a Legal Intern and successful completion of, or concurrent enrollment in, Professional Responsibility and Business Associations. Because of potential conflicts of interest, students who are working for the Topeka City Attorney, the Shawnee County District Attorney, or clerking for a Shawnee County District Court judge or a Topeka Municipal Court judge, may not concurrently enroll in Law Clinic. Interns must pay a \$50.00 fee to the Clerk of the Kansas Supreme Court for their student practice certification. Enrollment in Clinic may be limited as in any other course. Satisfies skills requirement. NOTE: Students enrolled in clinic may elect to take clinic for either a grade or credit/no credit. Students have until the end of the first week of classes to change this election. Students must NOT inform the Law Clinic faculty or staff of their choice.

**LW 911D Clinic: Advanced Transactional (1-3)**

Once students have completed the transactional clinic internship, they may participate in a directed internship of one to three hours depending on faculty availability and approval. Directed interns will engage in the practice of transaction law. Prerequisite(s): Clinic Internship/Transaction or Clinic Internship/Litigation. Because of potential conflicts of interest, students who are working for the Topeka City Attorney, the Shawnee County District Attorney, or clerking for a Shawnee County District Court judge or a Topeka Municipal Court judge, may not concurrently enroll in Law Clinic. Credit/No Credit.

**LW 913 Child Advocacy Training (1-2)**

Lawyers who represent children in any type of custody proceeding, child in need of care, divorce, paternity or adoption, face special challenges. The course will include: interviewing children; understanding capacity issues; the roles and ethical obligations of the child's attorney, best interests attorney and other representatives for the child in litigation; the roles of other professionals - mental health professionals, custody evaluations; role of the child's lawyer in alternative dispute resolution; and cultural sensitivity. There will also be an advocacy component. Prerequisite(s): None. Satisfies skills requirement. Credit/No Credit.

**LW 914 Interviewing and Counseling (2)**

This course will introduce students to a practice-oriented approach to interviewing and counseling. It will enable students to develop the skills involved in investigating facts and interviewing and counseling clients. Class work will include demonstration, critique, discussion, and practical exercises. Students will also investigate doctrinal, procedural, and evidentiary issues in order to discharge effectively their role in each step of the process. Course topics will explore: (1) how to recognize legal and non-legal dimensions of a client's problems; 2) how to develop fundamental skills, including effective listening and questioning; 3) how to gather information; and 4) how to understand the decision-making process and help clients make appropriate decisions. Students will also explore ethical considerations in interviewing and counseling. There will be a final project instead of an exam. Graded.

**LW 915 Decedents' Estates and Trusts (3, 4)**

This course addresses: (1) the law governing transfers of property at death, including intestate succession, wills and will substitutes, and the administration of estates; and (2) the laws governing the creation, administration, and interpretation of trusts. Prerequisite(s): Property. Graded.

**LW 917 Employment Law (3)**

Federal and state laws touch the employment relationship from the moment an applicant enters a prospective employer's workplace until the relationship terminates. This course will introduce students to selected topics in employment law with a focus on common law and the federal statutory laws that modify the traditional employment relationship. Topics may include wrongful termination, the Fair Labor Standards Act, prevailing wage laws, and OSHA standards. Graded.

**LW 918 Patent Law (2)**

This course focuses on the patent component of intellectual property and includes instruction on determining patent eligibility, utility, novelty, nonobviousness and the role of prior art. It also includes instruction on patent drafting, prosecution, post-grant protection, infringement, and remedies. International patent issues will also be addressed. Graded.

**LW 919 Int'l Human Rights/Indig Peoples (3)**

This fully online, asynchronous course explores international human rights through the example of Indigenous peoples, with particular focus on land rights, cultural rights, and the extractive industries. Among other outcomes, students will learn to (1) describe the United Nations and regional human rights systems; (2) discuss how international human rights standards influence domestic law and policy; (3) describe the unique human rights challenges facing minority populations whose cultures are inextricable from their ancestral lands and resources; (4) select and apply international law to realistic human rights problems; and (5) critically discuss colonization and other social and historical context affecting Indigenous peoples' rights. Students who opt to complete the upper-level writing requirement will complete a seminar paper with revisions based on professor feedback. Those who seek the upper-level oral requirement will complete an individual presentation. Graded.

**LW 920 Spec. Legal Res: Bus & Tax Law (1-2)**

Specialized Legal Research: Business and Tax will provide students with an introduction to business and tax related materials and advanced training on the finding and utilization of these materials for legal research purposes. Topics covered during the business section of the course will include business forms, business filings, company information and SEC research, along with options for finding primary law and secondary sources for business related issues. For tax, the course will also focus on resources and best practices for finding primary law and secondary sources in the tax field, with an emphasis on specialized databases geared toward the tax practitioner. Graded.

**LW 921 Externship I (2-4)**

The School of Law has created opportunities for students to obtain a meaningful educational experience outside of the classroom through externships with federal courts, state courts, government agencies, and other governmental and non-governmental organizations. During each enrollment period students will receive a list of the available externships and the specific requirements the student must be willing to meet to be considered for a particular externship. Some externship opportunities may require the student to apply for an available position, and be selected. Although the specific requirements for credit can vary among externship opportunities, all externships require certification of a minimum amount of student time on qualifying externship activities, regular attendance and participation in the classroom component of the course, satisfactory evaluations from the sponsor, and completion of all written work and evaluations. Grading is based on Credit/No Credit, and Credit requires a minimum performance of "C" level (2.0) work. Prerequisite(s): 28 credit hours completed. If required by the sponsor or the work expected of the student extern, certification as a Legal Intern under the Kansas Supreme Court Student Practice Rule must be obtained. Additionally, some placements may have other requirements. See Externship Program for more information.

**LW 922 Externship II (2)**

This course allows a student, who has completed Externship I for 2 credits, to do one more Externship course with a different sponsor. The same conditions, guidelines, and grading policy for Externship I apply, except that Externship II does not require participation in a classroom component. See Externship Program for more information. Prerequisite(s): Completion of Externship I. If required by the sponsor or the work expected of the student extern, certification as a Legal Intern under the Kansas Supreme Court Student Practice Rule must be obtained. Additionally, some placements may have other requirements. Credit/No Credit.

**LW 925 Law Practice Technologies (1)**

This class will provide a hands-on survey of selected software, technologies and skills utilized in legal practice. The course will expose students to practical suggestions associated with selecting and using specific application as well as relevant legal and ethical issues. Graded.

**LW 927 Law of Armed Conflict (3)**

This course will cover the law of armed conflict (also commonly referred to as international humanitarian law, or *jus in bello*), which is the international law regime that governs the conduct of armed forces in the course of hostilities. The course will run from an examination of the development of the underlying principles and rationales, through to the decisions of modern war crimes tribunals, and is aimed at providing a solid understanding of the legal regime. Graded.

**LW 928 Public International Law (3)**

This course will cover the nature, foundations, and sources of international law, explain the relations between international law and domestic law, explore the role of states, organizations, individuals, and corporations in international law, examine treaties and survey basic human rights instruments. Graded.

**LW 930 SLR: Foreign and Int'l Law (1, 2)**

This course will introduce students to foreign and international legal research and sources of law. The course will focus on the development of research strategy and the "how-to" of conducting such research: identifying sources, finding tools, and following through by actually finding information. Prerequisite(s): Legal Analysis, Research & Writing I and II. Satisfies skills requirement. Graded.

**LW 931 Collaborative Law (1-2)**

Collaborative Law offers lawyers and clients a new form of alternative dispute resolution. The parties and their respective lawyers agree to negotiate and resolve the issues without resorting to litigation. The lawyers' role is to help the parties settle. The tools used for adversarial litigation are replaced with disclosure requirements. This course will train lawyers in collaborative dispute resolution. Prior completion recommended of Mediation and Negotiation. Graded.

**LW 932 Elder Law (2-3)**

This course examines family issues of the elderly including divorce, abuse and neglect, grandparent issues, advance directives, Medicare and Medicaid, Social Security and retirement and ethical issues unique to elder law. Prerequisite(s): First-year courses. Graded.

**LW 934 Gender, Sexuality, and the Law (3)**

This course will examine the interaction between gender and law in the United States, with a focus on how the law affects and reflects societal constructs of gender and sexuality. The course will explore legal issues such as governmental regulation of sex and gender in the context of reproductive rights, employment, family, and educational institutions. Graded.

**LW 936 White Collar Crime (2-3)**

This course examines the statutes, doctrinal developments, social and economic issues that are essential features of white collar crime. The course will venture well beyond the first-year Criminal Law survey course, while extending principles of conspiracy, theft, and *mens rea* concepts permitting derivative criminal liability. Topics include the jurisprudence of white collar crime, criminal liability of corporations and corporate executives, mail and wire fraud, tax and securities fraud, false claims against the government, money laundering and asset forfeiture. Throughout the course, students will be challenged to consider how the information learned in the course could be applied to better represent clients and to consider alternative approaches with potential to yield favorable outcomes that advance client interests and address the policies underlying criminal liability. Prerequisite(s): Recommended completion of Criminal Procedure (or concurrent enrollment). Graded.

**LW 937 Evolution of a Business Trans. (1)**

This course will be devoted to an in-depth analysis of the transactions involved in the purchase of a business entity. Students will examine the documents, legal issues, and business concerns involved in the purchase of a business, beginning with the execution of a letter of intent and ending with the closing checklist. Students will work with actual sale and financing documents from such transactions, with a particular focus on the perspectives of the buyers. Prerequisite(s): Business Associations preferred (but not required). Graded.

**LW 938 Fundamentals of Real Estate (1-2)**

This course builds upon first year Property and Contracts classes and completes the coverage of real property law, covering doctrinal topics foundational to the understanding of legal rights, interests, and transactions in real estate. The course will cover the law of real property contracts – both purchase and sale agreements and mortgage loans – as well as the US real estate title assurance system. In the two-credit version, the course will offer more detail about the development and modern variations within the US land title and mortgage systems. A student may not take both this course and Real Estate Transactions. Prerequisites: Property and Contracts. Graded.

**LW 940 Tax. of Business Enterprises (3)**

This course covers the tax consequences of forming, operating, and liquidating business enterprises. It will illustrate the effect tax law has on business and economic decisions, such as choice of legal entity, forms of compensation, and modes of distributing assets to enterprise owners. The course is essential for any person who will do transactional work in practice. Prerequisite(s): Taxation of individual Income. Graded.

**LW 941 Tribal Law and Government (2-3)**

U.S. lawyers increasingly find themselves representing clients in matters involving tribal courts, governments, lands, and citizens. This course will introduce students to the internal law and governance systems of the approximately 566 sovereign Indigenous nations located within the borders of the United States. Students will explore a rich variety of constitutional, executive, legislative, and judicial models. The class will also study various Indigenous North American approaches to substantive areas such as juvenile justice, environmental regulation, criminal sentencing, and so on. This course will provide critical knowledge to future practitioners in many fields, such as energy law, family law, and commercial litigation and transactions. It will also broaden skills in reading foreign law, navigating our complex federal legal system, understanding the legal challenges faced by developing nations, and gaining literacy in multi-cultural legal perspectives. Prerequisite(s): None. Graded.

**LW 942 Performance Writing (2)**

This course provides a bridge between the writing instruction of the first year and the writing demands of the upper-level writing requirement, clinic participation, and competition teams by curating and supervising multiple closed-universe practice problems. The class will give students numerous opportunities to practice both objective and persuasive forms of legal analysis across both foundational and niche law doctrines for the benefit of different audience types through the use of Multistate Performance Tests. Enrollment by approval of instructor; preference will be given to rising 2Ls. Prerequisites: LARW I and LARW II. Graded.

**LW 945 Election Law (2-3)**

In this course, we will consider the shape and scope of electoral law in the United States, and how it affects our body politic. We will pay close attention to how our laws have granted and restricted the free exercise of "the franchise" by Americans, including but not limited to: voter enfranchisement, the mechanics of the electoral process, legislative districting, legislating through ballot initiatives, and the financing of political campaigns. Grades.

**LW 948 Intern'l Intellectual Property (3)**

This course provides students with an introduction to the framework for global harmonization of laws governing intellectual property rights (IPR). A brief overview of relevant legal concepts in both international law and intellectual property law leads to exploration of the roles of the World Trade Organization, the World Intellectual Property Organization and other international organizations in regulating both policy and enforcement in intellectual property protection. Students also discuss the roles of IPR across cultures, including how societal, cultural and historical factors influence attitudes toward IPR protection. The course will distill the disparate views regarding the role of IPR protection in economic development, international politics and relations and important distributive issues involving health care, education and technological innovation. Recommended prerequisites: Intellectual Property, International Business Transactions, Public International Law, or International Human Rights of Indigenous People. Graded.

**LW 949 Spec Leg Res: Statutory/Reg. (2)**

This course covers in greater depth various legislative and administrative research topics introduced in the first-year LARW classes. Students will thoroughly examine federal legislative and regulatory processes and master strategies for finding and using various legal and interpretive materials produced by Congress, the President and government agencies. The course addresses traditional and electronic research methods, techniques for tracking contemporary activity, and the use of FOIA requests and similar mechanisms for obtaining otherwise inaccessible information. As a final project, students will compile an extensive report documenting a federal agency's statutory authority and regulatory activity. Prerequisite(s): Legal Analysis, Research and Writing I and II. Graded.

**LW 950 Introduction to Nonprofit Law (2)**

Nonprofit organizations play a vital role in the social development and economic stability of American society. This intersession course will provide a foundation to understanding nonprofit organizations by examining state and federal laws generally applicable to nonprofit organizations. Topics include state formation of not-for-profit corporations; federal laws governing tax-exempt nonprofit organizations; nonprofit governance models; fiduciary duties of board of directors; state and federal prohibitions and limitations for nonprofits; ethical considerations, and best practices. This course will also address the practical aspects of representing and advising nonprofit organizations. As many nonprofits are resource poor, attorneys are often asked to represent nonprofits on a pro bono basis. Unfortunately, many attorneys are unprepared to offer competent representation. This course will provide a basic foundation for the legal knowledge, skill, and preparation reasonably necessary for such representation. Graded.

**LW 953 Copyright Law (3)**

This course provides students with an introduction to copyright law in the United States, focusing on the U.S. Copyright Act of 1976. The course covers basic concepts such as subject matter, authorship, duration and formalities and introduces students to the exclusive rights conferred by U.S. copyright law: the right to authorize reproduction, preparation of derivative works, distribution, public performance, display and transmission. The class addresses infringement of these exclusive rights, including the increasing importance of concepts of secondary liability in this context, as well as fair use and other limitations to the enumerated rights. Class discussions incorporate the impact of the Internet on both the delineation and enforcement of exclusive rights and the effects of recent technological and legal developments on specific copyright-reliant industries. Graded.

**LW 954 Adv. Intellectual Property Sem (2)**

This course focuses on "hot topics" in intellectual property (IP) law, tackling timely IP issues such as the challenges of online copyright enforcement in the Internet age, the patentability of living organisms and genes, and the interactions between trademark law and the ever-expanding Internet domain name system. The course affords opportunities for in-depth discussion about issues that are covered only briefly in the introductory IP course. Students explore specialized topics with the goal of understanding how shifting theoretical and philosophical perspectives on IP impact current debates in the field, and have the opportunity to expound upon particular subjects of interest through completion of a seminar paper and accompanying presentation. Prerequisite(s): Intellectual Property. Satisfies perspective requirement. Graded.



**LW 956 Mediating Employment Law Cases (1)****LW 959 Public Employment Law (2)**

This course provides an in-depth study of the law governing public employment, including union representation and collective bargaining in the public sector. The primary concentration will be on the law governing state and local government employees, with some limited study of the federal sector. Graded.

**LW 961 Patent Prosecution (2)**

This course provides students with the practical skills needed to succeed as patent attorneys. Students will learn how to draft claims, prepare a written patent description, and respond to Office actions (communications from examiners at the U.S. Patent and Trademark Office). Students also will complete short drafting assignments designed to help prepare them for the patent bar exam. While the course is not a comprehensive patent bar preparation course, it will help students prepare for a portion of the patent bar testing the Manual of Patent Examining Procedure. The course will also cover cases illustrating application of patent concepts patent lawyers frequently encounter during patent prosecution, such as patent-eligible subject-matter, novelty, non-obvious subject matter, and content of a patent application. Graded.

**LW 962 Legal Writing Clerkship/Extern (1)**

This intersession course begins to bridge the gap between first-year legal writing and experiential learning opportunities such as summer internships and externships. It simulates a new associate's law office environment with daily meetings and research and writing assignments. Students will work on campus during standard business hours, starting the day with a case rounds meeting, discussing the morning's research during a lunch meeting, and reporting to the supervising attorney at the end of the day to discuss conclusions and review finished work product. By week's end, students will have a portfolio of short written assignments. The course strengthens research skills, provides feedback on analysis and writing, introduces new forms of work product, and raises some professional and ethical challenges that come with producing legal work product under timed conditions. Students will also have opportunities to discuss professional etiquette, workplace expectations, and many of the other "unwritten rules" of daily practice. Prerequisite(s): Legal Analysis, Research and Writing I. Graded.

**LW 963 Multistate Legal Analysis (3)**

This course presents opportunities to develop and apply critical reading, thinking, and writing skills to maximize student performance on the bar exam. The course utilizes released or simulated bar exam content to familiarize students with the tasks of issue spotting and the general legal analysis required for the multistate performance tests and multistate essay exams. The course will present techniques for answering multiple-choice questions and strategies for analyzing, organizing, and writing responses to essay questions. This course does not replace a commercial bar preparation course. Prerequisite(s): Student must be in last year of law school. Credit/No Credit.

**LW 964 Multistate Legal Analysis NexGen (3)**

This course presents opportunities to develop and apply critical reading, thinking, and writing skills to maximize student performance on the NextGen bar exam. The course utilizes released or simulated bar exam content to familiarize students with the tasks of issue spotting and the general legal analysis required for the performance tests and integrated question sets of the NextGen bar exam. Additionally, the course will present techniques for answering multiple-choice questions and strategies for analyzing, organizing, and writing responses to questions requiring communication of multiple analytical steps. This course does not replace a commercial bar preparation course. Credit, no credit. Prerequisite(s): Student must be in last year of law school. Asynchronous online

**LW 965 LARW for the Government Client (2)**

The focus of this course is to strengthen students' legal writing, analysis, and critical thinking skills for success in representing government clients. The lawyer representing a government client writes from a unique perspective, and must be cognizant of the organization as the client, the lawyer's role as advisor or advocate, and the public interest. Further, the lawyer's written materials are often publicly available, requiring the lawyer to write in a clear and understandable, yet legally thorough, manner. To develop these skills, students will research and draft legal opinions, policies, statutes, ordinances, and resolutions. Prerequisite(s): Legal Analysis, Research & Writing I and II. Graded.

**LW 967 Environ. Reg of Oil/Gas Indus. (1-2)**

All phases of oil and gas development are regulated under various state and federal environmental statutes. The state and federal environmental laws that apply to the exploration, production, and marketing phases of the oil and gas industry are studied in a chronological context as operations progress from land acquisition to abandonment. Students will learn to apply the environmental laws to specific activities using a basic compliance model. Graded.

**LW 971 Law in Context (2)**

This course is designed to engage students in a variety of legal analysis tasks, set in different doctrinal contexts. Students will develop flexibility and confidence in legal problem solving skills by completing assignments that present opportunities to develop proficiency in framing legal issues, applying legal rules to relevant facts, and writing clear and concise responses to objective and persuasive legal questions. Graded.

**LW 973 Int'l Petroleum Transactions (3)**

This course focuses on the transnational law governing oil and gas companies when doing business abroad. The course addresses (1) applicable law in international petroleum transactions, (2) foreign legal regimes governing petroleum exploration, development and production, (3) the contractual and regulatory environment governing the operations of international petroleum projects, (4) basic principles of international petroleum distribution and sales, and (5) the key distinctions between international petroleum and gas transactions. Graded.

**LW 976 Judicial Externship (2-4)**

Students may obtain educational experience outside of the classroom through externships with federal or state courts. During each enrollment period students will receive a list of the available externships and the specific requirements the student must be willing to meet to be considered for a particular externship. Some externship opportunities may require the student to apply for an available position, and be selected. Although the specific requirements for credit can vary among judicial externship opportunities, all judicial externships require certification of a minimum amount of student time on qualifying externship activities, regular attendance and participation in the judicial externship seminar, satisfactory evaluations from the court, and completion of all written work and evaluations. The judicial seminar will address such topics as judicial process, writing memos for judges, judicial opinion writing, confidentiality, professionalism, and other relevant topics. Guided reflections will be required for this externship. Credit/No Credit.

**LW 978 Jessup Int'l Moot Court Comp. (1-4)**

The Jessup International Moot Court Competition requires teams to research, analyze, and write "memorials" (briefs) on complex issues of public international law, and then to make oral submissions before panels of judges representing the International Court of Justice in the Hague. The team consists of six members: four serve as primary advocates and earn 2 credits; one serves as "of counsel" and earns 1 credit; and the sixth is a first-year student who is an observer of the competition, receives no credit, but is automatically one of the primary advocates the following year. Primary advocates are eligible for fulfilling both the upper-level writing requirement and the upper-level oral requirement. Students may participate in the Jessup team a second time in their third year, and are eligible again for 1 or 2 credit hours depending on their role as described above (for a maximum of 4 credit hours if taken twice). For more information see the Jessup webpage. Recommended prerequisite: Public International Law. Credit/No Credit.

**LW 979 Pract Sem IV: Intl Petro Trans (1-4)****LW 980 Practical Sem I: Torts (1-4)****LW 981 Practical Sem II: Crim. Law (1-4)****LW 982 Practical. Sem III: Oil/Gas (1-4)****LW 984 E-Discovery (2)**

Almost every civil case filed today will encounter issues relating to the discovery of electronically stored information ("ESI"). This course will help students understand what ESI is (e.g., e-mails, databases, metadata), what the key issues arising in cases involving ESI are, and the developing trends relating to the resolution of those issues. Students will also gain an understanding of how the federal rules affect ESI issues in litigation, applying relevant standards and tests developed from caselaw and other sources. Prerequisite(s): Civil Procedure I. Graded.

**LW 990 Study Abroad, Univ. /Maastricht (3-15)**

This Program is designed to allow Washburn law students, who have completed one year of legal studies, to enroll in one semester of international law and comparative law courses offered by the Faculty of Law at Maastricht University, the Netherlands. The purpose of the Program is to expose the Washburn students to the socio-legal environment of the Netherlands and Europe through course work in international and comparative law at a Dutch legal institution. To seek enrollment in the Program, interested students must submit a letter to the Associate Dean for Academic Affairs requesting enrollment by April 1st of the academic year immediately preceding the academic year that the student intends to be enrolled in the Program. No more than 4 students may enroll in the Program in any academic year. See the Study Abroad, Maastricht University web site to learn more about this program. Credit/No Credit.

**LW 993 Third-Year Anywhere Extern I (6)**

The Third Year Anywhere program allows law students to perform fieldwork at placements inside and outside of Kansas for academic credit during their final one or two semesters. Students who participate in this program will reside and gain practical legal experience in the local market where the student seeks to practice after graduation from law school, thereby increasing the students' practice-readiness. (Placements are subject to limitations based on student safety and educational integrity). Student Externs will work under the direct supervision of a local Field Placement Supervising Attorney ("Supervising Attorney"), with oversight from the Faculty Supervisor who is a faculty member at Washburn Law. Students may earn up to two credits of skills instruction per semester through this externship placement. Prerequisite(s): Must enroll in Law Practice Competencies I. Credit/No Credit.

**LW 994 Third-Year Anywhere Extern II (2-6)**

The Third Year Anywhere program allows law students to perform fieldwork at placements inside and outside of Kansas for academic credit during their final one or two semesters. Students who participate in this program will reside and gain practical legal experience in the local market where the student seeks to practice after graduation from law school, thereby increasing the students' practice-readiness. (Placements are subject to limitations based on student safety and educational integrity). Student Externs will work under the direct supervision of a local Field Placement Supervising Attorney ("Supervising Attorney"), with oversight from the Faculty Supervisor who is a faculty member at Washburn Law. Students may earn up to two credits of skills instruction per semester through this externship placement. Prerequisite(s): Must enroll in Law Practice Competencies II. Credit/No Credit.