

COURSE DESCRIPTIONS

ADVANCED LEGAL WRITING AND DRAFTING – ONLINE COURSE (3)

This seminar is designed to improve and fine-tune legal writing skills by emphasizing inductive and deductive organization in various legal documents and editing and critiquing documents to add clarity and structure. Drafting assignments will include trial briefs, correspondence, and estate documents. This is an online course available only in the summer.

ALTERNATIVE DISPUTE RESOLUTION – ONLINE COURSE (3)

In the era of the “vanishing trial,” when less than 5% of disputes are resolved through litigation, this survey course provides an introduction to negotiation, mediation, arbitration, and multi-step dispute resolution processes. The purpose of the course is to provide students with knowledge to counsel clients about the most appropriate process to resolve their disputes, whether in transactional, litigation, or in-house/non-profit settings. As a skills course, more than half of class time is spent experiencing these dispute resolution processes. This is an online course available only in the summer.

BUSINESS ASSOCIATIONS (4)

This course surveys significant legal issues affecting the formation, operation, and governance of business enterprises. It explores the basic relationships and legal entities through which business activities are carried out, including agency, partnerships, limited liability companies, and corporations. Choice of organizational form, financing structures, implications of limited liability and limitations imposed thereon, governance of the enterprise, and the nature and extent of fiduciary obligations are among the many topics addressed. The course also provides an overview of some basic financial accounting and valuation concepts and principles of taxation applicable to C corporations, S corporations, and partnerships. It provides an important foundation for further study in areas of business planning, securities regulation, and taxation, as well as general knowledge of complex legal and policy questions affecting modern business operations.

CLIENT INTERVIEWING AND LEGAL COUNSELING (3)

This course focuses on (1) the communication and counseling skills necessary to attorneys representing clients, (2) the role of the attorney acting for and with the client, and (3) the lawyering dilemmas that can occur in the attorney-client relationship and ways to resolve those problems. Practical skills and an understanding of ethics and law needed for client interviewing and legal counseling, both in person and in written and telephonic communications, are fostered and practiced in this course. Students' skills are developed through practical training and simulated client experiences; ethical and professional considerations in all aspects of attorney-client communications and counseling are addressed, both in class discussions and simulations and in students' written assignments. Readings are drawn primarily from the law; additional readings will also be assigned from psychology, neuropsychology, history, and social science.

EVIDENCE (3)

This is a comprehensive course covering the rules governing the introduction of evidence in judicial and, to a lesser extent, administrative proceedings. Attention is focused on the Federal Rules of Evidence, the Nebraska Evidence Rules, and the general principles of the common law of evidence. A combination problem/case book method is employed.

EXTERNSHIPS (3 hour externship; 1 hour classroom component)

Please contact Professor Uchimiya as soon as possible if you are interested in a Summer 2021 externship. She will get you registered once your externship has been approved.

FIRST AMENDMENT FREEDOM OF SPEECH (3)

This course surveys the law, principles, and policy underlying the First Amendment guarantees of freedom of speech and religious liberty. Topics covered include the categories of unprotected speech, content-based and content-neutral regulations of speech, expressive conduct, commercial speech, speech in public schools and on public property, freedom of the press, trans-substantive free speech doctrines, freedom of association, free exercise of religion, and prohibition on laws respecting establishment of religion. During the summer, this course will be taught in an online, asynchronous format.

NEGOTIATION (3)

This course introduces the skills of negotiating and offers hands-on experiences in the three common steps of that process (preparation, negotiation, and drafting). Students will discover, control, and use personal strengths and weaknesses in confronting and compromising adversary interests. A significant amount of time will be spent on negotiating projects. Readings cover legal, psychological, theoretical, and practical aspects of negotiating.

TRADEMARK LAW (3)

This course examines the law as it concerns trademarks, trade dress, dilution, misappropriation, false advertising, and the right of publicity. Most of the course will focus on trademark law including the requirements for valid trademarks, protections afforded trademark owners, federal trademark registration under the Lanham Act, elements and proof of trademark infringement, and defenses to trademark infringement. The course will also discuss the Federal Trademark Dilution Act, state dilution laws, and protections for internet domain names under the Anticybersquatting Consumer Protection Act. The course will explore the interests of public protection from consumer confusion and deception, the right to freely compete, and protection of ownership rights in trademarks and trade identity. This course is a related course in the Business, Taxation, and Commercial Transactions Area of Concentration.

PROFESSIONAL RESPONSIBILITY (3)

This course considers the nature of the legal profession and attorneys' obligations to their clients, the courts, their colleagues, and society. The course approaches these issues by familiarizing students with the Model Rules of Professional Conduct and introducing students to ethical questions that may arise in practice that are not specifically determined by the Model Rules. The course focuses on the nature and duties of the attorney-client relationship, rules governing conflicts of interest, standards for behavior in specific contexts, special roles of attorneys, and regulation of attorney conduct through formal and informal mechanisms.

FROM NUREMBERG TO THE HAGUE: THE IMPACT AND LEGACY OF THE HOLOCAUST ON THE LAW (3) – GERMANY SUMMER ABROAD COURSE

This course is designed to foster a greater understanding of how traumatic societal events like the Holocaust impact the law and alter the trajectory of the law's development. Ethical, historical and legal insights are generated from the study of the *Holocaust* and its influence on the development of international crimes, human rights law, peremptory norms, transitional justice, hate speech prohibitions, genocide denial laws, and modern governmental bureaucracies.

INTERNATIONAL CRIMINAL LAW (3) – GERMANY SUMMER ABROAD COURSE

This course explores the theoretical and practical reaches of major international crimes: genocide, war crimes, crimes against humanity, and aggression. Historical and modern cases are analyzed as well as various structural modes for international criminal tribunals, rules of procedure and evidence, extradition, bases of jurisdiction, and policy questions associated with new directions in the development of this field of law.

NUREMBERG MOOT COURT COMPETITION (2) – GERMANY SUMMER ABROAD COURSE

Each summer, the Nuremberg Principles Academy and Friedrich-Alexander University Erlangen-Nuremberg co- sponsor the Nuremberg Moot Court Competition in Nuremberg, Germany. The Competition exposes teams of students to the challenging subject of International Criminal Law. Participating teams analyze, brief, and argue a fictional case before judges acting as members of the International Criminal Court. The Competition's stated goals include "promotion of the fundamental heritage of the Nuremberg Trials and criminal accountability within armed conflicts in keeping with the spirit of human rights, governed by the principle of fair trial." The competition seeks to advance knowledge about the International Criminal Court's mandate, functions, and jurisprudence. Up to 10 students may register for the competition.