Advanced Evidence (2)

This course offers an in-depth study of three important areas in the presentation of evidence at trial: character (e.g., habit, routine and prior bad acts, as well as traditional character traits), hearsay, and expert testimony. Although not a "techniques" course, students will be called upon to participate actively in the class discussions and simulation. (Elward)

Antitrust in Health Care Field (2)

This course will cover the full range of antitrust issues affecting the activities of all participants in the healthcare field, including different types of healthcare service providers (hospitals, physicians, and ancillary service providers), payors (government and commercial), and suppliers of products to providers and their patients. Following an introduction to the antitrust laws generally, the course will specifically address the competitive issues posed by mergers and joint ventures involving competing healthcare providers or payors, the formation and operation of provider networks (including Accountable Care Organizations) and managed care contracting, the activities of trade associations and group purchasing organizations, medical staff privileges and credentialing, single firm conduct, and specific statutory provisions (e.g., Robinson-Patman Act), exemptions and immunities.

Canon Law and Catholic Health Care (2)

According to the Catholic Health Association of the United States, there are Catholic health care systems and facilities in all 50 states, providing acute care, skilled nursing and other services including hospice, home health, assisted living and senior housing. Over 15% of all hospital beds are operated by Catholic health care systems. Catholic health care supports over 20% of the hospitals in 24 States, and more than 30% of all hospitals in eight States. Catholic health care must comply with both civil law and ecclesiastical law. Knowledge of the Church’s own legal system, known as canon law, and how it interacts with civil law is essential for lawyers and administrators responsible for the management of ecclesiastical entities such as Catholic hospitals and health care systems.

Examples of specific issues would be in the areas relating to Catholic identity, sponsorship, mergers and joint ventures involving Catholic health care institutions; incorporation and tax-exempt status of religious organizations; the acquisition and sale (alienation) of ecclesiastical property; wills, estates, bequests and gifts involving ecclesiastical goods; liability for clergy and employee misconduct; immigration law aspects of foreign religious workers; and the interface between government regulations and the Church’s ethical and religious directives. (continued next page)
Moreover, the Ethical and Religious Directives for Catholic Health Care Services issued by the United States Conference of Catholic Bishops present the theological principles that guide the Church’s vision of health care. This course will examine in detail the two-fold purpose of the Ethical and Religious Directives: first, to affirm the ethical standards of behavior in health care that flow from the Church’s teaching about the dignity of the human person, and second, to provide authoritative guidance on certain moral issues that face Catholic health care today.

Canon Law and Catholic Health Care should be of particular interest for law students and business students interested in the management of Catholic health care institutions. This course will be conducted as a seminar in which students will be invited to write a research paper and make a classroom presentation on some issue of canon law and Catholic health care.

**Child, Parent and State (3)**

This course examines the legal relationships among children, family and the state, primarily in the context of issues over which juvenile courts traditionally have jurisdiction. The subject matter is divided into two sections, the first dealing with the constitutional and statutory rights of juveniles involved in the criminal justice system and the second focusing on civil matters including neglect, abuse, termination of parental rights, adoption, and children’s right to treatment issues. (Burns, Coupet, Geraghty)

**Consumer Law (2)**

The course surveys consumer law from a transactional perspective, beginning with issues of deception, including false advertising, related to consumer purchases. There is coverage of the law of consumer credit, including issues of discrimination, overpriced credit and deceptive credit practices, and standard form contracts of adhesion and recent Supreme Court rulings covering binding arbitration and class actions. Consumer remedies and special issues of consumer fraud on the Internet complete course coverage. The course is especially recommended for students interested in public interest law.

**244 - Cyberlaw (3)**

The emergence of the Internet and digital technologies that enhance human abilities to access, store, manipulate, and transmit information has brought with it a host of new legal issues that lawyers preparing to practice in the 21st century will need to understand and address. This survey course will introduce and explore specific problems in applying law to issues arising on the Internet. Topics expected to be covered include the bounds of jurisdiction, privacy, governance and regulation, online commercial transactions, content protection (through intellectual property, contract, and technological means), and cybercrime. There are no prerequisites. Grades for the course will be based on a take home exam and class participation. (Das)

**397-Elder Law (2)**

This class provides the doctrinal foundation in elder law. The class is taught through the lens of bar-related areas of the law. Fiduciary and Agency law concepts are used to discuss ethics issues, discrimination issues, durable powers of attorney, and other methods for planning for an individual’s incapacity. Public and Constitutional law concepts are used to discuss an individual’s right to consent to or deny medical treatment, the court’s jurisdiction in adjudicating adult guardianship, and the governmental benefits available to elderly individuals. Property laws are used to discuss various housing choices available in retirement, and Contract and Tort laws are used to discuss nursing homes, private insurance, and other financial contracts. Additionally, Consumer and Bankruptcy laws are used to discuss financial exploitation while Evidence and Criminal laws are used to discuss physical and emotional abuse of the elderly. Other important issues with aging populations will be discussed.

**Required Text:** Bauer, Flowers, Morgan, Morrissey, and Radwan, “Elder Law as an Inter-doctrinal Study.” (forthcoming)

**Grading:**

- class participation and professionalism: 30%
- Midterm: 30%
- Final Exam: 40%
Immigration Law (2)

This course includes an examination of the following: historical perspective; execution of the laws; the 1952 Act and its amendments, including the 1986 amendments; a review of the immigration system including judicial review and the naturalization and citizenship process; rights, privileges and obligations of aliens in the U.S.; ethics of legal practice in this area; the future of immigration law and policy.