

BAR COURSE (BAR)

BAR 901: Administrative Law

3 Credits

This course is an introduction to the law of the administrative state; to the constitutional, statutory and judge-made rules governing what agencies may do, the procedures they must follow, and how they can be held to account. Topics include mechanisms for control of agencies by the legislative and executive branches; the constitutional basis for, and limits on, governance by agencies; the availability and effects of judicial review over agency action; and the features of agency rulemaking and adjudication.

BAR 902: Advanced Federal Income Tax

3 Credits

This course examines the treatment of those taxation principles applicable to investment and business operations applicable to all taxpayers from a perspective that emphasizes tax planning and tax avoidance.

Prerequisite: BAR 904

BAR 903: Advanced Torts

3 Credits

This course focuses on torts not involving physical injury, with substantive and procedural coverage of claims for misrepresentation, defamation, invasion of privacy, interference with contract, and injurious falsehood, along with affirmative defenses to these causes of action. These areas have increased in importance due to the emergence of electronic communications resulting in potential liability.

BAR 904: Basic Federal Income Tax

3 Credits

The focus of this course is the federal income tax law and the tax policy considerations that inform the design of the structure of the law.

BAR 905: Business Entities I: Unincorporated Business Entities

3 Credits

This course surveys the law of unincorporated business entities. The agency law part of the course will focus on the agency relationship and, more specifically, the duties and obligations of principals and agents to one another and to third parties. Agency law concepts apply to LLCs, partnerships and other business entities. The partnership law part of the course will cover the fiduciary obligations of partners, partners' management and property rights, and partnership dissolutions. The final part of the course will examine limited liability entities, with emphasis on the formation, organization, and dissolution of limited liability companies.

BAR 906: Business Entities II: Corporations

3 Credits

RECOMMENDED PREPARATION: BAR 905 This course provides an introduction to the basic principles of corporate law. The primary emphasis of the course is the body of state law that regulates the activities and internal affairs of business corporations. The course

will focus on traditional state law principles of corporate governance, including the fiduciary duties of loyalty and care, the business judgment rule, and shareholder derivative suits. In addition to state corporate law, the course will cover some federal laws that regulate the activities of corporations, focusing on the disclosure requirements and antifraud provisions of the federal securities laws. The course has two complementary objectives: (1) to provide a strong foundation in corporate law for students who intend to enter practice without taking further courses in corporate and securities law; and (2) to prepare students who plan to take Federal Securities Regulation and other advanced courses in anticipation of a career in business law. Business Entities I: Unincorporated Business Entities is strongly recommended as a prerequisite to this course.

BAR 907: Conflict of Laws

3 Credits

In modern business and personal life, significant events frequently involve more than one state or nation. What law applies to multi-jurisdictional transactions? Which court has the authority to adjudicate any dispute that develops? This course examines the legal rules that have developed for resolving these conflict-of-law problems. Specific topics include: domestic jurisdiction, international jurisdiction, domestic choice of law, extraterritorial application of national law, conflicts between state and federal law, and enforcement of judgments.

BAR 908: Constitutional Law II

3 Credits

This course examines the development of due process and equal protection law under the Fifth and Fourteenth Amendments. It includes examination of the structure of the Constitution's protection of civil rights and civil liberties, as well as substantive and procedural due process, equal protection, and fundamental rights.

BAR 909: Criminal Procedure

3 Credits

This course explores part of the interface between the criminal justice system and the United States Constitution. It introduces students to constitutional analysis by examining the Fourth, Fifth and Sixth Amendments as apply to investigation of wrongdoing and police interrogation as well as to circumstances in which indigent defendants are guaranteed the assistance of counsel.

BAR 910: Employment Discrimination

3 Credits

This course will provide an overview of significant doctrinal issues in employment discrimination law, and will seek to develop students' skills through a rigorous examination of statutory law, regulations and court decisions. It will introduce students to the fundamental legal theories underlying the substantive coverage of the most significant federal equal employment opportunity laws, and legal issues regarding their application.

BAR 911: Evidence

3-4 Credits

This course covers the presentation of evidence in trials under the Federal Rules of Evidence. We will address substantive topics that

include relevancy, hearsay, competency, examination of lay and expert witnesses, judicial notice, privilege, authentication, the best evidence rule, in addition to various Constitutional issues and procedural rules.

BAR 912: Family Law

3 Credits

This course will examine how the law defines and regulates families and family structures. At the conclusion of the course, students will be able to identify what makes up a family, how families are created, separated, the rights attendant to members of families, and the rights flowing from membership within a family structure. Students should be able to understand the importance of family structure in American society and under what circumstances government can intervene in that structure. This course is national in scope, but will be supplemented with some Pennsylvania statutory and case law readings where appropriate.

BAR 913: First Amendment - Free Speech

3 Credits

This course examines the history, values and function of free expression. It specifically considers Supreme Court decisions regarding advocacy of illegal action, expression that provokes a hostile audience reaction, defamation, commercial advertising, obscenity, hate speech, expression in public places, symbolic speech, and campaign finance laws.

BAR 915: Payment Systems

2 Credits

Recommended Preparation: Because this course requires familiarity with the Uniform Commercial Code, students should take another Uniform Commercial Code course prior to or concurrently with this course. In the modern economy commercial parties use a variety of payment mechanisms. This course provides an overview of different payment systems, the credit system, and the devices that enhance creditworthiness (including guaranties and letters of credit). Classroom discussion is devoted almost exclusively to developing analyses of written problems contained in the course text. Because this course requires familiarity with the Uniform Commercial Code, students should take another Uniform Commercial Code course prior to or concurrently with this course.

BAR 916: Pennsylvania Criminal Law Practice

2 Credits

This course is a step-by-step analysis of the procedure, planning, tactics, and strategy in defending and prosecuting a criminal case in Pennsylvania from pre-arrest through appeal. Special emphasis is placed on all aspects of the procedure and law relating to the suppression of evidence.

BAR 918: Remedies

3 Credits

This course focuses on the theory and application of legal and equitable relief. Substantive areas include injunctions, specific performance, damages, unjust enrichment, and declaratory relief, along with affirmative defenses to these causes of action.

BAR 919: Sales

3 Credits

Article Two of the Uniform Commercial Code is an integrated body of statutory law that prescribes the rights and obligations of parties involved in transactions in goods. This course emphasizes the special techniques of statutory construction utilized in interpreting a code as opposed to an isolated statute. The course topics are: code methodology (including the history and jurisprudence of Article Two), contract formation and interpretation, performance obligations, breach and remedies.

BAR 920: Secured Transactions

3 Credits

This course deals with the creation, enforcement, and priorities of personal property security interests under Article 9 of the Uniform Commercial Code and related statutes. It addresses: (a) encumbrances on consumer, commercial, and industrial goods, (b) inventory and receivables financing for manufacturers, distributors, and dealers, and (c) personal property agricultural financing. Relevant provisions of other Articles of the UCC and other state and federal statutes are integrated into the course as required.

BAR 921: Wills, Trusts & Estates

3 Credits

This course examines the disposition of property at death by intestate succession and by will. The execution, revocation, construction, and contest of wills, as well as limits on the power to dispose of property by will, are studied. This course also examines the creation, purposes and termination of trusts, including informal trusts, and the interrelationship between trusts and wills.