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LAW & BIOTECHNOLOGY
Professor Craig Jepson

3 Credits
Spring Semester

Eligibility: Open to all except first-year students.
Prerequisites: None. Intellectual Property Law and Patent Law helpful, but not required.
Grading: Paper and mid-term

The course begins with a review of the policy concerns animating recent thought on the ownership and protection of biotechnology. We review briefly the applicability and limitations of trade secret, contract, and copyright as means for protecting biotechnology, and then focus on patent law. We review the major facets of patent law through important biotech decisions. We also look at the role of the court and the jury in the assessment of expert scientific evidence, and if time permits we explore the role of the law in regulating cloning, recombinant DNA research, and surrogacy.

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LAW & ECONOMICS: BUSINESS FOCUS
Professor Hugh Gibbons

3 Credits
Fall Semester

Eligibility: Open to second- and third-year students. Limit 18.
Prerequisites: None
Grading: During the semester each student will be responsible for the presentation of several business cases. Student performance will be evaluated on the basis of performance on the presentation of the cases and upon take-home midterm and final examinations.

Over the past 15 years the size of the average American business has fallen almost in half, to 13 people. The terrain of the “business lawyer” is changing as the new businesses seek in the lawyer an ally who can help them adapt to the rapid changes that they face.

The aim of this course is to evaluate the legal situation faced by a business from the standpoint of the business firm itself. The main focus of the course will be upon a series of Harvard Business School cases, each of which describes the operations of a firm and the problems that it faces. The cases involve firms in the entertainment, computer, real estate development, and consumer goods industries. Particular emphasis will be placed upon the problems faced by new business, such as the generation of a business plan and the identification of sources of funding.

The business cases will be supported by readings from both law and economics. Neither a background in economics nor strength in mathematics is required, though the student should be willing to evaluate numerical data. The economic function of the following areas of law will be covered: property, corporations, antitrust, employment, taxation, and the regulation of financial markets.

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LAW OFFICE MANAGEMENT

3 Credits

Professor Arthur Greene

Spring Semester

Eligibility: Open to all second- and third-year students. Limit 24.

Prerequisites: None.

Grading: Grading will be based on attendance, class participation, weekly projects and a final exam project. Class attendance is required and one or more unexcused absences may result in a reduced grade.

This course will provide students with a foundation in law practice management. It will acquaint students with information and skills necessary for managing client relationships managing the substantive aspects of their practice, and operating the business aspects of a law office. It will give students necessary background in the various management and administrative functions, procedures and policies that are followed in law firms.

With associate training becoming an increasing problem for many law firms, this course is intended to make students more valuable to the firms that hire them, thereby improving their chances for long term success with the firm and within the profession. The course is critical for those students considering setting up an office as a solo practitioner or with other recent graduates.

Classes will include lecture, discussion and projects.

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LAW OF HIGHER EDUCATION

1 Credit
Summer Session

Eligibility: Open to second- and third year students.

Prerequisites: None

Grading:

This course will provide a basic introduction to the law of higher education, including constitutional issues, discrimination problems, privacy rights, and governance matters. The class sessions will focus on several case studies in higher education. Class members will select a case in an area of their interest (such as student discipline or faculty rights) and prepare arguments on the issues involved.

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LEGAL & INSTITUTIONAL ASPECTS OF INT'L TELECOMMUNICATIONS

Professor Arthur Levin

2 Credits
Summer Session

Eligibility: Open to all but first-year students.

Prerequisites: None

Grading:

The telecommunications course will have an overall emphasis on international policy with specific treatment of the new US Telecommunications Act, differences in national regulatory approaches, regulation and law of the Internet) with emphasis on the ITU), and emerging developments in GMPCS (Global Mobile Personal Communications by Satellites).

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LEGAL MALPRACTICE: THE LAWYER AS DEFENDANT
Professor Peter G. Beeson

1 Credit
Fall Semester

Eligibility: Third-year students only.
Prerequisites: Successful completion of Professional Responsibility
Grading: Evaluation will be based on classroom participation (attendance and involvement) (25%); one written assignment (25%); and a final examination (50%).

The goal of this course is to acquaint students with the unpleasant reality of professional liability lawsuits; and to teach practice techniques that can assist in their prevention.

The course will analyze the potential scope of a practicing lawyer's liability; the standard of care applied in measuring a lawyer's performance; the related torts of malicious prosecution, malicious defense, breach of fiduciary duty and others; and the interplay between professional disciplinary proceedings and legal malpractice actions.

The course will be based on actual malpractice suits in New Hampshire and Vermont and will include presentations by practitioners who specialize in the field. It will provide an excellent opportunity to apply knowledge learned in torts, evidence and trial advocacy classes in the analysis of claims regularly brought against practicing lawyers. It will also highlight risk management lessons that these cases provide in areas such as client selection, conflict avoidance and disclosure, documentation of work product, billing practices, and client communication.

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LEGAL PHILOSOPHY
Professor Hugh Gibbons

3 Credits
Spring Semester

Eligibility: Open to all students. Enrollment is limited to 15 students with preference given to first-year students. Fulfills the first-year elective requirement.
Prerequisites: None
Grading: One quarter of the grade in the course will be based upon the student's oral presentation of the problem in class, the balance based upon the written presentation of the problem in a term paper.

Laws change. As the rate at which they change has increased over the past two decades, it has become increasingly important to be able to deal with that change, to predict its direction and to act as a positive force, causing it to evolve in one direction rather than another. The aim of Legal Philosophy is to look for the layers underlying law, for the forces that cause and direct the change.

This course is, in essence, an advanced course in legal reasoning. Each student will tackle a cutting-edge legal problem, one for which the law does not yet provide a satisfying solution, and will propose a solution that is grounded as deeply as possible. Guidance will be provided by a theory of formal jurisprudence, a theory of law that has emerged from prior Legal Philosophy classes.

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LEGAL SKILLS I
Professors Sophie Sparrow, Judy Gire, Cindy Landau, et al

3.5 Credits
Fall Semester

Eligibility: Required first year course.

Prerequisites: None

Grading: Writing and research assignments throughout the semester.

Legal Skills I introduces first-year students to the fundamentals of objective legal analysis, legal research, citation and writing. For research, students will learn the types of legal authorities generated by the American legal system; use basic secondary legal authorities; access and validate primary authority; and cite to legal authorities. Students will practice print and on-line research processes in the library and computer training room, and will focus on cost-effective research. Through written assignments and exercises, students will apply research tools; synthesize cases and extract common doctrine; identify issues and sub-issues; organize issues logically and make analogies between fact patterns in precedents and assigned problems; and practice using clear, concise prose.

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LEGAL SKILLS II

Professors Sophie Sparrow, Judy Gire, Cindy Landau, et al

3.5 Credits

Spring Semester

Eligibility: Required first year course.

Prerequisite: Successful completion of Legal Skills I

Grading: Writing assignments and oral arguments

Legal Skills II builds upon and reinforces the fundamentals of Legal Skills I. This second semester introduces students to more complex research, reasoning and writing, including oral and written advocacy. Students will learn basic advocacy skills and develop them within a particular substantive area. Each section will focus on a different issue in such areas as criminal procedure, constitutional law, consumer law, copyrights, trademarks and patents.

iii

LICENSING PATENTS, TRADE SECRETS AND TRADEMARKS (Technology Transfer)

Professor Karl Jorda

2 Credits

Fall Semester

Eligibility: Open to all except first-year students.

Prerequisites: A technological background is not a prerequisite, but some knowledge of the law patents, trademarks is necessary for this course.

Grading: Grade is based on an exam and one or more class problems.

The emphasis will be on creative, domestic and foreign licensing arrangements involving licensing patents, trade secrets and trademarks (including franchising), understanding and drafting some of the more important basic clauses, valuations and royalty determinations, actual licensing situations, antitrust and misuse problems and negotiation and administration of license agreements.

This course will include both licensing your client's intellectual property to another, and licensing intellectual property from another to your client.

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LICENSING, COPYRIGHT & MEDIA

Professor Glen Secor

2 Credits

Summer Session

Eligibility: Open to all but first-year students.
Prerequisites: US Copyright Law or concurrent enrollment in IPSI US Copyright Law.
Grading:

Negotiating and drafting licensing agreements, including business and financial aspects from both licensors' and licensees' viewpoints, in the media and information industries.

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LIMITED LIABILITY CORPORATIONS 1 Credit
Professor John Cunningham Spring Semester

Eligibility: Open to all but first-year students.
Prerequisites: None
Grading: Examination

This course will cover the formation, organization and tax consequences of LLCs.

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MEDIATION CLINIC 1 Credit
Professors Mary Pilkington-Casey & Peter Wright Fall & Spring Semester

Eligibility: Open to second- and third-year. Third-year preference more than 10 students apply.
Prerequisites: None
Grading: Based on performance in classroom and participation in mediation.

As an introduction to alternative dispute resolution, students will receive classroom training, including role playing, in the mediation process. The classroom work will explore various methods of mediating from the perspective of mediator, participant and advocate. As court schedules permit, students will observe mediation of cases handled by the Civil Practice Clinic. After students have demonstrated proficiency in these skills, they will be given the opportunity to participate in the Small Claims Mediation program through the Concord District Court. This experience enables students to serve as mediators in actual small claims cases. This program has the active support of the District Court as over \$187,000 worth of small claims have been successfully mediated through this program.

Concord District Court mediations are scheduled on Monday mornings from 9:00 to 12:00 PM.

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MENTAL HEALTH LAW 2 Credits
Professor Eric Drogan Fall Semester

Eligibility: Open to second- and third-year. This course will only be offered if there is an enrollment of at least 10 students.
Prerequisites: None
Grading:

This course provides a skill-based, advocacy-centered learning approach to the array of issues at the intersection of law and mental health. The course will cover mental health issues involved in such areas as clinical assessment, clinical ethics, malpractice, competency to stand trial, the insanity defense, civil commitment, ADA and child and elder abuse among others.

The course will meet every other week throughout the semester. It will be taught by a clinical psychologist who is also a lawyer.

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MEDIATION SKILLS FOR IP AND COMMERCIAL DISPUTES
Professors Nancy Yeend and John Paul Jones

1 Credit
Summer Semester

Eligibility: Limited enrollment. Open to all but first-year students.
Prerequisites: None
Grading:

Practical hands-on, interactive learning experience with personal videotape, comprehensive workbook/resource manual, relevant role plays and individualized one-on-one attention by faculty. Highlights include: Mediation Process, Effective Opening Statements, Case Development, Useful Skills and Techniques, Ethical Challenges, Mediator Strategies, Problem Solving and Negotiation.

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NEGOTIABLE INSTRUMENTS

2 Credits
Fall Semester

Eligibility: Open to all second- and third-year students.
Prerequisites: None.
Grading: The grade for the course is based on a final exam.

This course focuses on Articles 3 and 4 of the Uniform Commercial Code, each of which are adopted, to some degree, in every state. Article 3 defines the rules for the creation of negotiable instruments, generally any unconditional writing which promises or orders the payment of some fixed amount of money. Sounds like a contract, right? Well what makes negotiable instrument law unique is its occasional transcendence of the usual legal rule that an owner may only give as much ownership privileges as she's got. In negotiable instrument law a good faith purchaser, provided she meets certain restrictions, may take a negotiable instrument with more privileges than her transferor possessed. Our study of Article 4 will give students a practical understanding of the most common type of negotiable instrument, the check, and consider in detail the Bank-Customer relationship and their respective rights and duties. For example, how quickly must a bank make funds deposited into an account available to the depositor? Under what circumstances will a small business owner be held liable for its employee's forgery? And how do the policies behind these principals effect the "electronic-ification" of payment systems in the future?

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NEGOTIATION SKILLS
Professor Felicity Lavelle

2 Credits
Summer Semester

This interactive skills course will enable students to learn the fundamental principles and skills of

interest based negotiation and practice these skills in an environment that is conducive to developing a personalized negotiation style. The course would be valuable to educators and others who need to work effectively with a variety of clientele.

***** NOTE: This class is a training class; it is limited enrollment; a \$100 non-refundable deposit is required when registering to hold your place in the class.**

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NEGOTIATIONS WORKSHOP
Professor Kevin Leach

1 Credit
Spring Semester

Eligibility: Open to second- and third-year students. Enrollment limited to 12 students. Drop after the first week only.

Prerequisites: None

Grading: In order to earn the credit for the Workshop, a student must: (1) complete each of the exercises and attend each of the sessions; (2) critique one of the simulation tapes; and (3) keep a running log of his or her progress in learning negotiation skills during the Workshop, turning in the log within two weeks after the final session. The purpose of the log is to both encourage each student to be reflective about his or her learning and to provide an evaluation of the Workshop.

The Negotiations Workshop is a minicourse designed to give students experience in dispute-resolving techniques through a series of simulated negotiation scenarios with evaluation and demonstrations by practicing lawyers.

The Workshop will be held in the evening (6:00 to 9:00) (date to be announced later) and will consist of six sessions, five negotiation simulations plus an introductory program. There are practicing attorneys who participate in the Workshop and critique the students' performance. Their critiques have proven to be one of the most effective elements in the Workshop.

The format will be as follows:

1. At the first session and each succeeding session until the last, the 12 persons in the course will be paired and will receive the scenario simulation for the next week.
2. During the week the students will arrange *on their own* to do the negotiation simulation. It will take about an hour. Using library equipment, they will videotape their negotiation and bring the videotape to the next session.
3. At the session each student pair will review their tape with a practicing attorney. After the review, the students and some of the attorneys will meet for a general discussion of the exercise. Attorney Leach may lead the discussion, using a videotape of the week's simulation that was prepared by the simulation authors. Those simulation tapes will be available in the library throughout the course for student review.

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NONPROFIT LAW AND MANAGEMENT
Professor Ellen Musinsky

2
Credits
Fall Semester

Eligibility: Open to second- and third-year students. Limit 12 students.

Prerequisites: None

Grading: Students will work on drafting and research assignments for hypothetical clients. Grades will be based on these assignments and class participation.

A unique segment of the economy is made up of organizations that are organized for purposes other than profit. For these organizations, profits or the lack thereof is secondary to the accomplishment of social change, service delivery, educational or cultural enhancement or scientific advancement. These organizations are afforded special tax treatment, are monitored in different ways from for profit counterparts and are often governed by special corporate or trust law.

While historically, nonprofit organizations precede the existence of this country, the sector has grown significantly in recent years accounting for some estimated 6% -10% of the GNP. Similar to the for profit sector, nonprofits vary in structure and size. They are common in the health, education, arts, advocacy, research and service delivery segments of the economy. As the sector grows, there will be an increasing need for lawyers who understand the both the unique legal and management issues of the sector.

Common to both the for profit and nonprofit sectors are the skills that lawyers use in organizational work. Researching, analyzing, applying and explaining law, which applies to organizations, is necessary for both types of practice. In this course, students will learn the basics of the law as it applies to nonprofits, and develop skills in researching and drafting.

Class will meet once a week. We will use Fisher and Schwarz, *Nonprofit Organizations and Materials* as a text. The class format will consist of lecture and discussion.

*A limited number of students in this course will be eligible for clinical credit working with Professor Musinsky on cases for nonprofit clients.