

College of Law

Richard J. Morgan, J.D.
Dean

PURPOSE

The prime function of the College of Law is to train men and women for the practicing legal profession and related professional assignments. In addition, the college has the responsibility to contribute to the quality of justice administered in our society.

ORGANIZATION

Law Building and Law Library

The John S. Armstrong Law Building is in the central campus near other colleges of the university and Hayden Library. The Law Building provides every modern facility for legal education and has been described by experts on planning law buildings as setting a new standard in functional design.

The award-winning John J. Ross-William C. Blakley Law Library, named in memory of two prominent Phoenix attorneys, is one of the finest law libraries in the Southwest with a collection of more than 310,000 volumes and microform volume equivalents. The collection includes a broad selection of Anglo-American case reports and statutes as well as legal treatises, periodicals, encyclopedias, digests, citators, and administrative materials. The collection includes growing special collections in the areas of international law, Indian law, Mexican law, and law and technology. The library is also a selective U.S. government depository.

The library is housed in a dramatic and functional building that opened in August 1993. The building provides accessible shelving for the expanding collections and comfortable study space at carrels, tables, and lounge seating located throughout the library. The library has a 30-station computer lab as well as LEXIS and WESTLAW rooms which contain 10 stations each; 27 meeting and study rooms; a microforms facility; and a classroom.

Students also have ready access to the other campus libraries, including the Charles Trumbull Hayden Library, the Daniel E. Noble Science and Engineering Library, the Architecture and Environmental Design Library, and the Music Library. The collections of the university libraries comprise more than 2.6 million volumes.

Special Programs

Center for the Study of Law, Science, and Technology. The ASU Center for the Study of Law, Science, and Technology is a multidisciplinary research center founded by the Arizona Board of Regents in 1984. The center publishes research studies, sponsors seminars and symposia, and houses visiting scholars and teachers. Through these programs, the center seeks to contribute to the formulation and improvement of law and public policy affecting science and technology and to the wise application of science and technology in the legal system.

The College of Law offers a substantial number of courses in the law, science, and technology area including environmental law, land use regulation, natural resources law, water law, intellectual property, patent law, mass communication, law and social science, economic analysis of law, health care law, law and psychiatry, law and medicine, regulatory problems in law, science and technology, law and evolutionary biology, and microcomputers in the law. Each semester, the center publishes a student guide to other less obvious courses that contain science and technology issues. In recent semesters this guide has listed courses in AIDS and the law, commercial law, employment law, law and the handicapped, antitrust, statistical proof in employment discrimination litigation, and several courses offered by other departments on campus available for registration by law students.

In cooperation with the American Bar Association Section on Science and Technology and under the leadership of a faculty editor, second- and third-year students edit the *Jurimetrics Journal of Law, Science and Technology*.

Indian Legal Program. In the spring of 1988, the faculty of the College of Law voted to devote substantial new resources and energy to an Indian Legal Program that would have a three-part mission: education, legal scholarship, and public service to tribal governments. The College of Law provides its students with a quality legal education and an opportunity to gain knowledge and expertise in Indian law.

Students at the College of Law have the opportunity to participate in all phases of the Indian Legal Program and gain in-depth understanding of the legal issues affecting Indian tribes and people. Courses on Federal Indian law and seminars on advanced Indian law topics such as Tribal Court dispute resolution, economic development, American Indian cultural resources protection, and tribal environmental law are part of the curriculum. Students may also participate in externships with the local tribal courts or spend a semester in Washington, D.C., working with the Senate Select Committee on Indian Affairs. This variety of academic and work experience provides the students an outstanding legal education with a firm grounding in both the theoretical and practical aspects of Indian law.

Law Journal. The College of Law publishes a professional law review, the *Arizona State Law Journal*, edited by students of the second- and third-year classes. Membership on the law journal is determined by grade performance in the first year and, for some, by submission of written work in a writing competition. Participation on the law review is hard but rewarding work. For those eligible, the review provides one of the finest avenues for legal education thus far developed, contributing to the student's intellectual advancement, to the development of law and the legal profession, and to the stature of the College of Law.

ADMISSION

First-year students are admitted only for the fall semester. The formal requirements for admission to the College of Law are (1) an undergraduate degree from an accredited four-year college or university and (2) a score on the Law School Admission Test (LSAT), administered by Law Services, Box 2000, Newtown, Pennsylvania 18940, in centers throughout the country.

To be assured consideration, all application materials are due by March 1.

Each year many more students apply than can be accepted. The College of Law receives about 15 applications for each of the 150 places to be filled in the entering class. Accordingly, the admission process is selective. An attempt is made to identify those appli-

cants whose credentials evidence abilities to think clearly, to read and synthesize complicated materials, to write well, and to make a significant contribution to the educational program of the College of Law.

Two main factors considered in the admissions process are the cumulative undergraduate GPA and the LSAT score. In combination, these factors give a starting point for detailed examination of the file. When the combination is high, the likelihood of admission is also high.

The selection process is not strictly mathematical since other matters often bear upon the validity of the GPA or LSAT and the capability of the candidate. Therefore, the College of Law, through an Admissions Committee composed of faculty, staff, and student members, may review such factors as an improved grade trend, the college or university attended, course selection patterns, the rigor of the academic program undertaken, distribution of college grades, a change in performance after an absence from college, unusual writing ability as evidenced by publication, a unique cultural background, performance despite educational or economical disadvantage, employment experience, graduate study, significant community/collegiate activities, and Arizona residency.

JURIS DOCTOR DEGREE

The College of Law offers a three-year program of professional studies at the graduate level leading to the degree of Juris Doctor. Graduates enter many branches of the legal profession as well as careers in government, business, finance, industry, and education.

All students, with the exception of transfer students, must be in residence full time for a minimum of six semesters (or their equivalent). A semester in residence is earned when a student has been enrolled in a minimum of 10 hours of course work. Transfer students must complete the work of at least three semesters in residence immediately preceding the granting of a degree.

The College of Law offers three dual/concurrent degree programs:

1. J.D./Master of Business Administration;
2. J.D./Master of Health Services Administration; and
3. J.D./Ph.D. in Justice Studies.

Applications for the J.D./M.S. in Economics are not being accepted at this time. Additional information about these programs is available from the College of Law.

Students must satisfy all of the following requirements for a J.D. degree:

1. admission to the college as a candidate for the degree and satisfaction of any conditions imposed at the time of admission or before graduation from the college;
2. satisfaction of residency requirements for the College of Law;
3. successful completion of a minimum of 87 hours of academic credit, of which 60* must be graded with a cumulative weighted average of 70 or better and of which no more than eight semester hours of "D" (60–69) grade work after the first year applies toward the 87 hours;
4. completion of all required college courses;
5. completion of the degree requirements within five years of admission into the college; and
6. completion of one substantial paper.

Course of Study

The program of study in the College of Law is designed for full-time students. In the first year of the three-year program, the course of study is prescribed and incorporates the time-proven techniques of legal education. This first year gives students—by the "case method," by the "problem method," by "moot court," and through other techniques—an intensive exposure to the basic legal processes.

As a part of the program, first-year students are assigned to small sections. In the Legal Research and Writing program, first-year students prepare legal briefs and memoranda and receive feedback through the use of practice examinations. The program focuses on the development of writing and organizational skills necessary for success in law school and in the practice of law. The second and third years cover a

*Students who wish to be eligible for membership in the Order of the Coif, an honor society open to the top 10% of each graduating class, must complete at least 75% (66 hours) of their law studies in graded classes.

wide range of courses varying in format as well as subject matter, allowing students to pursue both the basic subjects of law study and more specialized interests. By offering great freedom in the selection of subjects, the educational experience of the second and third years is in sharp contrast to the curriculum of the first year. In addition, the college offers a number of faculty-supervised clinical education programs and a program of supervised externships.

Grading

College of Law courses are graded under the following numerical scale:

| Grade | Definition |
|-------|---------------|
| 90–99 | Distinguished |
| 85–89 | Excellent |
| 80–84 | Very Good |
| 75–79 | Good |
| 70–74 | Satisfactory |
| 60–69 | Deficient |
| 59 | Failing |

A grade of 60 or above is required to receive credit for any course.

Retention Standards. To be eligible to continue in the College of Law, students must maintain a cumulative weighted GPA of 70 or better at the end of each semester or summer session. Any student who fails to achieve a 70 GPA in any one semester, regardless of the cumulative GPA, is automatically placed on probation. Continuation of enrollment by probationary students is upon such terms and conditions as the college may impose.

A student whose cumulative GPA falls below the required level or whose semester GPA is less than 70 in two consecutive semesters is dismissed but may apply to the Office of the Dean for readmission. The Office of the Dean refers the application to a faculty Committee on Readmission. Where the GPA deficiency is slight and evidence of extenuating circumstances is convincing, readmission may be granted on a probationary status after a review of the reasons contributing to unsatisfactory performance and a finding that there is substantial prospect for acceptable academic performance. Continuation in school thereafter may be conditioned on achieving a level of perfor-

mance higher than the overall 70 GPA. Further detailed information concerning the college's retention standards can be found in the *Bulletin of the College of Law*.

Special Honors at Graduation. At the time of graduation, students who have earned academic distinction in the study of law may be awarded the designations *cum laude*, *magna cum laude*, and *summa cum laude*. The college also bestows membership in the Order of the Coif upon students in the top 10% of the class. Recipients of these awards are selected by the law faculty on the basis of academic performance.

Honor Code. The legal profession, a self-regulating association, depends on the integrity, honor, and personal morality of each member. Similarly, the integrity and value of an ASU College of Law degree depends on a reputation for fair competition. The college's *Honor Code* is intended as a measure to preserve the integrity of the school's diploma and to create an arena in which students can compete fairly and confidently. Copies of the *Honor Code* are available from the assistant dean in the college's Student Services Office.

ACCREDITATION

The college is fully accredited by the American Bar Association and is a member of the Association of American Law Schools.

INFORMATION

Further detailed information concerning the course of study, admission practices, expenses, and financial assistance can be found in the *Bulletin of the College of Law*. To request the bulletin or application forms, call 602/965-7207, write to

ADMISSIONS OFFICE
COLLEGE OF LAW
ARIZONA STATE UNIVERSITY
BOX 877906
TEMPE AZ 85287-7906

For general information about the College of Law, contact Catherine Hevia at 602/965-1474 or view the college's World Wide Web page located at <http://aspin.asu.edu/provider/law/index.html>.

College of Law

Richard J. Morgan
Dean
(LAW 201) 602/965-6181

REGENTS' PROFESSORS KAYE, MURPHY

PROFESSORS

ARTERIAN, BARTELS, BENDER,
BERCH, BROWN, CALLEROS,
ELLMAN, FELLER, FURNISH, GREY,
GUERIN, KADER, KARJALA, LESHY,
LOWENTHAL, MATHESON, MORGAN,
ROSE, SCHROEDER, STANTON,
STROUSE, TESON, TUCKER, WARD,
WEINSTEIN, WINER

ASSOCIATE PROFESSORS BRITO, JONES, O'GRADY, TSOSIE

CLINICAL PROFESSIONALS DALLYN, WEEKS

DIRECTORS Indian Legal Program RUSSELL

Legal Research and Writing and Academic Support Group (Acting) ROITHMAYR

Center for the Study of Law, Science and Technology STROUSE

PROFESSORS EMERITI DAHL, PEDRICK

LAW

- LAW 515 Contracts I.** (3) F
Exploration of common law legal method and the structure of Article 2 of the U.C.C. in the context of issues of contract formation.
- 516 Criminal Law.** (3) F
The substantive law of crimes.
- 517 Torts I.** (3) F
Legal protections of personality, property, and relational interests against physical, economic, and emotional harms.
- 518 Civil Procedure I.** (3) F
Exploration of the structure of a lawsuit and techniques of alternative dispute resolution. Specific topics include commencement of suit, joinder of parties, discovery, pretrial motions, and subject matter jurisdiction.
- 519 Legal Method and Writing.** (2) F
Examination of methods used to analyze legal problems. Review of precedent statutory construction and basic *res judicata* problems. Use of basic legal writing formats.
- 520 Contracts II.** (2) S
Continuation of Contracts I focusing on contract interpretation.

522 Constitutional Law I. (3) S

Role of courts in the federal system, distribution of powers between state and federal governments, and the role of procedure in litigation of constitutional questions.

523 Property I. (2) F

Indicia of ownership, found property, estates in land, landlord tenant.

524 Legal Research and Writing. (2) S

Continuation of LAW 519.

525 Torts II. (2) S

Continuation of Torts I with emphasis on strict and products liability.

526 Property II. (3) S

Non-possessory interests in property (easements, covenants, servitudes), nuisance, land use planning, and transfers of interests in property.

527 Civil Procedure II. (3) S

Continuation of LAW 518; subjects in LAW 518 are addressed in greater depth as well as personal jurisdiction, *res judicata*, collateral estoppel, and choice of law under the *Erie* doctrine.

600 Administrative Law. (3) A

Administrative process, emphasizing nature of powers exercised by administrative agencies of government, problems of procedure, and scope of judicial review.

601 Antitrust Law. (3) A

Legislation and its implementation to prevent monopoly and business practices in restraint of trade, including restrictive agreements involving price-fixing, trade association activities, and resale price maintenance.

602 Partnership Taxation. (2–3) N

Federal tax consequences of forming, operating, terminating, or transferring partnerships.

603 Conflict of Laws. (3) N

Problems arising when the operative facts of a case are connected with more than one state or nation. Choice of law, bases of jurisdiction, effect of foreign judgments, and underlying federal and constitutional issues.

604 Criminal Procedure. (3) F, S

The nature of the criminal procedural system with special focus on constitutional protections for the accused.

605 Evidence. (3) A

Principles and practice governing the competency of witnesses and presentation of evidence, including the rules of exclusion and roles of lawyer, judge, and jury under the adversary system.

606 Federal Income Taxation. (3) F, S

Federal income tax in relation to concepts of income, property arrangement, business activity, and current tax problems, with focus on the process of tax legislation and administration.

607 Advanced Civil Procedure. (3) F, S

An overview of the structure and life cycle of a lawsuit from pleadings to appeal, emphasizing the Federal Rules of Civil Procedure.

608 Business Associations I. (3) A

Partnerships, limited partnerships, and small business corporations. Includes a brief introduction to accounting. Detailed analysis of the problems of forming a close corporation, state law duties of care and loyalty, management, dividends and redemptions, issuance of stock, internal dispute resolution, dissolution, and the general law of derivative actions.

609 Business Associations II. (3) A

Interrelationship of federal and state law and a brief introduction to corporate finance (1933 Act). A broad overview of large company regulations including reporting rules, proxy regulation, insider trading, sale of control, tender offers and takeovers, and going private. Prerequisite: LAW 608.

610 Advanced Criminal Procedure. (2–3) A

Topics in criminal procedure, with emphasis on legal constraints on grand jury investigations, police practices, pretrial release, preliminary hearings, prosecutorial discretion, and plea bargaining.

611 Estate Planning I. (3) N

Tax laws relating to transfer of wealth both at death and during lifetime, including federal estate tax, gift tax, and income taxation of estates and trusts.

612 Family Law. (3) A

Legal and nonlegal problems that an individual may encounter because of a situation as a family member.

613 Federal Courts. (3) N

Federal judicial system; relationship of federal and state law; jurisdiction of federal courts and their relation to state courts.

614 Labor Relations. (3) N

Collective bargaining, including the right of employees to organize and to engage in concerted activities; resolution of questions concerning the representation of employees; duty of employers and unions to bargain; administration and enforcement of collective bargaining agreements.

615 Public International Law. (3) A

Role of law in international disputes. Drafting and interpretation of treaties and multilateral conventions are considered.

616 Jurisprudence. (3) A

Introduction to legal philosophy, with readings on the nature of law and legal reasoning, the relationship between law and morality and equality and social justice.

618 Trusts and Estates I. (3) A

Substantive concepts involved in transmitting wealth, including interstate succession, wills and will substitutes, the modern trust as a family protective device, creation of future interests in a planned estate, social restrictions of a nontax nature, and methods of devoting property to charitable purposes.

620 Civil Rights Legislation. (2–3) N

Coverage of the rights and remedies provided by federal civil rights legislation, principally, the key provisions of the Reconstruction Era Civil Rights Acts, portions of the employment discrimination legislation, and voting rights legislation.

621 Commercial Law: Sales and Negotiable Instruments. (3) A

Transactions in the sales of goods and mechanisms for payment and credit. Subjects include contract information, warranty, risk of loss, damages, and documentary transactions in sales of goods under Uniform Commercial Code Article 2; the use of checks, promissory notes, letters of credit, and other instruments under UCC articles 3, 4, and 5; related banking practices and credit transactions.

622 Commercial Law: Secured Transactions. (3) A

Secured transactions under Article 9 of the Uniform Commercial Code and other relevant sections. An overview of the creation, perfection, and priority effects of security interests.

Financing of business enterprise and consumer credit.

623 Commercial Torts. (3) A

Involves an analysis of actionable wrongs against a business entity or against proprietary rights held by that entity, covering the entire spectrum of private remedies for competitive wrongs.

624 Community Property. (1–2) F, S

Property rights of husband and wife; the Arizona community property system; homestead.

625 Constitutional Law II. (3) F, S

Fundamental protection for person, property, political, and social rights.

627 Corporate Taxation. (3) A

Problems in taxability of the corporation, corporate distributions, and corporate reorganizations.

628 Creditor-Debtor Relations. (3) A

Creditors' remedies in satisfaction of claims and debtors' protection and relief under bankruptcy, other laws.

630 Employment Discrimination. (2) N

Focus on Title VII of the Civil Rights Act of 1964, which forbids discrimination in employment based upon race, religion, national origin, or sex. The substance and procedural aspects of Title VII are covered in detail, including coverage, administrative procedures, burdens of proof, special problems of religious and sex discrimination, statutory and court created defenses, seniority systems, and remedies.

631 Environmental Law. (3) A

Litigation, administrative law, and legislation relating to problems of environmental quality. Topics covered may include air and water pollution, toxic substances, pesticides, and radiation.

632 Indian Law. (3) A

Inquiry into legal problems special to American Indians and tribes.

634 Judicial Remedies. (3) A

The nature and limits of injunctive, restitutionary, and compensatory remedies for the protection of personal, property, political, and civil rights.

635 Juvenile Justice System. (3) N

Special problems in the juvenile system.

636 Land Use Regulation. (3) A

Legal problems in the regulation and control of land development by state and local governments. Administration of zoning, subdivision, and other planning controls; issues of fairness and procedure in the utilization of such controls.

638 Legal Profession. (2) F, S

Organized bar, distribution of legal services in modern society, economics of the profession, professional canons of ethics for the bar and judiciary, and problems in policing the profession.

639 Natural Resource Law. (3) A

Examines the constitutional basis for federal land management and the different kinds of public lands management schemes (e.g., parks, forests, wildlife refuges), emphasizing acquisition of right to, and regulation of, the different uses of public lands and resources (e.g., mining, grazing, timber, wildlife habitat, recreation).

640 Securities Regulation. (2) A

Selected problems arising under the major statutes concerned with regulating the securities market.

641 State and Local Government. (2–3) N
Legal problems involved in the organization and administration of governmental units including the city, county, town, village, school district, and special district.

643 Water Law. (3) A
Acquisition of water rights; water use controls; interstate conflicts.

644 Intellectual Property. (3) A
The protection of intellectual property and encouragement of creativity—trade values, trade secrets, patents, copyrights, performing arts, and visual arts.

702 Alternative Dispute Resolution. (2–3) A
A broad exposure to methods of settling disputes in our society such as mediation, arbitration/conciliation, and negotiation, including examination of the current litigation model.

703 Law, Science, and Technology. (2–3) A
The legal mechanisms used in dealing with various issues raised by contemporary science and technology. Current legal responses to science and technology are explored.

705 Mass Communications. (2–3) A
An examination of First Amendment principles and statutory and regulatory requirements with respect to the conventional print and broadcast media, as well as recent technologies such as cable.

706 Immigration Law. (2–3) N
Exploration of political, economic, social, and legal issues concerning immigration. Specific topics covered include citizenship and naturalization, denaturalization, deportation, and refugee rights and asylum.

709 International Human Rights. (2–3) N
International rules and procedures governing the protection of human rights.

710 Real Estate Tax Planning. (2–3) A
Discussion of topics, including but not limited to real estate investments as tax shelters, alternative acquisition finance devices, refinancing techniques, and nontaxable exchanges.

711 Real Estate Transfer. (2–3) A
An examination of the legal aspects of the sale and purchase of real property encompassing three areas: the role of the lawyer and broker in the transaction, the sales contract, and issues relating to title protection.

712 Religion and the Constitution. (2–3) A
An in-depth study of the "establishment" and "free exercise" clauses of the First Amendment to the U.S. Constitution.

714 Law and Social Science. (2–3) N
Investigation of the use of social science research and methods in the legal system. Topics include psychology of eyewitness identification, social-psychological studies of decision making, statistical evidence of discrimination, econometric studies of the deterrent effects of capital punishment, and clinical predictions of violent behavior.

715 Professional Sports. (2–3) N
Unique legal problems relating to professional sports, including their relationship to antitrust laws, the nature of player contracts, and associated tax problems.

717 Legislative Process. (2–3) N
Explore both the legal and the practical context within which the legislative process operates with a major component of the course being a legislative drafting project.

721 Education and the Law. (2–3) N
Current legal problems affecting institutions of higher education, faculty, students, and governing boards.

733 Negotiation, Mediation, and Counseling. (3) A
Explores alternative models of negotiated dispute resolution, as well as the roles of lawyer and client in the negotiation process. Extensive use of simulation exercises.

735 Estate Planning II. (2–3) N
Preparation of actual estate plans and implementing legal documents for a variety of typical private clients. Both tax and nontax elements in preparation of the plans are considered. Prerequisite: LAW 611.

736 Planning for the Business Client. (2–3) N
Planning transactions involving business organizations with special emphasis on income tax and corporate considerations.

738 Practice Court. (2–3) F, S
Students act as lawyers in conducting a case through all stages of trial, from commencement of the action to final judgment.

745 The Supreme Court. (2–3) A
Intensive examination of selected current decisions of the U.S. Supreme Court.

768 International Business Transactions. (2–3) N
Problems and policy considerations involved in international trade; tariffs, international monetary controls, and development loans.

770 Law Journal. (1–3) F, S
Academic credit for successful completion of work by a member of the staff of *Arizona State Law Journal*; maximum of 5 semester hours.

772 Internships in Law. (1–6) F, S, SS
Civil, defender, or prosecutor placement and related classroom component.

773 Internships in Law. (1–6) F, S, SS
Placement in the Law School Clinic and related classroom component.

774 Internships in Law. (1–6) F, S, SS
Placement in Prosecutor Clinic and related classroom component.

780 Moot Court. (1–3) F, S
Academic credit for successful completion of work as a member of the Moot Court Board of Directors; maximum of 3 semester hours.

781 Individual Study. (1) F, S, SS
With the approval of a faculty member, a student may research a legal subject of special interest and prepare a paper suitable for publication.

782 Individual Study. (2) F, S, SS
See LAW 781.

783 Individual Study. (3) F, S, SS
See LAW 781.

784 Moot Court Competition. (1–4) F, S
Successful participation and completion of a national moot court competition.

785 Externship. (1–12) F, S, SS
Supervised, practical lawyering in an external placement proposed by the student or established by a sponsoring agency and approved by the College of Law. In addition, an associated academic component is established by the student with a member of the faculty.

791 Seminar in Law. (1–12) F, S
Omnibus Courses: See pages 44–45 for omnibus courses that may be offered.

