**New and Revised Courses for 2013-2014**

**Fall 2013**

**Community Advocacy Law Clinic**, LAW 824/3 T, 4:20-5:50 PM plus work hours – Professor Daiker-Middaugh

Prerequisites: RCC, approval by clinical faculty. The Community Advocacy Law Clinic is a one-semester, 3 credit experiential course where students use their legal training to assist our community’s most vulnerable populations: low-income families, children, the elderly, the homeless, and people suffering from physical and mental illness. Students, under the supervision of clinical faculty, will work with judges, prosecutors, defense attorneys, social workers and others to address the legal needs of real clients in a wide variety of matters including adoption, child support, housing, public benefits and special education. Law students will attend a weekly seminar and a weekly supervisor meeting. Law students will be given the opportunity to assist clients from beginning to end - intake, through research and strategy, informal advocacy or going to court. The two goals of the Community Advocacy Law Clinic are to improve the legal skills of law students and to address the unmet legal issues of the poor.

**Elder Law,** LAW 640/61, MW, 6-7:15 PM – Professor Kabb

Prerequisites: RCC. This course is a survey of federal and state cases, statutes, and regulations affecting the care, personal well-being, and estates of America's elderly population. Particular attention is paid to federal and state rules covering eligibility for Medicaid assistance to the elderly and the interpretation of Medicaid estate recovery regulations. Standard contracts for assisted living, elderly day care, in-home nursing care, nursing home care, and pre-paid funeral and burial trusts will be reviewed.

**Health Care Finance**, LAW 627/1, TTh, 1:20-2:35 PM – Professor Majette

Prerequisites: RCC\*; Health Care Law, LAW 686 (may be taken concurrently). The law of health care finance is fast advancing as a field of legal study because of the urgency of health care attorneys to understand how health care providers are paid; what their clients must know, do and go through to get paid; the regulatory challenges their clients face; and their financial and budgetary realities. The purpose of this three (3) credit hour course is to empower students to become and be practical health care lawyers, taking into account the aforementioned matters of health care finance. This course employs a client-centric approach for students to learn and then contemporaneously apply their knowledge of the definition of “health care finance”; the moral, political and economic considerations that drive health care finance policy; U.S. health care insurance reform; health law finance regulation and oversight; and the realities of business facing health care providers.

**Special Education Law,** LAW 654/51, T, 5:00-7:50 PM – Professor Mawdsley

Prerequisites: RCC. Special education programming at the local level in the United States is affected significantly by the actions of the federal and state governments. This course provides students with an understanding of the complex network of interrelated federal and state statutory provisions, attendant regulations, and administrative and judicial decisions concerning special education. Instructional topics include the legal basis of education, the importance of the U.S.Constitution, free appropriate education, related services, extended school year, student records discipline, competency testing, discrimination, physical education and athletics, and special education malpractice.

**Spring 2014**

**Community Advocacy Law Clinic**, LAW 824/3 T, 4:20-5:50 PM plus work hours – Professor Daiker-Middaugh

Prerequisites: RCC, approval by clinical faculty. The Community Advocacy Law Clinic is a one-semester, 3 credit experiential course where students use their legal training to assist our community’s most vulnerable populations: low-income families, children, the elderly, the homeless, and people suffering from physical and mental illness. Students, under the supervision of clinical faculty, will work with judges, prosecutors, defense attorneys, social workers and others to address the legal needs of real clients in a wide variety of matters including adoption, child support, housing, public benefits and special education. Law students will attend a weekly seminar and a weekly supervisor meeting. Law students will be given the opportunity to assist clients from beginning to end - intake, through research and strategy, informal advocacy or going to court. The two goals of the Community Advocacy Law Clinic are to improve the legal skills of law students and to address the unmet legal issues of the poor.

**Creditor-Debtor Rights,** LAW 644/1, TTh, 9:15-10:30 AM – Professor Paris

Prerequisites: RCC. Consumer Law will examine debtor-creditor rights under the Ohio Consumer Sales Practices Act, the Fair Debt Collection Practices Act, and case law dealing with consumer issues. The course will offer students the opportunity to study and discuss debtor-creditor rights under Ohio and federal law from the filing of the lawsuit to executing upon the judgment. The course will include observing consumer cases in court and role playing the cases in class. The students will also draft consumer pleadings. The course will examine legal theories and apply them to the practice of law from the creditor's and debtor's perspective. The skills exercises occupy 10 to 20% of the class time. Grading will be based on class participation and a final exam. Previously called Consumer Law.

**Criminal Felony Sentencing,** LAW 626/51, Th, 4:10-5:50 PM – Professor Gwin

Note: the course previously satisfied the Upper Level Writing requirement but will no longer satisfy the requirement. There will be an exam in the course, not a paper.

**Financial System Integrity,** LAW 743/900, W, 6:00-8:00 PM – at CWRU – Professor Maddox

Note: the course previously satisfied the Upper Level Writing requirement but will not satisfy the requirement this Spring. The course will be taught at CWRU law school. The course will be taught by Professor Willie Ann Maddox, a Vice President at Key Bank.

**Health Care Legislation, Policy & Regulation,** LAW 616/1, MW, 1:20-2:35 PM – Professor Majette

Prerequisites: RCC. \* This course will focus on the federal legislative and regulatory process in the health care arena. It will address the process of how health care laws are developed, enacted, and implemented through the regulatory process. It will examine the role of congressional committees, the congressional budget office, MedPAC, think tanks and stakeholders in developing health related legislation. We will discuss the ways in which the political branches, namely Congress and the President, influence agencies' substantive health policy making process. Finally, some consideration will be given to legislative and regulatory drafting. Satisfies the administrative law requirement.

**Health Care Transactions,** LAW 776/61, MW, 8:00-9:15 PM – Professor Lutz

Prerequisites:RCC.\* Three major trends in the health care industry are consolidation of providers, providers establishing relationships with other providers to coordinate care, and providers developing non-clinical revenue. The purpose of this course is to expose students to the types of healthcare transactions associated with these trends. Students will learn how to structure transactions, draft and negotiate transaction agreements, and conduct the due diligence necessary to carry out these transactions. The course is intended to be highly interactive and team-oriented, two characteristics that exemplify a transactional legal practice. A variety of law firm partners, associates and in-house counsel will join the class to discuss health care transactions and their roles in them. The course will require multiple writing assignments and the grade will be based on these (75%) and class participation (25%). Satisfies third semester writing requirement.

The course will be taught by Nathan Lutz, an attorney in the Law Department at the Cleveland Clinic, where his practice focuses on health care transactions, including structuring, due diligence, drafting and negotiating agreements, with nonprofit and for-profit organizations. He provides advice on mergers, acquisitions and divestitures, including hospital affiliations and medical practice acquisitions. Prior to joining the Cleveland Clinic Law Department, he was a transactional attorney with the Cleveland offices of JonesDay and Benesch. He received a B.S. in Business Administration from The Ohio State University and his J.D. from the University of Chicago.

**Pretrial Practice,** LAW 668/1, TTh, 2:45-4:00 PM – Professor O’Neill

Prerequisites: RCC; Evidence (LAW 661). This course will cover the role of an attorney in representing clients from initial interview up to the time of trial. Topics covered will include interviewing clients and witnesses, fact development, scene investigation, obtaining tangible evidence, interrogatories, depositions and negotiations. Ethical concerns will be discussed in the context of pretrial practice as they confront the students in the preparation of their cases.

**School Law,** LAW 630/480, Sat., 8:00 AM-1:30 PM – meets January 11-March 14 – Professor Mawdsley

Prerequisites: RCC. The course will consider a broad range of school-related issues, including rights of parents, the role of school boards, tort liability under various state statutes and regulations (including bullying and hazing), employment rights under various state laws, religious and free expression rights for students and employees, privacy rights in schools, school district guidelines for diversity and affirmative action, and constitutional and statutory procedural rights.

**Special Education Law,** LAW 654/51, Th, 5:00-7:50 PM – Professor Mawdsley

Prerequisites: RCC. Special education programming at the local level in the United States is affected significantly by the actions of the federal and state governments. This course provides students with an understanding of the complex network of interrelated federal and state statutory provisions, attendant regulations, and administrative and judicial decisions concerning special education. Instructional topics include the legal basis of education, the importance of the U.S.Constitution, free appropriate education, related services, extended school year, student records discipline, competency testing, discrimination, physical education and athletics, and special education malpractice.