

**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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*It is in alphabetical order by course title.*

**ADMINISTRATIVE LAW – PL707 – 100D – HOUSTON**

<b><u>Class No.</u></b>	<b><u>Topics</u></b>	<b><u>Pages</u></b>	<b><u>Assignment</u></b>
1	What is Administrative Law And Why Should We Study It?	1	1-21 Notes & Questions and Problems within these pages
2	A Walk Through the APA & Administrative Law Practice	1	22-32

**ALTERNATE DISPUTE RESOLUTION – PL604 – 200E - WOODLEY**

**First Week Reading Assignment:** Read Chapter 1 of the text pp. 1-84.

**AZ BAR STRATEGIES – PL906 – 100D – HUDSON**

***Assignment to be completed PRIOR to first class:***

- Visit bar examiner's website for the jurisdiction you plan to sit in and be prepared to discuss information you found (for AZ: [www.az.courts.gov](http://www.az.courts.gov)) for all other jurisdictions: go to [www.ncbex.org](http://www.ncbex.org).
- Read Chapters 1-7: Pass The Bar! (Riebe and Schwartz)
  - Complete ALL Reflection Questionnaires in chapters as you read. Be prepared to discuss some of these answers.
  - Complete the following Checklists: 2-1 and 2-2
  - Complete the following Exercises: 3-1, 3-2, 4-1 and 7-1. Be prepared to turn in some or all of these exercises on the first day of class, either Mon. Aug. 16 or Tues. Aug. 17.
- Read Chapters 1-4: The AZ Bar Exam – Pass it Now (Noreuil)
- Purchase two 3-ring binders: 1 for essays and 1 for MBE's (if your personal preference is one large 3-ring binder, this is acceptable)

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**BANKRUPTCY – PL764 – 100D – DRAIN**

**First Class:** Introductions, Review General Concepts of Bankruptcy. Please read the Bankruptcy Outline for the first class. The Bankruptcy Outline has been emailed to you for your review.

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**BUSINESS ASSOCIATIONS – PL704 – 100D – L. MILLER**

**First Week's Assignment**

Klein casebook, pp. 1-23, including Restatement Sections cited in reading.

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**BUSINESS ASSOCIATIONS – PL704 – 200E – L. MILLER**

**First Week's Assignment**

Klein casebook, pp. 1-23, including Restatement Sections cited in reading.

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**CIVIL PROCEDURE I – PL607 – ALITO – HATFIELD**

**First Week's Reading:**

**From the required text:** A. Benjamin Spencer, *Civil Procedure: A Contemporary Approach* (2d ed., West Law School 2008)

**First class** – Pages vii-ix; 1-20 (Chapter 1, Overview)

*From materials on the course TWEN website:*

**First class** – Cases: *Hawkins; Rush; Womack*

And for your entertainment pleasure, read this [http://en.wikipedia.org/wiki/Lilith\\_Sternin](http://en.wikipedia.org/wiki/Lilith_Sternin) and in case you have never seen “Cheers” or “Frasier,” or no episodes with Lilith, here is a quick intro: <http://www.youtube.com/watch?v=WROJ3oNetp8> (through about 6:00, or watch the rest just for the fun of it).

**Second class** – Pages 21-36 (Chapter 2, Personal Jurisdiction)

*From materials on the course TWEN website:*

**Second class** – Cases: *Pennoyer* and *Hess*

“Ten Instructions for Briefing Cases” by Paul Bateman,  
<http://www.law.umkc.edu/faculty/profiles/glesnerfines/bateman.htm>

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### **CIVIL PROCEDURE I – PL607 – BREYER – DYE**

- **Required text:** A. Benjamin Spencer, *Civil Procedure: A Contemporary Approach* (2d ed., West Law School 2008) (I recommend that students also sign up for the electronic version of the casebook)
- **Required supplement:** A. Benjamin Spencer, *Federal Civil Rules Supplement, 2010-2011* (West Law School 2010) (expected availability is June 2010)
- **First assignment (first day of class):** read pages 1-20 of the casebook, along with *Hawkins v. Master's Farms, Inc.*, and *Rush v. City of Maple Heights*, both cases available on the class' website. If necessary, I will have copies of the cases available at orientation.

### **CIVIL PROCEDURE I – PL607 – KENNEDY – YARNELL**

Your assignment for the first class on Tuesday, August 17, 2010, is to:

1. Have signed on to the course TWEN page and begun the first TWEN participation assignment;
2. Have read the syllabus;
3. Have read the "Historical Introduction" from pages XIII to XVII of **Federal Rules of Civil Procedure** 2010-2011 Educational Edition (Thompson Reuters/West 2010); ISBN-13:9780314911599
4. Have read Chapter One, pages 1 to 20, of A. Benjamin Spencer, *Civil Procedure: A Contemporary Approach* (2d ed., West Law School 2008). Book and Electronic. ISBN-13: 9780314187857.

The **first week TWEN assignment** is:

The course TWEN page is up and may be added to your list of TWEN courses. Westlaw/TWEN Passwords for new students will be given out during new student orientation August 13 and 14, 2010. For those without access to TWEN until that time, here is the first week TWEN assignment so you may be ready to post by Tuesday, August 17:

"Welcome to the Fall 2010 Civil Procedure I (Kennedy Section – T/Th afternoon class) participation and discussion forum!"

For this week's forum, you can change the subject line in your post. Putting your name in the subject line of your first post will lead to more orderly discussion threads.

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The required TWEN Participation Assignment each week counts towards your grade in this class. Failure to timely complete any required post will result in a loss of participation points. Consistent meaningful discussion and participation may result in the award of extra participation points.

Each week's TWEN Participation assignment will generally be posted in the Forums section by 5:00 p.m., on Friday of each week.

This first week you must post a one paragraph short statement about yourself in this Week One Discussion thread. Your brief statement should include your current occupation, why you are going to law school, and one unique fact about your background or experience.

**ALSO**, include in your post your comment (something you learned, found interesting, remembered, or a reflection) after reading the "Historical Introduction" assigned reading from the Federal Rules of Civil Procedure, 2010-2011 Educational Edition.

It is a good idea to get in the habit of composing your post "off line" in your word processor, and then "cut and paste" the post to the posting window on TWEN. That's a way to take your time, check spelling, and avoid "time" out problems with the TWEN posting page

**Post your biography by 11:00 p.m., Tuesday, August 17, 2010. Read at least eleven (11) of your classmates posts, and post a reply comment to at least two (2) other of your classmate's statements by noon, Friday, August 20, 2010.**

You will find that these on line discussions will be fun and at the same time facilitate your learning about Civil Procedure. Thanks for your participation!"

Your assignment for the second class on Thursday, August 18, is to:

1. Finish the first week TWEN participation assignment
2. Have read Chapter Two, pages 21 to 36, to the beginning of the section titled "Modern Personal Jurisdiction Doctrine" on page 37.

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**CIVIL PROCEDURE I – PL607 – SCALIA – HATFIELD**

**First Week's Reading:**

**From the required text:** A. Benjamin Spencer, *Civil Procedure: A Contemporary Approach* (2d ed., West Law School 2008)

**First class** – Pages vii-ix; 1-20 (Chapter 1, Overview)

*From materials on the course TWEN website:*

**First class** – Cases: *Hawkins; Rush; Womack*

And for your entertainment pleasure, read this [http://en.wikipedia.org/wiki/Lilith\\_Sternin](http://en.wikipedia.org/wiki/Lilith_Sternin) and in case you have never seen “Cheers” or “Frasier,” or no episodes with Lilith, here is a quick intro: <http://www.youtube.com/watch?v=WROJ3oNetp8> (through about 6:00, or watch the rest just for the fun of it).

**Second class** – Pages 21-36 (Chapter 2, Personal Jurisdiction)

*From materials on the course TWEN website:*

**Second class** – Cases: *Pennoyer* and *Hess*

“Ten Instructions for Briefing Cases” by Paul Bateman,  
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**CIVIL PROCEDURE II - PL629 – SP10D – SPRENG**

N = “night”

D = “day”

**Class 1N/1D: Clark v. Jones**

Supplementary materials – complaint in *Clark v. Jones*; depositions of Teresa Clark, Janice Embry, Carolyn Johnson, David Jones, and Cheryl Morris (on TWEN). Websites – TWEN page weblinks for Ohio County, Kentucky, the home of Clark, Hunsaker, Johnson and Jones; and the United States District Court for the Western District of Kentucky  
ADMIT SLIP: Facts of *Clark v. Jones*

**Class 2D: Introduction to Discovery: Relevance and Disclosure**

Casebook pages 826-29, 837-43, 845-46, (*Marrese v. American Academy of Orthopedic Surgeons, Seattle Times Co. v. Rhinehart*); Federal Rules of Civil Procedure 16 & 26-36; Supplementary materials – discovery plan and Rule 26 disclosures. Please come to class prepared to discuss the differences between *Marrese* and *Seattle Times*.

N.B.: Evening students – you are skipping this class unit, because we covered this material sufficiently in the spring.

**Class 3D/2N: Using Discovery Techniques – Paper Discovery, Depositions, Physical Exams and Expert Witnesses**

Casebook pages 788-790, 861-65, 870-71, 872 note 3, 885-88 (*In re Auction Houses Antitrust Litigation, Schlagenhauf v. Holder*); Federal Rules of Civil Procedure 26, 30, 31, 33, 34 & 36; Supplementary materials – sample paper discovery requests, deposition of David Jones, and expert reports. Please come to class prepared to discuss whether Marvin Nunley’s objections during David Jones’ deposition were consistent with Rules 26(b), 30(c) and 30 (d).  
ADMIT SLIP: Marvin Nunley’s Objections

N.B.: Evening students – this will be your August 18 class.

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**CIVIL PROCEDURE II - PL629 – 200E – SPRENG**

N = “night”

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**Class 1N/1D: Clark v. Jones**

Supplementary materials – complaint in *Clark v. Jones*; depositions of Teresa Clark, Janice Embry, Carolyn Johnson, David Jones, and Cheryl Morris (on TWEN). Websites – TWEN page weblinks for Ohio County, Kentucky, the home of Clark, Hunsaker, Johnson and Jones; and the United States District Court for the Western District of Kentucky  
ADMIT SLIP: Facts of *Clark v. Jones*

**Class 2D: Introduction to Discovery: Relevance and Disclosure**

Casebook pages 826-27, 837-43, 845-46, 849-51 (*Marrese v. American Academy of Orthopedic Surgeons, Seattle Times Co. v. Rhinehart*); Federal Rules of Civil Procedure 16 & 26-36; Supplementary materials – discovery plan and Rule 26 disclosures. Please come to class prepared to discuss the differences between *Marrese* and *Seattle Times*.

N.B.: Evening students – you are skipping this class unit, because we covered this material sufficiently in the spring.

**Class 3D/2N: Using Discovery Techniques – Paper Discovery, Depositions, Physical Exams and Expert Witnesses**

Casebook pages 788-790, 861-65, 870-71, 872 note 3, 885-88 (*In re Auction Houses Antitrust Litigation, Schlagenhauf v. Holder*); Federal Rules of Civil Procedure 26, 30, 31, 33, 34 & 36; Supplementary materials – sample paper discovery requests, deposition of David Jones, and expert reports. Please come to class prepared to discuss whether Marvin Nunley’s objections during David Jones’ deposition were consistent with Rules 26(b), 30(c) and 30 (d).  
ADMIT SLIP: Marvin Nunley’s Objections

N.B.: Evening students – this will be your August 18 class.

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**CIVIL RIGHTS (DISCRIMINATION) – PL802 – 200E - HOBART**

**First Week's Reading:** Theodore Eisenberg, *Civil Rights Legislation: Cases & Materials*, 5th ed. (LexisNexis: 2004), for Tuesday, 8/17 pp. 3-23; for Thursday, 8/19 pp. 24-60.

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**COMMERCIAL LAW – PL739 – 100DB – W. MILLER**

All assignments are for *Problems and Materials on Commercial Law*, Ninth Edition (2008), by Douglas J. Whaley. In addition to the assigned reading for August 16th, students should read the following sections of the UCC:

1-103	2-105	2-314
1-201	2-106	2-315
1-303(c)	2-107	2-316
2-102	2-209	2-602
2-104	2-313	

Specific Code sections (UCC) will be assigned in connection with the subsequent readings.

<u>Date</u>	<u>Assignment</u>
August 16	pgs. 3-6 & 90-133
August 18	pgs. 133-186

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**COMMERCIAL LAW – PL739 – 100G – GUERRA**

***Assignment Schedule For First Week***

Readings marked “WW” can be found in William D. Warren and Steven D. Walt, *Commercial Law* (Foundation Press 7th edition 2007)

Readings from the Uniform Commercial Code (“UCC”) and other statutes can be found in William D. Warren and Steven D. Walt, *Commercial Law: Selected Statutes, 20010-11ed.* (Foundation Press 2010)

Whenever a statutory section is referenced in the casebook or coursepack, you will need to look up that section in the Statute Book and read it with care. Bracketed numbers refer to the supplementary coursepack.

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<u>Date</u>	<u>Topic</u>	<u>Reading Assignment</u>	<u>Uniform Commercial Code</u>
Class One	<i>The Problem of Ostensible Ownership and Conflicting Rights to Goods under the UCC</i>	<u><i>O'Connor v. Clark</i> [1]</u> <u><i>Alamo Rent-A-Car</i> [2]</u>  Cross Introductions	UCC § 2-403(1)
Class Two	<i>Introduction to Personal Property Security</i>	WW 1-18  Who do you think has the better argument regarding whether secured credit is efficient or fair, Jackson and Kronman or LoPucki? See pp. 7-8.	UCC §§1-103, 9-102, 9-201

**COMMERCIAL LAW – PL739 – 100LB – GUERRA**

***Assignment Schedule For First Week***

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<u>Date</u>	<u>Topic</u>	<u>Reading Assignment</u>	<u>Uniform Commercial Code</u>
Class One	<i>The Problem of Ostensible Ownership and Conflicting Rights to Goods under the UCC</i>	<i>O'Connor v. Clark</i> [1] <i>Alamo Rent-A-Car</i> [2]  Cross Introductions	UCC § 2-403(1)
Class Two	<i>Introduction to Personal Property Security</i>	WW 1-18  Who do you think has the better argument regarding whether secured credit is efficient or fair, Jackson and Kronman or LoPucki? See pp. 7-8.	UCC §§1-103, 9-102, 9-201

**COMMERCIAL LAW – PL739 – 200E - BURKE**

**Readings 1**

*Introduction to Personal Property Security*  
Textbook pages 1-37

UCC §§1-103, 9-102, 9-201, 9-203 – Know the "working definitions" on pages 20-22.  
Who do you think has the better argument regarding whether secured credit is efficient or fair, Jackson and Kronman or LoPucki? See pp. 7-8.

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**COMMUNITY PROPERTY – PL808 – 100D - ALONGI**

TWEN

Please sign up for our class on TWEN as soon as possible so you may receive messages, reading assignments and course materials through that medium. If you fail to do so, you will run the risk of missing something important.

Assigned Readings:

I will generally post reading assignments at least two weeks in advance on the *Calendar* link in TWEN. **For purposes of written quizzes and the final examination, you are responsible for all assigned reading – regardless of whether we cover it in class.**

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**COMPREHENSIVE LAW PRACTICE – PL778 – 200E – COLE & JONES**

**1<sup>st</sup> WEEK READING ASSIGNMENTS:** (all page nos. refer to textbooks as previously listed)

Friday, 8/20: Introduction and Chapters 1 through 3.

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**CONSTITUTIONAL LAW I – PL617 – 100DB - CUNNINGHAM**

Read the syllabus, Chemerinsky pp. xli-lvii (the Constitution) and Chemerinsky pp. 1-11.

Write an outline of the Constitution to be submitted by week's end.

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**CONSTITUTIONAL LAW I – PL617 – 100G – O’CONNOR**

**FIRST WEEK READING ASSIGNMENTS**

Tuesday, August 17, 2010

**The Constitution & The Articles of Confederation**

Read: Chemerinsky, the U.S. Constitution, pp. xli-lvii;

and the Articles of Confederation, located at: <http://www.yale.edu/lawweb/avalon/artconf.htm>

Thursday, August 19, 2010

**The Authority for Judicial Review**

Read: Chemerinsky, pp. 1-11

**ADDITIONAL ASSIGNMENT**

Send me an email containing (**in the body / text of the email**) the email account associated with your Facebook account. We will have a “secret group” for our class. Do not just send me a message from FB. That doesn’t work. Also, don’t just send me an email that says: “this is the account.” As it is I need to cut and paste 70 names into an invitation list. I don’t need to be writing each email account individually. Nobody will become “friends” by virtue of being a part of this group and nobody will have access to your personal FB page or postings. The secret group will be a forum for posting and commenting upon additional material related to the topics we will be discussing. (You may have noticed that current events have a way of triggering discussions about our Constitution. If you haven’t noticed this, we may be in for a long semester.) View this as an opportunity to increase your participation points. Participation accounts for 10% of your grade. Believe me: that can change someone’s grade substantially.

If you do not have a Facebook account, I strongly encourage you to set one up so that you can participate in this dialogue. Some people who are less comfortable speaking in a large classroom can become comfortable posting articles and commenting online. I have found that some who do this then become more comfortable speaking in class. The combination can improve your grade substantially.

If you have a FB account under a different email and you would prefer to keep this completely separate, set up an account with your PSL email. This is what I have done. If you are technologically challenged and do not know how to go about setting a FB account up, ask a classmate, or if all else fails, come to your dinosaur prof. and he will try to drag you into the 21<sup>st</sup> century.

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**CONSTITUTIONAL LAW I – PL617 – 100LB - GONZALES**

**Aug. 17, 19:** Ch. 1-2, p. 1-106 (Supreme Court).\*

\* Reading subject to change and include corresponding Supplement pages. Group problem solving session will be inserted into the schedule based on how the class is progressing.

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**CONSTITUTIONAL LAW I – PL617 – 200E - HENNER**

**August 17-August 19 Week 1**

**1. INTRODUCTION**

**a. The Constitution**

Read: Chemerinsky (U.S. Constitution); and the Articles of Confederation, located at: <http://www.yale.edu/lawweb/avalon/artconf.htm>

**2. FEDERAL JUDICIAL POWER**

**a. The Authority for Judicial Review**

Read: Chemerinsky, pp. 1-33  
U.S. Constitution, Article III, Section 2 & 2nd Amendment

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**CONSTITUTIONAL LAW II – PL724 – 100D – O’CONNOR**

**FIRST WEEK READING ASSIGNMENTS**

Tuesday, August 17, 2010

**The Constitution – Particularly, Amendments I through XV**

Read: Chemerinsky, the U.S. Constitution, pp. xli-lvii.

Thursday, August 19, 2010

**Equal Protection – Introduction and Rational Basis Test**

Read: Chemerinsky, Chapter 7: pp. 717-748

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### **CONTRACTS I – PL602 – ROBERTS - HAGUE**

#### **Class One (August 17)**

**Read:** Cases, Problems, and Materials on Contracts, Pages xxix – xxxiii (Introduction to the Study of the Law of Contracts); Pages 1-16 (Chapter 1, Intent to Contract: Offer and Acceptance, I. Introduction: The Principle of Mutual Assent)

- Cases: *Lucy v. Zehmer* and *Stepp v. Freeman*
- Problems 1-4

\*Additional comment: Please be prepared to engage in a detailed discussion of the facts, decisions and reasoning of the court in the two cases presented in this assignment.

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**Class Two (August 19)**

**Read:** Cases, Problems, and Materials on Contracts, Pages 17-31 (Chapter 1, Intent to Contract: Offer and Acceptance, II. The Offer)

- Cases: *PFT Roberson, Inc. v. Volvo Trucks North America, Inc.*; *Lefkowitz v. Greater Minneapolis Surplus Store, Inc.*; *Continental Laboratories v. Scott Paper Co.*
- Problems 5-9

**Read:** 2009-2010 Rules of Contract Law, Pages 7-16 (Article I. General Provisions)

\*Additional comment: Please be prepared to engage in a detailed discussion of the facts, decisions and reasoning of the court in the three cases presented in this assignment. You will not be required to exhibit an in-depth understanding of the rules and concepts presented in your assigned reading in 2009-2010 Rules of Contract Law, pages 7-16. Simply read those pages once so that you have a general understanding of what the Uniform Commercial Code is about. It might be helpful for you to also read the Editors' Note presented on pages 1-4.

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**CONTRACTS I – PL602 – ALITO - IUSSA**

**Contracts I First Week Reading Assignments:** From Blum and Bushaw's *Contracts: Cases, Discussion and Problems*

<b><u>Topic/Cases</u></b>	<b><u>Pages</u></b>
<u>Class 1: Intro to Contracts</u> <i>Cohen v. Cowles Media Co.</i> <i>Pierce v. The Clarion Ledger</i> <i>Kilarjian v. Vastola</i>	1-33
<u>Class 2: Sale of Goods and Introduction to UCC Article 2</u> <i>Pass v. Shelby Aviation, Inc.</i>	35-57

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**CONTRACTS I – PL602 – BREYER – ULICKI**

**Required Text:** “Contracts – A Contemporary Approach (Interactive Casebook Series)”  
West Publishers  
ISBN: 978-0-314-18996-7

*Note: This is an interactive casebook so you will need to purchase the book and be able to access the materials on-line. There are a number of links and chapter problems in the book that we will be using during the semester. I know that some of you may wish to cut costs by just using someone else’s book or the library copy but know up front that if you do so you will be missing out on material that will help you with your class material, quizzes, and final exam.*

**Class 1:** Chapter 1: pp. 1 -12; Prof. Ulicki’s Rules; Using your Book; Introduction

**Class 2:** Chapter 2: pp. 13-32; Consideration as: Benefit or Detriment

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**CONTRACTS I – PL602 – KENNEDY - IUSSA**

**Contracts I First Week Reading Assignments:** From Blum and Bushaw's *Contracts: Cases, Discussion and Problems*

<u>Topic/Cases</u>	<u>Pages</u>
<u>Class 1: Intro to Contracts</u> <i>Cohen v. Cowles Media Co.</i> <i>Pierce v. The Clarion Ledger</i> <i>Kilarjian v. Vastola</i>	1-33
<u>Class 2: Sale of Goods and Introduction to UCC Article 2</u> <i>Pass v. Shelby Aviation, Inc.</i>	35-57

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**CONTRACTS I – PL602 – SCALIA – GERST**

*Blum & Bushaw Contracts, Cases, Discussions, & Problems, Second Ed. Aspen, 2008*

Class 1, Aug. 18 Chapter 1, Intro to Contracts, pp. 1-17 (17)

Class 2, Aug. 20 Chapter 1, Intro to Contracts, pp. 17-33 (16)

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**CONTRACTS II – PL622 – SP10D – GERST**

*Blum & Bushaw Contracts, Cases, Discussions, & Problems, Second Ed. Aspen, 2008*

Class 1, Aug. 17 Chapter 14, Policing Contracts on Grounds Other than Improper Bargaining, Illegality and Violations of Public Policy, pp. 485-503

Class 2, Aug. 19, Chapter 14, Incapacity of Minors and Mental Incapacity, pp. 504-527

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**CRIMINAL LAW – PL612 – ALITO – BANNER**

**Required:**

Dressler casebook, pp. 1-19 (Sections A – D) (*In re Winship*; *Owens v. State*) Dressler, Understanding Criminal Law, Chapters 1 and 3.

Optional: Levenson, Glannon Guide, Chapters 1 and 2 (Sections A-C only)

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**CRIMINAL LAW – PL612 – BREYER – RUMANN**

Dressler Cases and Materials on Criminal Law (5<sup>th</sup> Ed.): First Class: read and be prepared to discuss pages 1-19; Review the Model Penal Code (“MPC”) (found in the Dressler case book beginning at page 958): §1.12. Second Class: read and be prepared to discuss Dressler case book pages 29-69 for the second class; Review MPC § 1.02.

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**CRIMINAL LAW – PL612 – KENNEDY - BANNER**

**Required:**

Dressler casebook, pp. 1-19 (Sections A – D) (*In re Winship*; *Owens v. State*) Dressler, Understanding Criminal Law, Chapters 1 and 3.

Optional: Levenson, Glannon Guide, Chapters 1 and 2 (Sections A-C only)

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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*It is in alphabetical order by course title.*

**CRIMINAL LAW – PL612 – ROBERTS – PEASE-WINGENTER**

When preparing the reading assignments, you are responsible for preparing responses to all questions and problems on the assigned pages unless the reading assignment explicitly indicates that some can be skipped. Professor Pease-Wingenter will not ask that you turn in written responses to the questions and problems. She will simply ask certain law firms to orally convey their responses.

**Class Meeting #1 (Mon. 8/16)**

- Introduction to the Boundaries of the Criminal Law, and Coffee, *Does “Unlawful” Mean “Criminal”? Reflections on the Disappearing Tort/Crime Distinction in American Law* pp. 827-830 (prepare only question #1 on p. 830, no need to prepare any of the questions on p. 831)
- Introduction to Sodomy, and *Lawrence v. Texas* pp. 855-868 (prepare only questions #1, 2 and 5 on p. 868)
- Sylvia A. Law, COMMERCIAL SEX: BEYOND DECRIMINALIZATION, and Melissa Farley & Howard Barkan, PROSTITUTION, VIOLENCE, AND POSTTRAUMATIC STRESS DISORDER pp. 870-875 (no need to prepare Problem 14.3 on p. 875)
- Synthesis and Review Questions pp. 881-882 (prepare questions 1-3 on pp. 881-882)

Also, to help you better understand how criminal law differs from civil law, you should skim “Overview: The Architecture of the Criminal Justice System: Process, Participants, and the Role of Discretion,” which appears in Chapter One of the Bloch & McMunigal casebook (pp. 1-18). We will not be discussing these pages in class, but they will help provide important background for the course.

**Class Meeting #2 (Wed. 8/18)**

- Plea Negotiations pp. 9-12
- Joseph E. Kennedy, DRUG WARS IN BLACK AND WHITE pp. 1032-1033
- What is Punishment? (Kansas Statutes; *Kansas v. Hendricks*) pp. 23-26
- Why Punish? pp. 31-33 and pp. 40-46 (do questions 2, 3, 5 and 6 on pp. 32-33, but skip questions 1 and 4) (do Problems 2.11 and 2.12 on p. 33, but skip Problems 2.13 and 2.14)

**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**CRIMINAL LAW – PL612 – SCALIA – PEASE-WINGENTER**

When preparing the reading assignments, you are responsible for preparing responses to all questions and problems on the assigned pages unless the reading assignment explicitly indicates that some can be skipped. Professor Pease-Wingenter will not ask that you turn in written responses to the questions and problems. She will simply ask certain law firms to orally convey their responses.

**Class Meeting #1 (Tues. 8/17)**

- Introduction to the Boundaries of the Criminal Law, and Coffee, *Does “Unlawful” Mean “Criminal”? Reflections on the Disappearing Tort/Crime Distinction in American Law* pp. 827-830 (prepare only question #1 on p. 830, no need to prepare any of the questions on p. 831)
- Introduction to Sodomy, and *Lawrence v. Texas* pp. 855-868 (prepare only questions #1, 2 and 5 on p. 868)
- Sylvia A. Law, COMMERCIAL SEX: BEYOND DECRIMINALIZATION, and Melissa Farley & Howard Barkan, PROSTITUTION, VIOLENCE, AND POSTTRAUMATIC STRESS DISORDER pp. 870-875 (no need to prepare Problem 14.3 on p. 875)
- Synthesis and Review Questions pp. 881-882 (prepare questions 1-3 on pp. 881-882)

Also, to help you better understand how criminal law differs from civil law, you should skim “Overview: The Architecture of the Criminal Justice System: Process, Participants, and the Role of Discretion,” which appears in Chapter One of the Bloch & McMunigal casebook (pp. 1-18). We will not be discussing these pages in class, but they will help provide important background for the course.

**Class Meeting #2 (Thurs. 8/19)**

- Plea Negotiations pp. 9-12
- Joseph E. Kennedy, DRUG WARS IN BLACK AND WHITE pp. 1032-1033
- What is Punishment? ( Kansas Statutes; *Kansas v. Hendricks*) pp. 23-26
- Why Punish? pp. 31-33 and pp. 40-46 (do questions 2, 3, 5 and 6 on pp. 32-33, but skip questions 1 and 4) (do Problems 2.11 and 2.12 on p. 33, but skip Problems 2.13 and 2.14)

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**CRIMINAL PROCEDURE – PL712 – 100DB - SALZMANN**

**COURSE READINGS**

The subsequent course readings include 3 possible sources:

- (1) The main topics and page numbers for readings in *Criminal Procedure and the Constitution*
- (2) External cases indicated by a full case citation
- (3) Supplemental readings in *Principles of Criminal Procedure: Investigation*. (marked as *Investigation*: page numbers)

Each line item/entry represents a class reading assignment. Because of the extensive materials covered in this course, readings in *Investigation* may be discussed during class but **should** be read as a reference to materials in *Criminal Procedure and the Constitution* and possible class discussion.

**Assignment 1 – Chapter 1 (Criminal Justice Overview)**

- The Processing of a Felony Case: pages 1-25

**Assignment 2 – Chapter 2 (Fourteenth Amendment)**

- The “Fundamental Rights” and “Incorporation” Theories: pages 26-35 (*Palko; Adamson*)
- The Modern Approach (Selective Incorporation): pages 36-47 (*Duncan*)

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**CRIMINAL PROCEDURE – PL712 – 100G - RUMANN**

Miller and Wright, *Criminal Procedures: The Police* (3d Edition): Read and be prepared to discuss pages 3-41. For the first class, please bring in one article from the popular press about current issues in criminal procedure that you find interesting for discussion. You will not be able to access the internet in class – so have a hard copy of the article.

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**CRIMINAL PROCEDURE – PL712 – 100LB – WILLRICH**

**First Week Reading:** Read – Chapter 1, 2, 12 in the textbook; Chapters 1,2, 10 in the Hornbook. (See pages 10-15 of the syllabus – which will be posted on Professor Willrich’s TWEN page).

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**CRIMINAL PROCEDURE – PL712 – 200E – CAMPBELL**

**Required Text:**

Kamisar, LaFave, Israel & King, “Modern Criminal Procedure “(12<sup>th</sup> ed.) and 2010 supplement.

Grano & Abramson, “Problems in Criminal Procedure” (West, 4<sup>th</sup> ed.)

**Week One (August 16 and August 18) (Preliminary Concepts)**

Kamisar: pp. 1-24 Steps in criminal case (structural discussion of system)  
pp. 24-47 Due Process and Incorporation; Bodily Extractions;  
Retroactivity; Supervisory Power; Federalism

Principal Cases: *Rochin v. California* (1952); *Breithaupt v. Abram* (1957); *Schmerber v. California* (1966); *District Attorneys’ Office v. Osborne* (2009) (supplement); *United States v. Johnson* (1980); *Teague v. Lane* (1989); *McNabb v. United States* (1943); *United States v. Payner* (1980)

Kamisar pp. 1572-1604 Habeas Corpus

Principal Cases: *Stone v. Powell* (1976); *Wainwright v. Sykes* (1977); *Teague v. Lane* (1989)

42 U.S.C. §1983

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**ENVIRONMENTAL LAW – PL754 – 100D – VON OPPENFELD**

**First Week Reading:**

The reading assignment has been e-mailed to your PSL account for your review prior to the start of class.

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**ESTATE PLANNING – PL751 – 100D – MORRIS**

**First Week Reading:**

The reading assignment will be e-mailed to your PSL account for your review prior to the start of class.

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**EVIDENCE – PL734 – 100G - GOMEZ**

**Monday, August 16**

Register for the course on TWEN; review syllabus; pick up Supplement 1 from Faculty Services; Supplement 1 is also available on TWEN; review outline from supplement; and read and prepare for discussion:

**I. INTRODUCTION - PRESERVING THE RECORD**

- Federal Rules of Evidence (FRE) 101-106
- MCCORMICK, pp. 1-8; 94-113
- WALTZ & PARK, pp. 1-70
- *Fuller v. State* (supplement)
- *Smith v. State* (supplement)
- *Brooks v. State* (supplement)
- *Brooks v. Texas* (supplement)
- *Brooks v. Estelle* (supplement)
- *Loudres v. State* (supplement)
- Bob Ray Sanders, *The First to Die by Injection*, STAR TELEGRAM (supplement)

**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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- Robert Reinhold, *Execution by Injection Stirs Fear and Sharpens Debate*, NYTIMES, December 8, 1982 (handout)

**Wednesday, August 18**

Read and prepare for discussion:

**II. RELEVANCE, AND ITS COUNTERWEIGHTS**

- A. Relevance to What  
FRE 401, 402  
MCCORMICK, pp. 306-10  
WALTZ & PARK, pp. 71-76  
Problem 1 (supplement)
- B. Relevance and Inference  
FRE 401, 402  
MCCORMICK, pp. 306-10  
WALTZ & PARK, pp. 77-80  
*Union Paint & Varnish V. Dean* (note case, p. 75)  
*Knapp v. State*  
*Sherrod v. Berry* (note case, p. 80)
- C. Probative Value Versus Prejudicial Effect  
FRE 403  
MCCORMICK, pp. 306-10  
WALTZ & PARK, pp. 81-94  
*Old Chief v. United States*  
*Ballou v. Henri Studios, Inc.*

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**EVIDENCE – PL734 – 100LB – COLE**

**1<sup>st</sup> WEEK READING ASSIGNMENTS:** (all page nos. refer to textbooks as previously listed)

Tuesday, 8/17: Study Guide (pp. xxiv - xxvii); Chapters 1 through 4 (pp. 1 – 38)

Thursday, 8/19: Chapters 5 and 6 (pp. 39-69); Goode, Chapter 3 (selected evidentiary objections) (pp. 74-78)

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**EVIDENCE – PL734 – 200E – GOMEZ**

**Monday, August 16**

Register for the course on TWEN; review syllabus; pick up Supplement 1 from Faculty Services; Supplement 1 is also available on TWEN; review outline from supplement; and read and prepare for discussion:

**I. INTRODUCTION - PRESERVING THE RECORD**

- Federal Rules of Evidence (FRE) 101-106
- MCCORMICK, pp. 1-8; 94-113
- WALTZ & PARK, pp. 1-70
- *Fuller v. State* (supplement)
- *Smith v. State* (supplement)
- *Brooks v. State* (supplement)
- *Brooks v. Texas* (supplement)
- *Brooks v. Estelle* (supplement)
- *Loudres v. State* (supplement)
- Bob Ray Sanders, *The First to Die by Injection*, STAR TELEGRAM (supplement)
- Robert Reinhold, *Execution by Injection Stirs Fear and Sharpens Debate* NYTIMES, December 8, 1982 (handout)

**Wednesday, August 18**

Read and prepare for discussion:

**II. RELEVANCE, AND ITS COUNTERWEIGHTS**

- A. Relevance to What
  - FRE 401, 402
  - MCCORMICK, pp. 306-10
  - WALTZ & PARK, pp. 71-76
  - Problem 1 (supplement)
  
- B. Relevance and Inference
  - FRE 401, 402
  - MCCORMICK, pp. 306-10
  - WALTZ & PARK, pp. 77-80
  - Union Paint & Varnish V. Dean* (note case, p. 75)

**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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*Knapp v. State*

*Sherrod v. Berry* (note case, p. 80)

C. Probative Value Versus Prejudicial Effect

FRE 403

MCCORMICK, pp. 306-10

WALTZ & PARK, pp. 81-94

*Old Chief v. United States*

*Ballou v. Henri Studios, Inc.*

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**EXTERNSHIP – PL920 – 100D – WHITTEN**

**Reading Schedule**

Reading assignments will be posted on the TWEN pages for each section. The weekly posted readings on the TWEN pages take precedence over the syllabus. Additional or substitute readings may be assigned from time to time.

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**EXTERNSHIP – PL930 – 100D – WHITTEN**

**Reading Schedule**

Reading assignments will be posted on the TWEN pages for each section. The weekly posted readings on the TWEN pages take precedence over the syllabus. Additional or substitute readings may be assigned from time to time.

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**EXTERNSHIP – PL930B – 100D – WHITTEN**

**Reading Schedule**

Reading assignments will be posted on the TWEN pages for each section. The weekly posted readings on the TWEN pages take precedence over the syllabus. Additional or substitute readings may be assigned from time to time.

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**EXTERNSHIP – PL940 – 100D – WHITTEN**

**Reading Schedule**

Reading assignments will be posted on the TWEN pages for each section. The weekly posted readings on the TWEN pages take precedence over the syllabus. Additional or substitute readings may be assigned from time to time.

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**EXTERNSHIP – PL920 – 101D – PATANE**

**Reading Schedule**

Reading assignments will be posted on the TWEN pages for each section. The weekly posted readings on the TWEN pages take precedence over the syllabus. Additional or substitute readings may be assigned from time to time.

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**EXTERNSHIP – PL930 – 101D – PATANE**

**Reading Schedule**

Reading assignments will be posted on the TWEN pages for each section. The weekly posted readings on the TWEN pages take precedence over the syllabus. Additional or substitute readings may be assigned from time to time.

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**EXTERNSHIP – PL930B – 101D – PATANE**

**Reading Schedule**

Reading assignments will be posted on the TWEN pages for each section. The weekly posted readings on the TWEN pages take precedence over the syllabus. Additional or substitute readings may be assigned from time to time.

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**EXTERNSHIP – PL940 – 101D – PATANE**

**Reading Schedule**

Reading assignments will be posted on the TWEN pages for each section. The weekly posted readings on the TWEN pages take precedence over the syllabus. Additional or substitute readings may be assigned from time to time.

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**FAMILY LAW – PL806 – 100D – ULICKI**

**Required Text:** “Work of the Family Lawyer,” 2<sup>nd</sup> Edition, Oliphant & Steegh  
Aspen Publishers  
ISBN: 978-0-7355-7092-4

**Class 1:** Chapter 1, pp. 1-22.

**Class 2:** Chapter 2, pp. 23-46.

**Week 1 Additional Reading:**

Do “breach of promise” to marry statutes still exist?

- ARS §25-341, *Burton v. Valentine*, 60 Ariz. 518  
[http://www.momlogic.com/2010/05/larry\\_kings\\_mistress\\_to\\_sue\\_for\\_breach\\_of\\_promise.php#ixzz0t05hVag](http://www.momlogic.com/2010/05/larry_kings_mistress_to_sue_for_breach_of_promise.php#ixzz0t05hVag)
- *Grant v. Superior Court In and For Pima County*, 27 Ariz. App. 427, 555 P.2d 895 (1976)
- *In Re Mortenson’s Estate*, 83 Ariz. 87  
<http://www.supreme.state.az.us/dr/Pdf/covenant.pdf>  
Benjamin Franklin – TWEN
- On Reserve – Movie: “The Price of a Broken Heart”

***Note:*** *For the entire semester for each class – discussion questions are to be completed by each of you; Chapter Problems will be assigned individually and you should be prepared to present the answer in class*

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FALL 2010 READING LIST - **UPDATED AUGUST 11, 2010**

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**FAMILY LAW – PL806 – 200E – WILLRICH**

<b>Class</b>	<b>DATE</b>	<b>DISCUSSION TOPIC/EXERCISE</b>	<b>Reading</b>
1	08-16	<b>Establishing a Professional Relationship</b> Introduction to Family Law Review syllabus, materials, and assignments' Discuss structure of the class Discuss supplemental resources Discussion on Professional Responsibility and Basic practice skills - Writing a letter to a client.  <i>Review: Arizona Rules of Professional Conduct</i>  <i>Go to State Bar Website on Disciplinary Actions and read some of decisions or get a copy of Arizona Attorney and see section on Discipline of Lawyers.</i>	Chapter 26- Work of the Family Lawyer (WFL)  Chapter 1 and 17 Mastering Family Law (MFL)  Rule 11 - AZ Rules of Civil Procedure
2	08-18	<u>SIGN UP ON TWEN SITE</u> <b>Alternative Dispute Resolution</b> Negotiation Mediation Arbitration Resolution Management Conferences	Chapter 25 - WFL Chapter 15 MFL  Look in Title 25 and Arizona Rules of Family Court Procedure to locate references to ADR

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**FEDERAL COURTS – PL737 – 100D - DYE**

- **Required text:** Michael P. Allen, Michael Finch, & Caprice L. Roberts, *Federal Courts: Context, Cases, and Problems* (Aspen 2009)
  - **First assignment (first day of class):** Pages 1-50 in the casebook (pages 1-19 are background material establishing the foundation of our study for the semester)
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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**GENERAL PRACTICE SKILLS – PL850 – 100D - GERST**

TBA

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**GENERAL PRACTICE SKILLS – PL850 – 101D - BAHR**

TBA

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**GENERAL PRACTICE SKILLS – PL850 – 200E - BAHR**

TBA

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**HYBRID CLINIC – JUVENILE DEFENSE – PL909JD – CLINIC - KUFFNER**

Please contact Professor Kuffner regarding your assignments.

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**HYBRID CLINIC – MUNICIPAL PROSECUTION – PL909MP – CLINIC - KUFFNER**

Please contact Professor Kuffner regarding your assignments.

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**VETERANS LEGAL ASSISTANCE CLINIC AND VETERAN'S INCOME TAX ASSISTANCE CLINIC – PL908 – CLINIC – PEIMANI/SOBAMPO**

**PEIMANI** – Please contact Professor Peimani regarding your assignments.

**SOBAMPO** – Please contact Instructor Sobampo regarding your assignments.

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**INTELLECTUAL PROPERTY – PL770 – 100D – FORDHAM**

*Merges, Menell, & Lemley, “Intellectual Property In The New Technological Age,” Fifth Edition (Aspen 2010).*

Please come to class prepared to discuss the materials **and** explain your analysis of each of the Problems identified in the reading assignment.

- Aug. 17 Philosophical Perspectives: Introduction: pp. 1-31 (Problem 1-1)  
Aug. 19 Copyright: Introduction: pp. 416-20  
Originality: pp. 420-31 (*Feist* & Q1-5, 7, Problems 4-1 & 4-2)  
Fixation: pp. 432-34 (Q1, 4-5)

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**LAWYERING PROCESS I – PL601 – ALITO1 - SPENCE**

**ASSIGNMENT I – BOOK ESSAY**

Please read a book of your choice based upon a legal issue (FICTION OR NON FICTION). In a two page essay, please discuss how this book impacted or influenced your perspective on the law and the role lawyers occupy in our society/world.

**FORMAT INSTRUCTIONS: PAGE LENGTH: 2 PAGES MAXIMUM.**

Please double-space your work. Use a 12-point font, and 1-inch margins. Please provide the title of your book along with the name of the author, publisher’s name and year of publication. The essay must be based on your personal reflections on your reading. Please do not consult any outside source for this assignment.

Due Date: August 23, by 6:00 p.m.

Reading: Rowe, Suzanne E., “Legal Research, Legal Writing, and Legal Analysis: Putting Law School into Practice,” 29 Stetson L. Rev. 1193 (2000).

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**LAWYERING PROCESS I – PL601 – ALITO2 – RITLAND**

**Initial Reading Assignment**

Please select any book of your choice and read it prior to the first day of class. Additionally, please bring the book you have selected and read to our first day of class.

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**LAWYERING PROCESS I – PL601 – BREYER1 – FLEISCHMANN**

**Initial Reading Assignment**

Please select any book of your choice and read it prior to the first day of class. Additionally, please bring the book you have selected and read to our first day of class.

LP I Course Policies

Reading: Rowe, Suzanne E., “Legal Research, Legal Writing, and Legal Analysis: Putting Law School into Practice,” 29 Stetson L. Rev. 1193 (2000).

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**LAWYERING PROCESS I – PL601 – BREYER2 – DOWDELL**

**Assignment for 1<sup>st</sup> Day of Class:**

Students are to read a book of their choice (fiction or non-fiction) on any subject and bring it to the first day of class.

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**LAWYERING PROCESS I – PL601 – BREYER3 – GARBER**

**Initial Reading Assignment**

Please select any book of your choice (fiction or non-fiction) and read it prior to the first day of class. Additionally, please bring the book you have read to our first day of class.

LP I Course Policies

Reading: Rowe, Suzanne E., “Legal Research, Legal Writing, and Legal Analysis: Putting Law School into Practice,” 29 Stetson L. Rev. 1193 (2000).

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**LAWYERING PROCESS I – PL601 – KENNEDY1 – LOPEZ-JONES**

**ASSIGNMENT I – PERSONAL ESSAY**

For the first writing assignment, students will write a one-page essay due Monday, August 23, 2010 at 6:00 p.m. A list of selected essay topics will be available in Building C on Wednesday, August 4th after 3:00 p.m. Students must write on one of the selected essay topics. Specific instructions for completing and uploading the assignment will be distributed during class on Wednesday, August 18th.

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**LAWYERING PROCESS I – PL601 – KENNEDY2 – RITLAND**

**Initial Reading Assignment**

Please select any book of your choice and read it prior to the first day of class. Additionally, please bring the book you have selected and read to our first day of class.

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**LAWYERING PROCESS I – PL601 – KENNEDY3 – SPENCE**

**ASSIGNMENT I – BOOK ESSAY**

Please read a book of your choice based upon a legal issue (FICTION OR NON FICTION). In a two page essay, please discuss how this book impacted or influenced your perspective on the law and the role lawyers occupy in our society/world.

**FORMAT INSTRUCTIONS: PAGE LENGTH: 2 PAGES MAXIMUM.**

Please double-space your work. Use a 12-point font, and 1-inch margins. Please provide the title of your book along with the name of the author, publisher's name and year of publication. The essay must be based on your personal reflections on your reading. Please do not consult any outside source for this assignment.

Due Date: August 23, by 6:00 p.m.

Reading: Rowe, Suzanne E., "Legal Research, Legal Writing, and Legal Analysis: Putting Law School into Practice," 29 Stetson L. Rev. 1193 (2000).

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**LAWYERING PROCESS I – PL601 – SCALIA1 – SPENCE**

**ASSIGNMENT I – BOOK ESSAY**

Please read a book of your choice based upon a legal issue (FICTION OR NON FICTION). In a two page essay, please discuss how this book impacted or influenced your perspective on the law and the role lawyers occupy in our society/world.

**FORMAT INSTRUCTIONS: PAGE LENGTH: 2 PAGES MAXIMUM.**

Please double-space your work. Use a 12-point font, and 1-inch margins. Please provide the title of your book along with the name of the author, publisher's name and year of publication. The essay must be based on your personal reflections on your reading. Please do not consult any outside source for this assignment.

Due Date: August 23, by 6:00 p.m.

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**LAWYERING PROCESS I – PL601 – SCALIA2 – LOPEZ-JONES**

**ASSIGNMENT I – PERSONAL ESSAY**

For the first writing assignment, students will write a one-page essay due Monday, August 23, 2010 at 6:00 p.m. A list of selected essay topics will be available in Building C on Wednesday, August 4th after 3:00 p.m. Students must write on one of the selected essay topics. Specific instructions for completing and uploading the assignment will be distributed during class on Wednesday, August 18th.

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**LAWYERING PROCESS I – PL601 – SCALIA3 – DOWDELL**

**Assignment for 1<sup>st</sup> Day of Class:**

Students are to read a book of their choice (fiction or non-fiction) on any subject and bring it to the first day of class.

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**LAWYERING PROCESS I – PL601 – ROBERTS1 – JONES**

**Initial Reading Assignment**

Please select any book of your choice and read it prior to the first day of class. Additionally, please bring the book you have selected and read to our first day of class.

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**LAWYERING PROCESS I – PL601 – ROBERTS2 – GARBER**

**Initial Reading Assignment**

Please select any book of your choice (fiction or non-fiction) and read it prior to the first day of class. Additionally, please bring the book you have read to our first day of class.

LP I Course Policies

Reading: Rowe, Suzanne E., “Legal Research, Legal Writing, and Legal Analysis: Putting Law School into Practice,” 29 Stetson L. Rev. 1193 (2000).

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**LAWYERING PROCESS II – PL625 – SP10D1 - HILLBO**

**Initial Reading Assignment**

Please log back onto TeachingLaw.com and review some of the readings from LP I. Specifically, read back through the sections dealing with (1) Research Strategies – (a) Strategies for the Research Process and (b) Strategies for Particular Sources; (2) Legal Analysis – (a) Understanding Legal Rules, (b) Statutory Language, (c) Case Analysis, and (d) Constructing Legal Analysis; and (3) Editing & Citation – (a) Grammar and Legal Use Rules and (b) Often-Used *Bluebook* Rules. All of this information should simply be a review of lessons discussed during LP I. All of these readings should be easily accessible by using the drop-down menu bar near the top of the page on TeachingLaw.com.

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**LAWYERING PROCESS II – PL625 – SP10D2 - FLEISCHMANN**

**Initial Reading Assignment**

Please log back onto TeachingLaw.com and review some of the readings from LP I. Specifically, read back through the sections dealing with (1) Research Strategies – (a) Strategies for the Research Process and (b) Strategies for Particular Sources; (2) Legal Analysis – (a) Understanding Legal Rules, (b) Statutory Language, (c) Case Analysis, and (d) Constructing Legal Analysis; and (3) Editing & Citation – (a) Grammar and Legal Use Rules and (b) Often-Used *Bluebook* Rules. All of this information should simply be a review of lessons discussed during LP I. All of these readings should be easily accessible by using the drop-down menu bar near the top of the page on TeachingLaw.com.

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**LAWYERING PROCESS II – PL625 – SP10D3 - RAINE**

**Initial Reading Assignment**

Please log back onto TeachingLaw.com and review some of the readings from LP I. Specifically, read back through the sections dealing with (1) Research Strategies – (a) Strategies for the Research Process and (b) Strategies for Particular Sources; (2) Legal Analysis – (a) Understanding Legal Rules, (b) Statutory Language, (c) Case Analysis, and (d) Constructing Legal Analysis; and (3) Editing & Citation – (a) Grammar and Legal Use Rules and (b) Often-Used *Bluebook* Rules. All of this information should simply be a review of lessons discussed during LP I. All of these readings should be easily accessible by using the drop-down menu bar near the top of the page on TeachingLaw.com.

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**FALL 2010 READING LIST - UPDATED AUGUST 11, 2010**

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**LAWYERING PROCESS IV – PL705 – 100D - NELSON**

**Tuesday, Aug. 17<sup>th</sup> – Course Introduction.**

**Reading:**

Ian Gallacher, *Forty-Two: The Hitchhiker's Guide to Teaching Legal Research to the Google Generation*, 39 Akron L. Rev. 151 (2006).

- Be prepared to note and discuss one point from the Gallacher article which you found interesting or intriguing.

**Thursday, Aug. 19<sup>th</sup> – Evaluation of First Assignment, Introduction to Advanced Legal Research**

**Reading:**

Armstrong & Knott, *Where the Law Is: An Introduction to Advanced Legal Research* (textbook) AVAILABLE in the IRC on course Reserve: Chapter 1.

- Compare full-text searching to field-limited searching indexed searching. Think of some examples.
  - In class, be prepared to give orally one or more comments or questions based on your reading.
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**LAWYERING PROCESS IV – PL705 – 200E – NELSON**

**Tuesday, Aug. 17<sup>th</sup> – Course Introduction.**

**Reading:**

Ian Gallacher, *Forty-Two: The Hitchhiker's Guide to Teaching Legal Research to the Google Generation*, 39 Akron L. Rev. 151 (2006).

- Be prepared to note and discuss one point from the Gallacher article which you found interesting or intriguing.

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**Thursday, Aug. 19<sup>th</sup> – Evaluation of First Assignment, Introduction to Advanced Legal Research**

**Reading:**

Armstrong & Knott, *Where the Law Is: An Introduction to Advanced Legal Research* (textbook) AVAILABLE in the IRC on course Reserve: Chapter 1.

- Compare full-text searching to field-limited searching indexed searching. Think of some examples.
- In class, be prepared to give orally one or more comments or questions based on your reading.

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**MEDIATION CLINIC – PL903 – 100D - GONZALES**

Please contact Professor Gonzales regarding your assignments.

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**PRE-TRIAL PRACTICE – PL758 – 100D – W. MILLER**

**Class Reading Assignments:**

“Dessem” shall mean Pretrial Litigation, Law, Policy & Practice.

“Simon” shall mean The Anatomy of a Lawsuit.

**Date**

August 16

August 18

**Assignment**

Simon, the entire book

Dessem, pgs. 1-55

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**PROFESSIONAL RESPONSIBILITY – PL703 – 100D - REIMER**

**Reading:**

**1. August 17**

**Reading Assignment:** Hazard: Chapter 1.

**Rules of Professional Conduct (“Rules”):** Preamble and Scope.

**Supplemental Reading:** None.

**2. August 19**

**Reading Assignment:** Hazard: Chapter 11.

**Rules:** 8.1.

**Supplemental Reading:** Information at: <http://azcourts.gov/cld/AttorneyAdmissions.aspx>

In re Hamm, 211 Ariz. 458, 123 P.3d 652 (2005)

In re King, 212 Ariz. 559, 136 P.3d 878 (2006)

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**PROFESSIONAL RESPONSIBILITY – PL703 – 100D - BLACKWELL**

*Required Books:*

Lisa G. Lerman & Philip G. Schrag, Ethical Problems in the Practice of Law  
(2d ed., Aspen 2008)

Model Rules of Professional Conduct (2010, American Bar Assoc.)

*\*Assigned materials should be reviewed and ready for discussion on the Tuesday of each week if not specified.\**

**Week One (August 17 & 19)**

***Overview of the Regulation of the Practice of Law***

Ethical Rules: 8.1, 8.3, 8.5 (Ariz. Supreme Court Rules 31, 35, 38, 46, 53)

Text: pgs. 1-12, 19-28, 32-43, 128-137, 147-149, 45-54, 64-71 (In Re Mustafa), Assigned Problems. Discussion of 1) what entities and regulations govern lawyers; 2) the difference between “ethics” and “professionalism”; 3) admission requirements to practice law; and 4) Misconduct during law school.

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**PROFESSIONAL RESPONSIBILITY – PL703 – 100D - SHELY**

**Initial Assignments (subject to modification as we go)**

We will be using *Ethical Problems in the Practice of Law*, Lerman and Schrag (Aspen Law and Business, 2008), as our primary text. I also recommend purchasing the *ABA Model Rules of Professional Conduct* as they will be discussed in every class. You must have some version (paper or online) of the Rules with you for every class.

**Week 1 – Aug. 20th: *Overview of the Regulation of the Practice of Law***

Ethical Rules: Preamble, 8.1, 8.3, 8.4, 8.5 (Ariz. Supreme Court Rules 31, 38)

Text: pgs. 1- 37, 41-57

Discussion of 1) what entities and regulations govern lawyers; 2) what is the American Bar Association's role in regulation (and application of the *Restatement of the Law Governing Lawyers*); 3) the difference between "ethics" and "professionalism"; 4) admission requirements to practice law (and what to disclose to Character & Fitness when applying and mental health, substance abuse, criminal convictions, and bankruptcy issues); and 5) legal malpractice, insurance, and the relationship between "malpractice" and "professional discipline."

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**PROPERTY I – PL610 – ROBERTS - DURANT**

TBA

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**PROPERTY I – PL610 – 200E – DURANT**

TBA

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FALL 2010 READING LIST - **UPDATED AUGUST 11, 2010**

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**PROPERTY II – PL616 – 100DB - ULICKI**

**Required Text:** “Property – A Contemporary Approach (Interactive Casebook Series)”  
West Publishers (ISBN: 978-0-314-19104-5)

***Note:** This is an interactive casebook so you will need to purchase the book and be able to access the materials on-line. There are a number of links and chapter problems in the book that we will be using during the semester. I know that some of you may wish to cut costs by just using someone else’s book or the library copy but know up front that if you do so you will be missing out on material that will help you with your class material, quizzes, and final exam.*

**Class 1:** Introduction to Property II: Easements – preliminary matters.

**Class 2:** Chapter 9 - Private Land Use Planning: pp. 645-678

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**PROPERTY II – PL616 – 100G - CUNNINGHAM**

Read the syllabus and the Sprankling text, pp. 645-665.

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**PROPERTY II – PL616 – 100LB - HENNER**

**A Note About Reading Assignments:** Carefully read the assigned chapters **PRIOR** class, answer **ALL** questions presented in the chapter as I will be calling upon you to answer one of those questions as well as the cases in the book. You may also have in-class assignments to complete based upon your reading and the presented in the chapter. You won’t be able to participate in class if you haven’t read the materials. We will try to adhere to the schedule as much as possible, but I reserve the right to adjust it according to your rate of absorption of the material we have to cover.

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**READING AND ASSIGNMENTS:**

**A handy format for briefing each case is:**

- **Case Name; Court; Date Parties, Relevant Facts**
- **Procedural History**
- **Issue (which always will relate to “property”)**
- **Plaintiff’s Argument, Defendant’s Argument**
- **Holding (which is the answer to the issue, and includes the decisive legal principle)**
- **Reasoning of the Court**
- **Dissent/Concurrence (if applicable)**
- **Comments/Other Analysis**

For a discussion of case briefing, See Bateman, Paul, Ten Instructions for Briefing Cases, Southwestern University School of Law (1999). Available at: <http://www.law.umkc.edu/faculty/profiles/glesnerfines/bateman.htm> Last visited July 1, 2009.

**(All assignments are in addition to your Chapter Readings) – Be sure and check TWEN weekly for Updates)**

**Week #1 Date 8-18-09  
Chapter 9 Pages 643- 694**

**A Brief Review of Easements  
Be familiar with the material in pages 643-694**

Be prepared to explain to me how easements are created, how do we interpret easements, and how can they be terminated.

**Week #1 Date 08-20-09  
Chapter 9 Pages 694- 702**

**Assignment**  
Land Use Restrictions  
Real Covenants and Equitable Servitudes

- Why did the court in *El Paso Refinery, LP v. TRMI Holdings, Inc.*, rule that the covenant not to sue the previous owner did not touch and concern the land?
- Brief and prepare to discuss *Sanborn v. McLean*.

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- Why did the court in *Sloan v. Johnson* grant an injunction for breach of a real covenant rather than granting damages.
  - What points does Susan French make in her proposition that the doctrines of real covenants and equitable servitudes should be combined?
  - What are the costs and benefits of the Restatement Approach?
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**SPORTS LAW – PL855 – 200E – JAY**

The textbook pages referenced in parentheses must be read by the corresponding date. “Problems” between page breaks can be skipped.

**August 16, 2010**

*Course Introduction:* Class goals and policies

*Introduction to Amateur Sports:* (pp. 1-5; 7-20; 21-30; 31-54)

**August 18, 2010**

*Amateur Sports Associations:* (pp. 55-56; 57-82)

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**TORTS I – PL603 – ALITO - SWISHER**

**First Reading Assignment:** Pages 1 through 11 in the Farnsworth & Grady textbook.

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**TORTS I – PL603 – BREYER - SWISHER**

**First Reading Assignment:** Pages 1 through 11 in the Farnsworth & Grady textbook.

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**TORTS I – PL603 – KENNEDY – SALZMANN**

1	INTRODUCTION INTENTIONAL TORTS Battery Intent	Intro 1	xxxiii- xlviii 1-11	Introduction <i>Vosberg</i> Notes 1-12
2	Touching	1	11-15	Intro Notes 1-6

**TORTS I – PL603 – SCALIA - SANDERS**

**First Week Reading:**

Weaver, Russell L. et al., “Torts: Cases, Problems and Exercises” (3<sup>rd</sup> ed. 2009)

Chapter 1, pp. 1-11.

**TORTS I – PL603 – 200E – SANDERS**

**First Week Reading:**

Weaver, Russell L. et al., “Torts: Cases, Problems and Exercises” (3<sup>rd</sup> ed. 2009)

Chapter 1, pp. 1-11.

**TORTS II – PL609 – SP10D - FORDHAM**

*Farnsworth & Grady, “Torts: Cases and Questions,” Second Edition (Aspen 2009).*

*“CALI Lesson” refers to lessons that are available at [www.cali.org](http://www.cali.org).*

Aug. 16	Battery: Intent and Volition, pp. 1-10 ( <i>Vosburg v. Putney</i> & Notes 1-7, 10) CALI Lesson: <u>Battery Basics</u>
Aug. 18	Battery: Minimum Requirements, pp. 11-15 (Notes 1-6)

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**TRIAL PRACTICE – PL760 – 100D – BOGART & WILHITE**

Read Mauet Chapter 4 – opening statements; Read Imwinkelried Chapter 1- introduction and laying foundation; See also sample foundations found in Chapter 4.

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**TRUSTS AND ESTATES – PL750 – 100D - HOUSE**

<b>Class #</b>	<b>Date</b>	<b>Topic</b>	<b>Reading/Statute Assignment</b>
1	August 16, 2010	Introduction; The Power to Transmit Property at Death	pp. 1-38
2	August 18, 2010	Basic Probate; Basic Administration	pp. 38-58

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**TRUSTS AND ESTATES – PL750 – 200E - FASSOLD**

<b>Class #</b>	<b>Date</b>	<b>Topic</b>	<b>Reading/Statute Assignment</b>
1	August 17, 2010	Introduction; The Power to Transmit Property at Death	pp. 1-38
2	August 19, 2010	Basic Probate; Basic Administration	pp. 38-58