

TO: 2L and 3L Students

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How to Choose Your Courses 2019-20

Congratulations!

Rising 2Ls: You have successfully completed your first year of law school and are ready to #createyourownpath at BYU Law School.

Rising 3Ls: You've almost made it!

As you know, in your second and third years of law school, you have substantial discretion to choose the courses you wish to take. To graduate, you will be required to take a Professional Responsibility course, to fulfill the Substantial Writing and Professional Skills requirements (described in greater detail below), to take at least six (6) hours of "skills" (simulations, field placements, or clinics) training, and to take at least sixty-nine (69) credits that are not field placements, co-curriculars or non-law classes.

Beyond those requirements, you determine the path that you take over the next four semesters. As you make these decisions, you should keep in mind the importance of gaining a broad, general background in the law; the benefit of taking courses that challenge you to think carefully and analytically; and the need to expose yourself to areas covered by the bar exam. Moreover, some degree of course focus may be appropriate for students who, through experience and inquiry, have a desire to specialize in a particular area. An intense focus in one area may also enhance the learning experience as you build on knowledge and expertise gained in previous courses. Furthermore, it is difficult to prove to a potential summer employer or post-graduation employer that you are truly interested in an area if you did not take a course in that area.

With that background, some specific considerations that may influence your course selection decisions are set forth below. Four semesters go by very quickly; some planning and prioritization can ensure you satisfy all graduation requirements and are able to meet prerequisites for desired classes.

1. Graduation Requirements

Graduation requirements are more specifically described in Section VIII of the Law School's Policies and Procedures, which are accessible on the Law School's website. For advice about graduation requirements, you may contact me or the Law School Registrar, Gaelynn Kuchar.

Most importantly, the ABA requires accredited law schools grant degrees only to students who complete a program of legal education described by the ABA. In particular, students must have a requisite number of hours (90 credits at BYU), and a subset of those hours (69 at BYU) must be earned in courses that are not field placements, co-curriculars, or non-law courses. ***In other words, BYU law students may only earn credit for 21 hours of field placements (our Clinical Alliances and externships), Co-Curriculars (journals, Trial Advocacy or Moot Court), or nonlaw classes (classes offered by other departments).***

We sometimes refer to this as the “ABA Bucket” or the “21-Hour Bucket.” For most students, this is an ample allowance. For joint degree students, this means that student must choose more carefully as part of this 21-hour “bucket” is filled with credits from their joint degree program. **Clinics, however, are not under this same limitation.**

In addition to the 21-Hour Bucket, BYU Law School also has two separate limitations for Co-Curricular credits and “field placement” (Clinical Alliance and Externship) credits. For those graduating classes, students may count only six (6) credits of Co-Curricular credits toward graduation. In addition, students may count only twelve (12) credits of Externship/Clinical Alliance credits. There are some other limitations on types of Externship credits and exceptions for students in the Washington Semester or similar program. Those details are in the Policies & Procedures.

2. Required Upper-Division Course

The only specifically required upper-division course is Professional Responsibility, which all students must successfully complete before graduating. The Law School offers this course each semester.

3. Substantial Writing Requirement

Each student must individually prepare, during his or her second or third year, a substantial paper. The paper must be written for credit in connection with a Law School course or seminar, a co-curricular law journal, or Directed Research. Courses that offer the substantial writing option are so designated in the Law School course materials. For more information about this requirement, please see Section II of the Law School’s Policies and Procedures.

4. Professional Skills Requirement

Each student must fulfill the Professional Skills Requirement by completing six hours of Professional Skills credit, which may include externship credit and/or upper-division courses designated as a Professional Skills course in the Law School course materials. A Professional Skills Course may be a simulation course or a course that involves advising or representing a client. Simulation courses are generally graded on the standard numeric scale; courses involving live clients are graded pass/fail. For the 2019-20 school

year, in addition to all externship credits, clinics, and clinical alliances, the following courses being offered have been designated Professional Skills Courses:

Appellate Brief Writing
Basic Mediation
Business Organizations Skills Lab
Civil Discovery
Civil Trial Practice
Community Lawyering
Criminal Trial Practice
Criminal Trial Advocacy
Estate Planning
Immigration Law Practicum
Intellectual Property Moot Court

Intellectual Property Skills Lab
Jessup Moot Court
Legal Drafting
Legal Interviewing & Counseling
Negotiation
Public Speaking for Lawyers
Securities Regulation Skills Lab
Real Estate Development
Technology Licensing
Transactional Legal Drafting
Trial Advocacy

5. Bar Examination Subjects

For information about bar examination subjects, please consult the websites for the state bar association of the state in which you plan to take the bar exam. Utah and 33 other jurisdictions have adopted or are in the process of adopting the Uniform Bar Examination (UBE), which provides portability of UBE scores within those jurisdictions. Administering and grading the examination uses the jurisdiction's resources, so it is for each UBE jurisdiction to decide whether it will allow persons who are not seeking admission there to sit for the examination. The UBE is composed of two Multistate Performance Test (MPT) tasks, the Multistate Bar Examination (MBE), and the Multistate Essay Examination (MEE). The MPT is designed to test an examinee's ability to use fundamental lawyering skills in a realistic situation. Each test evaluates an examinee's ability to complete a task that a beginning lawyer should be able to accomplish. The MPT is not a test of substantive knowledge. Rather, it is designed to examine fundamental skills lawyers are expected to demonstrate regardless of the area of law in which the skills arise.

The states that have not adopted the UBE (but still use the MBE) are California, Delaware, Florida, Georgia, Hawaii, Indiana, Kentucky, Louisiana, Michigan, Mississippi, Nevada, Oklahoma, Pennsylvania, South Dakota, Virginia, and Wisconsin.

The MBE covers the following topics, most of which are covered in the first year of law school: **Constitutional Law; Contracts; Criminal Law & Procedure; Evidence; Federal Civil Procedure; Real Property; Torts.**

The MEE may cover any of the following topics:

Business Associations (Agency and Partnership; Corporations; and Limited Liability Companies)
Conflict of Laws
Constitutional Law
Contracts

Criminal Law & Procedure
Evidence
Family Law
Federal Civil Procedure
Real Property
Torts
Trusts and Estates (Decedents' Estates; Trusts and Future Interests)
Uniform Commercial Code (Secured Transactions)

In addition, bar admission applicants are required to take and achieve the required score on the Multistate Professional Responsibility Examination (MPRE) for admission to the bars of all but three U.S. jurisdictions (Maryland, Wisconsin, and Puerto Rico). The purpose of the MPRE is to measure the examinee's knowledge and understanding of established standards related to a lawyer's professional conduct based on the law governing the conduct of lawyers, including the disciplinary rules of professional conduct currently articulated in the American Bar Association (ABA) Models of Professional Conduct, the ABA Model Code of Judicial Conduct, and controlling constitutional decisions and generally accepted principles established in leading federal and state cases and in procedural and evidentiary rules.

6. Courses Recommended for All Law Students

The following courses are recommended for all law students, regardless of their eventual area of practice. Many of them are also prerequisites for other courses. For course information, please see the Course Descriptions on the Law School's website.

Administrative Law
Business Organizations
Criminal Procedure
Evidence
Federal Income Taxation I
Introduction to Intellectual Property
Secured Transactions
The First Amendment or The Fourteenth Amendment
Wills and Estates

7. Courses Offered in 2019-20 that Are Unlikely to Be Offered in 2020-21

Some courses are taught at the law school in alternate years. Other courses are taught only by adjuncts or visiting professors and not part of the regular schedule. For these and other reasons, know that not all courses scheduled for this year will be offered next year. For example, here is a partial list of courses that may not be offered next year:

Blockchain & Cryptocurrency Law
Corporate Compliance and Risk Management
Cyberlaw

Election Law
Employment Discrimination
Jurisprudence
Law & Corpus Linguistics
Law & Economics
Law & Public Education
Law of Armed Conflict
Oil & Gas
Public Lands
Sentencing
Sports Law
Water Law

8. New Courses for 2019-2020

We are excited to offer some new courses this year. These courses may be offered in 2019-20, but they may not. If one of these courses sounds interesting, you should try to take it this year.

Advanced Torts Seminar
Business & the Constitution
Children & the Law
Corporate Finance
Juvenile Justice
Lincoln, Lawyer, Leader
Philosophy of Law
Women & Migration

9. Externships, Clinical Alliances and Clinics

Field placements (externships) in a variety of settings are available for credit. Most externships during the Fall and Winter semesters are supervised in various Clinical Alliance courses. Please contact the Career Services Office regarding placement opportunities, or the professors listed as supervising the externships. Identification of a placement is the responsibility of the student registering for a Clinical Alliance course, though the Career Services Office and Clinical Alliance professors are happy to help assist students in securing placements.

10. Overlapping Classes

Note that the registration software will allow you to register for classes that have overlapping times. (For example, a class that ends at 9:45 and a class that begins at 9:30, or a class ends at 9:45 and another begins at 9:45.) However, the law school cannot give you credit for both classes under ABA rules that mandate a minimum number of instructional

minutes to earn credit. We try to monitor this manually and notify you that you must drop one of these classes. Do not register for overlapping classes; if you do, please do not ignore an instruction to drop one of those courses. After the add-drop period has ended, there are no good solutions to this problem, so avoid it entirely by not registering for overlapping classes.

11. Advisement

For advice about choosing courses, you may contact Associate Dean Christine Hurt or professors who teach in your area of interest.

12. Final Examination Schedule

Please consult the final examination schedule when selecting courses. If you register for courses that have exams on the same day or on sequential days, you will be required to take the exams as scheduled. Please note that the final exam schedule on the Law School's website is correct. The final exam schedule on the University's AIM system is not used by the Law School and is not correct.

13. General Subject Areas of Courses

The following list categorizes the Law School's courses (other than the first-year courses and including co-curricular programs) according to general subject areas. For course information, please see the Course Descriptions on the Law School's website. Please note that some courses have prerequisites and not all of these courses are offered every year. Those courses not offered in the 2019-20 academic year are noted with an asterisk (*).

Alternative Dispute Resolution

Basic Mediation
Fundamental Lawyering Skills
Mediation Clinic
Negotiation
Negotiation and Dispute Resolution Clinic

Business Law

Accounting for Lawyers*
Antitrust
Business Organizations
Bus. Org. Skills Lab
Corp. Counsel CA
Corporate Tax
Internet Law-
Transactional Skills*
Law & Entrep. Clinic
Mergers & Acquisitions
M & A Simulation Course
Partnership Tax
SEC Clinical Alliance
Securities Regulation
Securities Regulation Simulation Course*
Transactional Legal Drafting

Commercial Law

Business Reorganizations under Bankruptcy
Bankruptcy
Secured Transactions
Real Estate Finance*
Blockchain &
Cryptocurrency Law

Constitutional Law

Advanced Topics in Religious Autonomy

Civil Rights
Comparative
Constitutional Law
Freedom of Religion
Immigrant Rights*
Origins of the Constitution
Plenary Powers
Colloquium*
Supreme Court Seminar
SC Advocacy Clinic
The First Amendment
The Fourteenth Amendment
U.S. Church and State*

Criminal Law & Procedure

Criminal and Civil Rights
Appellate Clinic
Criminal Procedure: Adjudication
Criminal Procedure: Investigation
Criminal Prosecution & Defense CA
Criminal Trial Practice
White Collar Crime

Education

Law & Public Education*

Environmental Law

Environmental Law
Environmental Litigation Seminar*
Oil & Gas*
Public Lands
Natural Resources*
Water Law

Estates and Trusts

Basic Estate Planning
Elder Law*
Wills and Estates
Trusts

Family Law

Children & the Law
Community Lawyering
Basic Mediation
Mediation Clinic
Family Law
Family Law Clinic
Juvenile Justice

Government

Administrative Law
Antitrust Law
Disaster Law
Election Law
Federal Indian Law
Government Practice CA
Health Law & Policy
Legislative CA
State & Local Government
Law of Armed Conflict
National Security Law*

Intellectual Property

Copyright
Cyberlaw
Blockchain &
Cryptocurrency
Internet Law
Transactional Skills
Intro. to IP
IP Moot Court
Legal Design Lab
Patent Drafting & Prosecution
Patent Law
Privacy

Technology Licensing
Trademark Law

International Law

Asylum
Comparative
Constitutional Law
Federal Indian Law
Immigration Law
Immigration Law
Practicum
International Human
Rights*
International Taxation*
Jessup Moot Court
Law of Armed Conflict
Public International Law
International Protection
of Religious Freedom*

Labor and Employment

Employment Law
Employment
Discrimination
Health Law & Policy

Law Practice

Fundamental Lawyering Skills*
Legal Interviewing and Counseling
Professional Responsibility
Solo and Small Firm Practice*

Legal History

Comparative Constitutional Law
Constitutional History
Joseph Smith and Early American Law
Ancient Laws in the Bible and Book of Mormon
Origins of the Constitution*

Legal Research and Writing

Advanced Legal Research
Appellate Brief Writing
Co-Curricular: Education and Law Journal
Co-Curricular: Journal of Public Law
Co-Curricular: Law Review
Co-Curricular: Moot Court
Directed Research
Legal Drafting

Litigating in the Court of Public Opinion*
Logic for Lawyers
Transactional Legal Drafting

Legal Studies

Advanced Torts Seminar
Empirical Methods*
Jurisprudence
Law & Corpus Linguistics*
Law & Economics
Law & Literature
Social Policy and Feminist Legal Thought

Litigation

Appellate Brief Writing
Appellate Practice and Procedure*
Civil Discovery
Civil Trial Practice
Co-Curricular: Moot Court
Co-Curricular: Trial Advocacy
Complex Litigation*
Conflicts of Law*
E-Discovery
Evidence
Federal Courts
Intellectual Property
Moot Court
Jessup Moot Court
Judicial Clinical Alliance

Law Firm Clinical Alliance
Litigating and Legislating
Religious Freedom
Litigating in the Court of Public Opinion*
Public Speaking for Lawyers
Remedies
Supreme Court Seminar
SC Advocacy Clinic
Community Lawyering
Domestic Violence Intervention
Elder Law
Mediation Clinic

Real Property

Real Estate Development*
Real Estate Finance*
Land Use Planning

Taxation

Corporate Tax
Federal Income Taxation
International Taxation*
Partnership Tax
Tax-Exempt Orgs
Tax Policy Colloquium