

Cover Sheet: Request 15859

New concentration - US Law

Info

Process	Specialization New/Modify/Close Ugrad
Status	Pending at PV - University Curriculum Committee (UCC)
Submitter	Paul Rollins rollins@law.ufl.edu
Created	2/19/2021 11:22:21 AM
Updated	2/19/2021 12:54:48 PM

Description of request	<p>Our faculty approved this concentration in February 2020. The goal of the concentration is to provide foreign-educated students in the LL.M. Tax Degrees with a clearer path for meeting the eligibility requirements of the N.Y. Bar and other state bars that allow foreign-educated law students to apply. The concentration requires that students successfully complete courses totaling at least 12 credits from the following:</p> <p>Administrative Law Course Number: LAW 6520 Credits: 3 Analysis of the administrative process, with an emphasis on the activities of federal regulatory agencies. Topics include legislative delegations of authority to agencies, executive branch controls, rulemaking and adjudicatory procedures, due process rights, and the scope of judicial review of administrative decision making.</p> <p>Advanced Constitutional Law Seminar Course Number: LAW 6936 Credits: 2 The focus of this seminar is the Fourteenth Amendment to the Constitution and the goal of racial equality. The Fourteenth Amendment encompasses critical principles of equality, liberty, justice and dignity under doctrines of equal protection and fundamental rights (including nearly all of the Bill of Rights and substantive due process rights). The seminar will explore the history, interpretation, and modern context of application of the amendment to secure its primary purpose, equality on the basis of race. One case of particular focus will be <i>Brown v. Board of Education</i>. While we will focus on race, we will also be exploring the meaning and application of the broad scope of the Fourteenth Amendment as the embodiment of core civil rights and civil liberties. As part of the seminar you will identify a topic for an in-depth seminar paper that can focus either on racial equality or any other topic within 14th Amendment jurisprudence</p> <p>Business Enterprises Survey Course Number: LAW 6068 Credits: 5 This course combines much of the existing coverage in both unincorporated business enterprises and corporations into a single course. This combined course will cover the general themes of unincorporated business enterprises (agency, partnership, LLCs, LLPs).</p> <p>Civil Procedure Course Number: LAW 5301 Credits: 4 Analysis of a civil lawsuit from commencement through trial, including consideration of jurisdiction, venue, pleading, motions, discovery, and joinder of parties and of claims; right to trial by jury, selection and instruction of jury, respective roles of judge, jury, and lawyer; trial and post-trial motions; judgments.</p> <p>Conflict of Laws Course Number: LAW 6340 Credits: 3 Problems arising whenever at least one of the operative facts of the case is connected with a state other than the forum; jurisdiction of courts; enforcement of foreign judgments; federal-state conflicts.</p> <p>Constitutional and Civil Rights Litigation Course Number: LAW 6930 Credits: 3 This course provides students with a general overview of lawsuits alleging deprivation of constitutional rights by local and state officials and agencies. This class will cover a wide range of cases, including allegations of police misconduct, deprivation of rights in prisons, jail, immigration detention centers, and similar carceral facilities. Litigation will also focus on claims alleging violations of the Equal Protection Clause, Due Process Clause, First Amendment, Eighth Amendment, and Fourth Amendment. Additionally, students will learn the types of remedies potentially available to plaintiffs in constitutional litigation and numerous defenses that could reduce or bar recovery from the defendant. This is one of the most important courses for prospective litigators, especially for students who wish to pursue careers as attorneys for state and local governmental officials and agencies or as civil rights lawyers.</p> <p>Constitutional Law Course Number: LAW 5501 Credits: 4 Introduction to United States Constitutional Law. Topics include judicial enforcement of the Constitution to preserve individual liberties; judicial review; separation of powers; structure and powers of the federal government; and federalism.</p> <p>Contracts Course Number: LAW 5000 Credits: 4 Original file: Cover sheet.pdf</p>
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Actions

Step	Status	Group	User	Comment	Updated
Department	Approved	LAW - Graduate 24050000	Rachel Inman		2/19/2021
No document changes					
College	Approved	LAW - College of Law	Rachel Inman		2/19/2021
No document changes					
Associate Provost for Undergraduate Affairs	Approved	PV - APUG Review	Casey Griffith		2/19/2021
No document changes					
University Curriculum Committee	Pending	PV - University Curriculum Committee (UCC)			2/19/2021
No document changes					
Office of the Registrar					
No document changes					
Student Academic Support System					
No document changes					
Catalog					
No document changes					
College Notified					
No document changes					

Concentration|New for request 15859

Info

Request: New concentration - US Law

Description of request: Our faculty approved this concentration in February 2020. The goal of the concentration is to provide foreign-educated students in the LL.M. Tax Degrees with a clearer path for meeting the eligibility requirements of the N.Y. Bar and other state bars that allow foreign-educated law students to apply. The concentration requires that students successfully complete courses totaling at least 12 credits from the following:

Administrative Law

Course Number: LAW 6520 Credits: 3

Analysis of the administrative process, with an emphasis on the activities of federal regulatory agencies. Topics include legislative delegations of authority to agencies, executive branch controls, rulemaking and adjudicatory procedures, due process rights, and the scope of judicial review of administrative decision making.

Advanced Constitutional Law Seminar

Course Number: LAW 6936 Credits: 2

The focus of this seminar is the Fourteenth Amendment to the Constitution and the goal of racial equality. The Fourteenth Amendment encompasses critical principles of equality, liberty, justice and dignity under doctrines of equal protection and fundamental rights (including nearly all of the Bill of Rights and substantive due process rights). The seminar will explore the history, interpretation, and modern context of application of the amendment to secure its primary purpose, equality on the basis of race. One case of particular focus will be *Brown v. Board of Education*. While we will focus on race, we will also be exploring the meaning and application of the broad scope of the Fourteenth Amendment as the embodiment of core civil rights and civil liberties. As part of the seminar you will identify a topic for an in-depth seminar paper that can focus either on racial equality or any other topic within 14th Amendment jurisprudence

Business Enterprises Survey

Course Number: LAW 6068 Credits: 5

This course combines much of the existing coverage in both unincorporated business enterprises and corporations into a single course. This combined course will cover the general themes of unincorporated business enterprises (agency, partnership, LLCs, LLPs).

Civil Procedure

Course Number: LAW 5301 Credits: 4

Analysis of a civil lawsuit from commencement through trial, including consideration of jurisdiction, venue, pleading, motions, discovery, and joinder of parties and of claims; right to trial by jury, selection and instruction of jury, respective roles of judge, jury, and lawyer; trial and post-trial motions; judgments.

Conflict of Laws

Course Number: LAW 6340 Credits: 3

Problems arising whenever at least one of the operative facts of the case is connected with a state other than the forum; jurisdiction of courts; enforcement of foreign judgments; federal-state conflicts.

Constitutional and Civil Rights Litigation

Course Number: LAW 6930 Credits: 3

This course provides students with a general overview of lawsuits alleging deprivation of constitutional rights by local and state officials and agencies. This class will cover a wide range of cases, including allegations of police misconduct, deprivation of rights in prisons, jail, immigration detention centers, and similar carceral facilities. Litigation will also focus on claims alleging violations of the Equal Protection Clause, Due Process Clause, First Amendment, Eighth Amendment, and Fourth Amendment. Additionally, students will learn the types of remedies potentially available to plaintiffs in constitutional litigation and numerous defenses that could reduce or bar recovery from the defendant. This is one of the most important courses for prospective litigators, especially for students who wish to pursue careers as attorneys for state and local governmental officials and agencies or as civil rights

lawyers.

Constitutional Law

Course Number: LAW 5501 Credits: 4

Introduction to United States Constitutional Law. Topics include judicial enforcement of the Constitution to preserve individual liberties; judicial review; separation of powers; structure and powers of the federal government; and federalism.

Contracts

Course Number: LAW 5000 Credits: 4

An introduction to the law and theory of legally enforceable agreements and promises, including elements of contract formation; consideration; effects of non-performance; conditions for relief from or discharge of obligations; and remedies.

Corporations

Course Number: LAW 6063 Credits: 3

The central question in corporate law is, from an internal corporate governance perspective, how to make the American corporate system successful, for both the shareholder owners of the corporation, and the broader society. The answers, obtained primarily from a mix of state and federal statutory and case law, derive primarily from our understanding of economics, and the agency ethical issues relating to corporate fiduciaries managing others' property. We will begin with a look at some basic corporate law matters, such as vertical and horizontal governance (money and power) issues as well as "internal" relationships with "outside" corporate constituencies, such as creditors. After setting down a groundwork for the firm and its governance, the body of our course will focus on regulatory law, namely vertical and horizontal duties of care and loyalty, and exculpating/cleansing those duties. We will conclude with an introduction to a wide variety of vertical and horizontal M&A and takeover issues, including takeover defenses (Unocal doctrine), sales (Revlon and Time doctrines) and freeze-outs (Weinberger doctrine).

Criminal Law

Course Number: LAW 5100 Credits: 3

Substantive law of crimes, including principles of punishment, elements of typical crimes, responsibility and defenses.

Criminal Procedure: Adversary System

Course Number: LAW 6112 Credits: 3

Covers commencement of formal criminal proceedings; bail, the decision to prosecute, the grand jury, the preliminary hearing, venue, joinder and severance, and speedy trial.

Criminal Procedure: Police and Police Practices

Course Number: LAW 6111 Credits: 3

Police as a social institution, including personnel, bureaucratic structure and incentives. Also covers police practices such as arrest, search, seizure, wiretapping, eavesdropping, use of informers, entrapment, confessions and lineups.

Estate Planning

Course Number: LAW 6431 Credits: 2-3

Prerequisites: Trusts and Estates(LAW 6930) Taxation Of Gratuitous Transfers(LAW 6620)

Using problems as the primary means of instruction, will explore theories and skills involved in estate planning process. Specific topics include: estate planning engagement; information gathering; estate analysis; identification of client objectives; development of remedial and conventional estate plans; and selection of fiduciaries. Students will complete an exercise in document preparation in a transaction context.

Evidence

Course Number: LAW 6330 Credits: 4

Registration priority given to second-year students. A study of the law governing the proof of issues of fact before a judicial tribunal. Topics covered may include judicial notice, presumptions, burden of

proof, hearsay, relevancy, testimonial proof, demonstrative and scientific proof, documentary proof and privileged communications. Emphasis is placed on the Federal Rules of Evidence.

Family Law

Course Number: LAW 6710 Credits: 4

Covers the law of the family, including cases, statutes and constitutional precedents relating to marriage, divorce, non-traditional families, child custody, child and spousal support, adoption and reproductive technologies. Students will complete exercises in negotiation and drafting of documents in a simulated family law transaction.

Federal Courts

Course Number: LAW 6302 Credits: 4

This course examines the work of the federal courts and their unique and complex role in our constitutional system. It touches upon both the essential procedural and substantive features of federal practice. The course's core focus is on the tension among three competing constitutional values: (1) the separation between the judiciary and the executive and the legislative branches of government; (2) the balance between federal and state power (especially the balance between federal and state court power); and (3) the protection and redressability of individual rights. The course will address one fundamental question in both the abstract and the particular: What is the proper role of federal courts in our constitutional system of divided government?

Federal Jurisdiction

Course Number: LAW 6306 Credits: 3

This course will focus on the difficult issues inherent in federal jurisdiction. These include the constitutional and other issues raised by federal question and diversity jurisdiction, supplemental jurisdiction, the Erie Doctrine, abstention, and the federal common law.

First Amendment Law

Course Number: LAW 6511 Credits: 2-3

Prerequisites: Constitutional Law(LAW 5501)

Analyzes and criticizes philosophical and legal bases of important contemporary restrictions on freedom of expression. Connections with larger issues of tolerance and related principles of First Amendment law also pursued.

Future Interests

Course Number: LAW 6433 Credits: 2-3

Topics include protection of the family, termination of trusts, classification of possessory and future interests, gifts to classes and the Rule Against Perpetuities.

Legal Writing and Research for LL.M. in U.S. Law

Course Number: LAW 7805 Credits: 2

The primary objective of this course is to teach students how to construct a thorough analysis of a legal problem using common law principles and express it effectively in writing. Students analyze, interpret, and use statutes and case law to construct legal arguments in the style expected of attorneys practicing in the US. They write and revise several documents to practice these analytical and writing skills.

LL.M. in U.S. Law Introduction to the Legal System of the United States Part I

Course Number: LAW 7932 Credits: 2

Introduction to the comparative method and to legal education, professionalism and the legal system of the United States. Requires approval by the program director.

LL.M. in U.S. Law Introduction to the Legal System of the United States Part II

Course Number: LAW 7200 Credits: 2

Continuing coverage of legal education, professionalism and the legal system of the United States.

Payment Systems

Course Number: LAW 6031 Credits: 2-3

This course will analyze the market and regulatory architecture of key aspects of the US financial sector as it exists today, noting new regulations resulting from the last financial crisis of 2009. We'll open by studying the theory and history of regulations, then proceed to explore the central topic of banking-related financial activities, in particular consumer finance (e.g. mortgages and credit card

loans), then the Florida Bar topic of retail payment systems (e.g. retail cash, checks as well as credit & debit cards) and finally complex financial conglomerates (e.g. bank holding companies). Time permitting, we'll conclude with some studies on investment management, including investment advisers and their advised public mutual as well as private hedge & private equity funds. At times, we'll emphasize the "international" comparative aspects of these fields, noting the cross-border implications of US rules, and comparing, where appropriate, the US financial regulatory framework and policy choices to the EU. To help students with problem solving for the Bar, Professor Chertok will provide some optional sample problems on a non-graded basis.

Professional Responsibility And The Legal Profession

Course Number: LAW 6750 Credits: 3

Examines role of the individual lawyer and legal profession in contemporary society. Topics include the role of the lawyer as advocate, counselor, and officer of the court; the ethical and moral obligations lawyers owe their clients, other lawyers, courts, and society as derived from general ethical and moral principles and as embodied in model rules of professional conduct and the Restatement of the Law Governing Lawyers; and problems encountered in representing particular categories of clients, including individuals, corporations, criminal defendants, and indigents, among others.

Property

Course Number: LAW 5400 Credits: 4

The acquisition and possession of real and personal property; estates in land; introduction to future interests; landlord and tenant; survey of modern land transactions and methods of title assurance; easements; and licenses, covenants, and rights incident to land ownership.

Real Estate Transactions

Course Number: LAW 6930 Credits: 3

Study of real property, including various definitions and the methods of conveyance. Included will be a detailed study of the contracts commonly used in the purchase and sale of real property, legal descriptions used to describe real property, issues and problems common with the water boundaries in Florida, the recording statutes and the legal issues involving priority and the attorney-client relationships and the Rules regulating lawyers in the practice of real estate law.

Religion Clauses and the First Amendment

Course Number: LAW 6930 Credits: 1

This compressed course offers an introduction to the Religion Clauses of the First Amendment, which provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." These provisions, referred to as the Establishment Clause and Free Exercise Clause, are the first rights enumerated by the Founders in the Bill of Rights, and they form the constitutional basis of religious liberty in the United States. This course will first explore the historical and jurisprudential foundations of both Clauses and then address the contours of the provisions as interpreted by the United States Supreme Court, asking how and why the Court's analysis has evolved. The course will also touch upon statutory causes of action that are closely related to the Religion Clauses, such as the Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act. The goal of the course is to understand the original meaning of the Clauses, their development throughout American history and the Court's jurisprudence, and to examine potential doctrinal directions of the pressing issues in the religious-liberty field of litigation.

Remedies

Course Number: LAW 6305 Credits: 3

This course provides students with an introduction to the law of remedies. It emphasizes the important interrelationship between rights and remedies and the remedial consequences of framing a cause of action. Effective litigators need to understand the types of remedies that are available to their clients and how to seek them. It considers five primary topics: injunctions, damages, restitution, declaratory judgments, and contempt.

Sales

Course Number: LAW 6010 Credits: 2-3

The law applicable to the sale of goods, including bulk transfers, with emphasis on the legal devices utilized in the distribution of such property.

Secured Transactions

Course Number: LAW 6051 Credits: 3

Selected problems in financing of security interests in personal property, principally under Article Nine of the Uniform Commercial Code. The course addresses the attachment and perfection of security

interests, their enforcement and priorities among competing interests.

Torts

Course Number: LAW 5700 Credits: 4

The central question in Torts is how society should respond to the problem of high dollar typically accidental physical harm, when injury is unfortunate, but unintended. Our course will focus mostly on the problem of unintentional harm, as applied to bodily and emotional harms. Theories covered will include negligence, strict liability, products liability and intentional torts as well as all their affirmative defenses. As there are seldom clear answers with legal questions spanning so many perspectives, and amorphous factual inquiries (including the role of the judge and jury, circumstantial evidence and fundamental problems), Torts trains students to answer timeless amorphous questions, thereby developing keen policy and argumentation skills, applicable to a wide variety of legal areas.

Trusts and Estates

Course Number: LAW 6930 Credits: 4

Prerequisites: Property(LAW 5400)

Topics covered include intestate succession; family protection; execution and revocation of wills; ademption and lapse; gifts; and creation, revocation, modification and termination of trusts.

Unincorporated Business Enterprises

Course Number: LAW 6062 Credits: 2-3

This course examines the various forms of non-corporate business entities. It emphasizes the legal facets of agency, general partnerships, limited partnerships, and limited liability companies. Combined with Corporations, this course is intended to provide students with a foundational background in a wide spectrum of business organizations.

Submitter: Paul Rollins rollins@law.ufl.edu

Created: 2/19/2021 11:17:11 AM

Form version: 1

Responses

Proposed Action

*Choose to add a new concentration if the concentration has never been offered before. In this case documentation of consent from all participating departments must be submitted. *

OR,

*Choose to participate in an existing concentration if the concentration has already been approved. In this case documentation of consent from all departments offering the major must be submitted. *

Response:

Create a Concentration

Note that documents can be uploaded on the next page or after the request has been initiated.

Degree Level

Indicate the degree level in which to add the concentration.

Response:

M - Master's Degree

Thesis or Non-Thesis

is this concentration for a thesis or non-thesis degree?

Response:

Non-Thesis

Concentration Name

Enter the name of the concentration. Example: "Mathematical Modeling" or "Ecological Restoration".

Response:
U.S. Law

Credits

Enter the number of credits for the concentration. Note: as a guideline only, graduate concentrations typically range from 9-21 credits (9-12 for master's degrees, or 9-21 for doctoral degrees).

Response:
12

Effective Term

Enter the term (semester and year) that the concentration would start.

Response:
Earliest Available

Effective Year

Response:
Earliest Available

Students

Enter the expected number of new students enrolled in this concentration in the first three years.

Response:
5-10

Percentage of Credits Available Fully Online

Indicate the percentage of course credits that will be available through fully online courses.

Response:
<50%

Percentage of Credits Available Off-Campus

Indicate the percentage of course credits that will be available away from the main Gainesville campus (including courses with onsite – off main campus meetings).

Response:
<25%

Is this an additional (secondary) concentration?

Response:
No

All Department/Degree/Majors Adding Concentration

List the department / degree / major combinations at the degree level chosen that will offer this concentration.

Response:
Law: L.L.M. in Taxation
Law: L.L.M. in International Taxation

For example, to request a new "Wetland Sciences" concentration at the master's level, list all master's level degree / major combinations from all participating departments:

- *Forest Resources and Conservation: M.S. in Fisheries and Aquatic Sciences*
- *Forest Resources and Conservation: M.S. in Forest Resources and Conservation*
- *Forest Resources and Conservation: M.F.A.S. in Fisheries and Aquatic Sciences*
- *Forest Resources and Conservation: M.F.R.C. in Forest Resources and Conservation*
- *Geography: M.A in Geography*
- *Geography: M.S. in Geography*
- *Geological Sciences: M.S. in Geology*
- *Geological Sciences: M.S.T. in Geology*

Rationale for Proposed Concentration

Describe the rationale for offering this new concentration and having it on the transcript, how it will enhance the quality of the existing major, how it relates to graduate programs at peer institutions. Also describe what distinguishes this new concentration within the existing major(s) in the degree program, the degree of its overlap with existing majors and concentrations (both in the degree program and in other degree programs at the university), and a justification for any such overlap.

Response:
Response:

UF Law offers two LL.M. Tax Degrees: (1) LL.M. in Taxation and (2) LL.M. in International Taxation (together, the LL.M. Tax Degrees). Students are only admitted to the degree if they have either a U.S. J.D. or have a first law degree from another country. Foreign-educated students apply to both LL.M. Tax Degrees, but most are in the International Tax LL.M. degree. The LL.M. Tax degrees each require 26 credits, 22 credits of which must be in graded, tax LL.M. courses. The remaining 4 credits may be in UF Law courses approved by the academic director of the LL.M. Tax Degrees. Foreign-educated students in the LL.M. Tax Degrees already often use these 4 flexible credits to take bar-required courses, such as J.D. Professional Responsibility or U.S. Law LL.M. Introduction to the Legal System in the US (for U.S. Law LL.M. Students). Students in both LL.M. Tax Degrees are required to complete a substantial research and writing project in connection with a section of the Tax Research Seminar.

Our faculty approved this concentration in February 2020. The goal of the concentration is to provide foreign-educated students in the LL.M. Tax Degrees with a clearer path for meeting the eligibility requirements of the N.Y. Bar and other state bars that allow foreign-educated law students to apply. Becoming barred in the U.S. provides our international students with a valuable credential and one increasingly required of our international LL.M. students seeking to practice in the U.S.; large accounting firms, for example, are now frequently requiring a state bar exam for promotion. A focus on N.Y. Bar eligibility requirements was selected for three main reasons. First, because of the stringency of the N.Y. Bar eligibility requirements, if a path is provided to the N.Y. Bar, a path will simultaneously be provided for those students wishing to take a different state bar. Second, while other states do allow international students to sit for the bar exam (Florida is not among these), prospective and current international students tend to be most interested in the N.Y. Bar. Third, New York is a Uniform Bar Exam (UBE) state, which will allow for the transfer of

UBE scores to other states.

The official rules for N.Y. Bar eligibility are available at <https://www.nycourts.gov/ctapps/520rules10.htm#6>; the quotations in this paragraph are from a website written to provide guidance to foreign-educated law students and is available at <https://www.nybarexam.org/Foreign/ForeignLegalEducation.htm>. For N.Y. Bar eligibility, courses taken “must include: (i) at least two semester hours of credit in professional responsibility, (ii) at least two credits in a legal research, writing and analysis course (which may NOT be satisfied by a research and writing requirement in a substantive course), (iii) at least two-credits in a course on American legal studies, the American legal system or a similar course designed to introduce students to U.S. law, and (iv) at least six credits in subjects tested on the New York bar examination.” In addition, for N.Y. bar eligibility, courses may be in clinical work (“so long as the clinic course has a classroom component, [and] the clinical work is performed under the direct supervision of a member of the law school faculty”), with “a maximum of six credits in other courses related to legal training.” The required courses and credits may not be fulfilled through “any type of bar review or preparation course, ‘independent study’, directed study, research papers or projects toward the 24 semester hours of credit required to qualify for the bar exam.” The required courses and credits may not be online or distance courses.

Impacts on Other Programs

Describe any potential impact on other programs or departments, including increased need for general education or common prerequisite courses, or increased need for required or elective courses outside of the existing program.

Response:

Response:

Adding a 12-credit concentration in U.S. Law to the 26 credits required in the LL.M. Tax Degrees will facilitate the ability of students in the LL.M. Tax Degrees to complete the courses required to sit for the N.Y. Bar. and other state bar exams These courses are already offered at UF Law, mostly as part of our J.D. program. We do not anticipate that the demand for these courses will exceed seats available. The proposal does not change the requirements of the LL.M. Tax Degrees but rather is designed to enhance, and avoid dilution of, the LL.M. Tax Degrees. Students in the Tax LL.M. Degrees who elect this concentration would generally need to remain for three semesters to complete tax degree requirements and the concentration credits.