Course Descriptions and Faculty Guide
Academic Year: September 2002—August 2003

The Curriculum
Concord Law School provides rigorous and dynamic instruction leading to a Juris Doctor or Executive J.D.°SM degree. As the nation’s premier online law school, the Concord curriculum corresponds to that of most leading U.S. law programs. The casebooks and textbooks assigned at Concord are those regularly used in fixed-facility classrooms. However, unlike most of its fixed-facility counterparts, Concord utilizes innovative Internet technology and teaching tools to communicate the material and facilitate the learning process. Students access lectures, perform research in the law library, and interact with professors and classmates over the Web, 24 hours a day, 7 days a week, from any part of the globe.

The Juris Doctor program is a 92-unit, four-year, part-time program requiring no less than 48 and no more than 52 weeks of consecutive study each year. Under the rules of the Committee of Bar Examiners of the State Bar of California, graduates of this program meet the legal education requirement of the State Bar and may apply for admission to the State Bar of California.

The Executive J.D.°SM program is made up of 72 units and gives students the option of setting the pace for their studies. Since Executive J.D.°SM graduates do not sit for the bar exam and are not subject to the statutorily mandated part-time study requirements, students may complete the program in as little as three years or may elect a pace that will allow them six years for their studies.

The Executive J.D.°SM program also includes the option of a health law track, which requires 16 units of health law-related courses. J.D. students may obtain a Health Law Certificate by concentrating their electives in the health law area. Please see the tables on the next page for the study plan options for each program.
### Program Offerings

#### Juris Doctor Program

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<td><strong>Electives (choose 6-8 units)</strong></td>
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<td>Externship</td>
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<td>Advocacy — Theories, Tactics, &amp; Techniques</td>
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#### Executive J.D.™ Program

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<td>Evidence</td>
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<td>Legal Analysis and Writing</td>
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<td>Legal Research</td>
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#### Executive J.D.™ Health Law Track

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<td>Legal Research</td>
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<td>Health Law</td>
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<td>Electives</td>
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<td><strong>THIRD YEAR</strong></td>
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<td>Ethics (may be taken second or third year)</td>
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<tr>
<td>Electives</td>
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**Electives (At least 12 units must come from the courses below for which the required Health Law course is a prerequisite; the remaining 10 units may come from other Executive J.D.™ electives or required courses.):**

- Bioethics                   | 4     |
- Health Care Policy           | 4     |
- Health Care Organizations and Finance | 4     |
- Risk Management in Health Care | 2     |
- Administrative Law for the Health Care Practitioner | 2     |
- Externship                   | 2     |
- E-Health and Telemedicine    | 2     |
- Products Liability (Health)  | 2     |
- Medical Malpractice/Professional Liability | 2     |

*For additional Health Law electives, see Executive J.D.™ Health Law Track.

### Tuition and Fees

The total number of units required for the Juris Doctor degree is 92 completed over four years with tuition paid annually. The current annual tuition for the Juris Doctor program is $7,000. (The annual tuition is subject to change.) The entire tuition for the Executive J.D.™ degree is $21,000 (three years at $7,000 per year) with tuition due at the commencement of the program. The yearly tuition includes a $100 non-refundable registration fee. In addition to the tuition, there is a non-refundable student services fee for the Juris Doctor program that is charged each academic year. The current student services fee for students starting their academic year in September 2002 or continuing their enrollment through September 2002 is $175. For subsequent class starts or continuing enrollment, students must pay the student services fee effective at that time. Any units taken above 24 units annually are charged at the rate of $275 per unit.

The tuition fee does not include the student’s own costs, which include: textbooks ($300-500 per year); MS Word™ (market rate) or WordPerfect™ (student rate $70); computer equipment ($1,000); Personal Verisign Digital Certificate ($14.95 per year); and an Internet Service Provider to access the curriculum ($23.90 per month). Additional optional charges: A Concord Student Identification Card is $10; a Concord transcript is $5.

Two forms of financing are available: Concord Tuition Financing, which offers convenient monthly payments after a down payment; and Sallie Mae Financing (through SLM Corporation), which allows students to finance the entire tuition.

To view the Concord catalog, including a description of courses and school policies, please refer to the Concord Law School website at [www.concordlawschool.com](http://www.concordlawschool.com)
Course Descriptions

First Year Courses:

Contracts (8 Units)
Required: All programs
This course examines the legal theories and principles relating to parties and agreements and their resultant obligations or benefits. Covered topics include: Formation, Conditions, and Remedies of Contracts; Bargained for Consideration; Third-Party Contracts (including Assignments and Delegations); Statute of Frauds; Parole Evidence; Impossibility of Performance; and Frustration of Purpose.

Criminal Law (6 Units)
Required: All programs
This course examines the state's ability to punish individuals for wrongs committed. Homicide, Theft (including Robbery and Burglary), Assault, Rape, Kidnapping, and Arson as well as Attempts, Conspiracies, and Solicitation are covered in depth. The state of mind required to commit a crime, including Justifications and Excuses, is thoroughly covered.

Legal Writing and Test-Taking Skills (2 Units)
Required: All programs
This course is designed to teach the ability to spot legal issues in factual situations and form legal arguments and theories. Additionally, students demonstrate factual analysis and reasoning to buttress their arguments and conclusions.

Torts (8 Units)
Required: All programs
This course explores the study of civil liability relating to intentional acts and violation of duties imposed by law. Additionally, legal wrongs committed by a private person upon the person or property of another independent of a contractual relationship are covered in detail in this course. Topics include: Intentional Torts, Negligence, Strict Liability, Product Liability, Nuisance, Defamation, Invasion of Privacy, and Misrepresentation.

Upper Division Courses:

Administrative Law for the Health Care Practitioner (2 Units)
Elective: Juris Doctor; Executive J.D. Health, Prerequisite: Health Law
This course reviews administrative law, particularly where related to health care administrative agencies. It compares federal and state licensing, permits, and appeals processes, as well as the adoption, modification, and judicial review of agency rules and decisions. Students analyze the process of adjudication of benefits and penalties and evaluate strategies to prepare for inspections and subpoenas.

Bioethics (4 Units)
Elective: Juris Doctor; Executive J.D. Health, Prerequisite: Health Law
This course examines the legal, ethical, and political implications of biological and technological advances in the following areas: human reproduction, fetal-maternal decision making, surrogacy, human genetics, death and dying of children and adults, physician-assisted death, human subjects research, and distributive justice in health care. These issues are addressed from the standpoint of the stakeholders — patients, health care providers, and government policy makers.

Civil Procedure (6 Units)
Required: Juris Doctor; Executive J.D. Health, Elective: Executive J.D. Health
Access to the U.S. court system is the focus of this course. Proper Jurisdiction and Venue (including Long Arm Statutes and Minimum Contacts) are covered in detail. Other topics include: Pleadings, Joinder of Parties and Claims, Class Actions, Discovery, Summary Judgment, Directed Verdict, Res Judicata, Collateral Estoppel, and the Appeal Process.

Community Property (4 Units)
Required: Juris Doctor, Elective: Executive J.D. Health
This course covers the law of Community Property and Division of Marital Assets in California. Specific topics include: the Characterization of Property as Separate or Community, Creditors’ Rights, Third-Party Transfers, and the Resolving of Disputes upon the Termination of a Relationship or the Death of a Party.
Constitutional Law (6 Units)
Required: All programs
This course examines the organization and framework of the federal government, the distribution of political and governmental authorities and functions, and the fundamental principles that regulate the relationship between the government and its citizens. Specific topics include the Source of Judicial Review, the Powers of Legislative and Executive Branches, the Authority Reserved for the States, Due Process, Equal Protection, and First Amendment Freedoms.

Corporations (4 Units)
Required: Juris Doctor, Elective: Executive J.D.™/Executive J.D.™ Health
This course covers the area of law relating to artificial persons or legal entities consisting of members acting with a common purpose. Particular emphasis is placed on the Formation of the Corporate Unit, the Sale of Shares (including Federal Securities Law), the Operation and Management of the Corporation, and the law covering Dividends, Repurchases, and Redemptions.

Criminal Procedure (4 Units)
Required: Juris Doctor, Elective: Executive J.D.™/Executive J.D.™ Health
This course focuses on the law governing the rights of the accused. The topics of Arrest, Search, Seizure, Confession, Self-Incrimination, Police Lineups, Guilty Pleas, Double Jeopardy, Right to Counsel, and Ineffective Assistance of Counsel are covered in detail.

Cyberlaw (4 Units)
Elective: All programs
This broad survey course is designed to explore the legal, ethical, and technological issues involved in working in cyberspace. Topics include: Internet history; policy development; governance and regulation; jurisdiction; First Amendment and privacy; copyright and fair use; trademark and domain names; cybercrime and Internet security; electronic commerce and virtual transactions; discovery of electronic evidence; and legal practice issues on the Internet.

E-Health and Telemedicine (2 Units)
Elective: Juris Doctor; Executive J.D.™ Health, Prerequisite: Health Law
This course analyzes the implications and emerging legal issues related to electronic delivery of care, privacy of electronic patient records, reimbursement for health care, and health care education via teleconferencing, satellite/cable, and the Internet.

Ethics (2 Units)
Required: Executive J.D.™/Executive J.D.™ Health
This survey course examines the law relating to the ethical standards that govern attorneys and judges. Select sections of the ABA Rules of Professional Conduct, the Model Rules, and the ABA Code of Judicial Ethics are covered.

Evidence (6 Units)
Required: Juris Doctor; Executive J.D.™, Elective: Executive J.D.™ Health
This course covers the substance of and means by which alleged matters of fact are proved or disproved in court. Central topics include the Requirements for the Introduction and Impeachment of Evidence, Relevancy, Character Evidence, Expert Testimony, Privileges, and Hearsay. The course also covers the Requirements of the Originals and Roles of Judges and Juries in the evaluation of evidence.

Externship (4 Units)
Elective: Juris Doctor
The Legal Education Experience Program (LEEP) provides students with the opportunity to experience the law in a practical setting. Students work under a supervising attorney in a judicial, law firm, public law office, corporate, or government setting. The student works with the director of LEEP to identify an appropriate externship in his/her location. This elective also requires additional course work including lectures, discussion groups, and writing assignments.

Federal Taxation (4 Units)
Elective: All programs
This course examines the fundamental concepts underlying the federal income tax system, with emphasis on its history and current operation. Major topics explored include determination of gross income and deductions, timing issues, and disposition of property, with emphasis on taxation of the individual.

Health Care Organizations and Finance (4 Units)
Elective: Juris Doctor; Executive J.D.™ Health, Prerequisites: Health Law, Corporations
This course analyzes forms of health care business enterprises, specific structures of health care organizations, and the interrelationship between these health care structures, their financial incentives, and compliance requirements.

Health Care Policy (4 Units)
Elective: Juris Doctor; Executive J.D.™ Health, Prerequisite: Health Law
This course provides an introduction to the field of policy analysis, and the various techniques and concepts that are employed in that field. Examples of applications of those techniques to a variety of health policy problems are explored.

Health Law (4 Units)
Required: Executive J.D.™ Health, Elective: Juris Doctor; Executive J.D.™
This course introduces students to legal issues involving the health care system and health care providers. Areas covered include: the legal issues surrounding licensing, quality control regulations, patient-professional relationships, health care organizations and structures, bioethical issues, and liability of health care professionals and institutions.

Intellectual Property (4 Units)
Elective: All programs
This is a survey course in the field of intellectual property law. Topics include patent, copyright, and trademark law.
Legal Analysis and Writing (2 Units)
**Required: Executive J.D.™ Health, Elective: Executive J.D.™**
This course is designed to allow students to apply their legal knowledge to a series of writing exercises. In addition to having an opportunity to refresh writing skills, students will learn the basic forms of correct legal citation. The documents students will prepare are the kinds a paralegal or a business or health care consultant with a legal background might be asked to complete.

Legal Analysis and Writing (4 Units)
**Required: Juris Doctor**
This course covers the practical basis of how to write the kind of documents that make up a lawyer’s traditional practice: a Client Advice Letter, an Office (Research) Memorandum, and a Memorandum of Law in Support of or in Opposition to a dispositive motion—for example, a Motion for Summary Judgment. The course will also include an Oral Argument.

Legal Research (2 Units)
**Required: All programs**
This course focuses on research skills and techniques, including the use of an online library. Students will be assigned various research projects to be completed under the tutelage of their instructor.

Medical Malpractice/Professional Liability (2 Units)
**Elective: Juris Doctor; Executive J.D.™ Health, Prerequisite: Health Law**
This course examines the duty of health care professionals and organizations to provide appropriate care by addressing specific tort issues, practice guidelines and standards, applicable regulations, and data bank issues.

Products Liability (Health) (2 Units)
**Elective: Juris Doctor; Executive J.D.™ Health, Prerequisite: Health Law**
This course explores the legal aspects of health-related products, including medical devices, pharmaceuticals, and genetically engineered treatment modalities, as well as applicable toxic tort issues.

Professional Responsibility (4 Units)
**Required: Juris Doctor**
The law relating to the ethical standards that govern attorneys and judges is the focus of this course. It covers the ABA Rules of Professional Conduct, the Model Rules, and the ABA Code of Judicial Ethics.

Real Property (8 Units)
**Required: Juris Doctor, Elective: Executive J.D.™/Executive J.D.™ Health**
The law governing all aspects of Real Property and the Creation of Rights is the focus of this course. Additional topics include: Ownership Rights (including Present Estates), Co-Tenancy, Future Interests, and the Relations between Landlord and Tenant. Real Property Contracts, Statute of Fraud Problems, Real Property Mortgages, Conveyancing, and Adverse Possession are also discussed.

Remedies/Advanced Legal Analysis (6 Units)
**Required: Juris Doctor**
This course reviews both Legal and Equitable Remedies, focusing on the Underlying Liability Theories that give rise to the Remedy and the Remedy itself. Special attention is given to Contract and Tort Remedies.

Students will be exposed to the types of problems that they may encounter in law practice, with particular emphasis on ones that cross a variety of disciplines. Final papers are similar to the performance tests currently administered by the State Bar of California.

Risk Management in Health Care (2 Units)
**Elective: Juris Doctor; Executive J.D.™ Health, Prerequisite: Health Law**
This course explores various models and trends in risk management programs along with their components. The course will focus on all forms of risk and risk management in health care environments, from initiation of care through completion of care.

Social Security Law (3 Units)
**Elective: Juris Doctor**
Offered online through Cornell Law School, the course focuses especially on how Social Security’s benefit rules relate to employment, families, and household composition, and how its procedures address the challenge of adjudicating the massive numbers of benefit claims that arise each year. The course introduces the general features of the Social Security Act’s entitlement, benefit formulae, and procedural rules; highlights those that pose the greatest difficulty to administrators and advocates; and surveys current proposals for change.

Please Note: This course must be completed in a traditional semester format (24–26 weeks), from January to June 2003, and will be offered only on the Cornell website. Law students throughout the country will participate in the program. Students who satisfactorily complete the course and pass the final examination will receive certification by Cornell and credit granted by Concord. In addition to Concord tuition per unit, students will be required to pay a $500 program fee.

Wills and Trusts (6 Units)
**Required: Juris Doctor, Elective: Executive J.D.™/Executive J.D.™ Health**
This course covers the law of Estates and Trusts as applied in California and gives a general overview of how it applies in the rest of the country. Issues dealing with the Validity and Revocation of Wills are examined, particularly as they may affect Distribution of Assets of an Estate. Additionally, the laws of Express Trusts (including Creation and Administration), Charitable Trusts, and Consecutive Trusts are covered.

Please Note: Course offerings are subject to change.

SYSTEM REQUIREMENTS
The computer equipment utilized to access the Internet program must meet the minimum requirements below:

**Hardware/OS:** Pentium 200MHz; 32MB or more of RAM; Windows® 95, Windows® 98 (suggested), Windows® 2000ME (final release version only), or Windows® NT 4.0 with Service Pack 4 or greater; 33.6 Kbps or better modem; 16 bit sound card and speakers; and 65,000-color or better video display card.

**Software:** Microsoft® Internet Explorer 5.0 or higher or Netscape™ 4.7 or higher; MS Word™ 6.0/95 or higher or WordPerfect™ 6 or higher; the free version of the RealPlayer version 8.0 or higher (downloaded from the Internet); and the free version of Adobe® Acrobat® Reader™ 4.0 or higher (downloaded from the Internet).
The founding dean of Concord Law School, Jack R. Goetz, is a recognized expert in the field of distance learning. His vision and expertise contributed greatly to the creation of Concord in 1998 and under his leadership, Concord has grown to serve a student body of more than 1000 adults worldwide. Dean Goetz oversees all aspects of the Concord education, including curriculum development, faculty hiring, student services, academic support and counseling, career services, operations, and management of accreditation issues.

In April 2002, the Distance Education and Training Council (DETC) recognized Dean Goetz for his elevating expertise with a Distinguished Recognition Award for outstanding contributions to the advancement of distance education. Dean Goetz served on the DETC Board of Trustees from 2000 to 2002, has worked with on-site DETC accreditation teams, and currently serves on the DETC Task Force on Assessment of Learning Outcomes. In May 2002, Goetz was named chair of the Business Standards Committee as well as vice-chair of the Educational Standards Committee.

In addition, the Board of Bar Governors of the State Bar of California appointed Dean Goetz to a three-year term as a member of the Law School Council, which advises the Committee of Bar Examiners on various law school education matters. Dean Goetz also serves as a member of the State Bar of California Committee of Bar Examiners Task Force on Accreditation of Online Law Schools.

A frequent speaker at distance education and legal conferences, Dean Goetz has delivered presentations on Concord’s innovative education model, accreditation issues, faculty training and evaluation, and student retention.

Dean Goetz has more than 20 years of experience as a legal educator, including professorial as well as administrative and supervisory experience. While personally teaching Evidence, Remedies, and Legal Alalysis and Writing, he has also directed law faculty nationwide on the development and delivery of legal education programs, including classes for state bar examinations that have served tens of thousands of students.

Dean Goetz received his B.A. in 1976 from San Diego State University, his J.D. in 1979 from Boston University School of Law, and his M.B.A. in 1990 from Pepperdine University. He has been a member of the California Bar since 1979 and was admitted to the Federal Court Central District of California in 1983.
James W. Claflin, Jr.  
Professor of Law, B.A., J.D., Brigham Young University. Member, State Bar of Utah and Arizona. Courses: Contracts, Criminal Law and Torts.

Professor Claflin maintains an active general business litigation practice in addition to his teaching. As an adjunct faculty member at Brigham Young University Law School, he teaches legal research and writing in the advocacy program. Professor Claflin is a graduate of BYU Law School where he was the articles editor of the Law Review.

Robert J. Landry  
Professor of Law, B.A., Liberty University; J.D., LL.M., Georgetown University. Member, State Bars of Virginia and the District of Columbia. Courses: Civil Procedure, Taxation, Contracts, Criminal Law, and Torts.

Professor Landry is counsel to the National Nexus Program at the Multistate Tax Commission in Washington, D.C. He has also served as a legal writer for various tax publishers. His LL.M. from Georgetown University Law Center is in taxation.

H. Beau Baez, III  
Professor of Law, B.A., J.D., University of Alabama; J.D., University of California Santa Barbara; J.D., University of California, Los Angeles. Member, State Bar of California. Courses: Criminal Procedure and Community Property.

Professor Baez is counsel to the National Nexus Program at the Multistate Tax Commission in Minnesota. As a panel member of the New Hampshire Civil Justice Program, and at Widener University in its criminal justice program.

Edward L. Monsour  
Professor of Law, B.A., University of North Alabama; J.D., University of Alabama School of Law. Member, State Bar of Alabama. Courses: Contracts, Criminal Law, Torts, and Property.

Professor Monsour is an assistant U.S. Bankruptcy Administrator for the Northern District of Alabama. He has also worked as a bankruptcy attorney and has written and taught extensively in the field.

Joseph P. Gaughan  
Professor of Law, B.S., Northeastern University; J.D., Suffolk University School of Law. Member, State Bar of Massachusetts. Courses: Criminal Procedure.

Professor Gaughan has an extensive record as a district attorney and prosecutor. He has been the lead prosecutor in over 50 major felony trials, as well as a speaker at many district attorney and trial lawyer conferences and an adjunct professor in legal education programs.

Sara Berman-Barrett  
Professor of Law, B.A., University of California Santa Barbara; J.D., University of California, Los Angeles. Member, State Bar of California. Courses: Criminal Procedure and Community Property.

Professor Berman-Barrett has been teaching law students since 1991 in fixed-faculty law schools as well as through legal writing programs she has developed.

Jason M. Burk  
Professor of Law, B.A., University of Wisconsin-La Crosse; J.D., University of Wisconsin-Madison. Member, State Bar of Wisconsin. Courses: Contracts, Criminal Law, and Torts.

Professor Burk is a graduate of Drake University Law School. In addition to his teaching, he is a partner in a law firm specializing in medical malpractice and insurance defense litigation.

H. Beau Baez, Jr.  
Professor of Law, B.A., J.D., Brigham Young University. Member, State Bar of Utah and Arizona. Courses: Contracts, Criminal Law and Torts.

Professor Claflin maintains an active general business litigation practice in addition to his teaching. As an adjunct faculty member at Brigham Young University Law School, he teaches legal research and writing in the advocacy program. Professor Claflin is a graduate of BYU Law School where he was the articles editor of the Law Review.

Scott F. Johnson  
Professor of Law, B.A., University of North Carolina at Charlotte; J.D., Franklin Pierce Law Center. Member, State Bar of New Hampshire. Courses: Constitutional Law and Civil Procedure.

Professor Johnson is in private practice with a focus in education law, health law, employment law, and civil rights law. He also works with and is a legal panel member of the New Hampshire Civil Liberties Union.

Linda J. Hiemer  
Professor of Law, B.A., Lafayette College; J.D., Dickinson School of Law. Member, State Bars of Alabama and Idaho. Courses: Legal Analysis and Writing.

Professor Hiemer is in private practice and focuses on business law, including mergers and acquisitions, venture capital, securities, and commercial litigation.

F. Robert Dodson  
Professor of Law, B.S., California State University; J.D., University of La Verne College of Law. Member, State Bar of California. Courses: Real Property and Legal Analysis and Writing.

Professor Dodson is a sole practitioner who specializes in legal research. A former officer in the U.S. Air Force, he is also an adjunct law professor in a legal research and writing program.

Shana G. Jamison  
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Professor Jamison has extensive experience with the criminal justice system both as a trial attorney and as teacher. He has worked at the trial and appellate level on a wide range of family, criminal, and poverty/welfare law issues. Professor Jamison has taught and written for numerous continuing legal education courses and publications.

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Professor Van Detta has been in private practice for 20 years and is currently counsel to his firm. In his practice he has concentrated on labor law, employment discrimination, and federal court litigation, and has written extensively on related issues. Additionally, he teaches at the John Marshall Law School in Atlanta, Georgia.

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Professor Dodge serves in the Illinois senate minority leader’s office as legal counsel to the judiciary committee. He has worked in various state legal offices including the Illinois Attorney General’s office. In addition, Professor Dodge is an instructor in paralegal and continuing education programs.

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Professor Palmer is a staff attorney with the Thirteenth Judicial Circuit and a little bit of private practice. Professor Palmer also teaches business law as an adjunct at the University of Phoenix.
Visiting and Supplementary Lecturers

Professor Guzman is considered one of the nation’s leading lecturers in criminal law. He has taught at the University of Arkansas since 1967 and is a member of the Arkansas Criminal Code Revision Committee and the Arkansas Standards of Criminal Justice Project. He has also co-authored *Psychiatric Evaluation in Criminal Cases*.

Professor Levine is a recognized authority on tort law. He has taught at both McGeorge School of Law and the University of California, Hastings College of the Law since 1982. His published works include *A Torts Anthology* (co-authored with Davies and Kionka) and *Understanding Torts* (co-authored with Diamond and Madden).

Professor Miller has taught at Harvard Law School since 1971. He is nationally known for his work on court procedure, copyright and unfair competition, and remedies. The courses he teaches include Civil Procedure, Copyright, and Complex Litigation; in recent years he has also co-taught a seminar on law, information, and technology. Professor Miller is an acknowledged expert in the right to privacy, a subject on which he has written, testified, debated, and helped formulate legislation. He is involved in a variety of televised legal educational programs, including as the former legal editor for ABC's *Good Morning America*. He is widely published and his works include *Civil Procedure* (with Fridenthal and Kane) and *Civil Procedure Cases and Materials* (with Cound, Friedenthal, and Sexton).

Professor Peck is a former California State Bar Court trial judge and has long practiced in the field of legal ethics and professional responsibility. She served as ethics counsel to the State Bar of California and the American Bar Association, was a member of the State Bar Commission to revise the Rules of Professional Conduct, and has taught in a number of law schools.