Project Excellence Courses for Spring 2018

Through the program known as Project Excellence, Barrett students in good standing \textit{(at least 18 honors credits and 3.25 cumulative GPA)} have the extraordinary opportunity to take selected classes in ASU’s Sandra Day O’Connor College of Law, located at the Downtown Phoenix Campus. Pre-law students and other students interested in law should consider taking one of these classes.

You should be aware that if you participate in Project Excellence, you will be taking an actual law school course; in most cases law students will form the large majority of each class. But past Project Excellence participants report that the professors in the law school are extremely free with advice and assistance for Honors students.

\textbf{Project Excellence Grading Policy}

PE students are required to take graduate law courses on the same grading basis as the matriculated law students. This policy means that PE students cannot take a course on a Pass/Not Pass basis where this option does not exist for law students. However, when grading PE students, faculty will grade PE students separately from the law students, and the law school curve. \textit{All HON 494 Project Excellence classes for the Spring 2018 semester must be taken for a letter grade.}

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\begin{tabular}{|c|c|c|c|c|c|c|c|c|}
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Class# & Sec# & CAMPUS & COURSE & TITLE & DAYS & BEGIN & END & INSTRUCTOR & CAP & CREDITS \\
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32117 & 1002 & DTPHX & HON 494 & Genetics and the Law \ (LAW 617) & MW & 3:40p & 5:05p & Marchant, Cardineau & 5 & 3 \\
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32118 & 1003 & DTPHX & HON 494 & Health Technologies, Innovation and the Law \ (LAW 791) & M & 10:05a & 12:00pm & Marchant, Cardineau & 1 & 2 \\
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32120 & 1004 & DTPHX & HON 494 & Current Issues in US Constitutional Law \ (LAW 691) & MW & 10:35a & 12:00p & Bender & 3 & 3 \\
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32121 & 1005 & DTPHX & HON 494 & Arizona Constitutional Law \ (LAW 658) & TTH & 1:35p & 3:00p & Bender & 3 & 3 \\
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32122 & 1006 & DTPHX & HON 494 & Nanotechnology Law and Policy \ (LAW 607) & T & 8:00a & 9:55a & Bowman, Douglas & 2 & 2 \\
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32123 & 1007 & DTPHX & HON 494 & Civil Rights Legislation \ (LAW 620) & MW & 3:40p & 5:05p & Calleros & 3 & 3 \\
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32124 & 1008 & DTPHX & HON 494 & Law, Litigation & Science \ (LAW 633) & WF & 10:35a & 12:00p & Saks & 3 & 3 \\
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32125 & 1009 & DTPHX & HON 494 & Law and Literature \ (LAW 791) & W & 1:35p & 3:30p & Murphy & 15 & 2 \\
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32126 & 1010 & DTPHX & HON 494 & Pro Team Sports: Legal Issues in Business Operations \ (LAW 691) & T & 6:00p & 8:55p & Jay & 10 & 3 \\
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32127 & 1011 & DTPHX & HON 494 & Real Estate & Business Valuation \ (LAW 656) & F & 8:30a & 10:25a & Claus & 10 & 2 \\
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Registration Instructions:

Space is very limited for these classes department consent is required to enroll. Barrett juniors and seniors in good standing (at least 18 honors credits and 3.25 cumulative GPA) interested in enrolling in a particular Project Excellence course should email Miranda Schultz at Miranda.Schultz@asu.edu. Exceptions may be made for Barrett Upper Division admits who have less than 18 honors credits.

In your email:

Please include your name and 10-digit ASU ID number. Please list up to 3 choices of classes with your priorities in order 1-3. Example:

1. Employment Law, #32128
2. Genetics and the Law, #32117
3. Law and Literature, #32125

Once we have confirmed your eligibility to enroll in the class and given you an override, you’ll be sent a confirmation email and may register online.

If you later decide that you can no longer take the Project Excellence class it is important that you email Miranda.Schultz@asu.edu to notify us that the space is open. We will be running a waitlist for available seats and trying to place as many students as possible into these classes.

Finally, there will be a required Project Excellence orientation session before classes start. By signing up for a class, you are also agreeing to attend the required orientation. Dates and times for the orientation session(s) are not established at this point, but you will be contacted over the break with that information. For students who have previously completed a Project Excellence course the orientation is optional, but strongly encouraged.

Spring 18 Project Excellence Course Descriptions:

Genetics and the Law
Many commentators predict that the 21st Century will be the Century of the Genome, in which advances in genetic technology will fundamentally transform society, the economy, and our day-to-day lives. Already, advances in genetic sciences are having a substantial impact on diverse areas such as criminal law, health care, agriculture, and pharmaceuticals. The legal system is increasingly being called upon to address issues related to genetics, and many legislators, judges, regulators, and practicing attorneys are scrambling to learn about the new legal problems and opportunities created by advances in genetic sciences. This course will provide students with background on genetics and recent genetic advances, and it will address the legal consequences and issues associated with such advances. Specific legal topics that will be covered include forensic uses of DNA, genetic privacy and confidentiality, genetic discrimination in employment and insurance, genetic testing in the workplace, genetic screening, gene therapy and genetic enhancement, pharmacogenomics, stem cell and tissue culture research, cloning, and patenting and licensing of genetic technology. No prior study or knowledge of genetics or molecular biology is required. The readings will include materials presenting the fundamental ideas of modern genetics.
Health Technologies, Innovation and the Law
Innovative new technologies are playing an ever more central and important role in health care, but face a number of legal and policy challenges. This seminar will explore emerging health technology innovations, and examine the legal and policy hurdles facing these technologies. The first hour of each class will focus on a case study of a specific emerging medical technology by discussing the status and trends of that technology, and the unique legal, policy and ethical issues that technology presents. Examples will include including personalized medicine, nanomedicine, regenerative medicine, molecular diagnostics, telemedicine, gene therapy, electronic health records, neuroimaging, medical robots, and digital or “smart” medicine. The second hour will address critical legal and policy issues affecting medical technology innovation generally, such as R&D, financing, intellectual property, regulatory, reimbursement, clinical uptake, liability and bioethical issues.

Current Issues in US Constitutional Law
This is an advanced course that discusses specific important current constitutional issues in depth. The topics each year will be issues that are prominent at the time the course is given. For the spring, 2018, semester topics might include: the constitutionality of politically partisan gerrymandering, the constitutionality of a Muslim travel ban, whether transgender people can constitutionally be excluded from the U.S. military, how the Emoluments Clause applies to the President, constitutional limits on the President’s power to pardon, whether anti-discrimination protections for gays violate religious liberty, etc.

Arizona Constitutional Law
Constitutional Law II is no longer a prerequisite for this class. If you would like to take the class, but are having problems registering, contact tammy.vavra@asu.edu to get an override.

The course in Arizona Constitutional Law concerns the important provisions of the Arizona Constitution that are significantly different from similar provisions in the U.S. Constitution and in other state constitutions. Topics include Arizona’s unique constitutional system of direct democracy (i.e., voter recall of elected officials, voter referenda and voter constitutional and legislative initiatives), the constitutional separation of the Legislative, Executive and Judicial Branches of Arizona government, and Arizona constitutional and individual rights that are significantly different from, or more extensive than, rights protected by the U.S. Constitution and the constitutions of other states. The primary focus will be on current political and legal controversies in these areas. There is no casebook for the course. We will access Arizona Supreme Court and other court opinions, as well as relevant proposed and existing Arizona legislation, through the internet.

Nanotechnology Law and Policy class
Nanotechnology is the next “big thing” in technology and the law. Nanotechnology is the science of the small – the ability to manipulate and utilize materials at the “nanoscale” level, where they display unique and beneficial characteristics. Nanotechnology is expected to revolutionize electronics, medicine, agriculture, materials science, consumer products, manufacturing, and many other industries. Already, several hundred nanotechnology products are on the market, and many more are currently being developed. May law firms have recently established nanotechnology practice groups to help service this rapidly emerging new industry. This seminar will provide an overview of the legal and policy issues relating to nanotechnology, including risk management, national and international regulation, intellectual property, privacy issues, and liability issues.

Civil Rights Legislation
This course will examine the Reconstruction-era Civil Rights Acts, particularly sections 1981, 1983, 1985, and 1988 of Title 42 of the U.S. Code, with an emphasis on sections 1981 and 1983. Section 1981 imposes liability for racial discrimination in contractual relations, and section 1983 imposes liability for deprivation of federal rights under the auspices of state authority. The latter will consume most of the semester. Although we will necessarily discuss federal constitutional and statutory rights that litigants seek to vindicate under section 1983, our study will focus on the statutory
prerequisites to liability, such as the requirement that the deprivation be taken "under the color of" state law, various immunities from liability, standards for imposing liability on supervisors or governmental entities, and remedies. The class will also briefly address other civil rights issues, such as employment discrimination under Title VII and civil rights issues that may emerge during the semester.

**Law, Litigation & Science**
This course aims to fill a gap in the education of most lawyers, namely, how to effectively think about and use empirical evidence. How do lawyers and the law obtain needed facts about the way the world works, evaluate those facts, and employ them in making law as well as in deciding cases? The course will improve your skills in dissecting an opponent’s evidence and in presenting your own more intelligently and effectively. Although the materials of the course emphasize cases involving social science data, the intellectual skills and legal issues are equally applicable to any other kind of empirical evidence in law (e.g., biomedical, economic, forensic science, etc.), and some of the cases and materials we will use involve those other subject matters. The course has these goals: (1) To assist students in developing an ability to think rigorously and critically about factual assertions and the evidence offered in their support. (2) To understand the evolving doctrine that governs how the law obtains, evaluates, and gives legal effect to empirical knowledge. (3) To examine these issues in their legal context, as they occur in a wide range of substantive legal areas.

**Law and Literature**
This course will concentrate on exploring just one work of literature: Dostoevsky's novel CRIME AND PUNISHMENT. It is vital and ABSOLUTELY REQUIRED that the student use only the Vintage Classics translation of this novel (ordered for this course) by Pevear and Volokhonsky since many other translations are terrible and even the OK ones will have different pagination from the Vintage edition—something that will make references made in class hard to find and discuss. NOTE WELL: THE INSTRUCTOR DOES NOT ALLOW LAPTOP COMPUTERS TO BE USED OR EVEN OPENED DURING CLASS. (They inhibit discussion and turn students into stenographers.) ALSO FORBIDDEN IN CLASS ARE HAND HELD ELECTRONIC DEVICES, TAKING PICTURES, OR RECORDING CLASS MEETINGS. RECORDING WILL BE ALLOWED ONLY WITH THE EXPRESS CONSENT OF THE INSTRUCTOR. FINALLY, AND CONTRARY TO WHAT SOME STUDENTS SEEM TO BELIEVE, ATTENDANCE AT THE FIRST MEETING IS REQUIRED AND IS IMPORTANT. IT IS NOT AN OPTIONAL BRIEF MEET AND GREET, BUT WILL BE SUBSTANTIVE AND WILL PROVIDE A FRAMEWORK FOR OUR SEMINAR DISCUSSIONS. THERE IS NO ASSIGNED READING FOR THE FIRST MEETING. THE ASSIGNMENT FOR THE SECOND MEETING IS PART ONE OF THE NOVEL (PAGES 3-86).

This course is by invitation only by Professor Murphy. Students must contact Prof. Murphy for an interview at JEFFRIE.MURPHY@asu.edu.

**Pro Sport Team Operations/Legal Issues**
Pro Team Sports: Legal Issues is a course that deals with various legal issues confronted by the Team Counsel of a professional sports team. The course reviews the business, risk management, intellectual property, and financial issues that arise in connection with the operation of a team.

Regular attendance and preparation are required in all courses. Attendance and class participation will be factored into each student’s final grade.

**Real Estate & Business Valuation**
This course will focus upon the valuation of interests in real property and closely-held businesses. The valuation principles to be examined apply in business and economic damages litigation, private property rights disputes, eminent domain proceedings, family law disputes, securities and insurance actions, and almost every other type of litigation which involves a determination of the value of, or damage to, an interest in real property or in a business enterprise. The same principles apply in a wide range of business transactions including mergers, acquisitions, financing and estate planning. This introductory valuation and damages course is specifically designed for prospective real estate, land use, corporate, tax and trial
attorneys who anticipate practice in the real estate or business law fields. With respect to real estate valuation, the entire appraisal process will examined, including the provisions to the Uniform Standards of Professional Appraisal Practice (USPAP). The three methodologies for valuing interests in real property (cost analysis, sales comparison analysis, and income analysis) will each be explored. Special issues, such as the valuation of leasehold interests will also be discussed. With respect to business valuation (including the valuation of professional practices), the course will examine the different standards of value, the compilation and analysis of necessary financial information, and the different methodologies available to assist in the valuation process. Among the specific methodologies which will be discussed will be the guideline publicly traded company method, the capitalized excess earnings method, and capitalized economic income methods. Discounts for lack of control and lack of marketability will also be discussed. One class session will be devoted to a demonstration courtroom examination of a prominent business valuation expert. No prior accounting or mathematics training is required.

**Employment Law**
The course is a survey course covering the major statutes and common law governing the employment relationship. Subjects include discrimination in employment, wage and hour law, workplace safety, employee benefits, wrongful discharge, and the National Labor Relations Act, and other statutory and common law regulation of the employment relationship.