

Taft Law School

The Master of Laws Program (with a concentration in American Jurisprudence)

(A Non-Resident Directed Independent Study Degree Program
for Attorneys and Other Legal Scholars Educated Outside of the United States)

Catalog Supplement

(Revised May 2009)

This catalog supplement should be carefully reviewed in conjunction with Taft Law School's *General Catalog* by individuals considering application to the *Master of Laws (with a concentration in American Jurisdiction) Program*. Additional catalog supplements are available for other Taft Law School degree programs.

Any further questions on the information contained in this catalog supplement should be directed to the Admissions Office at the address or telephone numbers below:

**Taft Law School
3700 South Susan Street
Santa Ana, California 92704-6954**

(800) 882-4555

(714) 850-4800

E-mail: Admissions@TaftU.edu

Taft Law School is dedicated to the memory of Bernard E. Witkin (1904-95), a legendary legal scholar and a believer in life-long learning.

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OVERVIEW

The *Master of Laws Program (with a concentration in American Jurisprudence)* (hereinafter the *Program*) is a directed independent study program specifically designed for individuals who have earned a Juris Doctor or other law degrees from a college or university outside of the United States. Attorneys educated in the United States may be admitted only through a special petition.

This type of program is often referred to as an LL.M. (LL.M. is an abbreviation of the Latin *Legum Magister* which translates in English to *Master of Laws*.) The LL.M. is an internationally-recognized postgraduate law degree. However, in most countries, lawyers are not required to hold an LL.M. degree to practice law and many choose not to devote the resources necessary to obtain this additional level of expertise.

Completion of this Program is not intended to, and will not, qualify graduates to sit for any bar examination in the United States.

PRESENTATION

The *Program* is presented on a trimester basis and can be completed in one year. Students are generally enrolled in a minimum of 8 units per trimester. Each trimester consists of a time period of sixteen weeks. The *Program* is open enrollment allowing students to commence study at any time. Students may take a leave-of-absence between trimesters. Most students will complete the *Program* within one year. However students in some circumstances can take up to 2 years.

Traditional law school programs in the United States rely heavily on casebooks and often require students to brief hundreds of cases. Although students in this *Program* also study cases in each course, the *Program* places greater emphasis on direct sources of the “black letter” law such as outlines, treatises, audio lectures and other study aids. In most courses, the casebooks are optional. When students are required to brief specific cases, those cases can be found on the school supplied Lexis[®]/Nexis[®] legal database. (Lexis[®]/Nexis[®] is a powerful research tool which students utilize in all courses.)

The *Program* places a greater emphasis on learning practical skills than the typical law school program which is designed in part to prepare students for the bar examination. In this *Program* students are tested in large part through objective questions and written projects rather than timed bar examination style questions.

The *Program* includes courses that utilize Internet technologies in the delivery of course syllabi and student work product. The *Program* requires no classroom attendance. Prior Taft Law students have resided in Asia, Europe, the Middle East, and South America.

PROGRAM OBJECTIVES

The legal system in the United States has an ever increasing impact on businesses from around the world. The *Program* is designed for attorneys and legal scholars educated outside of the United States who desire knowledge of United States’ law and its legal system to enhance their current career, to obtain a clearer understanding of the regulatory process, to increase their ability to interact with the legal system, to improve their ability to anticipate potential legal problems, or simply for personal enrichment. Graduates also benefit from increased analytical reasoning and communication skills.

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ADMISSION POLICIES AND REQUIREMENTS

Applicants seeking admission to the *Program* must generally have earned a *Juris Doctor* degree or other law degree from an appropriately accredited institution outside of the United States which is listed in the *International Handbook of Universities* (or the equivalent). It may be necessary for applicants to obtain an evaluation of their education from a credential evaluation service approved by the School. Upon request, the School's Admissions Office will provide a list of approved evaluators.

All instruction is in English. Therefore applicants whose native language is not English and who have not earned a degree from an accredited institution where English is the principal language of instruction must generally have received a minimum score of 530 on the Test of English as a Foreign Language (TOEFL).

The *Program* is not designed for individuals holding a Juris Doctor degree earned in the United States or individuals admitted to any Bar in the United States or Canada. However, the School will consider special petitions from such individuals. Interested individuals should contact the Admissions Office for detailed information on petition procedures and approval guidelines.

CURRICULUM

The only required course is *Introduction to Law* (LAW 615). This course serves as the introduction to the *Program* and is intended to provide the student with a broad overview of the American judicial system. Candidates for this degree satisfy the balance of the course requirements by completing courses of their choice from among those offered to our law students enrolled in Taft Law School's *Juris Doctor – Executive TrackSM Independent Study Program*.

COURSE DESCRIPTIONS

(LAW 651) *Administrative Law*

3 Units

This course is an examination of the law relating to governmental agencies, with emphasis on federal regulation. The course deals with issues such as the due process right to a hearing, adjudication, rule-making, freedom of information, secret lobbying, control of discretion, judicial review and regulatory reform.

(LAW 674) *Alternative Dispute Resolution*

3 Units

This course focuses on the options that parties may have to settle a dispute without going to trial. Alternative Dispute Resolution (ADR) has become a mandatory step in many judicial districts before a matter may proceed to trial. In particular, the course examines the processes of Negotiation, Mediation, and Arbitration.

(LAW 631) *Business Organizations*

8 Units

This course examines the laws governing the creation, termination and legal consequences of agency relationships, partnerships and business corporations; advantages and disadvantages of various forms of business enterprises.

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Course Descriptions (Continued)

(LAW 624) Civil Procedure

6 Units

This course dissects the Federal and California rules relating to jurisdiction and venue; sufficiency of the complaint, answers, counterclaims and cross complaints, joinder of parties and causes of action and motions before, during and after trial.

(LAW 633) Community Property

3 Units

This course reviews the classification of separate and community property, liability for debts, management and control of the community, and problems arising from the dissolution of the community or death of a spouse.

(LAW 622) Constitutional Law

7 Units

This course explores the scope of federal powers, separation of powers, the federal system, the Bill of Rights, due process, equal protection, and eminent domain.

(LAW 616) Contracts

8 Units

This course analyzes the law relating to formation of contracts, the statute of frauds, third-party beneficiary contracts, assignment of rights and delegation of duties, liability for breach of contract including the law of conditions and discharge.

(LAW 613) Criminal Law

5 Units

This course probes laws relating to various criminal offenses, including crimes against the person and habitation, larceny and kindred offenses, attempt and conspiracy rules, the defenses to criminal charges and the procedural rights of the accused.

(LAW 630) Criminal Procedure

3 Units

This course studies criminal procedure in general, with substantial emphasis on recent Supreme Court decisions affecting the procedural rights of the accused. Criminal trial practice and techniques are also covered.

(LAW 650) Directed Legal Studies

1-6 Units

This course consists of an independent research project written under the supervision of a law school faculty member. Subjects may vary dependent on the nature and interest of the student and requires the approval of the Dean or Associate Dean.

(LAW 634) Evidence

10 Units

This course scrutinizes and differentiates federal, California and common law relating to relevancy, special exclusionary rules, privileged communications, the hearsay rule and its exceptions, the opinion rules, authentication and the best evidence rule, impeachment and rehabilitation, presumptions and burden of proof.

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Course Descriptions (Continued)

(LAW 675) Health Care Law

3 Units

This course provides the student with the necessary background on a wide variety of health care topics, enabling professionals to deal with the common legal and practical problems facing the health care industry.

(LAW 658) Intellectual Property

3 Units

The protection of intellectual property and encouragement of creativity. Explores copyright, trademarks, trade secrets, patents, unfair competition, and selected state law theories. It provides students with a general working knowledge of the various intellectual property doctrines.

(LAW 615) Introduction to Law (REQUIRED)

2 Units

This course is an orientation course to help prepare the layperson for the study of American law. As the first law school course, it provides the new student with an understanding of principles of law and of case analysis.

(LAW 672) Labor/Employment Law

3 Units

This course examines the historical foundation for labor laws and the creation of the labor movement while focusing on the workplace of today. The laws and regulations that govern the employment relationships, particularly those related to wages, hours, benefits and conditions are focused upon. The distinctions between public and private employers are also reviewed.

(LAW 623) Property

7 Units

This course reviews laws relating to the various types of real property interests including freehold, non-freehold estates and future interests, landlord-tenant relationships, conveyancing, and the use of land.

(LAW 646) Remedies

4 Units

This course explores laws relating to equitable remedies, including injunction and specific performance and defenses; protection against certain types of tort liability including waste, nuisance, unfair competition and the law of rescission and reformation.

(LAW 671) Sports Law

3 Units

This course reviews the broad spectrum of issues related to the world of sports. The course will examine such diverse issues as the power of the sports commissioner, labor negotiations, the role of the sports agent, professionalism vs. amateurism, injuries, and gender equity.

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Course Descriptions (Concluded)

(LAW 612) Torts **7 Units**
This course examines the laws relating to civil liability for intentional wrongs to person and property, negligence, strict liability, misrepresentation, defamation and other civil wrongs.

(LAW 644) Uniform Commercial Code **4 Units**
This course covers the interpretation and application of the Uniform Commercial Code; the law relating to contract formation, enforcement, and breach when there is a transaction in goods, including buyers and sellers remedies as well as the law of warranty.

(LAW 620) Wills & Trusts **4 Units**
This course analyzes the law relating to the creation of wills and trusts, creation of the trust relationship, charitable trusts, resulting and constructive trusts, the powers and duties of the trustee, alteration and termination of the trust, probate of wills and administration of estates.

GRADUATION REQUIREMENTS

To earn the *Master of Laws (with a concentration in American Jurisprudence)* degree, a student must complete a minimum of 24 units including the *Introduction to Law* course with a cumulative grade point average of at least 2.00. The requirements may be completed in as little as one year (three trimesters) and must be completed within two calendar years from the date of initial enrollment.

FACULTY

The Taft University System retains faculty qualified to undertake the level of instruction or course development that they are assigned. They possess degrees or credentials appropriate to the degree program and level they teach. A complete listing of faculty and their qualifications is set forth in a separate *Catalog Supplement*.

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HOW TO ENROLL

To apply for admission to the *Program*, an applicant must first complete the School's online *Application for Admission* form and submit it to the Admissions Office, along with the required \$75.00 application fee. It is not necessary to submit official transcripts at the time of application. However, official transcripts will be required within 45 days of enrollment. United States educated law school graduates interested in submitting a special petition for admission should contact the Admissions Office.

If the applicant is accepted for admission to the *Program*, enrollment materials will be prepared and e-mailed to the applicant for review and signature. All payments submitted for tuition and fees must be payable in U.S. dollars. Payments may be made by MasterCard[®]/Visa[®]/American Express[®] or personal/business check as described in Section VI of the *Application for Admission* form.

Generally, applications must be approved at least 30 days before a matriculating student can commence studies. Applications are reviewed weekly.

FINANCIAL INFORMATION

The tuition for the *Master of Laws Program (with a concentration in American Jurisprudence)* is \$330.00 per unit. (Students must enroll in a minimum of eight units per trimester.) Additional information on financial aid and tuition financing is set forth on the Taft Law School website.

Fee Schedule

Application Fee	\$ 75.00
(Waived for applications received before September 30, 2009)	
Special Petition for Admission Fee	\$ 150.00
Registration Fee <i>(Per Trimester)</i>	\$ 40.00
Library Fees <i>(Per Trimester)</i>	\$ 75.00
Enrollment Commitment Fee <i>(Matriculating Students Only)</i>	\$ 100.00
Non-Resident Surcharge <i>(Per Trimester)</i>	\$ 250.00
<i>(Applies Only to Students Residing Outside of the United States)</i>	
Administrative Accounting Fee <i>(Per Trimester)</i>	\$ 50.00
<i>(Applicable to Installment Payment Plans Only)</i>	
Returned Check Fee	\$ 25.00
Transcript Fee	\$ 7.50
<i>(Two Provided at No Charge)</i>	
Graduation/Diploma Fee	\$ 75.00

All of the fees on this schedule are non-refundable.

The cost of required books and materials, other than each course's syllabus, is not included in the tuition. The costs for books and materials is estimated to be approximately \$675.00 for 24 units plus shipping. (However, this will vary depending upon what courses are selected.) Most books and materials may be purchased through any legal book store. However, students will always be provided with mail and/or online sources for obtaining any required materials. Taft Law School does not sell books or study aids.

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ANSWERS TO THE MOST FREQUENTLY ASKED QUESTIONS

1. Q. How long does it take to complete the Program?

A. The Program can be completed in as little as one calendar year.

2. Q. How many units are necessary to earn the LL.M. degree?

A. Twenty four semester units must be completed.

3. Q. Will you accept transfer credits from other LL.M. Programs?

A. No, transfer credit cannot be granted.

4. Q. Will completion of this Program qualify me for any state bar examination in the United States?

A. **No.** As a distance education institution, the School is not eligible for accreditation by the American Bar Association, has not applied for such accreditation, and does not expect to apply for such accreditation in the future. The Program is **not** designed to qualify students to sit for the bar examination in any state.

5. Will I be able to find a job in the United States after earning your LL.M. degree?

A. Foreign applicants should be aware that the LL.M. degree, obtained through a one-year masters program, does not serve as a substitute for the three or four year Juris Doctor degree in the U.S. job market. If you are committed to finding long-term employment as an attorney in the United States, you might consider a Juris Doctor program. Studies have shown that only approximately 16% of international LL.M. graduates from A.B.A. approved law schools find permanent employment within the United States. Many more find internships, pursue positions in their home country, or find employment in a third country.

6. Q. I'm not sure I want to complete the entire Program, can I take just one course rather than enroll in the entire Program?

A. No. The structure of the Program requires that students be enrolled in a minimum of 8 units per trimester.

7. Q. What financial aid and tuition financing alternatives are available?

A. Many students are eligible for financial aid through employer tuition reimbursement programs and/or the School's *Partners in Professional EducationSM (PIPESM) Program*. One hundred percent financing of tuition and books may be available through Wells Fargo Bank and SLM Financial Corporation, a Sallie Mae company, to qualified borrowers. In addition, the School offers a no interest financing alternative which permits students to pay approximately 30% of tuition at the time of enrollment and the balance over a 5 month period.

8. Q. Is there ever a need to come to the California?

A. No. Academic and administrative procedures are carefully designed so that students can complete all requirements for graduation entirely by directed independent study, without unreasonably disrupting their professional or family lives. Students may elect to take examinations at the School or at over 250 approved testing sites. If a testing site is not convenient to a student, procedures are in place for the student to nominate a proctor.

9. Q. Is the Program accredited?

A. Yes, Taft Law School, and all of its programs, is accredited by the Distance Education and Training Council (DETC). (www.detc.org.) DETC is recognized by the United States Department of Education and is a member of the Council for Higher Education Accreditation (CHEA).

10. Q. How soon can I get started?

A. The Program is open enrollment allowing students to commence study at any time. Generally, applications must be approved at least 30 days before a matriculating student can commence studies. Applications are reviewed weekly.