DUQUESNE UNIVERSITY
SCHOOL OF LAW

Current Curriculum

Required Courses:
First Year Students

**CIVIL PROCEDURE AND DRAFTING I, 3 credits**

Fall Semester
Course Requirement: exam

This course is the first semester of a year-long course that will examine the procedures used in civil litigation, with an emphasis on litigation in federal courts. Topics covered include framing claims in the complaint, responding to the claims in an answer or motion, amending pleadings, joinder of claims and parties, discovery, summary dispositions, and trial concepts. The course also covers notice, personal jurisdiction, subject matter jurisdiction, venue, and claim issue preclusion. In addition to learning about these procedural concepts, the course will include practical drafting exercises, including drafting a complaint and an answer, and drafting discovery documents.

**CIVIL PROCEDURE II, 2 credits**

Spring Semester
Prerequisite: Civil Procedure and Drafting I
Course Requirement: exam

This course is the continuation of Civil Procedure and Drafting I.

**CONTRACTS I, 3 credits**

Fall Semester
Course Requirement: exam

Contracts I: Formation introduces students to law practice and policy by exploring the creation of agreements that courts will enforce. Specific topics include consideration, mutual assent (offer and acceptance), and defenses thereto (including the statute of frauds). Substantively, students learn legal doctrine as described in the Restatement (Second) of Contracts and the Uniform Commercial Code Art. 2. Procedurally, students learn how to analyze legal situations by operating rules on facts and to express this analysis in structured writing. Classroom lessons are augmented with online learning modules, formative assessments, practice problems, and model answers.
CONTRACTS II, 3 credits

Spring Semester
Prerequisite: Contracts I
Course Requirement: exam

Contracts II: Interpretation builds on Contracts I (formation of agreements that courts will enforce) by exploring the meaning of agreements. Substantive topics include: express terms (ambiguity, extrinsic evidence, the Parol Evidence Rule), implied terms (intentions, good faith, satisfaction), express conditions (precedent, subsequent, satisfaction), implied conditions (independent, dependent, mutual), performance (partial, total), breach (substantial, venial, renunciation, repudiation), excuse (impossibility, frustration, impracticability), damages (expectation, reliance, restitution, liquidated, punitive), and equitable remedies. Procedurally, students learn to distinguish between legal categories and to write essays explaining the legal arguments thereto. Classroom lessons are augmented with online learning modules, formative assessments, practice problems, and model answers. The final exam is not cumulative with Contracts I.

CRIMINAL LAW, 3 credits

Spring Semester
Course Requirement: exam

This course examines statutory definitions of crimes, judicial interpretations of statutes, as well as theories of punishment. Requirements for criminal liability including voluntary act, culpability, and causation will be examined. Theories of liability applicable to all crimes, such as attempt, complicity, conspiracy, and solicitation will be considered. A variety of crimes will be considered with particular emphasis on crimes against the person. Various defenses, including self-defense, defense of others, duress, entrapment and double jeopardy will also be considered.

LEGAL RESEARCH AND WRITING I, 3 credits

Fall Semester

This is the fall semester course in a sequence of two courses required of all first-year students. The course is taught in small sections; students will have the same professor for both semesters. Emphasis is placed on issue identification, problem solving, case analysis and synthesis, statutory interpretation, effective legal writing style, print-based and online research, and professionalism. At least three research-based predictive writing assignments will be assigned, leading to the preparation of law-office memoranda. Faculty members confer individually with students on these assignments, and several papers are revised after faculty critiques. Additional shorter writing assignments may also be assigned.

LEGAL RESEARCH AND WRITING II, 2 credits

Spring Semester
Prerequisite: Legal Research and Writing I

This is the spring semester course in a sequence of two courses required of all first-year students. The course is taught in small sections; students will have the same professor for both semesters. The spring course builds upon the fall course; students will continue to refine the legal writing, analysis, and research techniques learned in the fall semester. Emphasis is placed on persuasive writing, advocacy, and
compliance with court rules through the preparation of an appellate brief and delivery of an appellate oral argument. Faculty members confer individually with students on their drafts of the appellate brief and train students to deliver an effective appellate oral argument. Additional shorter writing assignments may also be assigned.

**PROPERTY I, 3 credits**

Fall Semester  
Course Requirement: exam

Property I is an introduction to the study of law and fundamental legal skills through the lens of property law. Students will be introduced to the policies and philosophical theories underlying the law of property, the historical development of property law, the meaning of property, and the relativity of title. Acquisition of property interests and division of property interests into present, future, and concurrent interests are discussed. Although students are introduced to both real and personal property, the primary focus of the course is the law of real property. The course also introduces fundamental skills required for the practice of law, including briefing cases, issue identification, formulating rule statements and analyzing legal issues.

**PROPERTY II, 3 credits**

Spring Semester  
Prerequisite: Property I  
Course Requirement: exam

Incorporating and building upon the concepts learned in Property I, Property II introduces students to modern real property transactions. Emphasis is placed upon the transfer of property interests, title assurance, mortgages and other methods of financing property transactions, and private restrictions on land use. The course also builds upon the fundamental skills introduced in Property I, including briefing cases, issue identification, formulating rule statements, and analyzing legal issues.

**TORTS I, 3 credits**

Fall Semester  
Course Requirement: exam

Tort law, in general, is a body of law that allocates and distributes losses from harm and injury suffered by members of society in situations where there is no private agreement that determines who should bear the loss. Torts I covers two broad areas of liability: liability for intentional acts and liability for negligent conduct. The course covers the elements of basic causes of action within these regimes, as well as potential defenses.

**TORTS II, 2 credits**

Spring Semester  
Prerequisite: Torts I  
Course Requirement: exam

Torts II introduces students to a third foundational concept within tort law: liability without fault (strict liability). It also explores various advanced topics in torts, including limited duty situations, multiple
tortfeasors, misrepresentation, nuisance, defamation, economic torts, strict liability for damage done by animals and abnormally dangerous activities, and products liability.