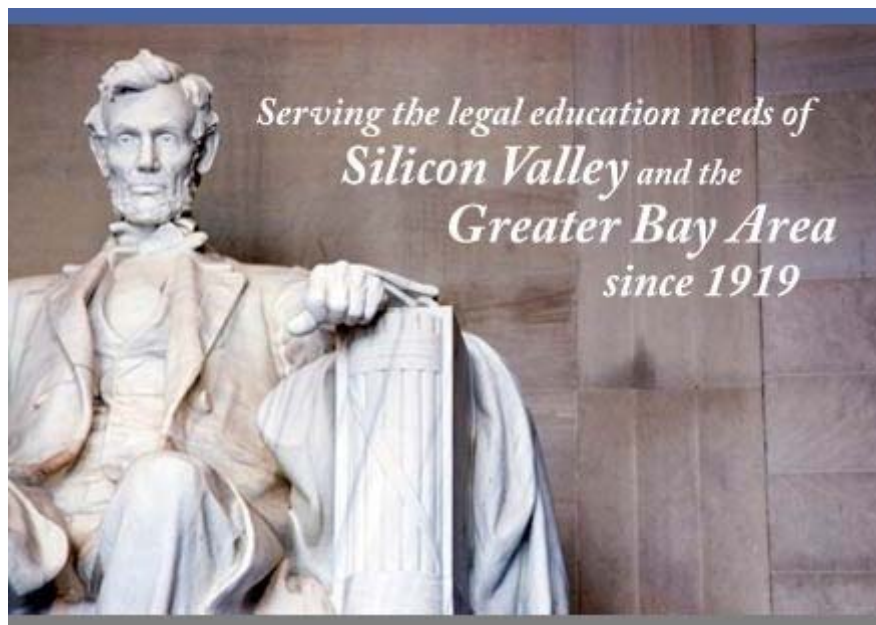


LINCOLN LAW SCHOOL OF SAN JOSE

www.lincolnlawsj.edu



CATALOG
2011-2012

Reservation of Rights

Every effort has been made to assure the accuracy of information contained in this Catalog, the Student Handbook and the Law School's website as of the date of each publication. However, neither the Catalog, the Student Handbook nor the Law School's website constitute a contract or the terms and conditions of a contract between students and the Law School. The Law School also makes no representation to any applicant that prior to graduation of any matriculating student that the Law School will either seek, apply for or be approved by the Western Association of Schools and Colleges (WASC).

Nothing in this Catalog, in the Student Handbook or the Law School's website should be construed to operate as, or have the effect of either abridging or limiting any of the rights, powers or privileges of the Board of Trustees, the Dean or any other official designee of the Law School, to adopt, amend, or repeal rules and policies that apply to applicants or students. The Law School reserves its rights to make changes at any time, that it deems necessary, as to course offerings, tuition, fees, admission and graduation requirements, class schedules or any other rules, regulations or policies.

Upon acceptance to the program, each student is responsible for becoming familiar with the rules, regulations and policies of the Law School as set forth in the most current Catalog, Law School website and Student Handbook, as well as those of the State Bar of California Committee of Bar Examiners (CBE), and for conforming their conduct accordingly. CBE rules, regulations and policies can be found on the State Bar's web page at www.calbar.ca.gov and, once there, by clicking on the title "Bar Exam" on the right margin. Please access the CBE site to ascertain education requirements for admission to the Bar, to register as a law student and to access application forms to register for the California Bar Exam.

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Lincoln Law School of San Jose

A Public Benefit Corporation

Dean's Message

Lincoln Law School of San Jose continues more than an 88-year tradition of seeking to provide California with lawyers who possess practical skills and superior ability. The Law School is an opportunity school. It is a school that seeks a student body as diverse as the population of our state, and seeks to provide a quality legal education to individuals who are qualified to study and practice law but who, because of prior economic or social circumstance, might not otherwise be able to do so.

Our distinguished faculty is composed of judges and practicing attorneys, who not only know their subject areas but have practical legal experience in their areas of the law. The faculty is dedicated to the mission of providing an equal opportunity to those seeking to become California lawyers. It is the hallmark of our faculty that they are here primarily because of their love of the law and their desire to impart their legal knowledge to the next generation of attorneys. A union of spirited faculty and students, seeking to quench their thirst for knowledge, creates an elixir conducive to a cooperative learning process. While this process is demanding, it is also rewarding for both professor and student.

Our school is small, and our students have the opportunity to learn in a collegial and supportive environment that facilitates dialogue and debate. It is the objective of classroom activities not only to teach the law, but also to impart those analytical skills necessary for critical thinking and analysis of the law. We know that it is insufficient to simply know the "rules". The competent lawyer learns the reasons for those rules, and the basis upon which they may be permissibly modified or rejected. As an evening law school with very modest tuition, we continue a respected American tradition.

In the tradition of our namesake and the American experience, I welcome you to inquire about our School, and invite you to Lincoln Law School of San Jose.

Joseph H. Moless, Jr., Dean

Board of Trustees

James F. Barbic, E.A.

A native of the San Francisco Bay Area, and a former professional baseball player, Mr. Barbic has been an enrolled tax consultant for over 40 years. A veteran of the Korean Conflict, he is known for both his skill and community activism. He has served as Chairman or Director of the California Society of Enrolled Agents, Central YMCA Board of San Francisco, Catholic Social Services, Chinese Youth Alternatives, East Side Heroes, and the World Boxing Foundation (with Mohammed Ali). He was a founding director of Lincoln Law School of San Jose.

Carl Cookson

Mr. Cookson was born in San Jose and completed his degree in Business Administration at San Jose State. His career in the land title business started in 1957 when he became Assistant Vice President of Valley Title Company. In 1967 he moved to First American Title Company as Vice President and Division Manager. In 1976 he established Santa Clara Land Title as Owner and Chairperson. He sold the company in 1997 to United Title where he was Vice Chairman until 2002. He has been a member and President of the California Land Title association and President of the California Escrow Associations. He is a Founding Member of the Silicon Valley Capital Club and a Founding Board Member of Cupertino National Bank. Mr. Cookson is active in the Rotary Club of San Jose, Symphony Association, City Lights Theater, Citizens Against Legal Abuse, San Jose Chamber of Commerce, among other organizations. Previously, he was on boards of Junior Achievement, Central YMCA, Arts Council, History Museum, Children's Discovery Museum, Repertory Theater, San Jose State Business Alumni. In 2005 selected to the Jr. Achievement Business Hall of fame. 1998 San Jose State Business Alumnus, the 1993 Boy Scouts Distinguished Citizen of the Year, the 1990 Volunteer Fundraiser of the Year and the 1980 Optimist Club Citizen of the Year.

David Cortese J.D.

Mr. Cortese is Vice Mayor of the City of San Jose and grew up as part of a family that has been active in civic, cultural and business affairs. He was elected to the San Jose City Council in 2000 and was the only councilmember re-elected without opposition to a second four year term. Prior to serving on the city council, Mr. Cortese served on the East Side Union High School Board of Trustees and served as President of the Board on two occasions. He chaired the Evergreen Valley High School "new school committee" and co-chaired a successful \$80 million bond campaign which led to the first new high school in Silicon Valley in over twenty-five years. Mr. Cortese was educated at Bellarmine College Prep, Santa Clara University, the University of California, Davis and Lincoln Law School of San Jose. He holds a Bachelor's Degree in Political Science and a Juris Doctor. He has been involved in a variety of civic and community affairs, including the Police Athletic League Board of Directors, Board of Directors of the East Valley YMCA, the Italian American Heritage Foundation, President of the Sons of Sicily Club, the PTA and the Board of Directors of "Rotacare". He has been a member of the Santa Clara County Bar Association, the Santa Clara County School Boards Association, the San Jose Real Estate Board, the Tri-county Apartment Association, the Silicon Valley Toxics Coalition, the Cal Aggi Alumni Association, the Most Holy Trinity Church Development Committee, East Side Heroes and St. Francis of Assisi Parish. He has been directly involved with the Evergreen, East Hills, Alum Rock and Berryessa Little Leagues. He was one of the founders of East Valley Girls Softball and formerly President of the San Jose (East Evergreen) Rotary Club and also a member of the Evergreen Business and Professional Association. He has also had the opportunity to work with his father; former Assemblyman Dominic L. Cortese over a political career that commenced in 1968. Mr. Cortese was recently elected to the Santa Clara County Board of Supervisors and chaired the Hispanic Foundation.

Rod Diridon, Sr.

Mr. Diridon, the Executive Director of the Mineta Transportation Institute created by Congress at San Jose State University in 1991, began his political career in 1971 as the youngest person ever elected to the Saratoga City Council. Because of term limits, he retired, after 20 years and six terms serving as chair of the Santa Clara County Board of Supervisors and Transit Board. He is the only person to have chaired the San Francisco Bay Area's three regional governments: the Metropolitan Transportation Commission, the Bay Area Air Quality Management District, and the Association of Bay Area Governments serving nine counties and 104 cities. He's currently the Governor's appointee to the California High Speed Rail Authority (CHSRA) Board of which he is chair emeritus. He also serves on the Corporate Board of Directors the Empire Broadcasting Company and Corporate Advisory Board of Wells Fargo

Bank and will preside over the large San Jose Rotary Club in 2009/10. He founded and served as President of the Decision Research Institute, where he developed a "shared survey" research procedure adopted by UNICEF. He's recently completed a terms as President of the American Public Transportation Association and the national Council of University Transportation Centers, both in Washington, DC. Mr. Diridon earned a BS in Accounting and a MSBA from San Jose State University where he received the College of Business's Lifetime Achievement Award. Upon his retirement from elected office, the historic Amtrak/CalTrain Station in San Jose was renamed the "San Jose Diridon Station" in his honor. He has received numerous other awards and citations.

Sarwat S. Fahmy, J.D. - Chair

Mr. Fahmy is the principal and Chief Executive Officer of Calandev, LLC, a world-wide real estate development company headquartered in San Jose. Mr. Fahmy has been a major developer in China and the Middle East, as well as the United States. An honor graduate of Lincoln Law School of San Jose, he holds a Masters degree in Business Administration from Pepperdine University and a Masters degree in Tax Law from Golden Gate University. He received his B. S. degree from Cairo University, Cairo, Egypt.

Teresa Guerrero-Daley, J. D. Judge of the Superior Court, Santa Clara County

Ms. Guerrero-Daley is a graduate of both Lincoln Law School and San Jose State University. She is a Judge with the Santa Clara County Superior Court. Judge Guerrero-Daley served as the Independent Police Auditor for the City of San Jose where her work received national, as well as international recognition. She was previously in private practice specializing in criminal law. Ms. Guerrero-Daley was appointed to the Discipline Audit Panel of the California State Bar and graded the California Bar Exam for five years. She is a former President of the La Raza Lawyers of Santa Clara County and formerly served on the Board of Trustees of the Santa Clara County Bar Association.

John Hopkins, J.D.

John Hopkins co-founded one of San Jose's most prominent legal firms, Hopkins & Carley. He earned his bachelor's degree and J.D. from Stanford University. While there, he served as president of the Law Review and was a member of both Phi Beta Kappa and the Order of the Coif. Mr. Hopkins also completed four years of graduate work in counseling psychology at Santa Clara University. As a member of the State Bar of California, Mr. Hopkins has over 50 years of experience in his law practice, concentrating on tax, estate planning, family business, succession planning, charitable giving and foundations, real estate exchanges, sales, purchases, mergers and reorganization of businesses. He is a member of the State Bar of California, the American Bar Association, the Santa Clara County Bar Association and Attorneys for Family Held Enterprises. A Fellow of the American College of Trusts and Estates Council, a founder of the Santa Clara University Family Business Forum, Mr. Hopkins is also a member and past president of the Santa Clara County Estate Planning Council.

Robert S. Kieve

Robert S. Kieve is president of Empire Broadcasting Corporation, a company which he formed in 1967. Empire owns and operates 1590 KLIV and acts as operating partner of 95.3 KRTY. He also serves as a radio commentator, frequently sharing his views about issues in Silicon Valley. After graduating from Harvard and after summer jobs in New Jersey radio stations, he became Information Officer of the American Embassy in Madrid. He was program director of a radio station in Geneva, NY and was a promotion writer for CBS in New York City. In 1953 he became a special assistant in the White House, acting as a writer for President Eisenhower. In 1957 he was named manager of station WBBF in Rochester, NY. During his ten years in Rochester, he also put on the air station WBBF-FM, a 24 hour classical music station which won the first annual award of the American Music Council for excellence in FM programming. He is the author of *El Arte Radiofonico*, a book that for many years was Spain's only publication on radio broadcasting. He has been deeply involved in San Jose community activities, including the San Jose Rotary Club, Symphony Silicon Valley, the San Jose Chamber of Commerce and the Silicon Valley Leadership Group and as such is affectionately known my many as "Mr. San Jose."

Hon Lien

Hon Lien is a successful business person having founded Golden Phoenix Markets and Sunnyvale Seafood Corporation, one of the Bay Area's largest seafood distributorships. A native of Vietnam, she is an American success story. Her companies have plants in Vietnam and Europe, as well as the United States. She is a former member of the Board of the Silicon Valley Children's Hospital Foundation and currently is an Executive Vice President of a local bank.

James A. Liontas, M.S.Ch.E., J. D., LL.D.

After 25 years as a chemical engineer or sales manager with Bell & Howell, DuPont, and Merck, Dr. Liontas founded Peninsula University in 1975 and served as Dean of the College of Law for 25 years. Liontas is probably the only lawyer who signed his own J. D. degree. His 1983 honorary LL.D. was conferred by Pacific Coast University, which was teaching law before the legislature established the State Bar. Upon his retirement in 2000, the Legislature passed a Resolution honoring Liontas for his dedication and contributions to the people of California and the legal profession.

Robert A. Petersen, CPA – Secretary/Treasurer

Robert A. Petersen is a CPA licensed in California and Oregon. He graduated from University of Oregon, B.B.A. in Accounting and Business Statistics, UCLA-Anderson Graduate School of Business, Director Training and Certification. He is currently the President of the Board of Accountancy for the State of California appointed by Governor Arnold Schwarzenegger. He serves as a founding board member of The Sierra Health Foundation and is currently Chair of the Board of Directors. Mr. Petersen has served as a member of its Governing Council of the California Society of CPAs. In addition he served as the immediate past-Chair of the Government Relations Committee. This committee recommends both legislative and regulatory policy for the Society's representatives in Sacramento and the Society's governing Council and Board of Directors. He also serves as a member of the state Leadership Development Committee. Mr. Petersen received the Distinguished Service Award from CalCPA which is the highest award it bestows on its members for service to the profession. In the past he has served as a member of the Tax Division Executive Committee, as a member of the Board of Directors, Governing Council, and has held committee assignments such as a member of its Responsibilities in Tax Practice Committee, Government Affairs Committee, Legal Liability Committee, and Committee on Specialization of the American Institute of CPAs [AICPA]. He has served California Certified Public Accountants Education Foundation, the Research Institute of America; IRS Commissioner's Advisory Group of the Internal Revenue Service; and the Saratoga Education Foundation. He has authored a number of publications California Sales and Use Tax; Procedures & Compliance: The Mobile Taxpayer, California Combined Reports and Multistage Taxpayer, California Tax Handbook; Consulting Editor, California Taxation, Consulting Editor, Advising California Partners and Proprietors, A Guide for Attorneys and Accountants; Contributor, The State Corporation Income Tax, Issues in Worldwide Unitary Combination, Contributing editor or author for the California CPA Quarterly, The Journal of Taxation, New York University Institute of State and Local Taxation, and others.

Willem P. Roelandts

Mr. Roelandts is currently the lead independent director on the Board of Trustees of Applied Materials. He served as Chairman of the Board of Xilinx, Inc., from July 2003 to February 2009, and as a director from January 1996 to August 2009. Mr. Roelandts also served as President and Chief Executive Officer of Xilinx from January 1996 to January 2008. Prior to joining Xilinx, he held various executive positions during his 29-year career at Hewlett-Packard, where he last served as Senior Vice President and General Manager of Computer Systems Organizations. He currently serves on the board of directors of Aruba Networks, Inc. Mr. Roelandts is also a member of the Advisory Board of the Center for Science, Technology and Society at Santa Clara University. A native of Belgium, he received a Bachelor of Science degree in Electrical Engineering from Rijks Hogere Technische and has been awarded honorary doctorate degrees from Santa Clara University and K.U. Leuven. The latter degree noted, "His achievements are remarkable and can to a major extent be ascribed to his very personal management style focused on human values...."

Carmen Sigler, Ph.D

Dr. Sigler is a Professor of Romance Languages at San Jose State University. She has also served as Dean of the College of Humanities and the Arts, Interim Dean of the College of Social Work, Acting President, Provost and Vice President for Academic Affairs. Her field of specialization is Golden Age Spanish Literature and she has published books and articles on topics related to Renaissance Spanish literature and foreign language education. Prior to serving as Provost, Dr. Sigler was Teacher Education Coordinator, Associate Chair for Curriculum, and Department Chair in the Department of Foreign Languages at San Jose State. She also served as Dean of the College of Humanities and the Arts, Interim Vice President for University Advancement and Acting Dean of the College of Social Work. She serves on the Board of Trustees of Montalvo Center for the Arts, Opera San Jose, the Hispanic Foundation of Silicon Valley, and the YMCA Metro Board and is a Commissioner for WASC. Dr. Sigler was born and raised in Argentina. She received A.M. and Ph.D. degrees in Romance Languages and Literatures from the University of Michigan.

Barry Swenson

Barry Swenson of Barry Swenson Builders is one the premier builders and developers in the Santa Clara Valley. He is recognized as one of Silicon Valley's leading citizens and is a well respected businessman. In addition to his own companies, he has served San Jose State in advisory and board positions and is a graduate of San Jose State University.

Trustees Emeriti

Craig E. Needham

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James F. Boccardo (1911-2003)

ADMINISTRATION

Joseph H. Moless, Jr., Dean

Duyen Nguyen Associate Dean of Academics	Valary Miller Associate Dean of Business & Finance	Ellyn Bloomfield Registrar
	Christy Jansky Admissions Coordinator and Administrator for Special Events	Cindy Ruggiero Assistant Registrar and Administrative Assistant
	Nari Avanesian Librarian	

LINCOLN'S MISSION

Lincoln's mission is to provide a superior legal education to its students culminating in the conferral of the Juris Doctor Degree and certification to sit for the California Bar Examination. The Law School has over an 88 year tradition of seeking a student body as diverse as the population of the state and providing an opportunity to individuals who are qualified for the study and practice of law.

HISTORY OF THE LAW SCHOOL

Lincoln Law School of San Jose traces its origins to the early 1900's when Dr. Benjamin and Susan Lickey founded a law school in San Francisco aimed at helping veterans and other adults acquire law degrees through an evening part time course of study. The Law School was one of San Francisco's first evening adult education programs. Within a few years, additional subjects were added in other subject areas and the Law School became part of a larger university curriculum. In 1926, the new institution, Lincoln University, was chartered as a private, non-sectarian college and in 1949; it was incorporated as a non-profit institution.

In 1961, under the leadership of E. Barbara Jorss and Dean Jerome Sack, a second Law School campus was opened in San Jose, graduating its first class in 1965. The San Jose campus quickly developed a reputation as a center of innovative legal training and legal discourse. During the early 70's, Lincoln broke new ground by producing a ten-part cable television series featuring panel discussions by local attorneys and Judges addressing legal issues of concern to the San Francisco and San Jose communities.

By 1987, Lincoln University's entire Law School program was concentrated in San Jose. In 1993, the San Jose campus formally separated from Lincoln University becoming an independent, public benefit, non-profit corporation, changing its name to Lincoln Law School of San Jose. In the same year, the Committee of Bar Examiners of the State Bar of California conferred accreditation on the Law School and, in 1999 the Law School relocated its campus to the heart of downtown San Jose. In 2000, with the retirement of James Lontas, founder and Dean of Peninsula University School of Law, Lincoln was pleased to welcome many Peninsula students into its Law School family.

Engineers, parents, teachers, chemists, social workers, doctors, police officers, nurses, auto mechanics, journalists, elected officials, college professors, paralegals and others, have all found a home at Lincoln. Lincoln Alumni have become Judges, governmental officials, lawyers and successful business persons. Lincoln is proud to have graduated leaders in the Bay Area legal community, such as Kenneth Fung ('32), the first Chinese-American to be admitted to practice law in California; Presidential Fellow, Chris Moore, of the San Jose Police Department; City Council members, Dave Cortese and Linda Lezotte; Assistant City Attorney, William Hughes; Superior Court Judges Hugh F. Mullin, Ronald Lisk, Linda Condron; Teresa Guerrero-Daley; Workers' Compensation Judge Adoralida Padilla; and Commissioners Lois Kittle, Harold Cole, James L. Heath and Constance Jiminez. Over 18 members of the Santa Clara County Bench have studied, taught, or served as Trustees of the Law School.

Contributing to Lincoln's success is its outstanding faculty, which includes Judges, public defenders, prosecutors, public interest lawyers, and private civil and criminal practice attorneys. Because of small class size, there is ample opportunity for students to interact with the faculty who are able to provide real-world insights into the practice of law in addition to communicating the basic principles of law. Students have the opportunity to learn in a collegial and supportive environment that facilitates dialogue and debate which promotes the acquisition of the analytical skills necessary for critical thinking and analysis of the law necessary for the effective lawyer.

Today, Lincoln continues to prepare students to meet the challenges of legal practice in the 21st Century. Lincoln's curriculum includes such cutting-edge electives as California Special Needs Courts, Entertainment Law, Race and the Law, and Intellectual Property, as well as providing training in the latest computer on-line research methodologies.

An Overview

Lincoln offers a 4 and a 4 ½ year part-time, evening study program. Students who enter in the Fall complete the program in 4 years. Students who enter in the January or Summer programs take a lighter course load during the first one-half year of study and thus complete the program in 4 ½ years.

Students usually attend classes three nights per week, except during Summer Session when students generally attend classes two nights per week. Classes generally are conducted on week nights between the hours of 6:40 p.m. to 9:30 p.m.

Prospective applicants are encouraged to visit the Law School. Please contact the Admissions Office to arrange a tour of the facilities; a classroom visit; discussions with current students, alumni or faculty; a meeting with the Dean; or to request additional information not contained in the Catalog. Prospective applicants can also visit Lincoln's web site at:

www.lincolnlawsj.edu

In addition, prospective applicants are invited to attend Open House at the Law School. The Law School hosts Open Houses at least twice a year to provide prospective students with an opportunity to tour the Law School facilities. At a typical Open House students learn more about the Law School program and the study of law; hear from faculty, current students, and alumni; and experience a sample law class. Please call the Law School for specific dates.

Accreditation

Lincoln is accredited by the Committee of Bar Examiners of the State Bar of California. The Law School makes no representation to any applicant that prior to graduation of any matriculating student the Law School will either seek, apply for or be approved by the Western Association of Schools and Colleges (WASC).

Practice of Law in California

Graduates of Lincoln are eligible to take the California General Bar Examination and, upon successful completion of the Examination, are qualified to practice law in the State of California.

Before beginning legal studies, prospective students should familiarize themselves with the rules governing admission to the State Bar. Information may be obtained from the Law School or directly from the Committee of Bar Examiners of the State Bar of California in San Francisco, California or by visiting the State Bar's web site at:

http://www.calbar.ca.gov/state/calbar/calbar_home.jsp

Practice of Law in Other States

Many states require graduation from a law school accredited by the American Bar Association (ABA) or approved by the state's Supreme Court or examining committee of that state. "Study at, or graduation from, this law school may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California. A student who intends to seek admission to practice law outside of California should contact the admitting authority in that jurisdiction for information regarding its education and admission requirements."

Disclosure at the directive of the accreditor is without waiver of any Constitutional right or claim or both.

Location

The Law School is conveniently located in downtown San Jose at the corner of North First and Santa Clara Streets. It is easily accessible from Highways 101, 880, 280 and 87. It is also accessible by public transportation, and is located adjacent to a light rail stop and at the intersection of several bus lines. Because of its convenient location, the Law School has drawn students from as far north as San Francisco, Contra Costa, Marin, and the East Bay and as far south as Salinas and Santa Cruz.

There is adequate parking available in the parking lot directly behind the Law School. Lincoln students receive a discounted rate after 6:00 p.m. on weekdays. There is also a multi-level parking garage around the corner which is

free after 6:00 p.m. on weekdays and all day on weekends. In addition, there are several smaller parking lots within walking distance, and some metered parking that is free after 6:00 p.m.

Facilities

The Law School is located in a spacious customized two-story suite in a downtown office building that contains classrooms, administrative and faculty offices, a student lounge and office, and the James F. Boccardo Memorial Law Library which is equipped with computers. The Law School is wired for laptops and WIFI access.

The James F. Boccardo Memorial Library is open to students, faculty and alumni during Law School hours. The James F. Boccardo Memorial Library contains over 20,000 volumes, including decisions of federal and state courts, federal and California statutes, encyclopedias, digests, law review, treatises, and other legal reference materials. Reference and on-line legal research assistance is provided to students by Faculty and Staff.

Located in the James F. Boccardo Memorial Library is the Law School's enclosed media center equipped with computers for conducting Westlaw/Lexis-Nexis on-line legal research and training. Access to Westlaw/Lexis-Nexis is via DSL lines. As part of the Law School's Westlaw/Lexis-Nexis program, each student is provided with individual Westlaw and Lexis-Nexis accounts and passwords for use on their home computer via the Internet.

The Law School is also located within yards of the County Courthouse and a few blocks from the County Law Library, both of which are also located on the City's light rail line.

The Law School does not have a permanent bookstore on campus. However, the Law School makes its book list available to several bookstores in the area that serve Lincoln students.

The Law School does not have dormitory facilities but a wide range of housing options are available in the San Jose area.

Hours

The Law School is normally open as follows:

Monday-Thursday	10:00 a.m. to 10:00 p.m.
Friday	Closed
Saturday	9:00 a.m. to 5:00 p.m.
Sunday	1:00 p.m. to 6:00 p.m.

During the Law School's summer break, the Law School is usually open from 9:00 a.m. to 5:00 p.m. Monday through Thursday and closed on Friday.

Tuition and Fees

Students must complete 84 units in order to graduate. Tuition is \$624.00 per unit (effective August 2011). Law School alumni may audit courses for ½ the regular tuition charge.

Tuition and fees are due at the time of registration. Only fully registered students are deemed to be enrolled. Registration is defined as both the payment of applicable tuition and fees and the completion of all registration forms.

A student can expect that the total cost to earn the J. D. degree, including tuition and fees for the four-year program, will be approximately \$55,000.00 This cost does not include books, other required class materials or additional fees that a student may incur which include the following fees which are imposed to cover administration and related expenses occasioned by the event for which the charge is imposed.

Fees

Fall Semester

1 st , 2 nd , 3 rd Year	\$ 338.00
4 th Year (includes Graduation fee)	\$ 838.00

Spring Semester

1 st , 2 nd , 3 rd , 4 th Year	\$ 80.00
Entering	\$ 188.00

Summer Semester

Returning	\$ 50.00
Entering	\$ 158.00

The following additional fees may be incurred by students:

Untimely Registration Fees	\$ 225.00 plus \$10 per day thereafter until Registration is received
Installment Fee	\$ 160.00
Installment Agreement Interest	Based on the balance owed
Deferment fee	\$ 50.00
Returned check fee	\$ 50.00
Add/Drop Class fee	\$ 25.00/\$50.00
Examination rescheduling fee	\$ 100.00
Transcript fee (Official/Unofficial)	\$ 15.00/\$ 10.00
Letter of Good Standing	\$ 10.00
Course Materials fee	Based on the number of copies
Fee to review classes at another law school	\$100

Tuition and fees are subject to change upon reasonable notice to applicants and students.

Registration

Registration forms will be sent to returning students by e-mail. All Registration forms must be returned with an Enrollment Agreement by the deadline indicated on the form by way of U.S. mail ONLY.

Tuition and fees are due at the time of registration. Registration requires timely payment of all applicable tuition and fees and the completion of all registration forms, including the Enrollment Agreement and Installment Agreement if applicable.

Students must complete all registration activities prior to attending classes. The School is required to certify students' attendance for purposes of "residency" to the State Bar of California so that they may sit for the General Bar Examination. Attendance has two components: enrollment and physical attendance. A student who is not enrolled has placed in jeopardy any certification for residency. We urge you to pay your tuition and fees no later than the deadline listed on the registration material.

Payment of tuition and fees

The school does not accept credit cards. For those students who qualify, the Law School may, in its sole and absolute discretion, permit such students to pay their tuition and fees by way of installments upon receipt and approval of their applications. If you wish to pay your tuition and fees by way of installments, please make sure that you submit your applications prior to the Registration deadline. Please call Ellyn Bloomfield or Cindy Ruggiero for an application and a payment schedule. In the event you are approved to pay by installments, your signed Installment Agreement/Promissory Note, along with your first Installment payment, must accompany your Registration Form and Enrollment Agreement for registration to be completed in a timely manner without the imposition of a late fee.

Students who are recipients of financial aid or scholarships may be able to postpone payment of registration fees. Postponing payment of registration fees is called a "deferment." Deferments allow students with unpaid fees to remain registered for classes, but only until the deferment expires. For additional information please contact the Registrar.

Refunds

Fees are non-refundable except in the following instance:

- If a student cancels their Enrollment Agreement within 5 business days of the first day of instruction, in either the Fall or Spring semesters, the Law School will refund all charges paid by the student. If a student cancels their Enrollment Agreement within 2 business days of the first day of instruction in the Summer semester, the Law School will refund all charges paid by the student.

If a student withdraws or is dismissed prior to the completion of the semester, the Law School will refund unused tuition on a pro rata basis as set forth in the Law School Enrollment Agreement. Fees are non-refundable.

Financial Assistance

The Law School does not participate directly in any federal or state insured student loan programs. However, many law students are able to obtain a private law loan through Sallie Mae (www.salliemae.com). It is the applicant's and/or student's sole responsibility to procure any such financial assistance and the Law School has no connection with any lenders. School officials are authorized only to certify students for loan amounts for tuition, fees and books. A loan request in excess will not be certified.

Securing private financing is not a guarantee of either the acceptance or continuance as a student.

The Law School offers a limited number of merit scholarships. However, no tuition scholarships are available to first year law students.

ADMISSIONS

Lincoln has a “rolling” admissions policy permitting students to enroll at convenient times. Students are admitted to commence study in January, May and August. Accordingly, the Law School permits enrollment so long as the student’s records for admission are complete and satisfactory and the student can attend all classes.

Admitted students are classified as “Regular,” “Special” or “Transfer” students. Students may be provisionally admitted and allowed to begin classes pending receipt of all necessary documentation, as set forth below under “Admission Requirements.” Students will not be formally accepted until all of the necessary documentation has been timely received.

General Admission Requirements

It is recommended that applicants meet with an Admissions Coordinator or the Dean’s designee as soon as practical prior to their intended entrance date in order to begin, and promptly complete, the admissions process. Applicants wishing to be admitted as Regular Students must, prior to admission, obtain and furnish the following:

1. A completed application plus a non-refundable application fee for In-state applicants in the amount of \$60.00 and Out of state applicants in the amount of \$125.
2. An official transcript from each undergraduate and/or graduate school must be provided ;
3. A signed Statement of Intention explaining in no more than 500 words why you wish to study law;
4. Regular Students seeking admission are required to take the Law School Admission Test (LSAT);
5. Resume; and
6. Two letters of recommendation.

Law School Admissions Test (LSAT)

Regular and Transfer students generally must take the Law School Admissions Test (LSAT) prior to admission. Special Students must take the examination prior to admission. Commencing the study of law is defined as beginning any introductory course or other course at Lincoln.

The LSAT is usually given in February, June, October, and December. To obtain an application, information about the test, and information regarding the location of testing centers, please contact the Law School or contact the Law School Admission Council directly:

Law School Admission Council
Box 2000
Newtown, PA 18940-0998
(215) 968-1001
On-line: www.LSAC.org

Admission as a Regular Student

An applicant holding a bachelor’s degree from a qualified institution may be admitted as a Regular Student. An applicant not holding a bachelor’s degree from a qualified institution may be admitted as a Regular Student if either one of the following requirements is met:

1. The applicant has earned an Associate in Arts Degree or an Associate in Science Degree from a qualified institution in California. The Specialized Associate Degree (occupational) and the Associate of Applied Science Degree, and other associate level degrees which are vocationally oriented, do not satisfy this requirement; or
2. Studies completed prior to admission constitute not less than one-half the total acceptable for a bachelor’s degree at a qualified institution, and
3. at least 90 percent of the total credits necessary to satisfy this requirement were in courses with academic, non-vocational, and non-occupational content satisfactorily completed at a qualified institution, and
4. the applicant’s grade average on all subjects undertaken was at least equal to that required for graduation from the institution attended, and
5. the applicant’s grade average on all courses with substantive content was at least equal to that required for graduation from the institution attended.

Any applicant who seeks admission as a Regular Student but who does not provide official transcripts or other required documentation by the 45th day after the first day of attendance, shall be classified as a Special Student, if the student is admissible as a Special Student, or the student must be dismissed from the Law School.

Applicants who have attended a college in a foreign country must first have their transcripts evaluated by one of the following credential evaluation services in addition to providing the Law School with their Official Transcripts:

The Foreign Educational Document Service
P.O. Box 4091
Stockton, CA 95204
(209) 948-6589

International Education Research Foundation, Inc.
Credentials Evaluation Service
P.O. Box 3665
Culver City, CA 90231-3665
(310) 258-9451 Fax: (310) 342-7086
On-line: <http://www.ierf.org>

Regular Student applicants may be required, as a condition of admission, to participate in the Law School's PASS Program based on their pre-law education, pre-law grade point average, LSAT score, or any combination thereof.

Admission as a Special Student

Students who have not qualified as a Regular Student may apply for admission as a Special Student. Applicants seeking admission as a Special Student must take and pass three **College-Level Examination Program (CLEP)** examinations prior to admission to law school and must attain passing scores of 50 or higher on the following General Examinations administered by CLEP prior to commencing the study of law:

English Composition with or without Essay and two of the following:

Humanities, Mathematics, Natural Sciences, or Social Sciences/History which is combined as one test.

For registration materials and information about the location of testing centers and testing dates, please contact the Admissions Office or the College Board directly:

College Board, CLEP
P. O. Box 6600
Princeton, NJ 08541-6600
(800) 257-9558
On-line: <http://www.collegeboard.com/>

Special Student applicants must take the Law School Admission Test (LSAT) prior to admission. A score at or above the 50th percentile must be achieved and, in addition, the applicant must provide the same documentation required from applicants applying as a Regular Student.

All Students who are accepted as Special Students must take and pass the First Year Law Students' Examination (FYLSX) given by the Committee of Bar Examiners of the State Bar of California before advancing to the second year of Law School.

Admission as a Transfer Student

Students wishing to transfer to Lincoln must provide official transcripts from all law schools attended showing completion of all prior law studies.

Under exceptional circumstances, admission may be possible for persons who were previously disqualified from law study if it can be shown that the prior disqualification was a result of factors other than lack of capacity to successfully study law. Ordinarily, this may be shown by letters from the Dean or faculty members of the Law School previously attended. In such a case, a personal interview must then be arranged with the Dean at Lincoln.

Lincoln reserves the right to determine the number of transfer credits to be accepted. This determination will be made by the Dean on an individual basis and will depend, in part, on an evaluation of course content and grades received in various courses and on a determination as to whether the student has earned an exemption from the First Year Law Student's Examination (FYLSX). Normally, only law course work completed within twenty-seven (27) calendar months prior to the date the applicant will begin his or her studies at Lincoln will be transferable. Some scheduling adjustment may be needed for transfer students to ensure that they receive the necessary instruction in

subjects covered on the General Bar Examination and the corresponding unit credit required for graduation. Grades are not transferable.

Transfer students must meet all admissions requirements outlined in this catalog. Transfer students must take and pass a minimum of 60 units in residence in order to qualify for graduation from Lincoln.

Transfer of Credit from Other Schools

A student attending Lincoln Law School may take courses for credit at other law schools but only with the prior written permission of the Dean. Credit for courses successfully completed at other law schools may be transferred with the prior written permission of the Dean. However, grades are not transferable and will not be included in the student's grade point average at Lincoln.

Attendance as a Visiting Student

At the discretion of the Dean, a student who attends another Law School may attend Lincoln as a Visiting Student. The effect of any grade received at Lincoln is dependent upon the policy of the Law School where the student regularly attends.

Attendance as an Auditor

The Law School permits law school graduates as well as non-law students to audit courses as set forth below.

Auditor applicants who are law school graduates are required to submit the following:

1. Application
2. Non-refundable application fee of \$60.00

Auditor applicants who are not law school graduates are required to submit the following:

1. Application
2. Resume
3. Cover letter, including a discussion of the purpose for auditing and any qualifications or experience relevant to the course(s) the applicant would like to audit
4. Non-refundable application fee of \$60.00.

Auditors do not receive credit for the audited course in the event the auditor is later admitted to the Law School as a law student. Auditors are not required to take course examinations. The number of auditors admitted to any given course may be limited depending on the number of law students also enrolled in the course. Admission as an auditor is subject to the subjective good faith discretion of the Dean. The Law School reserves the right to deny auditor status to anyone.

English as a Second Language

Applicants for whom English is a second language should take the Test of English as a Foreign Language (TOEFL) and achieve a minimum score of 600 in order to ensure sufficient fluency in English for the study of law. Applicants who did not complete undergraduate or graduate pre-law studies in English are normally required to take the TOEFL. Application to take the TOEFL examination should be made to: TOEFL Services

P. O. Box 6151
Princeton, NJ 08541-6151
(609) 771-7100

On-line: <http://www.toefl.org>

All Law School courses are taught in English. The Law School does not provide English language services (e.g. instruction or translation).

Registration with the State Bar of California

Every student accepted by the Law School to study law must register with the Committee of Bar Examiners of the State Bar of California. Such registration will be on a form provided by the Committee and shall be filed not later than ninety (90) days after the commencement of the first semester for which the student has enrolled at the Law School. Please note that registration as a law student with the Committee requires a filing fee. Students must register on-line at:

www.calbar.ca.gov

Students are advised that it is their sole responsibility to comply with the Rules Regulating Admission to Practice Law in California, which are published by and obtainable from the Committee of Bar Examiners at:

Committee of Bar Examiners
180 Howard Street
San Francisco, CA 94105-1639
On-line: www.calbar.ca.gov

Any and all consequences resulting from a student's failure to meet the registration requirements of the Committee of Bar Examiners are to be born exclusively by the individual student. Students should retain copies of all forms and information sent to and received from the Committee of Bar Examiners.

Policy of Non-Discrimination

The Law School does not discriminate on the basis of age, sex, disability, sexual orientation, national or ethnic origin, marital status, religious or political affiliation in the development, implementation, or enforcement of its policies and procedures or in any other matter.

STUDENT SERVICES, SUPPORT AND ACTIVITIES

PASS Program

PASS is a Los Angeles based company formed by 3 experienced night law school professors that provides on-line academic support by giving on-line access to substantive lectures together with hypothetical exams for students to write. PASS then evaluates student performance on the examination.

PASS provides on-line lectures 24 hours a day, every day of the week for the core classes. Each program includes a review of the law and a detailed substantive checklist and exam approach. PASS also provides hands-on writing practice with some of the student's practice essays graded by professional graders, independent of the law school.

Bar Review Program

The bar review class is part of the fourth year curriculum and gives the student a head start in preparing for the California Bar Examination. Professors provide the student with guidelines for essay writing, multi-state (MBE) techniques and approaches to the Performance Examination. Students are given the opportunity to practice the techniques that are taught with both class exercises and a short version of the-Bar examination. There is currently no tuition charged for the class and no unit credit.

Academic Counseling and Advisement

Academic counseling and advisement are available to all students through the Associate Dean of Academics and the Faculty. Students are encouraged to contact the Associate Dean of Academics and individual faculty members as needed.

Preparing to Enter the Bar – An Overview of Law School

For enrolled students, prior to commencement of their first year Law Class, the Law School offers a two day (2) free program that addresses the mind set required to succeed in Law School.

Career Services

All job listings received by the Law School are posted on the Student Bulletin Board and on the website: <http://www.lincolnlawsj.edu/ss-career.html> Reference materials on law firms and government agencies are located in the Law School's Library. These materials are available for review by students and alumni during Law School hours. In addition, students receive placement counseling and advisement from the Dean and Faculty.

Student Bar Association

All students enrolled at the Law School become members of the Student Bar Association (SBA). The SBA is governed by elected Officers and appointed Class Representatives. The purpose of the SBA is to assist law students and acclimate them to Law School life. The SBA sponsors a number of student events, including pizza nights, holiday parties, and an annual awards banquet.

Law Review

Publication of the Lincoln Law Review began in 1966 to present articles and book reviews on issues relevant to the legal community and to provide students with an opportunity to hone their skills in legal research, writing and citation. Governed by the Editor-in-Chief, the Law Review continues to be published annually.

Students who want to become members of the Law Review must be in good standing. Future members are chosen by the current members based on grade point average or demonstrated writing ability.

In addition, any student may submit articles, papers or book reviews they have written for consideration for publication in the Law Review.

American Trial Lawyers Association

The American Trial Lawyers Association (ATLA) is a national organization, which promotes excellence in legal advocacy through training and education. The Law School's chapter offers student members the opportunity to fine tune their advocacy skills at local and regional trial competitions. Membership in ATLA also entitles students to receive bi-monthly national legal updates and trial practice magazines.

Alumni Association

All graduates of the Law School are members of the Alumni Association. The purpose of the Alumni Association is to support and further the objectives of the Law School, promote social activities and welcome new graduates into the legal community.

For more information about Student Services and Activities, please refer to the Student Handbook.

Curriculum

The standard curriculum takes 4 years for students entering in the Fall as shown below and 4 ½ years for students entering in Spring or Summer as shown on the following pages. Students interested in the 4 ½ year program should contact the Admissions Coordinator for additional information. 84 units are required for graduation.

CURRICULUM FOR 4 YEAR PROGRAM-Effective Fall 2011

One (1) Unit = 15 hours of Instruction

<u>First Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>
Intro to Law	1		
Contracts	3	3	
Torts	3	3	
Criminal Law	3	3	
Basics of Legal Writing*	0		
*(Required-no tuition)			
Legal Research & Writing			3
TOTAL 1ST YEAR UNITS-22	10	9	3
<u>Second Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>
Business Organization	2	2	
Real Property	3	3	
Civil Procedure	3	3	
Professional Responsibility	3		
Prof Ethics and Responsibility		1	
Personal Property			2
Moot Court			2
TOTAL 2ND YEAR UNITS-24	11	9	4
<u>Third Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>
Evidence	3	3	
Constitutional Law	3	3	
Community Property	3		
Negotiation & Mediation		2	
Elective			2
Elective			1
TOTAL 3RD YEAR UNITS-20	9	8	3

NOTE: For students graduating in 2012, a 2 unit elective is required in the Spring of the 3rd year

<u>Fourth Year</u>	<u>Fall</u>	<u>Spring</u>
Wills & Trusts	3	3
Remedies	3	
Criminal Procedure	3	
Trial Practice		2
Bar Review*		0
*(Required-no tuition)		
Advanced Legal Writing		2
Elective		2
TOTAL 4TH YEAR UNITS-18	9	9
TOTAL CUMULATIVE UNITS	84	

CURRICULUM FOR 4 ½ YEAR PROGRAM-Effective Spring 2012

One (1) Unit = 15 hours of instruction

<u>First Year Spring Entering Program</u>	<u>Spring</u>	<u>Summer</u>
Introduction to Law	1	
Personal Property	2	
Basics of Legal Writing*	0	
*(Required-no tuition)		
Elective		2
TOTAL UNITS-5	3	2

<u>First Full Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>
Contracts	3	3	
Torts	3	3	
Criminal Law	3	3	
Legal Research & Writing			3
TOTAL 1ST YEAR UNITS-21	9	9	3

<u>Second Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>
Business Organizations	2	2	
Real Property	3	3	
Civil Procedure	3	3	
Professional Responsibility	3		
Prof Ethics & Responsibility		1	
Moot Court			2
TOTAL 2ND YEAR UNITS-22	11	9	2

Grading

Grades are assigned on a non-curve/normative grading scale. Beginning with the 2003-2004 Academic Year, the grading of examinations, papers, and the calculation of course grades and grade point averages, are based upon the following grade point scale, rounded to the nearest 100th:

94-100	4.000	Excellent
90-93	3.667	
87-89	3.333	
84-86	3.000	Good
80-83	2.667	
77-79	2.333	
74-76	2.000	Satisfactory
70-73	1.667	
67-69	1.333	
64-66	1.000	Unsatisfactory
60-63	0.667	
55-59	0.000	Failing

In elective classes, students will be required to submit a graduate school level paper on an issue raised and discussed in class. The paper must be evaluated to be 74 quality or better for the student to receive a "Pass". In order to inform the student as to the quality of their work, instructors may designate the pass as "High Pass," "Pass" or "Low Pass" although the transcript will reflect only the fact that the student has passed or not passed the class. Of course, unit credit will be received only if the course is passed. In Moot Court and Research and Writing classes, the Pass/No Pass determination will be made by the instructor(s) based on performance on assignment(s) required by instructor(s).

Criteria for Advancement

All persons admitted in the Fall 2011 Term and in each Term thereafter must achieve a minimum GPA of 2.00 in each academic year in order to be advanced to the next year with the exception of 1st year students. A 1st year student may advance on Academic Probation if, and only if, in the subjective good faith discretion of the Academic Standards Committee (ASC) on Petition timely filed as provided by the Student Handbook. A petitioning student will be evaluated by the ASC and permitted to continue only if the ASC determines both that a) the Petition has substantive and honest merit, and b) there is a reasonable indication based upon all the facts available to the ASC that the student has the ability and a reasonable and workable program of study that will likely permit the petitioning student to succeed with the program. In any case, a 1st year student who is advanced on Academic Probation to the 2nd Year must achieve a minimum 2.00 GPA collectively for both the 1st and 2nd years in order to advance to the 3rd year.

Effective for students entering in Fall 2006 as first year students and thereafter, once a student has successfully completed the student's first and second academic years, the student will be tested in a comprehensive examination on four (4) of the seven (7) core classes the student has taken; namely, Contracts, Torts, Criminal Law, Real Property, Civil Procedure, Business Organizations and Professional Responsibility. No question or questions will focus exclusively on Professional Responsibility but Professional Responsibility will be tested by way of cross-over issues. The examination questions may be both essay and multiple choice or a combination thereof and the examination will be administered subsequent to the Summer Semester but preceding the student's third academic year in the Fall Semester. A student will not be eligible for advancement into the third academic year until the student has passed the examination.

Graduation/Degree Requirements

A student will not be certified to the California State Bar for purposes of taking the General California Bar Examination unless they meet all requirements for the Juris Doctor degree. The J. D. degree is conferred upon students who have:

- Successfully completed the required academic program; and
- Successfully completed at least 84 units; and
- Been advanced to 4th Year and achieved a grade point average of at least 2.00; and
- No Honor Code Violations; and
- Paid all amounts owed to the School



Honorary Doctor of Laws Degrees Conferred and Past Commencement Speakers

- 1970** Madame Anna Chennault, wife of Major General Claire Chennault, leader of WWII "Flying Tigers"
- 1971** Hiram L. Fong, U. S. Senator, Hawaii 1972 Elliot L. Richardson, U. S. Secretary of Health, Education & Welfare
- 1973** Robert M. Worthington, Asst. Secretary of Vocational & Adult Education
- 1974** Joseph T. Sneed, III, Justice, U. S. Court of Appeals, 9th Circuit
- 1975** J. Stanley Pottinger, Asst. Attorney General of the U. S., Civil Rights Division
- 1976** Virginia Y. Trotter, Asst. Secretary for Education, Office of Education, U. S. Dept. of HEW
- 1977** Nathaniel Baccus, III, Deputy Solicitor General, U. S. Solicitor General's Office
- 1979** Spark Masayuki Matsunaga, U. S. Senator, Hawaii
Jean Graham Hall, Resident & Liaison Judge, Croydon Crown Court, Surrey, England
- 1980** Robert F. Peckham, Chief Judge, U. S. District Court, Northern District of California
- 1981** Arthur L. Alacron, U. S. Circuit Judge, U. S. Court of Appeals for the 9th District
Elam K. Hertzler, Chief of Staff, U. S. Department of Education
- 1982** Bernard E. Witkin, Legal Scholar 1983 Cruz Reynoso, Associate Justice, Supreme Court of California
- 1984** Mervyn M. Dymally, Congressman, 31st Congressional District of California
- 1985** Romero A. Arguelles, Counsel General of the Philippines to San Francisco, Rank of Ambassador
John D. Fitzgerald, Member and Secretary of the California State Bar Committee Section on Civil Litigation
- 1990** Nancy Pelosi, Congresswoman, 5th Congressional District of California
- 1991** Ronald D. Whyte, Judge, U. S. District Court, Northern District of California
- 1992** James F. Perley, Associate Justice, California Court of Appeals
- 1994** Anna Ollinger, Santa Clara County Superior Court Commissioner, Juvenile Division
- 1997** Sandra Brown Armstrong, U. S. District Court Judge for the Northern District of California
- 1998** Congresswoman Zoe Lofgren, 16th Congressional District of California
- 1999** Bill Lockyer, Attorney General of the State of California
- 2000** The Honorable Susan Y. Illston, U. S. District Court Judge for the Northern District of California
- 2001** Elaine Kontaminas Alquist, Assemblywoman, 22nd Assembly District of California

- 2002** Liz Figueroa, California State Senator
- 2003** Carlos T. Bea, U. S. Circuit Judge, U. S. Court of Appeals for the 9th District
George W. Kennedy, District Attorney, County of Santa Clara
David D. Cortese, Councilmember, City of San Jose
- 2004** Robert S. Kieve, President of Empire Broadcasting
Linda J. LeZotte, Councilperson, City of San Jose
Consuelo M. Callahan, Judge of the United States Court of Appeal for the Ninth Circuit
- 2005** Leigh Weimer, Journalist
James F. Barbic, Philanthropist
Teresa Guerrero-Daley, Judge of the Santa Clara County Superior Court
- 2006** Don W. Kassing, President of San Jose State University
Congresswoman Zoe Lofgren, 16th Congressional District of California
Ronald T. Lisk, Judge, Santa Clara County Superior Court
- 2007** Dr. Carmen Sigler, Provost, San Jose State University
- 2008** Joe Coto, Assembly Member 23rd District
Honorable Marc Poche, Judge Santa Clara County Superior Court
Honorable Constance Jimenez, Commissioner, Santa Clara County Superior Court
- 2009** Honorable Leslie C. Nichols
Donald E.J. Kilmer, Jr., Attorney at Law
Pat Dando, President, Silicon Valley Chamber of Commerce
- 2010** John Kennett, Executive Director, Rotary Club of San Jose
Lawrence E. Stone, County Assessor, Santa Clara County
- 2011** Pamela D. Simmons, Attorney at Law
Ro Khanna, Deputy Assistant Secretary for the U.S. and Foreign Commercial Service at the U.S. Department of Commerce

STUDENT HONORS, AWARDS AND SCHOLARSHIPS

Graduate Honors

The graduate with the highest grade point average will be named Class Valedictorian. To qualify, a student must complete at least 68 units in residence at the Law School. This achievement is noted on the graduate's transcript.

Dean's Honor List

Students with a grade point average of at least 3.00 at the end of the academic year will be placed on the Dean's Honor List for that academic year.

The Law School does not compute Class Rank except for the naming of the Class Valedictorian and the Dean's Honor List as set forth above.

Awards

Academic Excellence Award This award is presented by the Law School to the student in each course with the highest grade in the course.

Moot Court Awards The Moot Court teams selected by the Moot Court instructor as having submitted the best written brief and the best oral argument are presented with the Best Written Brief Award and Best Oral Argument Award. These awards are noted on the student's transcript.

Outstanding Graduate Award This award is presented by the Law School to a student who has determined by the graduating class to be its outstanding member.

Philip J. Siggins Award This award is presented by the Dean and the Board of Trustees at graduation to the graduating student who has made the most significant contribution to the Law School community.

Sarwat Fahmy Award This award is presented by the Student Bar Association to the student who has made the most significant contribution to the Law School community.

Student Bar Association Recognition Award. This award is presented annually by the Student Bar Association (SBA) to the SBA Officer or Class Representative who has made the most significant contribution to the SBA.

Res Ipsa Loquitur Award. This award is presented annually to the Fourth Year student selected by the Fourth Year Class as having completed law school with the least visible effort.

Susan O. Fish Award. This award is presented to an alumnus who has made a significant contribution to the Law School community.

Patricia A. Grossman Memorial Award

This award is presented to a student who has demonstrated outstanding skills in Legal Research and Writing.

Scholarships

(Note: Scholarships are awarded only after completion of the first academic year).

- James F. Boccardo Memorial Scholarship Awarded to a student who, over a three year period, has exhibited distinction in the areas of professional competency, wisdom, concern and compassion, which are indicative of the superior practicing attorney and counselor at law.
- Lucille Hamrick Memorial Scholarship Awarded to a needy student who, in the Dean's sole opinion and discretion, has demonstrated "true grit" in the pursuit of a legal education.
- Richard Huerta Memorial Scholarship Awarded to a student who is a member of a public safety unit of government and whose law school career is distinguished by selfless service to the School, its students and to the community.
- Kieve Foundation Scholarship Awarded to the student who is a builder of bridges across various communities.

- James A. Liontas Scholarship Awarded to the student with the highest GPA in the prior three years in business and related courses.
- Eugenia C. Liontas Scholarship Awarded to the 2nd Year woman with the highest GPA.
- Felicia Greenwood Lucero Scholarship Awarded to an academically successful female student who is the primary support of her family while attending law school.
- Honorable Adoralida & John Padilla Scholarship Awarded to an academically successful female student who best exemplifies scholarship and the virtues of diversity.
- Pamela Lee Thagard Memorial Scholarship Awarded to the student who having qualified and participated in the William Ingram Inn of the American Inns of Court has shown skill in the study of law, and commitment to the highest professional ethics in the search for justice.
- Pat Tillman Memorial Scholarship Awarded to the 3rd Year student who best exemplifies selfless devotion to duty. Created in memory of the son of Lincoln graduate who gave his life for his country after having a distinguished academic, athletic and military career.
- Nichole Shay Mileski Scholarship Awarded to a student for their selfless and effective contribution to the betterment of the student body.
- Jim Fox Memorial Scholarship Awarded to a student who is a person of their word and whose word is their bond.

Scholarships for the Highest Class GPA

These awards are presented by the Law School to the first, second and third year students who have achieved the highest grade point average for the academic year. The awards presented are as follows:

- Dean Jerome Sack Memorial Scholarship Award - First Year
- Dean Joseph V. Thibodeaux Scholarship Award - Second Year
- D. J. Murphy Memorial Scholarship Award - Third Year

COURSE DESCRIPTIONS

(Electives are offered on a periodic basis at the discretion of the Dean)

20th Century Legal Philosophy 2 Units: Elective; Pass/No Pass

Like the problem of the precedence of the chicken or the egg, whether legal philosophy explains the law or leads to or simply justifies it, is an interesting conundrum. In any case, legal thinkers seek to change or explain the "law" by reference to philosophy. This course examines the puzzle by survey of the natural and higher law tradition versus 20th Century secularism and "science;" and the leading proponents for the respective schools of thought: the "natural law" espoused, for example, by Justice Field in the Slaughter House Cases; the logical positivism of H.L.A. Hart; the counterpoint to Hart from Ronald Dworkin; the "logic" of Julius Stone; the "economic man" theories of Richard Posner; the scientism of norms postulated by Hans Kelsen as fettered by results; and the sociological turn of Emile Durkheim, Max Weber, Karl Marx, Singer and Foucault. This class is for those who thinking about the law is as important as learning it.

Administrative Law 2 Units: Elective, Pass/No Pass

Statutory and Executive laws frequently empower administrative agencies to flesh-out the law and administer its commands. As such the bureaucratic regime created thereby engenders a complex set of legal rules. These rules may be found in Administrative Procedures Acts and agency rules. The regulatory complex so created, the sources for authority, the processes and rules of the agency and predicates for successful challenges thereto make up the substance of this class.

Admiralty Law 2 units: Elective; Pass/No Pass

An introduction to the principles of admiralty law addressing the general concepts of jurisdiction, carriage, cargo, salvage, injury to sailors and others involved in maritime activity. The course explores the similarities and dissimilarities of admiralty principles and those of the common law pertaining to Contracts, Torts, and Property.

Advanced California Civil Procedure: Law and Motion Practice 2 units; Elective; Pass/No Pass

This course provides practical introduction to the basic procedures practice with special attention to the Code of Civil Procedure, Rules of Court and the forms provided by the Judicial Council. Major class projects may include a Demurrer (including the so-called "General Demurrer" and Response thereto, and a Motion and Defense of a Summary Adjudication proceeding. Students will be required to prepare, among other things, appropriate and evidentiary sound Declarations; and Points and Authorities.

Advanced Contracts 2 units: Elective; Pass/No Pass

The usual law school course in contracts presents the law of contracts, but does not emphasize what transactional lawyers do in putting together contracts once their clients have acceded to the "deal points". This course addresses the problems on placing intent to paper, the need to anticipate problems, and the standard "forms" and boilerplate the careful scrivener is likely to consider and use in translating the client's instructions to a sound contract in fact.

Advanced Criminal Law 2 units; Elective; Pass/No Pass

The Seminar will focus on selected California Criminal Law "cutting edge" issues. In 2002 these were the death penalty; the so-called "Three Strikes" law; Proposition 36, the Drug Treatment Initiative; and Proposition 21, the so-called Juvenile Justice Initiative.

Advanced Evidence 2 units: Elective; Pass/No Pass

The law of evidence is both difficult and theoretical. This course presents a refined and detailed approach to the problems and solutions of arcane recent developments in the law of evidence.

Advanced Federal Taxation 2 units; Elective; Letter Grade

This course deals with more involved, but nevertheless commonly encountered issues in federal taxation. Topics include, among others, audits; failure to file; fraud; offers-in-compromise; joint vs. separate filings; innocent spouse relief. Please be advised that Federal Taxation is a prerequisite to this course.

Advanced Legal Writing 2 units; Required; Pass/No Pass

This fourth-year course consolidates skills in legal analysis and written communication of legal information. It emphasizes concise, coherent analysis in a variety of subject areas. Students are instructed in organizing complex legal arguments in a number of advanced writing exercises.

Advanced Torts 2 units; Elective; Pass/No Pass

The course focuses on the practical application of tort concepts to actual cases the practitioner may encounter in the areas of personal injury and business. Determining the elements of the tort to be alleged appropriate defenses to the claims and the lawyer's fitting responses will be developed in the careful and intense study of 7 real life cases from event to verdict. The class will address the methods of fact-finding and application of legal principles.

Agency 2 units; Elective; Pass/No Pass

In many transactions it is more efficient for one person or entity to be represented by another. When one, an "agent," is authorized to act on behalf another, a "principal," the principal is deemed to be duty bound and rights entitled to the consequences of the agent's act. The creation of such a relationship and its effect form the basis of this introductory class.

Ancient & Modern Constitutions; 2 units; Elective; Pass/No Pass

This course is an Honors seminar that deals with the original discussions of constitutionalism in the West. It traces the antecedents of American Constitutional Law and points out how issues then raised remain viable. Among matters to be analyzed will be how what was deemed, in part, a secular document was to inform but not be necessarily superior to religious beliefs, has in the American system itself co-opted the symbols of religion and is for non-believers and putative believers a substitute for religion or the primary system of belief. The nature of Constitutionalism in the United States as "the Word" and the impact of sacred scripture of certain religions in the West (Bible, New Testament, Koran) and interpretative techniques (hermeneutics) will be studied from the Bible to Cicero. The alternative of an unwritten constitution will be contrasted as to origin; source, construction and validity against the American innovation of a written constitution will be reviewed. Finally the course will seek to determine how democratic in fact Constitutions ought to be or is in fact.

Bankruptcy 2 units; Elective; Pass/No Pass

The course broadly explores the history, theory and procedure of U. S. Bankruptcy law with special emphasis on property, tort and contract implications of the Bankruptcy Act. The objective of the course will be to provide a reasonably practical, as well as theoretical familiarity with the law in preparation for handling bankruptcy issues in private practice.

Bar Review 0 units; Required; Pass/No Pass

This course will accurately set student expectations for what they will encounter on the California Bar Exam ("CBX") and prepare them to succeed in passing it. Instructors with previous experience coaching students in the various aspects of bar preparation will combine to offer LLSSJ 4th year students a cutting edge value-added experience that will realistically map for them a road to first-time passage of the CBX along with the tools necessary to accomplish that. Among those tools: substantive bar subject review of previous course work, classic mnemonic memory devices for committing large amounts of material for recall under stress, test-taking skills for approaching essay, multi-state, and performance exams, tips and tricks for simplifying complex areas of the law for easy recall, the truth about how the bar examiners attempt to "throw radar chaff on the screen" of what should be straight-forward legal analysis, with tips for keeping one's head under CBX test conditions, and finally emphasis on rationally planning one's course of study so that no area is neglected and proper emphasis is given to each subject tested.

Business Organizations 4 units; Required; Letter Grade

The class analyzes the legal structure and characteristics of various business organizations using the corporation as the basic model. Topics include the utilization of agents; the promotion of business; selection between the various forms available; the attributes of each and problems and issues in formation; the distribution of power and benefits within the organization; the limitations on conduct and the consequences of action or inaction imposed by the applicable duties of care, duties of loyalty and special fiduciary responsibilities emanating from federal law and state law (whether by statute, regulation or common law); the procedural requirements of litigation inter se; capital structure and financing; and the fundamental changes that may occur in the organization such as dissolution, sale of assets, mergers, as well as the rights and duties attendant thereto.

California Civil Procedure: Pleading and Law and Motion Practice 2 units; Elective; Pass/No Pass

This course is different than the Civil Procedure course taken during the second year which focuses on the federal rules of civil procedure. This course focuses on California state court procedure and is a very practical and important course for students. Among the subjects discussed will be pleadings, discovery, motion practice, and trials. Pertinent parts of the California Code of Civil Procedure, Civil Code and Rules of Court will be reviewed.

California Real Estate Finance [Mortgages] 2 units; Elective; Pass/No Pass

This course is only available to third and fourth year students. The course covers the use of real property as security for the repayment of borrowed funds and other obligations. It focuses on the obligation contract between debtor and creditor; the security agreement (mortgage, deed of trust, equitable and other mortgage substitutes) and the rights and remedies of the party in the event of failure to perform either in the context of California's "one action" and anti-deficiencies rules.

California Residential Landlord-Tenant Litigation 2 units; Elective; Pass/No Pass

Students will study the residential tenancy from its creation and the issues involved, to its termination in Unlawful Detainer and the problems of litigation when a person is ousted from their residence.

California Special Courts 2 units; Elective; Pass/No Pass

California has developed a system of "special courts" to address "special needs of a complex society. Starting with Probate Court, the state now recognizes Juvenile Court, Drug Court, and Family Law Court. The special jurisdiction, expertise and procedures of these courts are analyzed together with their commonality and roots in the common law-equity system.

Civil Procedure 6 units; Required; Letter Grade

Using the Federal Rules of Civil Procedure and the California Code of Civil Procedure, this course studies the rules which govern civil cases from filing to final disposition. In the first semester, the course surveys each of the procedural stages followed by a detailed consideration of issues of personal and subject matter jurisdiction; venue; and conflicts of law. The second semester will focus on pleadings; joinder; discovery; pretrial disposition; trial; appeal and preclusion.

Community Property 3 units; Required; Letter Grade

The course involves the careful study of the origin, history and development of community property law in California; rights and interests of the respective spouses in the community, including agreements and dissolution; and differentiation of separate and community property.

Comparative Constitutional Law 2 Units; Elective; Pass/No Pass

The Constitution of the United States, a document which has proven both resilient and dynamic is often looked upon as a model to be emulated by political entities on the cusp of democracy and in the early stages of building a constitutional structure. This course focuses on the developing constitutional structure of Iraq and the extent to which that evolving process may be informed by American constitutional principles or by the constitutional principles and interpretations adopted by Islamic countries. The course then explores a number of broad constitutional questions such as the essential prerequisites for the development of a constitutional democracy, the challenge of coexistence between constitutionalism and Islamic law, and the tension between the need for a viable and independent federal judicial branch and the demand by large ethnic and religious communities for autonomy from a central government which has historically disenfranchised them.

Conflict of Laws 2 units; Elective; Pass/No Pass

Conflict of Laws is the study of how law is applied when courts decide legal issues that have connections to and implications for diverse legal systems, both foreign and domestic. Often referred to as Private International Law in civil law jurisdictions, it is a particularly topical subject since the frequency of Conflict of Laws issues confronting legal practitioners is on the rise given the growth of international trade and travel. This course will focus more heavily on choice of law, and to a lesser extent, on jurisdiction and recognition. In addition, quality time will be spent learning and discussing the various approaches to Conflict of Laws that have been espoused over the years by some of the law's greatest thinkers.

Constitutional Adjudication 2 units; Elective; Pass/No Pass

This class offers a close review of major decisions in constitutional law, stressing the reoccurring themes of Constitutional law such as equal rights, freedom, and the limitation thereof. Methods and techniques by which legal cases make it through final adjudication by our highest court are discussed as well as the political stress placed on the Supreme Court in adjudicating sensitive political cases consistent with recognized constitution principles.

Constitutional Law 6 units; Required; Letter Grade

A comprehensive study of the American constitutional system, comprised of Supreme Court interpretations of the most frequently litigated clauses of the U.S. Constitution; emphasis on procedures by which constitutional issues are raised and determined with materials appropriate for the process of decision; national and state power; separation and delegation of powers; due process of law; equal protection under the law; First Amendment and other civil liberties.

Contracts 6 units; Required; Letter Grade

A basic study of the fundamental principles governing the law of contracts, including offer, acceptance and consideration; parties affected by contracts, including joint obligations, conditions, interpretation, assignments and contracts for the benefit of third persons; illegality and discharge; study of the Statute of Frauds and Parol Evidence as they pertain to contracts.

Construction Law 2 units; Elective; Pass/No Pass

The course provides a background in construction law, with an emphasis on practical application of legal concepts pertaining to construction contract agreements to remedies for their breach. Students will be called upon to analyze construction contract clauses, and to learn to advise clients about the risks and benefits of such clauses as they relate to indemnity, remedies (with particular consideration of ADR), attorney's fees and insurance.

Copyright Law 2 units; Elective; Pass/No Pass

Copyright, although one of the oldest statutory laws, is the subject of today's headlines in actions such as Viacom vs. Google, involving the issue of whether internet videos infringe copyrights of media firms. This course will explore the nature of copyright in contrast to other forms of intellectual property protection. The course will cover copyrightable subject matter, ownership and federal registration. Scope of copyright, particularly for software and media, will be examined, together with general limitations on copyright including fair use. How copyright should be applied to new technologies, such as digital file sharing, also will be addressed as well as infringement actions, damages, injunctions and license agreements as negotiated settlements. Brief treatments of international copyright and federal preemption will be included.

Corporate Counseling; 1 Unit; Elective; Pass/Fail

The class explores the expanding role of in house counsel in the corporate world. Among the subjects to be discussed will be conflicts; corporate governance; skills and techniques of corporate counseling; and interaction with employees, shareholders and investors, and the Board of Directors.

Criminal Law 6 units; Required; Letter Grade

Fundamental problems in the substantive law of crimes and its administration; the content of criminal law, punishable acts and omissions, mental state requisite to punishment, scope of liability under modern law for conspiracy and attempt, and for participation in crimes committed by others; the enforcement of the law and an introduction to criminal procedure.

Criminal Procedure 3 units; Required; Letter Grade

This course studies the validity of arrests, searches and seizures, and motions for suppression; the right to counsel and proceedings preliminary to trial; plea bargaining; prosecution and defense tactics and strategies.

Criminal Sentencing in California 1 unit; Elective; Pass/No Pass

The course commences with the theories of Criminal Sentencing (e.g. Retribution, Rehabilitation and Public Safety); reviews the history of the California System (Determinate Sentencing, Indeterminate Sentencing, and Back to Determinative Again; The Determinative Sentencing Act of 1976 (The Triad of Possible Terms, Reduction of Judicial Discretion and Use of Enhancements); and concludes with consideration of the death penalty and Three Strikes.

Drafting Complex Legal Documents 2 units; Elective; Pass/No Pass

A new lawyer frequently finds that the skills required in practice are vastly different from what was acquired from law school. This course uses the drafting of complex legal documents as a starting point for what is practically required of a transaction attorney.

Education Law 2 units; Elective; Pass/No Pass

This course takes a generic view of the law pertinent to educational issues from federal and state Constitutional requirements to student discipline. The breadth of issues covered will test the student's facility with contracts, torts and constitutional law concepts.

Election Law 1 unit; Elective; Pass/No Pass

This course is for students who have an interest in the political process and the establishment of election laws and procedures. The course will begin with a historical perspective on the right to vote, representation, districting criteria, minority vote dilution, election administration, the establishment of political parties, and campaigns. The course will then analyze the landmark decisions of the US Supreme Court in Bush v. Gore and Citizens United v. Federal Election Commission.

Electronic Evidence 2 units; Elective; Pass/No Pass

During this course, students will study the laws regulating the preservation, discovery, admissibility and presentation of electronic information for legal proceedings. The cases and material will cover three aspects of this subject matter:

- **Legal** – Students will be study and use the federal and California Rules of Civil and Criminal Procedure and Rules of Evidence governing the preservation, discovery, admissibility and presentation of material compiled, maintained or presented in electronic form;
- **Technical** – Students will be exposed to basic electronics with a view toward understanding the technical language used to describe electronic information and the devices and software used to create, store, retrieve and present it. Students will be given an opportunity to use evidence presentation software to create and present electronic evidence;
- **Psychological** – Students will study materials on effective use of electronic evidence to produce good decision making in our justice system.

The goal of the course is develop an understanding of how evidentiary issues are affected if the information is in or is converted to electronic form. Class time will be allowed for actual hands-on practice of the evidence presentation hardware and software. Access to a computer for work in class and between classes will be extremely helpful.

Employee Rights 1 unit; Elective; Pass/No Pass

This course offers a hands-on approach to representing employees in the workplace

Employment Law 2 units; Elective; Pass/No Pass

This course is a survey of the development of and current issues and cases in employment law with an emphasis on California law. It includes a discussion of the evolution of both the Federal and State statutory regulation of the employment relationship including the National Labor Relations Act, Occupational Safety and Health Act, Fair Labor Standards Act and various other state and federal statutes. The course explores the employment relationship, terms and conditions, employment contracts, employee/employer rights and terminating the relationship. In addition, it reviews the erosion of the employment-at-will doctrine and the growth of wrongful discharge litigation.

Entertainment Law Seminar 2 units: Elective; Pass/No Pass

This is an exploratory course that studies the intersection of creative arts and property, and the commercial exploitation of both. Using the creation, development and marketing of video games as a model, the course examines both the common law foundations of Entertainment Law and the special legal rules developed to cover the special needs of the industry.

Evidence 6 units; Required; Letter Grade

The course addresses the rules of common law, California and Federal Rules of Evidence with special attention to hearsay, relevancy, privileges, character evidence, real proof, judicial notice, and other doctrines affecting the admissibility of evidence in judicial proceedings.

Family Law 2 units; Elective; Pass/No Pass

This course addresses the legal rights and responsibilities in both marital and non-marital relationships. Topics include dissolution and separation; maintenance; child custody and support; domestic violence and child abuse; adoption and termination of parental rights.

Federal Taxation 2 units; Elective; Letter Grade

This course explores the federal taxation of individuals, business partnerships, and corporations; income, exemptions and deductions; timing problems; capital gains and losses; choice of taxable person; tax procedures; use of statutes, regulations, decisions, and other materials.

Financial Statements for Lawyers 2 units; Elective; Pass/No Pass

This course introduces the student to accounting principles and issues and how they relate to the skills required of the careful lawyer. The implications for the lawyer of accounting and financial practices on business decisions will form the focal point of the course. However, the course will not be overloaded with "number crunching."

Government Contracts 2 units; Elective; Pass/No Pass

The course addresses the special considerations imposed when an agency of the federal government is one of the contracting parties.

Immigration Law 2 units; Elective; Pass/No Pass

Exploration of the U. S. immigration system from constitutional, statutory, regulatory and policy perspectives forms the core of this course. Topics include source and scope of congressional power to regulate immigration; procedures for admission and removal; proposals for immigration reform; and the acquisition and loss of U. S. citizenship.

Independent Study Maximum of 2 units per semester with a maximum of 6 units during entire law school attendance; Elective; Credit/No Credit.

The Independent Study curriculum is designed to provide students with the opportunity to enhance their legal education through non-classroom activities. Students may earn academic credit for approved Independent Study activities. Students interested in participating in Independent Study must review the Independent Study Handbook, which contains the guidelines and forms applicable to the Independent Study curriculum, and follow the procedures set forth therein. The Independent Study curriculum is comprised of the following three electives:

- **Directed Research:** This course provides students with an opportunity to conduct thorough research on a topic of their choice and prepare a paper of publishable quality under the direction and supervision of a faculty member. Please be advised that students must obtain written advance approval from the Director of Independent Study in order to take this course.
- **Internship:** This course provides students with an opportunity to receive practical legal training under the supervision of a judge or an attorney. Please be advised that students must obtain written advance approval from the Director of Independent Study in order to take this course.
- **Law Review:** Members of the Lincoln law Review may receive credit for their academic work on Law Review through the Independent Study curriculum.

Insurance Law 2 units; Elective; Pass/No Pass

The course offers a survey of insurance law from the requirement of an "insurable interest" to the scope and limitations of coverage under various policies. Topics include the nature of an "insurable interest"; the standard form insurance contract; the scope of coverage; and the rights and duties of the insurer and insured. The class emphasizes California law.

Intellectual Property I 2 units; Elective; Pass/No Pass

A survey course introducing the law of trademarks, copyright and patents, including the bases for claims, the vindication of claims, and attacks thereon; the rights of the right-holder; the scope and breadth of the rights; and, the duties of others with respect thereto.

Intellectual Property II 2 units; Elective; Pass/No Pass

Using the Internet as an exemplar, the course investigates the law's response to "new" forms of intellectual property. Initial exploration of regulation is made by study of traditional forms of protection to reach and govern emerging technology. The thoughts of Stanford law professor Lawrence Lesser, particularly as expressed in his book *The Future of Ideas* are consulted to contemplate innovative responses to the law to a world changed by "being connected" and revolutionary technology. Cases such as *New York Times v. Tasini* and *Random House v. Rosetta Books* are carefully analyzed.

International Commercial Dispute Resolution 2 units; Elective; Pass/No Pass

The expansion of global markets has heightened the need for the amicable settlement of transnational commercial disputes. While some international disputes will be resolved through litigation, most will not be settled in national courts. What alternative resolution options are available to commercial disputants form the basis for this course? The course will emphasize the utility of mediation, conciliation, arbitration, as well as litigation as appropriate vehicles for the settlement of international contentions.

International Law 2 units; Elective; Pass/No Pass

The intent of this course is to serve as an introduction to both public and private International Law. In addition to an historical overview of public International Law, the sources and fundamental concepts of international law will be reviewed, including the system of treaties, state sovereignty, the role of the UN, and emerging principles of customary law. Students will be exposed to the basic concepts of EU Law, Human Rights Law, as well as International Humanitarian Law. This course will also survey private international law, often called "choice of laws," since it almost always involves resolution of differing principles and ways of legal proceedings among diverse legal systems.

Internet Law 2 units; Elective; Pass/No Pass

Modernity is characterized by technology and technology has required new law to address old issues. The Internet is a choice example of old issues confronting new technology. So privacy, identity theft, malicious mischief and spamming all invade interests that the legal system has traditionally protected. This course seeks to identify how the law responds to this important, compelling and invasive technology.

Introduction to Civil Appellate Practice 1 unit; Elective; Pass/No Pass

This course provides a quick overview of the civil appellate process, both in California and Federal Appellate Courts, acquaints students with the primary appellate research tools and the primary issues of appellate review: (a) the appellate verses writ process, (b) the extent to which appellate review is available, (c) procedure and deadlines affecting the commencement and prosecution of a timely appeal, (d) common issues affecting the preparation of the appellate record and the presentation of facts to the court, (e) preparation of appellate briefs, (f) the standard of review and the extent to which appellate issues have been waived or preserved, and (g) oral argument. The course is designed to provide a new attorney working with a firm that does not specialize in appellate practice with sufficient familiarity with the process to recognize and avoid the more common pitfalls to a successful appeal and be able research specific issues efficiently.

Introduction to Law 1 unit; Required; Pass/No Pass

This course, offered to entering first-year students during the weeks preceding the commencement of the first-year of substantive courses is an introduction to the substance and process of law and legal education and explores the general sources of law; an introduction to legal reasoning; the case method and techniques used by the courts in resolving cases. Students are taught to analyze case law and statutes and to cultivate an understanding of the judicial and legislative processes. The course also provides students with an opportunity to practice briefing cases take a practice examination and receive individual feedback on their writing and analyses in preparation for the first-year substantive courses.

Jurisprudence Honors 1 unit; Oxford Style Seminar/Tutorial

The Oxford style seminar is based on the tutorials at the Universities of Oxford and Cambridge that pair one student and one professor. In our program the model is two or three students with one professor. An aphorism known throughout higher education notes that "The ideal learning tool is [a very knowledgeable professor] on one end of a log and a student on the other." This seminar is intended provide that experience. Another objective is to accentuate the notion that legal education aims to address the fundamentals of the legal system as well as its plumbing.

Juvenile Justice Seminar 2 units; Pass/No Pass

Students will learn about the origins of the juvenile justice system and its founding principles. These theoretical concepts will then be grounded in common juvenile justice practices throughout the country. The course will focus on ethical and practical tensions that surround juvenile advocacy and will explore the local juvenile justice efforts in Santa Clara County from the perspectives of justice involved youth, community based judges, and attorneys.

Land Use Law & Policy 2 units; Elective; Pass/No Pass

An exploration of the legal regulation of land use and development. The course considers local land use planning and controls, including comprehensive planning, zoning, subdivision controls and planned communities. In-depth

discussion of major issues in land use, such as takings, transfers of development rights, growth management, and the environmental regulation of land use.

Law and Logic 2 units; Elective; Pass/No Pass

It is an old and oft repeated maxim that law school teaches a “new way to think.” If reasoning from the particular rather than the general is that “new” way, the adage is simply inaccurate for reasoning inductively, while less common than reasoning deductively, requires a device that has been known for centuries. If, on the other hand, what is meant by maxim is that lawyers’ reasoning’s sometimes are not necessary logical, but nonetheless treated so, we have embarked on a unique aspect of the law and its practice particularly in Common Law countries. When lawyers argue about the “reasonable person,” “good-faith,” “subjective and objective standards”, they seem to be doing something that has elements of logic, social theory, philosophy, politics and political power. This course addresses these matters.

Law and Social Policy 2 units; Honors Seminar; Elective; Pass/No Pass

This seminar explores whether courts are an impartial branch of government concerned with finding facts and resolving conflicts in the law when they act to affect social policy or whether they are acting in such matters as supreme legislative bodies. Additional issues to be confronted are: When can courts adjudicate such policies? What considerations prevent the judiciary from action and what factors mitigate to overcome those considerations? More importantly, how can an attorney recognize, create and exploit judicial proclivities in policy issues?

Law of Cruise Ships and Passengers 1 unit; Elective; Pass/No Pass

Over the recent years traveling on vacation aboard cruise ships has become popular and with popularity legal issues have proliferated. This course addresses those issues from embarkation to debarkation: ticket contract issues; passenger injury and illnesses; and unique maritime contract, criminal and tort actions.

Law of Domestic Violence 1 unit; Elective; Pass/No Pass Seminar

This seminar examines the various methods of state intervention into domestic relations when matters of violence are involved. Current California law of the subject provides the course’s nexus.

Law of Mobile Homes 2 units; Elective; Pass/No Pass

In California nearly $\frac{3}{4}$ of a million people live within the 4,707 mobile home parks (excluding those exempt from state regulation). The law pertaining to mobile homes and mobile home parks raises intersecting complex issues such as manufacture and responsibility for product defects, safety, owner and ownership questions and landlord-tenant rights and duties. These issues are so complicated that state and federal law impose statutory regulations on many of these matters. Twenty nine separate pieces of legislation were reviewed by the California Legislature in 2008 alone, relating to some of these issues of which 17 were Enrolled and sent to the Governor. Two separate code divisions regulate Mobile Home Parks (MPA) and Mobile Home Residency (MRL). This course addresses the myriad of laws necessary for the lawyer to have a fundamental knowledge of the law of mobile homes.

Law of Politics 2 units; Elective; Pass/No Pass

The course addresses California and Federal law pertaining to qualification for candidacy and state and federal law regulatory campaign financing.

Legal Malpractice 2 units; Elective; Pass/No Pass

In a complex and litigious society professional liability is both threat and fact. This course addresses not only the elements and proofs required to state a professional liability claim against a lawyer, it teaches the defenses and safeguards against such claims.

Legal Philosophy 2 units; Elective; Pass/No Pass

An issue sometimes debated in legal education is whether lawyers are technicians or something more. This debate sometimes surfaces in discussions about the purpose of legal education: is the appropriate focus in law school passing a Bar Examination, learning the law, its reasoning’s and role in seeking “Justice” in or for a “good society” (whatever such a society “is”), or something else? This honors seminar course is based on the premise that any functioning legal system rests on a consensus, conscious or unconscious, articulated or unarticulated, that posits the nature and appropriate function of a “legal system”. Following the premise, the course explores the components making up the “nature and function” as well as the province of the law. The course might be appropriately entitled: “The Reasons Law School is Not Trade School or Why Lawyers Aren’t Plumbers”.

Legal Research & Writing 3 units; Required & Prerequisite to Moot Court; Pass/No Pass

This first-year course provides integrated instruction in legal research, analysis and writing. The curriculum alternates short task-based exercises with longer assignments that require effective legal research strategies and management of multiple authorities in legal writing. Primary and secondary sources are explained. Various methods for updating legal authority are also included. The initial research component emphasizes manual library research and later, computer-assisted legal research.

Legislative Advocacy and Statutory Law 2 units; Elective; Pass/No Pass

This course is a comprehensive study of the California state legislative process, creation of statutory law and how advocates and advocacy impacts the process. There will be limited discussion of federal and local legislative processes. Significant time will be devoted to this interactive course to activities such as drafting legislation, reading and analyzing bills, as well as participating in mock hearings and legislative meetings.

Moot Court 2 units; Required; Pass/No Pass

Emphasis on the skills, techniques, and format of appellate brief preparation, procedure in reviewing courts, oral presentation of facts and law, and the persuasive argument.

Moot Court (Honors Class) 2 units; Elective; Pass/No Pass

This course is open only to students who have successfully completed the Moot Court and who have received the recommendation of the professors who taught that course. The course seeks to prepare students for Moot Court competitions.

Mortgages: Real Estate Finance 2 Units; Prerequisite-Real Property I Elective; Pass/No Pass

The utilization of real property as security for the performance of a contractual promise is a critical component of our commercial society as has been shown by our recent economic duress; this class addresses the fundamentals of so-called mortgage law including the concept of security, the various forms of security agreements and the enforcement of such agreements. Prerequisite: Completion of Real Property I.

Mortgage Seminar 1 unit; Elective; Pass/No Pass

Study of the various security devices affecting interests in real property in California and the tension created in law as a result of a judicial model that often treats the borrower as a necessitous person requiring legal protection and the lender as the author of all onerous contract terms by which the borrower is bound.

Mortgage Seminar 2 to 4 units; Elective; Pass/No Pass

This honors seminar involves intense study of the regulation of security devices affecting interest in real property with particular emphasis on the limits on freedom of contract imposed by California's unique approach to land security and the reasons and purported justifications therefore. Open only to students who have successfully completed the California Real Estate Finance course.

Negotiation & Mediation 2 units; Elective Honors Course; Pass/No Pass

This is an "Honors" course requiring interested students to submit a Petition to the Dean. Admittance is based on approval by, and at the sole discretion of the Dean. The course explores the theoretical and practical aspects of negotiating and mediating disputes with emphasis on the collaborative negotiation model. The objectives of the course are to: (1) familiarize students with various negotiation models as a foundation for creating their own negotiating style; (2) develop an understanding of the context in which particular negotiation and mediation strategies are successfully employed; (3) explore ethical considerations and their impact on negotiations and mediations; (4) develop proficiency in negotiation through role plays and other practical exercises; (5) acquire basic skills essential to service as a mediator, including convening, conducting joint sessions, caucusing and assisting in the creation of durable and enforceable agreements.

Personal Property 2 units; Required; Letter Grade

A study of the law attendant to tangible and intangible personal property that provides an analysis of ownership; possession; methods of acquisition, transfer, and hypothecation; and remedies to vindicate ownership or possession of such property. Attention is devoted to the problems of bailment and common carrier responsibilities. The course also serves as a brief introduction to the concepts of so-called intellectual property.

Products Liability 2 units; Elective; Pass/No Pass

The history of products liability from its antecedents in strict liability and warranties to the modern test of consumer expectations and chain of commerce are carefully analyzed together with the policy issues that led to the development of this tort as well as of the criticism that it operates to reduce entrepreneurship and to limit markets and choice.

Professional Responsibility/Ethics 3 units with an additional 1; Required; Letter Grade

This course entails study of the legal profession as an institution; the development of a sense of professional responsibility; privileges and duties as a member of the legal profession; review of the fundamentals of ethics and their application to legal problems; study of the Model Rules of the American Bar Association and the Rules of Professional Conduct of The State Bar of California. An addition unit has been added to the class in order for students to analyze, describe and resolve issues connected with the professional and ethical practice of the law.

One unit of the course will be devoted to writing including Opinion Letters relating to rule compliance and advice.

Race and The Law 2 units; Elective; Pass/No Pass

Provides an overview of the differing legislative and judicial approaches to the so-called "American Dilemma" where race and the quest for equality intersect. The problems of social stigmas and prejudice and efforts to seek "equal justice under the law" are reviewed from a historical and Constitutional perspective. Constitutional issues from Dred Scott v Sandford to Lopez v. Union Tank Car, as well as "racial profiling" are explored in depth.

Real Estate Negotiations 2 units; Elective; Pass/No Pass

This course addresses the strategies integral to successfully negotiating the purchase and sale, exchange or leasing of real property with the principals, professionals and regulatory authorities. The course is open only to students who have successfully completed the Real Property I and II and who have received the recommendation of the professors who taught those courses or who have completed the second year and obtained a grade of 84 or higher; or on recommendation of the Dean.

Real Property I (Estates and Co-ownership) 4 units; Required; Letter Grade

This is a yearlong course for 2nd year students that provide an introduction to the law of property that focuses on interests and estates in land as historically developed in England and the United States and the co-ownership of estates and the consequences thereof.

Real Property II (Acquisition of Ownership and Conveyances) 4 units; Required; Letter Grade

This is a yearlong course for 3rd year students that addresses how interests in land are acquired, the consequences of acquisition, the transfer of such interests, the effects thereof, and restrictions on such interests whether imposed privately or by government.

Real Property 6 units; Required; Letter Grade

This is a yearlong course for 2nd year students that provides an overview to the law of real property, focusing on interests and estates in land; the co-ownership of such interests and estates; the acquisition of ownership and lesser interests in real estate, the nature of that ownership, restrictions thereon, the consequences of ownership and methods and procedures connected with transfers of such ownership.

Real Property Sales Contracts: The California Deposit Receipt 2 units; Elective; Pass/No Pass

The course introduces the student to the basic document encountered in real estate transactions; the agreement of sale or so-called "deposit receipt". Starting with the role of the broker and issues of agency, the course turns to the purchase and sale agreement and the usual terms therein. In reviewing the agreement, attention is devoted to the usual conditions found in such agreements, pertinent to the state of property, state of title, and financing the transaction as well as the negotiation of the terms of those conditions and their satisfaction. Additional matters, such as options, escrow and closing are also considered.

Religion and the Law 2 units; Elective; Pass/No Pass

The confluence of the State and Religion is recognized by the First Amendment to the Constitution of United States. The intersection of "establishment" and "free exercise" of "Religion" raise important and arcane issues. What is religion? What is the difference between the "rule of law" and the ethical codes of religion? Which has the greater power over citizens—the religious institution, or the governmental authority of the state? How does each power co-exist with the other? Such issues exist in a broader context as well as current world events prove. In the Western

tradition, the balance of power between religion and state has shifted over the centuries. In the United States, the balance takes a particular form as expressed in the First Amendment. The “free exercise” clause protects individual’s freedom of religious practice and liberty of conscience, and is more than toleration of different religions. The “establishment clause” puts limits on the state’s authorization or protection of a particular religion--or non-religion--and it also protects believers from governmental assault on their conscience in the name of the law. How have the courts interpreted the place of religion in American society, yet drawn some kind of division between the realm of “church” and that of “state”—and are these even viable ways to express what the courts have done? How should we analyze how judicial decisions have affected expression of religious belief in the U.S.? Because lawmaking activities include more than case law, we will also look at other literary forms, such as essays by scholars, statutes, legislative debates, and presidential proclamations and addresses.

Remedies 3 units; Required; Letter Grade

This course provides a review, using both a historical and an analytical approach, to remedy jurisdiction and the principles of remedies with respect to contracts, torts and real property. Topics include the powers of courts of equity; specific performance; specific relief against torts; special equitable remedies; interpleader; cancellation and surrender of contracts; removal of cloud of title; declaratory judgment; the merger or union of law and equity, both procedural and substantive.

Second Amendment: Constitutional Touch Stone 2 units; Elective; Pass/No Pass

The course will take up the substance of one of the most controversial Amendments to the United States Constitution. With a Second Amendment case now pending before the United States Supreme Court, the course will provide a unique opportunity to study constitutional law in real time.

Sex and the Law 2 units; Elective; Pass/No Pass

This course is designed to explore the rapidly expanding legal and constitutional issues involving sexual orientation and gender identity. Issues to be covered include the recent reversal on sodomy; the ongoing cases regarding sterilization and abortion; the recognition of same sex relationships, including marriage and parenting; gender identity issues; the public policy re-emergence of abstinence; and conflicting implications raised by how the various First Amendment freedoms apply within the context of sexuality.

Significant Issues in Modern Constitutional Law Seminar 2 units; Elective; Pass/No Pass

This seminar will examine a variety of issues at the forefront of disputes in modern constitutional law, such as abortion, free speech and hate speech, religious freedom and the role of religion in public life, affirmative action, equal protection in such areas as sexual orientation and same sex marriage, and the role of the Supreme Court in adjudicating these issues. The seminar is intended to assist students in thinking critically about constitutional issues that they are likely to encounter in the public forum. Students will develop an appreciation for the subtleties and complexities of constitutional reasoning.

Statutory Interpretation 2 units; Elective; Pass/No Pass

Statutes form the foundation for resolving most legal disputes, and they impact virtually every aspect of the practice of law. This is particularly true in so-called “Code” states such as California where fundamental law is stated in our statutes. So, too, in Federal law. Knowing how courts analyze statutes and regulations is an essential skill for the successful lawyer. In this class students will practice the observant reading of text and learn how to clearly define issues and frame winning arguments following the analytical models used by the courts. They will learn the importance of distinguishing between competing theories, such as Legislative Intent or Plain Meaning. Students will learn the time-tested rules and canons of statutory interpretation, and how to use legislative history to further support a case. This course will also provide a foundation for understanding the relationship between the legislature and the courts in the area of statutory and regulatory interpretation.

Substantive Law Application 2 units; Required; Pass/No Pass

This first-year course emphasizes the development of skills in critical thinking, legal analysis and writing through a series of carefully structured exercises that provide instruction in case analysis, application of legal precedent and substantive law. Students learn to apply the legal doctrines they learn in substantive courses to a set of practical problems.

Torts 6 units; Required; Letter Grade

The course addresses the invasion of legally protected interests of one person by another and study of the simple social obligations which an individual owes to others according to the traditions of the common law and subsequent

development. Individual torts are considered within the broad categories of intentional invasions, negligent invasions and absolute liability. Also included are issues related to defamation; deceit; interference with business, political and family relations; and addressing the major problem of determining who should bear the loss incurred through the tortious act of another.

Trademarks: An Introduction 2 Units; Elective; Pass/No Pass

The course will answer the following questions: What is a trademark and how are rights in trademarks acquired? What is the test of trademark infringement and what are the remedies therefore? What are defenses against infringement? How does unfair competition and trademark dilution differ from trademark infringement? How do rights in domain names differ from trademarks? How do trademark rights impact advertising, performers' rights and authors' rights? What are the formalities of trademark registration? What are the dynamics of a trademark law practice?

Trial Practice 2 units; Required; Pass/No Pass

This course provides students with a general introduction to trial practice, procedures and strategies through a combination of lectures and practical skills exercises.

Uniform Commercial Code 1 unit; Elective; Pass/No Pass

Introduction to Commercial Law surveying primarily Articles 2, 3, 4 and 9 of the Uniform Commercial Code. Coverage includes an examination of the reciprocal rights, duties and responsibilities of sellers and buyers of goods. The course also examines the payment system, focusing on the principles of commercial paper and bank deposits and collections, including the relationship of the commercial bank and its customer.

Water Law and Policy 1 unit; Elective; Pass/No Pass

The course is an overview of California water law and policy, using the Sacramento-San Joaquin Delta as a case study. The objective is to explore the historical, political, economic, social, cultural, scientific and technological factors that shape the laws and institutions that value, allocate, distribute, use, and preserve water. Through focusing on a case study and integrating perspectives from both water policy and ecology, the class will learn about water resource management challenges and dilemmas. The course will consider current water law and policy challenges that attempt to balance people and economics against the needs of watershed and wildlife.

White Collar Crimes 2 units; Elective; Pass/No Pass

White-collar crime generally relates to crimes having their origin in financial activity. Often sounding in fraud, the reach of such crimes extends to securities violation, misrepresentation of financial documents, and breaches of fiduciary duties by management or controlling parties or both, as well as other "fiduciaries". This course addresses the elements of and defenses to such crimes and notes the unusual rules that sometimes obtain when the accused is deemed to be a fiduciary.

Wills & Trusts 6 units; Required; Letter Grade

This course covers such issues as intestate succession; execution and revocation of wills; incorporation by reference and related issues; planning, creating, and administering trusts; duties and liabilities of trustees; charitable trusts; and the nature and application of the rule against remotely contingent interests.

Workers' Compensation Law 2 units; Elective; Pass/No Pass

This course surveys the law relevant to the practice of Worker's Compensation law before the State of California Workers' Compensation Appeals Board and covers topics from forms, pleadings, procedures and appeals to issues of accidents, occupational diseases and the relationship between tort law and worker's compensation law.

Workers Employment Rights 2 units; Honors Seminar; Elective; Pass/No Pass

Employment law is a particularly complex maze of rights and duties imposed by state and federal codified law, as well as the common law. Practice in the area not only divides between transactions and litigation, but between employer and employee. As a consequence of this divide it is not unusual for an attorney to represent only one side of the employer/employee partition. This seminar represents a survey of the law and its issues from the employee perspective of Wrongful Termination; Sex, Age and Race Discrimination; Sexual Harassment; Wage and Hour Violations; and Whistle Blowing cases.

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