

Faculty Senate Agenda Item

No. 13-11

Degree Proposal: Master of Studies in Law

The proposal to offer an M.S.L. degree at Washburn Law School reflects changes in the legal marketplace and a growing recognition that individuals engaged in professional work in a wide range of subject areas may benefit from formal exposure to the study of law. A growing number of law schools around the nation have recognized this degree,¹ and interested students would come from a wide range of parallel professions including accounting, business, children and family services, criminal justice, environmental studies, government, healthcare, human resources, journalism, library services, oil and gas, real estate development, and tribal officials.

Goal

The goal of the program is to provide a legal background that will complement the professional interests of the participants, strengthen their ability to interact effectively with the legal community, and provide professional certification of these accomplishments.

Rationale

Washburn Law currently provides a professional curriculum in all of the subject areas addressed in this proposal. Adding a limited number of students with parallel professional interests will enhance those courses by offering a diverse perspective to the law students while simultaneously providing a valuable educational experience to the students seeking a master's level degree. Because of the small size of the Washburn student body, it is often difficult to expand the curriculum in a manner that meets the needs of current students while maintaining adequate enrollment within each class needed to generate effective instruction. The addition of a small number of M.S.L. students will enhance the efficiency and efficacy of the curriculum.

The curriculum pathway selected for each student will also build upon the particular strengths of Washburn Law, with the Centers and certificate programs of the school providing a framework for selection of courses. For example, masters level students who plan careers related to children and family services will be able to choose electives within a broad range of courses developed in support of the Child and Family Law Center. Similarly, students with a tax or business focus will benefit from the range of courses recognized within the Business and Transactional Law Center, those with criminal justice interests may be particularly inclined to enroll in courses found within the criminal segment of the Center for Excellence in Advocacy, and those with interests in politics, journalism or government services would find a range of courses enhanced by the Government Law Center. The current oil and gas industry employs a growing number of individuals who, although not needing a law degree, would benefit from a legal background focused on those issues, and the new Washburn Center for the Study of Oil and Gas would provide a course and resource base for those students.

¹ See, e.g., M.S.L. degree programs at Arizona State, Cleveland-Marshall, Dayton, Georgetown, John Marshall, Illinois, Nebraska, Ohio State, Pittsburgh, San Diego, West Virginia and Yale Law School. Emory Law School offers a comparable Juris Masters or J.M. degree.

Market

The market for students who may be interested in a master's level law-related degree has changed dramatically in recent years. Larger numbers of prospective students have decided that they lack the interest and resources needed for a full three year study of law, and their professional interests do not require admission to the bar. By offering the program for either full or part time students, it would be possible to reach individuals making career changes as well as those wanting to advance their existing professional positions. The proposed M.S.L. degree would meet this demand while also allowing the law school to make relative adjustments to the size of its existing J.D. program.

Educational Impact

The M.S.L. program would enhance the educational opportunities of existing students while also maintaining the economic viability of the school. Admission of a limited number of M.S.L. students would be matched by comparable reductions in the size of the J.D. program. This strategy would allow the school to maintain or increase the standards for admission of J.D. students while also allowing the school to maintain a wide range of viable courses and adding diverse perspective to the students enrolled in those courses. J.D. students would gain insight into the interests and concerns of people in parallel professions with whom they will be likely to interact as lawyers. The total size of the M.S.L. program would be limited so that combined enrollment of J.D. and masters level students would not exceed historical levels of J.D. enrollment, and the low student/faculty ratio at Washburn would be maintained.

Fiscal Impact

Because the total size of the student body would not change from historical levels, there would not be a significant fiscal impact. Costs per credit hour would be the same for J.D. and M.S.L. students.

Courses

Each student would begin study for the M.S.L. degree by enrolling in an introductory course designed especially for these students. In all other courses, M.S.L. students would participate along with J.D. students and would be subject to the same academic standards. They would be expected to enroll in one or more foundation level courses suited to their individualized career path, and to choose elective courses for the balance of their degree.

Foundation courses would include:

Introduction to Law, Legal Analysis, Legal Research, and Legal Writing (3 hours)
Contracts I and II (5 hours)
Criminal Law (3 hours)
Property (3 hours)
Constitutional Law I (3 hours)
Family Law (3 hours)

Elective courses designed to complement the career paths of the M.S.L. students could then be selected within identified career paths as illustrated in the lists that follow.

Business and Transactional Career Path:

- [Advanced Oil & Gas Law](#) (LW 855 - 3 hours)
- Advanced Legal Research (LW800 – 2 hours)
- [Alternative Dispute Resolution](#) (LW 753 - 3 hours)
- [Antitrust](#) (LW 782 - 3 hours)
- [Arbitration](#) (LW 854 - 2 hours)
- [Business Associations](#) (LW 703, 4 hours)
- [Copyright Law](#) (LW953 - 3 Hours)
- [Directed Research](#) (topic approved by Certificate Advisor) (LW 763 - 1-3 hours)
- [Drafting Contracts and Conveyances](#) (LW 946 - 1 hour)
- [Employment Discrimination](#) (LW 786 - 3 hours)
- [Employment Law](#) (LW 917 - 2-3 hours)
- [Evolution of a Business Transaction](#) (LW 937 - 2-3 hours)
- [Externship I](#) (placement approved by Career Path Advisor) (LW 921 - 2-4 hours)
- [Externship II](#) (placement approved by Career Path Advisor) (LW 922 - 2 hours)
- [Financial Institution Regulation](#) (LW 705 - 2 hours)
- [Insurance Law](#) (LW 710 - 2 hours)
- [International Business Transactions](#) (LW 778 - 3 hours)
- [International Taxation](#) (LW 827 - 3 hours)
- [Labor Law](#) (LW 783 - 3 hours)
- [Law and Accounting](#) (LW 717 - 2 hours)
- [Law and Economics](#) (LW 853 - 2-3 hours)
- [Mergers and Acquisitions](#) (LW 944 - 2-3 hours)
- [Mineral Title Examination](#) (LW952) (1 Hour)
- [Negotiations](#) (LW 857 - 2 hours)
- [Non-Profit Organizations](#) (LW950 - 2-3 hours)
- [Patent Prosecution](#) (LW 961 - 2 hours)
- [Real Estate Transactions](#) (LW 733 - 3 hours)
- [Securities Regulation](#) (LW 785 - 3 hours)
- [Specialized Legal Research: Business Law](#) (LW 920 - 1 hour)
- [Taxation of Business Enterprises](#) (LW 940) (3 hours)
- [Taxation of Property Transactions](#) (LW 736 - 2-3 hours)
- [Transactional Drafting](#) (LW 707 - 3 hours)
- [White Collar Crime](#) (LW 936 - 2-3 hours)

Children and Family Career Path:

- [Adoption](#) (LW 887 - 2 hours)
- Advanced Legal Research (LW800 – 2 hours)
- [Child Advocacy Training](#) (LW 913 - 1-2 Hrs.)
- [Children in the Law](#) (LW 885 - 2-3 hours)

- [Clinic Internship](#) (Family Law, Juvenile Law) (LW 756 - 4-5 hours)
- [Collaborative Law](#) (LW 931 - 1-2 Hours)
- [Comparative Family Law](#) (LW 852 - 2 hours)
- [Comparative Family Law](#) (Europe) (LW 842 - 3 hours)
- [Directed Research](#) (LW 763 - 1-2 hours)
- [Divorce Practice](#) (LW 716 - 2 hours)
- [Domestic Violence](#) (LW 890 - 3 hours)
- [Elder Law](#) (LW 932 - 2-3 hours)
- [Family Law Seminar](#) (LW 754 - 2 hours)
- [Financial Issues in Divorce](#) (LW 888 - 2 hours)
- [Juvenile Law](#) (LW 741 - 2-3 hours)
- [Juvenile Offender](#) (LW 886 - 2 hours)
- [Mediation](#) (LW 817 - 2 hours)
- [Mediation: Core Principles](#) (LW956 - 1 hour)
- [Mediation: Domestic Relations](#) (LW957 - 2 hours)
- [Military Family Law](#) (LW933 - 1-2 hours)
- [Public Education Law](#) (LW 789 - 2 hours)

Tax or Estate Planning Career Path:

- Advanced Legal Research (LW800 – 2 hours)
- [Decedents' Estates and Trusts & Future Interests](#) (LW 915 - 4 hours) and
- [Estate Planning](#) (LW 749 - 3 hours)
- [International Taxation](#) (LW 827 - 3 hours)
- [Mergers and Acquisitions](#) (LW 944 - 2-3 hours)
- [Nonprofit Organizations](#) (LW 950 - 2-3 hours)
- [Taxation by State and Local Governments](#) (LW 788 - 2 hours)
- [Taxation of Gratuitous Transfers](#) (LW 793 - 2-3 hours)
- [Tax Policy Seminar](#) (LW 823 - 2 hours)
- [Taxation of Business Enterprises](#) (LW940 - 3 Hours)
- [Taxation of Individual Income](#) (LW 790 - 3 hours)

Government Career Path:

- [Administrative Law](#) (LW 780 - 3 hours)
- Advanced Legal Research (LW800 – 2 hours)
- [Federal Indian Law](#) (LW 841 - 3 hours)
- [Legislation](#) (LW 776 - 3 hours)
- [Local Government Law](#) (LW 820 - 2 hours)
- [Antitrust](#) (LW 782 - 3 hours)
- Constitutional Law II (LW862 – 3 hours)
- [Constitutional Litigation](#) (LW 748 - 3 hours)
- [Criminal Procedure II](#) (LW839 - 3 hours)
- [Election Law](#) (LW 945 - 3 hours)
- [Energy Regulation](#) (LW 803 - 3 hours)
- [Environmental Law](#) (LW 744 - 3 hours)

- [Externship I](#) (placement approved by Career Path Advisor) (LW 921 - 2-4 hours)
- [Federal Courts](#) (LW 759 - 3 hours)
- [Federal Indian Law](#) (LW 841 - 3 hours)
- [Food and Drug Law](#) (LW 947 - 3 hours)
- [Health Care Law and Policy](#) (LW 830 - 3 hours)
- [Higher Education Law](#) (LW 951 - 2 hours)
- [Immigration Law](#) (LW 815 - 2 hours)
- [International Criminal Law and the Law of War](#) (LW 927 - 3 hours)
- [International Law of Indigenous Peoples](#) (LW 919 - 2 hours)
- [International Taxation](#) (LW 827 - 3 hours)
- [Law and Human Rights](#) (LW 812 - 3 hours)
- [Legal Analysis, Research & Writing for the Government Client](#) (LW 965 - 2 hours)
- [Legislation](#) (LW 776 - 3 hours)
- [Legislative Workshop](#) (LW 801 - 1 hour)
- [Local Government Law](#) (LW 820 - 2 hours)
- [Oil and Gas Law](#) (LW 740 - 3 hours)
- [Public Employment Law](#) (LW 959 - 2 hours)
- [Public International Law](#) (LW 928 - 3 hours)
- [Public Land Law](#) (LW 747 - 3 hours)
- [Race and the Law](#) (LW 902 - 3 hours)
- [Specialized Legal Research: Statutory and Regulatory Law](#) (LW 949 - 1 hour)
- [Taxation of Individual Income](#) (LW 790 - 3 hours)
- [Taxation by State and Local Governments](#) (LW 788 - 2 hours)
- [Tribal Law and Government](#) (LW 941 - 2-3 hours)
- [Water Rights](#) (LW 742 - 3 hours)
- [White Collar Crime](#) (LW 936 - 2-3 hours)

Natural Resources Career Path:

- [Administrative Law](#) (LW 780 - 3 hours)
- Advanced Legal Research (LW800 – 2 hours)
- [Advanced Oil and Gas Law](#) (LW 855 - 3 hours)
- [Agricultural Law](#) (LW 706 - 2-3 hours)
- [Directed Research](#) (LW 763 - 1-3 hours)
- [Energy Regulation](#) (LW 803 - 2-3 hours)
- [Environmental Law](#) (LW 744 - 3 hours)
- [Externship I](#) (with approval of Career Path Advisor) (LW 921 - 2-4 hours)
- [Externship II](#) (with approval of Career Path Advisor) (LW 922 - 2 hours)
- [Independent Readings in Natural Resources Law](#) (LW 826 - 1-2 hours)
- [Mineral Title Examination](#) (LW952) (1 Hour)
- [Natural Resources Law Seminar](#) (LW 774 - 2-3 hours)
- [Oil and Gas Law](#) (LW 740 - 3 hours)
- [Public Land Law](#) (LW 747 - 3 hours)
- [Water Rights](#) (LW 742 - 3 hours)

Criminal Justice Career Path:

- Advanced Legal Research (LW800 – 2 hours)
- [Alternative Dispute Resolution](#) (LW 753 - 3 hours)
- [Capital Punishment Seminar](#) (LW 822 - 2 hours)
- [Child Advocacy Training](#) (LW 913 - 1-2 hours)
- [Criminal Appeal Advocacy](#) (LW 903 - 3 hours)
- [Criminal Appeal Advocacy: Advanced Topics](#) (LW 903D - 1-2 hours)
- [Criminal Procedure](#) (LW 750 – 3 hours)
- [Criminal Procedure II](#) (LW 839 - 3 hours)
- [Directed Research](#) (LW 763 - 1-3 hours)
- [Externship I](#) (with approval of Career Path Advisor) (LW 921 - 2-4 hours)
- [International Criminal Law and the Law of War](#) (LW 927 - 3 hours)
- [Juvenile Offender](#) (LW 886 - 2 hours)
- [Pretrial Advocacy-Criminal](#) (LW 768 - 3 hours)
- [Trial Advocacy](#) (LW 766 - 2 hours)
- [White Collar Crime](#) (LW 936 - 2-3 hours)

Degree Requirements

Students in Washburn's Master of Studies in Law program must:

Complete an Introduction to Law course and a foundational course at the beginning of their M.S.L. studies.

Satisfactorily complete a minimum of 30 credit hours of approved work within the individualized professional pathway determined on the basis of the student's professional background and career goals.

Complete all such credit hours within 4 calendar years beginning with the first semester after enrollment.