

# OVERVIEW OF UNITED STATES LAW

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# OVERVIEW OF UNITED STATES LAW

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**Library of Congress Cataloging-in-Publication Data**

Podgor, Ellen S., 1952-  
Overview of United States Law/ Ellen S. Podgor, John F. Cooper.— 1st ed.  
p. cm.  
Includes index.  
ISBN 978-1-4224-2144-4 (soft cover)  
1. Law--United States. I. Cooper, John F. (John Frederick), 1950- II. Title.  
KF385.P58 2009  
349.73--dc22

2009002514

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744 Broad Street, Newark, NJ 07102 (973) 820-2000  
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MATTHEW  BENDER

# Dedication

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This book is dedicated to the memory of Adam F. Cooper, the son of one of the editors. Adam was born in 1988, and died tragically in 2008. He was bright, funny, creative, artistic, generous, complicated, frustrating, angry, troubled, but always loving. He loved, and was loved, without condition.



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## **Michael P. Allen**

Michael P. Allen is a Professor of Law at Stetson University College of Law. He teaches courses in Civil Procedure, Constitutional Law, Federal Courts, Complex Litigation, Remedies, and Veterans Benefits Law, Practice and Policy. Professor Allen has been recognized for his classroom activities with Stetson University's highest award for teaching excellence. He has also received eight awards for his teaching voted on by students.

Professor Allen has published widely in the areas in which he teaches. He is the author of two books, *An Illustrated Guide to Civil Procedure* and the forthcoming *Federal Courts: Context, Cases and Problems*. He is also the author of over a dozen articles that have appeared or are forthcoming in publications such as the *American University Law Review*, the *Washington and Lee Law Review*, the *George Mason Law Review*, the *University of Michigan Journal of Law Reform*, the *William & Mary Bill of Rights Journal*, and the *NYU Annual Survey of American Law*.

Professor Allen is also active in professional and community groups. He is on the Board of Trustees of the Southeastern Association of Law Schools. He is also the current Chair of the Remedies Section of the Association of American Law Schools. In addition, he serves as the co-chair of the Temple Beth-El Social Action Committee.

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## ABOUT THE AUTHORS

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# PREFACE

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In the past few decades there has been a proliferation of LL.M programs at American law schools introducing foreign lawyers to the fundamentals of the United States (US) legal system. The website of the American Bar Association's (ABA) Section on Legal Education and Admissions to the Bar currently lists forty-nine ABA approved law schools that offer specific programs on United States Law for foreign lawyers, or international law students. Other LL.M programs with specialized subject matter are also admitting foreign lawyers in increasing numbers. The existence, and growth, of these programs, evidences the value that foreign lawyers continue to place on an understanding of US law.

Traditionally, these programs were designed as one year residential educational programs where a foreign lawyer traveled to, and studied in, the United States. The commitment, and often personal hardship, that an experienced foreign lawyer faced in leaving their employment to matriculate in these programs, acted to discourage participation.

The emergence of electronic education provided an efficient method of addressing this concern. The more recently developed programs for foreign lawyers, innovatively combine, electronic education, with more traditional course formats.

This project, which the editors affectionately refer to as "The US Law Project", is part of this evolution of programs for foreign lawyers. The project includes lectures on major US legal topics, by expert legal academics, drawn from a number of outstanding American law schools. These lectures are accessible on the Stetson University College of Law website on an asynchronous basis. The same legal experts that lecture, also author a chapter on their subject which can be used to prepare for the lecture, or to reinforce it. These same legal experts have prepared objective examinations which can be used to test a student's grasp of the instructional material.

This project was designed with foreign lawyers and international students in mind. However, it also can be used by others, including professionals interested in better understanding the US legal system. The editors hope that the accessibility of this program, will work to develop more interest in, and understanding of, the fundamental principles of US law.

This project would not have been completed without the efforts of a number of outstanding and supportive individuals. The editors would specifically like to acknowledge the input, advice and support of Darby Dickerson, the Dean of Stetson University College of Law. They also thank research assistant Lindsay A. Warner. Finally, they thank each of the individual lecturer-authors, who so generously committed their skill and knowledge to this project.

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John F. Cooper  
December 2008