

BUSINESS LAW AT TEMPLE UNIVERSITY—BEASLEY SCHOOL OF LAW

Students often have a vague sense that they are interested in business law, but other than Contracts, Introduction to Transactional Skills, and perhaps Tax or Intellectual Property (1L electives) they may have little insight into what “business law” means in practice or in the classroom. If you are one of those students—and many of us were—this guide is for you.

In practice, “business law” usually means either assisting clients in business transactions (“transactional practice”) or litigating business-related disputes. Both are business law, although transactional lawyers are not usually also litigators, except in small or solo firms. “Business transactions” and the disputes they sometimes generate can take many forms. More common ones include:

- Lending and other financings (e.g., securitization, structured financing, derivatives)
- Forming and/or investing in businesses (a/k/a “venture capital,” “private equity”)
- Advising directors, officers and/or other managers of businesses
- Drafting and advising regarding executives’ employment agreements
- Buying and selling businesses (a/k/a “mergers and acquisitions”)
- Issuing or otherwise participating in securities markets
- Protecting, transferring, and/or licensing technology or intellectual property
- Complex contracting (e.g., joint ventures, franchising, real estate development)
- Bankruptcy and corporate reorganization
- Taxation
- Regulatory compliance (e.g., privacy, data protection, environmental, work-safety, etc.) or businesses in regulated industries (e.g., banking, healthcare, insurance).

This list is obviously not exhaustive, but we hope gives you a sense of some major areas of business law practice. Frequently, business lawyers will specialize in more than one of these areas, whether as transactional attorneys or litigators. It is also not uncommon to start in one practice area when the economy is good (e.g., real estate development) and shift to another (e.g., bankruptcy) when the economy is down.

How does this map onto course offerings? It helps to think about two types of business law courses: (i) foundational courses, and (ii) more advanced courses. Although the Law School curriculum does not officially recognize the distinction, as a practical matter, students will usually want to focus on foundational courses first and more advanced courses later (although of course there is plenty of room for variation and flexibility).

Some foundational courses:

- Bankruptcy
- Commercial Transactions
- Corporations
- Introduction to Intellectual Property

- Taxation
- Business Law Basics

These are for the most part traditional “doctrinal” courses. They may involve some “skills” work (or even some theory). But because they are introductory, they seek principally to expose you to the basic structure and goals of these fields of law. While you need not take all of them to become a business lawyer, you would be well advised to do so.

More advanced courses tend to build on the foundational courses. Thus, for example, Securities Law, Unincorporated Business Associations, and the Transactional Skills Workshop, among others, build on Corporations. Similarly, individual courses on patent, copyright and trademark all grow out of Introduction to Intellectual Property. Advanced tax courses—e.g., Corporate Tax, Partnership Tax—are not possible without the basic Tax course. And so on.

Here are some more advanced business law courses likely to be of use to future business lawyers:

- Accounting for Lawyers –if you don’t have an accounting background
- Antitrust
- Banking and Financial Regulation
- Corporate Finance
- Employment Law & Employment Discrimination
- Gaming Law
- Health Law
- Insurance Law
- International Business Transactions
- Payment Systems
- Secured Transactions
- Sports Law

Of course, you are unlikely to take all or even most of these. Instead, you will take those that interest you, based on the foundational courses you’ve taken or your career goals.

Some of these courses have skills components. In transactional practice “skills” usually means planning, counseling, negotiating and documenting the transaction. Transactional courses that mix doctrine and skills in ways that students find useful include the Transactional Skills Workshop, as well as Negotiating and Documenting Corporate Transactions. Temple’s award-winning Integrated Transactional Program (ITP) is a two-semester, 10-credit program which uses simulations to allow students to tackle problems in trusts and estates, small businesses and charities, ethics, and professional responsibility, while building their transactional skill set. Finally, corporate law practicums, such as interning for Delaware’s Chancery Court or doing compliance work in a corporate setting, can be incredibly useful capstone experiences.

In some cases, foundational courses will be prerequisites for more advanced courses; in other cases, they will not. So, as you design your study plan, think about the sequence of courses you must take, or would like to take, to develop a foundation for the practice you hope to have.

If you feel overwhelmed – or don't know what you want to do in practice, don't hesitate to consult the counselors in Career Services and the business law faculty, who include (but are not limited to): Professors Abreu (tax), Bartow (tax and transactional skills), Dunoff (international business), Ellers (corporations and gaming law), Harris (intellectual property), Harvey (banking), Hoffman (corporations and transactional skills), Knauer (tax and transactional skills), Lin (corporations and securities), Lipson (commercial, bankruptcy and transactional skills), Mandel (intellectual property), Mandelbaum (tax), Mehra (corporations and antitrust), Monroe (tax and transactional skills), Myers (transactional skills), Porrata-Doria (securities and international business transactions), Ting (tax), and Wells (corporations and unincorporated business associations).

For those really interested in business law, there are (as noted elsewhere on this website), the [Business Law Certificate](#) as well as [joint degree programs](#) with the Fox School of Business. And, there is a strong and growing business law community among Temple students and alumni, including the Business Law Society and the Temple Business Law LinkedIn Group. These, too, can all be useful sources of guidance on business law at Temple—and beyond.