

SUMMER SESSION **2009 COURSE** **DESCRIPTIONS**

March 11, 2009

ADVANCED APPELLATE ADVOCACY - LA 680

This course combines skills training with a substantive focus on 1) federal regulation of the employment relationship, and 2) cases involving the authority of congress and the federal courts. We will use cases pending before the U.S. Supreme Court in these and perhaps other substantive areas as the basis for exercises requiring students to play the roles of advocates and judges. Each student will be required to prepare one brief and present at least one oral argument, and each student will be required to write and present an opinion resolving one of the cases.

BANKRUPTCY - LA 784

This course examines the federal law of bankruptcy of individuals and corporations. The role of the bankruptcy courts, the coverage of claims subject to bankruptcy, and reorganization plans will be among the matters studied.

The Criminal Justice System in Perspective – LSM.856.W1

Using the best-selling "Guilty: The Collapse of Criminal Justice" by Judge Harold J. Rothwax as a focal point, this course will explore the policies supporting some of the most basic tenets of our criminal justice system, including the exclusionary rule, the right to an attorney during questioning, the right to remain silent, the right to a speedy trial, and the requirement of jury unanimity. Rothwax argues for major reform in each of these areas. Supplemental readings providing a contrary view will provide the context for our classroom discussions.

CRIMINAL PROCEDURE - LA.627

This course examines the procedural aspects of the criminal justice system with emphasis on the impact of the fourth, fifth, and sixth amendments to the United

States Constitution on state and federal prosecutions. Topics include the law of arrest, search and seizure, police interrogation and the privilege against self-incrimination.

LEGAL DRAFTING – LA.750

This course introduces student to forms of practical legal writing not covered in legal Methods I and II. The Fundamentals of legal drafting are addressed, with an emphasis on the principles of good writing and editing. Assignments reflect the types of legal writing an attorney encounters in daily office practice—documents for litigation, as well as those designed to avoid litigation. Typical projects include correspondence, simple contracts, pleadings, discovery documents, motion papers, jury instructions, orders, and settlement papers. Students may be asked to write from the perspective of a judge or legislator, as well as a practitioner.

***LEGAL DRAFTING: COMMERCIAL TRANSACTIONS "WORKOUT" - LAW.755.W**

The area of commercial law involves the application of practical skills introduced in payment systems, secured transactions and bankruptcy. This course will offer the student the opportunity to acquire 'hands on' experience in the drafting of 'workout' documents and pleadings arising from commercial loan transactions. Specifically, this drafting course will continue the topics presented in Legal Drafting: Commercial Loan Documents and take the student through the particulars of dealing with commercial lending transactions that go awry. Specifically, each student will be introduced to the 'workout' process and prepare and submit documents and/or pleadings in state or federal proceedings (including Bankruptcy Court) to protect the interests of each of the lender and the borrower.

MARITIME INSTITUTIONS & LAW - LMA.787.W

This course will focus on the treaty-making functions of the International Maritime Organization (maritime safety, security; protection of marine environment; and liability/fund issues); the UN Commission on International Trade Law's programs (maritime transportation, International sales, and arbitration); and UN Law

of Sea Treaty's maritime law provisions. If time permits, we may also do a brief examining role of UN Conference on Trade & Development and examine United Nations' role in negotiation and implementation of maritime conventions. This course is relevant to maritime law students and others interested in international law generally because of its focus on international organizations.

MARITIME SECURITY LAW - LMA-792.W

This course will address the law of maritime security in the United States in the context of a post-September 11 global economy. Recent essential measures such as the International Ship & Port Security Code, (ISPS), and the Maritime Transportation Security Act of 2002, (MTSA), will be covered in addition to traditional statutory and regulatory schemes such as port state control and the Safety of Life at Sea Convention, (SOLAS). An underlying premise of the course is the parallel between environmental and maritime security risk management in the practical implementation of legal principles. The course will provide students with an opportunity to learn principles of U.S. and international maritime security law in a context of simulated client counseling. Prior maritime and/or environmental law courses will be helpful, but are not a prerequisite.

MEDIATION – LA.733

When parties are unable to resolve their dispute through discussion or negotiation, a logical next step is to seek the assistance of a third party mediator to facilitate communication and the search for a solution. This workshop course is intended to familiarize students with the norms of the mediation process and to develop the lawyering skills that will enable student to either serve as mediators or to better represent clients in this increasingly important form of ADR. Attention is given to both facilitative and evaluative styles of mediation. Significant emphasis is placed on role playing exercises and on the legal consequences of the mediation process.

**OCEAN MANAGEMENT
POLICY AND REFORM -
LS.888**

This course explores the basis for contemplated and ongoing changes to ocean governance and the status of current governance reform efforts in the United States. As ocean resource conditions have deteriorated and trends in ocean use changed, it has become clear that the existing legal and policy regime is inadequate to respond to current and future management challenges. Reports by the Pew Oceans Commission and U.S. Commission on Ocean Policy in 2003 and 2004, respectively, called for significant changes to management of coastal and ocean resources. Since then, reform has been contemplated via various state and federal initiatives, involving legal, policy and political considerations, including cutting-edge efforts in Rhode Island and Massachusetts. This course will examine the historical and political background for ocean management reform, the findings of federal and state bodies regarding needed changes to ocean governance, and the status of legal, management and policy reform efforts, using ongoing efforts in Rhode Island, Massachusetts and other states as real time examples.

**PROFESSIONAL
RESPONSIBILITY- LA.655**

This course analyzes the responsibility of lawyers and judges from the perspectives of the rules and case law, the profession and the client/consumer. Topics include the historical, political, and sociological bases of legal ethics; conflicts of interest; attorney-client privilege; admission to the bar; disciplinary matters and procedures; unauthorized practice of law; attitudes toward bench and bar; professional liability; and canons of ethics and codes of professional responsibility.

***SEMINAR: FIRST AMENDMENT
RELIGIOUS FREEDOM – LS.672**

"The class will evaluate the development of USA constitutional religious protections, starting with some of the historical background, both preUSA and USA, and then moving on to Supreme Court development of the Establishment Clause and the Free Exercise Clause."

***SEMINAR: LEGAL HISTORY -
THE ANGLO-AMERICAN LEGAL
TRADITION - LSM.673.W**

The American legal system is the result of centuries of development. This seminar will examine some features of our modern legal system, such as courts and trial procedure, causes of action, trial by jury and remedies, both legal and equitable, as they have developed from the English common law. It will also examine the Magna Carta and the basic concepts of rule of law, judicial independence and state decisis.

TRIAL ADVOCACY - LA 641

The trial advocacy course employs a learning-by-doing approach. Thus, most of the course will involve the practice of trial skills including direct and cross examination, opening statements, closing arguments, and jury selection, in a simulated courtroom environment. During the last two weeks of the course, each student will participate as co-counsel in a full-length simulated civil or criminal trial.

3/11/2009