

SPRING 2024 COURSE DESCRIPTIONS

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ELECTIVE EXPERIENTIAL EDUCATION COURSES

ADVANCED TRIAL ADVOCACY

This course will take a criminal case as the jumping off point. Students will learn how to prepare and try a complex case. The class will focus on trial technique and strategy using cutting edge trial techniques and theories. Students will be evaluated based upon class participation and role playing in mock trial during the last two sessions of the class. Trial Advocacy is a prerequisite.

APPELLATE ADVOCACY: CRIMINAL LAW

In this seminar, students will learn all aspects of litigating an appeal, including determining when an order is appealable; identifying persuasive appellate arguments and the applicable standard of review; drafting persuasive briefs; and presenting effective oral argument. As part of their coursework, students will draft two appellate briefs and argue two appeals in actual cases pending before the appellate courts.

ESTATE PLANNING & ADMINISTRATION

This course deals with the practical application of estate planning principles to various client situations. Topics include client interviews; estate planning for young adults, individuals contemplating marriage, unmarried couples, young couples with children, and older clients with children; transfers to grandchildren; planning for second marriages; asset protection; retirement planning; perpetual trusts; charitable gifts; and an overview of estate administration. Wills and Trusts is a prerequisite.

MARITIME LITIGATION

This course is designed to explore various maritime topics typically encountered by an associate in a maritime law firm. Each class will dissect one or more discrete topics related to the resolution of disputes arising in the context of personal injury and cargo damage (including conducting a shipboard investigation), port entry and clearance (including vessel detention issues), limitation of liability claims (including shipyard fires), the International Maritime Organization's Conventions (including Safety of Life At Sea), and various maritime safety issues arising out of offshore wind farms (including examination of domestic and foreign legal frameworks). This course will rely heavily on class participation, will encourage discussion as to how to identify and respond to legal issues and will include mock deposition, drafting and interview exercises. This class should be of interest to the would-be admiralty attorney, or to anyone seeking to further his or her understanding of how to identify, analyze and treat a case from when it first comes in the lawyer's door.

MEDIATION

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 course is intended to familiarize students with the norms of the mediation process and to develop the skills that will enable students 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.

NEGOTIATION

Over 90% of civil and criminal cases never get before a jury. They are resolved by other means, often by a negotiated settlement. Business transactions, for their part, are most often created through negotiation. As law schools place more emphasis on the skills required to be an effective lawyer, this Negotiation course is a hands-on exploration of preventing or solving conflict or variances in agreement whether the discordancy is a transaction or litigation. We will discuss theory only as it relates to a fuller understanding of the practical aspects of techniques, strategies and tactics as well as the ethical restraints and responsibilities of the lawyer. Students will negotiate weekly with a wide variety of fact patterns followed by a review and critical analysis of what was done and what might have been done more effectively..

SEA GRANT LAW FELLOW PROGRAM

Students enrolled in this program work under the professor's supervision on a legal research project on behalf of an outside organization. Projects are assigned by the professor and will focus on a specific research question related to ocean and coastal law or maritime law. Law Fellows have the opportunity to work with stakeholders on important issues, to gain in-depth substantive knowledge on the applicable law and its real-world application, and to draft a high-quality written product, and may have the opportunity to present their work in a professional setting. Certain projects can satisfy the Graduation Writing Requirement. Law Fellows must dedicate a minimum of 10 hours per week during the semester, but hours are flexible. The professor's permission is required to register.

TECHNOLOGY AND LAW PRACTICE

This course surveys software systems that embody specialized legal knowledge and know-how, considers the role of technology on lawyering and the legal services delivery system, and provides hands-on instruction in current technologies including document assembly, automated client interviews, social media marketing, cloud computing, artificial intelligence, data analytics, project management, and virtual law practice. The course will also examine the burgeoning literature on the practicalities and ethics of "elawyering," with attention to the ABA's Model Rules of Professional Conduct. Student projects will provide hands-on experience in current technologies with broad application in public interest and pro bono contexts, as well as application appropriate to solo and small firm practitioners.

TRANSACTIONAL LAWYERING AND CONTRACT DRAFTING

This course teaches students the fundamentals of drafting contracts. Students learn how to understand a client's business deal, and how to translate the deal into contract concepts, the building blocks of contracts. Students learn the process for drafting the contract concepts in clear and unambiguous provisions in a well-organized complete contract that reflects accurately the parties' deal. Students learn how to add value to a client's deal by drafting and recognizing nuances in language that change the deal and shift risk between the parties. Students learn how to analyze and comment on a contract that another lawyer has drafted. Students will learn the best drafting style and usage techniques necessary to enhance clarity and avoid ambiguity.

TRIAL ADVOCACY

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 with a sitting Rhode Island judge or professor presiding. Evidence is a prerequisite but may be taken concurrently with the permission of the Trial Advocacy instructor.

CLINICS & CLINICAL EXTERNSHIPS

BUSINESS STARTUP CLINIC

The Roger Williams University School of Law Business Start-up Clinic provides services to small start-up businesses and nonprofit organizations in Rhode Island. Services include navigating legal entity choice, drafting basic contracts, and certain intellectual property assistance. The primary goal of the clinic is to teach the practice of transactional lawyering while providing service to under-served entrepreneurs and organizations.

CORPORATE COUNSEL CLINICAL EXTERNSHIP & CORPORATE COUNSEL SEMINAR

Students are assigned to either in-house corporate offices of prominent for-profit and not-for-profit entities or governmental agencies in and around Rhode Island and southern New England. Students will conduct legal research, write memoranda of law, draft legal documents, and engage in other activities as assigned. Students will be exposed to the various ways in which law is practiced in-house for corporate clients or governmental agencies. The program requires the devotion of substantial amounts of time both in and out of the assigned office and must be taken in conjunction with the Corporate Counsel & Government Seminar.

CRIMINAL DEFENSE CLINIC

Students represent indigent criminal defendants in Rhode Island District Court, Traffic Tribunal, and/or Superior Court from arraignment through to final trial or other disposition. Trial Advocacy is a prerequisite.

DISTRICT OF COLUMBIA CLINICAL EXTERNSHIP & SEMINAR

The DC SIP immerses students in the Washington DC legal and policy world through a full-time placement with a federal agency, legislative office, non-profit, or trade group. The externship placement is complemented by a weekly, two-credit, graded seminar. The seminar will cover the rules and skills relevant to government practice and the entities that interact with the federal government, such as conflict of-interest and lobbying regulations. Substantive issues will span administrative and regulatory enforcement, legislative drafting and congressional oversight, federal judicial policy making, and public interest litigation. Guest speakers will walk students through real world issues from their careers. Students will also engage in self-reflective journaling and other writing assignments.

ENVIRONMENTAL/LAND USE CLINICAL EXTERNSHIP & SEMINAR

Through the Environmental and Land Use Law Clinical Externship, students train in legal offices or departments of government agencies and non-government organizations doing environmental and land use legal work in Rhode Island and southern New England. Externs are exposed to the various ways in which environmental and land use law is practiced by government agencies and non-government organizations through litigation, administrative rulemaking and adjudication, and engagement in the legislative process. The students also participate in a two-credit, graded seminar "Advanced Topics in Environmental and Land Use Law" that will be designed by the professor, after consultation with the field supervisors, to teach substantive law, regulation, and policy directly relevant to the students' field work,

as well as the ethics and legal skills required of an environmental attorney.

GOVERNMENT CLINICAL EXTERNSHIP & GOVERNMENT SEMINAR

Through our Prosecution Clinical Externship Program, students train in a prosecution or government office on the federal, state or municipal level. Students will gain valuable hands-on experience representing the government in a variety of settings, including criminal prosecutions. Students may be certified to appear in court in some of these settings. Students will participate in a weekly seminar with classmates who are working in a variety of prosecutorial and government settings. 8 Credits - 360 hours (approx. 5 days/week for 10 weeks) SPRING ONLY.

IMMIGRATION CLINIC

Students enrolled in the immigration clinic represent noncitizens in their applications for relief from removal before the Immigration Court in Boston, prepare applications for benefits under the immigration laws and represent noncitizens in their interviews for such benefits before the U.S. Citizenship and Immigration Services in Providence. Types of cases typically include asylum and other relief based on fear of persecution in the country of removal, waivers of deportation for long-term residents of the U.S., adjustment of status for noncitizens with U.S. citizen or permanent resident family members and relief for noncitizen victims of domestic violence. Students also conduct “Know Your Rights” presentations for the immigrant communities in Rhode Island and for immigration detainees in New England, conduct intake interviews following these presentations and provide consultations under the supervision of the Clinic Director. In class, students learn trial skills and discuss substantive, ethical and policy issues relating to the practice of immigration law.

JUDICIAL CLINICAL EXTERNSHIP & JUDICIAL PROCESS SEMINAR

Students are assigned to selected judges in Rhode Island and federal trial and appellate courts. The student externs conduct legal research, prepare memoranda of law, observe trial and appellate proceedings, participate in discussions with the court, and perform the duties of a judicial law clerk under the supervision of the assigned judge and a faculty member. The program requires the devotion of substantial amounts of time both in and out of the judge's chambers and must be taken in conjunction with Seminar: Judicial Process and Ethics.

NY PRO BONO SCHOLARS PROGRAM & SEMINAR

The New York Pro Bono Scholars Program (NYPBSP) bridges law school education and the practice of law while engaging students in the provision of critical legal assistance to low-income people. Students will provide approximately 520 hours of pro bono legal service over a 12-week period for which they will receive 12 fieldwork credits. In addition, students will take a two-credit weekly seminar on pro bono practice, access to justice and public interest lawyering. The field work will be graded Pass/Fail. The seminar will be graded.

PROSECUTION EXTERNSHIP & SEMINAR

Through our Prosecution Clinical Externship Program, students train in a prosecution office on the state or municipal level. Students will gain valuable hands-on experience representing the government in a variety of proceedings. Students may be certified to appear in court at some of the placement sites. Students will participate in a weekly seminar with classmates focused on the role of the prosecutor and the ethical challenges in that role.

PUBLIC INTEREST CLINICAL EXTERNSHIP & SOCIAL JUSTICE LAWYERING SEMINAR

Through this program, students will be representing low-income clients. Students may choose from a variety of placements in civil legal services offices, public defender offices, immigration non-profit offices, and any other non-profit law office that provides direct representation to low-income or marginalized

clients. Eligible students may be certified to appear in court under a student practice order. The seminar will focus significantly on the issue of race including mass incarceration, the history of slavery in the US, and bias in the court system that impact marginalized communities and particularly low-income clients seeking legal help for civil, immigration, and criminal issues. The seminar will also focus on bias in the legal profession.

VETERANS DISABILITY APPEALS FIELD CLINIC

The Veterans Disability Appeals Field Clinic is a one semester program in which law students represent military veterans whose applications for disability benefits have either been denied or granted at a level that is inappropriate to the level of disability. Working with experienced attorneys from Chisholm, Chisholm & Kilpatrick, a nationally recognized law firm specializing in this work, students will research and draft legal memoranda and briefs, participate in pre-briefing conferences and, when appropriate, argue cases before the United States Court of Appeals for Veterans Claims.

HONORS PERSPECTIVES COURSES

DEPOSITION PRACTICE

Description forthcoming.

JUDICIAL CLERKSHIPS

This seminar course is designed to allow students to understand the skills required at various steps in the judicial decision-making process, in the state courts and federal courts, as well as at both the trial court and appellate levels. Students will explore the role and function of law clerks; the mechanics of writing a useful bench memo, draft trial court decision, and draft appellate opinion; collegiality and deliberations; and the ethical dimensions of judicial clerkships, including confidentiality, discretion, and influence.

LEGAL HISTORY: CONSTITUTIONAL LAW STORIES

This perspectives course will examine several historically significant US Supreme Court cases in the light of societal occurrences and changes at the times that the particular cases were being decided.

SENIOR ABUSE, NEGLECT, AND INJURY

Litigation involving nursing homes, assisted living facilities, and financial exploitation of the elderly is an expanding and complicated area of civil litigation. These cases provide a complex interaction between traditional tort law as embodied in medical malpractice cases along with contract issues, corporate law, access to the civil justice system and an understanding of state and federal regulations. This course will provide an academic and practical analysis of this complex niche practice area. This course meets for 6 weeks.

STANDARDS OF REVIEW

What is “on the table” during the course of an appellate case? This course will examine what appellate courts consider during the consideration of various types of appeals.

OPEN ENROLLMENT PERSPECTIVES COURSES

THE COLOR OF LAW

*This course will explore housing policy and housing law as presented in Richard Rothstein's book *The Color of Law: A forgotten History of How Our Government Segregated America*. We will discuss the role of the US government in the development of American housing and neighborhoods. The course will examine racial policies and practices that shaped suburban and urban development. The course will also review the lasting impacts of historical policies on modern communities.*

DEPOSITION PRACTICE

Description forthcoming.

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LAW AND POPULAR CULTURE

American popular culture is fascinated with lawyers, the law, and the legal system. This course explores how film and television shows portray lawyers, the legal system, ethics and justice. Specifically, we will use films and television shows as "case studies" to understand how law and popular culture influence each other, and the American system of justice.

SENIOR ABUSE, NEGLECT, AND INJURY

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STARTING & MANAGING A LAW FIRM: WHAT ALL LAWYERS NEED TO KNOW

This is a practical course to explore starting, running, and growing a law practice. Students will create a business plan and draft various documents essential to any law practice. A broad range of practice management topics will be discussed, including the choice of entity, practice specialization, business development, marketing, and various ethical issues.

BAR TESTED ELECTIVE COURSES

BUSINESS ORGANIZATIONS

This course surveys and analyzes the various forms of business enterprises. Organizations include sole proprietorships, partnerships, and corporations. Topics include the legal relationships between the corporation and its directors, officers, stockholders, and creditors; risk reduction devices; formation, dissolution, and termination; and agency relationships and responsibilities. Consideration is given to cases, statutes, model acts, and securities laws.

FAMILY LAW

This course examines the underlying social and economic principles of family life, its regulation by government, and constitutional limitations on regulation. Direct laws covering marriage, divorce, and child custody will be examined but also the course will cover those areas of law--property, income maintenance, medical care, schooling and crime--that also have direct impact on families in this society.

REMEDIES

The remedies course surveys what a court can do for a claimant who has been, or might be, wronged by the defendant. We will address the principal remedies: damages; injunctions (orders to do or refrain from doing certain conduct); restitution (including the possibility of recovering the defendant's gains from a wrongful act, even if the gains exceed the amount of the plaintiff's loss); remedies that simply declare the rights of the parties; pre-judgment remedies before a determination of liability; and the various means of enforcing remedies (including contempt and seizure of property). Throughout the course, we will discuss which of the several remedies are best for the plaintiff, and how to determine the extent of the remedy that the plaintiff may obtain.

SECURED TRANSACTIONS

This course surveys Article 9 of the Uniform Commercial Code and focuses on financing and creation of a security interest in personal property and fixtures.

SUPERHEROES AND THE LAW

This one-credit course will focus on preparing you for the Multistate Performance Test, a section of the Uniform Bar Exam through written assignments and a final exam. This course will help refine your analytical and critical thinking skills as you prepare for a life as a lawyer. We will discuss various areas of law and the hypothetical impact superpowers would have on our law. Some of those questions will involve who pays for the damage after a superhero battle and if masked superheroes can testify in court. You do not need to know anything about comics or superheroes to get the most out of this class.

WILLS AND TRUSTS

This course is intended to prepare a student to advise clients about ordering their personal and financial affairs to more effectively provide for themselves and the people about whom they care. Various dispositive mechanisms inter vivos testamentary and in trust, will be covered, as well as devices to appoint health care and financial proxies. The course will also address the ethical and professional responsibilities of lawyers representing clients in this area.

OTHER ELECTIVE COURSES

ACCOUNTING FOR LAWYERS

Accounting is the fundamental language of business. Businesses speak many different languages but the essential, core language, the one that deals directly with business performance and viability is accounting. In this course we will study some of the basic concepts of accounting such as debits and credits, double entry bookkeeping, financial statements, assets, liabilities, shareholders' equity, accrual and cash methods of accounting, time value of money, depreciation, auditing, and Generally Accepted Accounting Principles. We will explore how a working knowledge of these concepts is helpful to attorneys in a wide variety of different contexts so that, when you find yourself in a situation that requires at least a basic understanding of accounting concepts, you will be able to use that knowledge to successfully fulfill your role as an attorney..

ADMIRALTY LAW

This course involves a study of the jurisdiction of admiralty courts and the laws affecting maritime rights and obligations. Areas included are the history of maritime law, choice of law in admiralty cases, maritime property interests, rights of seamen, carriage of goods, salvage, and collision.

ANIMAL LAW

This course includes legal frameworks that establish what can and cannot be done with and to animals. Animal law is an evolving legal field that is developing rapidly. It overlaps with contracts, criminal law, torts, property, constitutional law, wills and trusts, domestic relations, environmental law, evidence, patent law, tax law, and other areas. Animal law is interconnected with other fields of law, from FOIA requests to pet trusts to veterinary malpractice. The study of these concepts helps attorneys and law students understand not only the law's evolving attitude toward animals but also how the law operates and develops.

BANKRUPTCY: BUSINESS AND CHAPTER 11

This course covers the basic principles of individual and business bankruptcies. The course will first cover the core bankruptcy principles that are generally applicable to every type of bankruptcy, including the automatic stay, the bankruptcy estate, and the rights of creditors. These provisions of the Bankruptcy Code are found in Chapters 1, 3 and 5. The course will then cover the basic principles of individual bankruptcies. This part of the course will focus on Chapters 7 and 13 of the Bankruptcy Code. The course will then cover the basic principles of business bankruptcies. This part of the course will focus on Chapter 11.

CRIMINAL PROCEDURE: ADJUDICATION

This course focuses on the accusatory phase of the criminal process after a defendant is arrested: "from bail to jail." The class will analyze selected and evolving criminal justice issues under the 4th, 5th, 6th, and 8th Amendments to the U.S. Constitution, and state and federal procedural law. The course covers the criminal justice process from law enforcement's decision to charge the suspect to initial appearances, bail and pre-trial release, discovery, plea bargaining and guilty pleas, speedy trial rights, the right to counsel, trial, sentencing, double jeopardy, and habeas corpus. Within that context, the course analyzes the role of the various participants in the criminal justice system: defendants, prosecutors, defense counsel, judges, victims, witnesses, jurors, law enforcement, media, and the public.

EMPLOYMENT LAW

An analysis of selected problems in the law of employment discrimination. Topics will be selected that address the historical, economic, and social dimensions and implications of the problem of employment discrimination. Included will be coverage of federal statutory prohibitions of discrimination in employment, the procedures for enforcement, standards of proof, and remedies for violation of applicable law.

ENTERTAINMENT LAW

The purpose of this course is to introduce students to the variety of basic issues that entertainment lawyers address, and to serve as a stepping-stone in preparation for entry into the entertainment industry. This course is designed to introduce students to the business and legal affairs aspects of the entertainment industry, specifically television, theatrical, and digital media development and production. "Business and legal affairs" is the group or department within an entertainment company that is responsible for drafting and review of contracts, as well as handling the legal issues that arise throughout production. Its role is to ensure that the contract captures the deal points in accordance with the parties' agreement, and that the contract is in compliance with the firm's internal policies and all applicable laws and regulations. The entertainment industry is subject to a variety of legal and regulatory regimes, some of which are

common to all businesses and some of which are unique to the entertainment industry. We will examine topics/issues that arise under areas of law that some students are familiar with, while other areas might be new: Torts (defamation, right of privacy, right of publicity, first amendment concerns), contracts (deal making, major players in entertainment contract negotiations), and intellectual property (trademarks, copyrights, fair use, rights acquisitions).

ENVIRONMENTAL LAW

The regulation and control of water, air and land is the broad subject matter of this course. The emphasis is on federal statutory and regulatory law but international issues and state and local regulation will be reviewed in areas in which they have broad relevance.

FEDERAL COURTS

This course will examine the relationship of the federal courts to the other branches of the federal government and to the governments of the several States. Issues covered will be Constitutional limits on federal-court jurisdiction; Congressional control over the jurisdiction of the federal courts; the availability of judicial review for executive action; and, the relation between state and federal courts. These issues will be examined in the light of judicial review of the detention of persons pursuant to the writ of habeas corpus, and, in particular, federal-court review of the detention of persons resulting from State-court criminal convictions.

HEALTH LAW

This course will provide an overview of the complex laws, regulations and underlying policies that govern health care delivery. Issues to be examined include access to medical care; Medicare and Medicaid; health insurance and payment systems; informed consent; confidentiality; and end-of-life decision making.

INTELLECTUAL PROPERTY

This course offers a broad survey of intellectual property law. The course focuses on the rights and obligations of those who possess and use property in the form of patents, copyrights, and trademarks. Depending on time constraints, the course also touches on subsidiary areas, such as trade secrets, the rights of publicity, and unfair competition. International as well as federal and state controls and policies will be studied.

INTERNATIONAL BUSINESS TRANSACTIONS

This course is designed to introduce students to the issues involved in private trading in international markets. Consideration of transnational economic activity will cover the role of lawyers, the legal and financial framework, and national and international policies that limit and control such trading.

INTERNATIONAL LAW

This basic course introduces students to the central topics, ideas and principles of present-day public international law. It will also cover the judicial and other structures including the United Nations, that are central to the determination and enforcement of this legal regime.

LAND USE PLANNING

This course explores the relatively evolving field of land use law, seeking to understand the theoretical basis for such regulation, the effects (intended, unintended or perhaps unconsciously intended) of such regulation and the practicalities of land use and development within the legal framework. Among the major issues this course will examine are the law of zoning, the constitutional constraints on land use regulation, the establishment and enforcement of subdivision and land development controls, and other development regulations. The course will examine several current topics in land use regulation, including

climate change, environmental regulations, smart growth, historic preservation and renewable energy. Students will approach the course material from both theoretical and practical vantage points, and will be required to conduct research on how land use regulations are implemented in "real world" situations.

MARINE SALVAGE

Marine salvage is the law of rewarding parties for rescuing goods and preventing damage in cases of marine peril. The concept is unique to maritime law and involves both a different calculation than the Common-Law concept of quantum meruit and give rise to a maritime lien, an ownership interest, in the property subject to salvage. We'll consider the elements of a salvage claim, and the distinction between salvage and other maritime claims, calculation of the salvage award, salvage for prevention of environmental damage, and problem involved in the recovery of sunken treasure including the relation of salvage to the law of finds and abandonment and issues involved in dealing with the United States and foreign sovereigns. In addition, procedural issues of arbitration and forum selection will be considered. No prior knowledge of maritime law will be assumed.

MENTAL HEALTH LAW: A MULTIDISCIPLINARY APPROACH

This course is designed to create a cross disciplinary environment where students can explore some of the critical issues that cross the boundaries between law and behavioral health. It will focus on selected topics, exploring each of them from a medical as well as legal perspective. The course will begin with an overview of the mental health system and its history, as well as an outline of the specialized legal environment in which it works. There will then be a series of focus sessions that zoom in on specific issues. There will be three skills workshops providing practical application of the material to common types of psychiatric hearings: civil certification; dangerousness; and competency/diversion. Brown University graduate students in psychiatry and psychology will be registered students in this course.

REFUGEE AND ASYLUM LAW

This seminar explores US asylum law and practice employing a comparative and international approach. After establishing the international context within which refugee law has developed, the seminar focuses on U.S. practice, procedure, and doctrine. Through case law and comparative analysis, the substantive elements of refugee status are covered in greater detail. Specific topics to be addressed include the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, the Refugee Act of 1980, Convention Against Torture and other related policies and statutes. To expose students to the practical aspects of asylum advocacy, the class will watch a video about the asylum process, and observe an asylum hearing in immigration court.

REGULATORY COMPLIANCE

This course is intended to introduce students to the growing field of corporate compliance. Students will learn the fundamental elements of an effective corporate compliance program and will analyze the practical and legal issues involved in designing, implementing and operating such a program. A compliance program is an organization's policies, procedures, and practices designed to create an ethical corporate culture and to prevent and detect wrongdoing.

SEXUALITY AND THE LAW

This course explores aspects of the legal regulation of sexuality. Among the questions on which we will focus throughout the semester are these: How has sexuality (and related notions such as sexuality and gender) been defined, posed and addressed as a problem in and for the U.S. legal system? What role do various conceptions of sexuality play in framing the terms, the argumentative strategies and resolution of legal disputes? What shaping functions do legal constructions of sexuality exert in and on broader political conversations about sex and social justice in the contemporary U.S.? Topics to be discussed include the scope and limits of the "public/private" distinction as a conceptual framework in U.S. sex

law; legal efforts to define and distinguish sex, gender and sexuality, sexual acts, gender identities and expressions (male, female, transgender, transsexual, intersex), and sexual identities (“homosexuality,” “heterosexuality,” and “bisexuality”); law, sexuality and intimate association; sexuality, gender, and reproduction; gender, sexuality, surveillance and citizenship; law, sexuality, kinship and family relations; gender identity, sexuality and the legal construction, and regulation, of the human body; sex.

SOCIAL SECURITY DISABILITY LAW

This course is a detailed introduction to social security disability law, policy and practice with a focus on the Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) programs. The course will include a look at the historical and social foundations of the Social Security Administration and the difference between social insurance and means-tested or welfare programs. The bulk of the course will focus on the largest and most heavily litigated programs in the social security system—the disability programs. It will explore the Social Security Administrations’ unique definition of “disability,” and provide a comprehensive examination of the substantive law, elaborate administrative adjudicative system, and federal court judicial review of social security disability claims.

TRIBAL COURTS, TRIBAL LAW, AND TRIBAL GOVERNMENTS

The course will examine American Indian tribal courts, including tribal laws, codes, statutes, customs, and the interplay between tribal courts, state, and U.S. federal law. Students will learn the intricacies of both criminal and civil jurisdiction in tribal courts, how disputes are adjudicated on American Indian reservations and be able to navigate the choice of law. They will gain an understanding of the rich history of tribal courts, tribal governance, and tribal constitutions. They will gain an understanding of how differing Native Nations organize tribal governments, including those in the Northeast region. Students will gain an appreciation for how customs and customary law is applied in modern tribal governance and adjudication, along with Indigenous approaches and philosophies associated with dispute resolution. Family law, tribal membership and advocacy for civil and political rights will be discussed. Students will be well prepared for both practice and employment in American Indian tribal courts and governments.

WORKERS COMPENSATION LAW

This course will consider and evaluate benefit delivery systems for those who suffer work related injuries. Class discussion will trace the evolution of the law from common law tort system and the use of the affirmative defenses to bar most claims to the development of benefit systems which do not utilize fault as a liability measure. The structure of the benefit system will be evaluated and distinctions considered between the various state systems as well as the federal longshore and harbor workers compensation act.

SEMINARS

DOMESTIC VIOLENCE

This course will examine the dramatic changes in domestic violence laws and policy over the past twenty years, assess their impact, and explore potential new practices in this rapidly developing area.

FEDERAL LITIGATION AND APPEALS IN IMMIGRATION LAW

This course introduces students to Federal District Court litigation and representation in the U.S. Circuit Courts of Appeals, both academically and practically, with a focus on representing immigrants. Students will learn tools to prepare for litigation and appellate practice, including drafting petitions for review, motions, mooted a First Circuit case. This course satisfies the writing requirement.

LAW OF THE SEA

This course reviews the basic principles of international law, both customary and treaty-based, that apply to the territorial sea, the high seas, continental shelf, seabed, and ocean floor. The course analyzes the allocation of jurisdictional powers among individual states and the international community over the various maritime zones involved; the use and management of ocean resources, such as regional and global fisheries regimes and seabed mining; marine environmental protection and pollution control; military uses of the ocean; and freedom of navigation.

NATIONAL SECURITY

This course is a survey of the major legal components of national security, including counter-terrorism; the Law of Armed Conflict; war powers issues; emergency powers of government and their relationship to civil liberties; counter-intelligence, surveillance, intelligence gathering and other covert operations; the role of international and war crimes tribunals; and analysis; and issues pertaining to access to and release of national security information. Particular emphasis will be placed on legal issues relevant to the events of September 11, 2001 and their aftermath, including recent counter-terrorism legislation and the war in the Middle East.

PATENT LAW

Creativity and productive ideas have proven essential to the worlds and this nation's economic progress. The federal government has developed an elaborate set of laws and regulations to protect these ideas from appropriation by others. This body of law, and elements of the practice under it, will be covered in detail. Patent application and other document preparation will be required.

SLAVERY AND HUMAN TRAFFICKING

This seminar will introduce students to the federal, selected state, and international laws and policies now available to combat human trafficking and modern-day forms of slavery. The course will begin with a brief examination of abolitionism. It will then review the adoption of U.S. anti-slavery and peonage laws, showing how those laws proved insufficient to curb modern slavery and trafficking, such failure forming the backdrop for the passage of the Trafficking Victims Protection Act (TVPA) in 2000. The seminar will then conduct an in-depth analysis of federal laws prohibiting sex and labor trafficking crimes and consider how such laws are used to investigate and prosecute those offenses. A brief investigation of selected state laws as well as the problem of migrant smuggling will also be conducted. The last part of the seminar will examine the international antitrafficking legal framework established under the U.N. Palermo Protocol and consider whether global efforts to implement the Protocol have had any success. The methodology employed in the seminar will examine each topic using the lenses of legal history, analytical jurisprudence, and criminal law theory. The focus will be on the criminal law provisions of the TVPA as it is logistically impossible to cover the foreign policy, immigration, and social service aspects of that law in a course like this and our concern will be the implications of the TVPA for criminal theory and practice. After tracing the evolution of the legal definition(s) and social, religious, and economic conceptions of slavery and the rise of anti-slavery thought, we will explore the advent of legislative and prosecutorial recognition of the alleged new crime of "human trafficking" and examine how TVPA has been interpreted and applied by the courts in cases involving allegations of human trafficking and slavery. By the end of the course, students should come away with a good understanding of the major legal, jurisprudential, public policy, and practical law enforcement issues involved in the struggle against modern-day slavery and human trafficking. This will include a close examination of the role of the internet in sex and labor trafficking. The reading in the course will be supplied by the professor and will be substantial. The reading will be supplemented with lectures, video presentations, and talks by one or more guest speakers.

WHITE COLLAR CRIME

This seminar deals with policy, doctrine and jurisprudence implicated by corporate and other business entities' criminality. The course will cover the criminal liability of business entities and their officers, involving the study of federal criminal statutes used to prosecute corporate and white-collar crime, including mail & wire fraud, conspiracy, racketeer influenced and corrupt organizations (RICO), anti-trust, securities and the Foreign Corrupt Practices Act.

LAW OF MARITIME PIRACY

This course will deal with legal issues resulting from efforts to deal with maritime piracy, and legal issues raised by the law, both domestic and international piracy. Students will write a significant, original paper and present their findings to the class. Readings will be from materials prepared by the instructor.