

COURSE DESCRIPTIONS
SUMMER 2018

DOCTRINAL COURSES

CRIMINAL PROCEDURE: INVESTIGATION

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. This is a required second year course.

INTERNATIONAL ANTI-CORRUPTION LAW AND COMPLIANCE

The World Bank estimates that more than 8% of the world's total gross domestic product, or \$4.9 trillion, consists of bribes paid to government officials and government contracts tainted by bribery. This figure exceeds the individual economies of every country on Earth except for the United States and China. To combat this staggering problem, the United States in 1977 became the first nation to criminalize the act of bribing foreign government officials. Since then, the Foreign Corrupt Practices Act (FCPA) has become one of the U.S. government's highest enforcement priorities, second only to fighting terrorism. U.S. corporations consistently rank international corruption among their top five compliance challenges, with more than a third of public companies spending over \$1 million per year to avoid FCPA violations. This course will provide an in-depth analysis of FCPA's anti-bribery and compliance provisions, relevant federal case law, U.S. government advisory opinions, and the hundreds of settlements used by the Department of Justice and the Securities and Exchange Commission to penalize violations and push the boundaries of compliance best practices. The course will take a practical approach, emphasizing how the FCPA impacts firm and in-house counsel alike, the issues commonly faced by compliance attorneys and the challenge of balancing compliance risks with business needs.

PROFESSIONAL RESPONSIBILITY

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. This is a required second year course.

SOCIAL JUSTICE

The law is used not only to secure justice for parties in individual cases but also to bring about social change. This course examines how lawyers have done that. The readings will be autobiographies, biographies, and other books about lawyers who pursued their visions of social justice. The class will discuss what motivated these lawyers, how they designed overarching strategies to achieve their objectives, the tactical decisions they made along the way, and their leadership styles. There will be no prescribed definition of "social justice." Instead, students will be asked to think about what "social justice" means to them, and lawyers with different

ideological perspectives will be studied. This course is designed for students who hope to pursue public interest careers and for students who hope to find opportunities to advance the public good while engaged in an ordinary legal practice.

SEMINARS

LAW OF PIRACY: PAST AND PRESENT

In this seminar, we'll look at some of the primary sources of the of piracy form before the rise of Atlantic piracy at the end of the 17th Century, through the reappearance of piracy as a global problem in the 21st Century. We'll look at domestic legal developments as well as some under foreign jurisdictions and contemporary understandings of international law. Each student will complete a research paper on the topic of his/her choice and, during the last couple of meeting of the seminar, present the results of their research in class. Grading will be based on the research paper, the presentation, and general class participation.

WATER LAW

Water is our most valuable resource, and as the 21st Century continues, struggles regarding its management and use will become even more prominent as the climate changes and populations grow. This course explores legal schemes for securing, allocating, and managing water rights for public and private uses, and will address both fresh surface and ground water resources. Over the course of the semester, we will examine the riparian and prior appropriation doctrines; common law, state and federal statutory schemes and regulations for managing water use; and mechanisms for transboundary and interstate allocation of water. We will also consider social policy, history, and the value (economic, social cultural, etc.) of water, as well as the science of hydrology and hydrogeology, as a basis for water law and for understanding overall water resources management and regulations

COURSES THAT SATISFY THE UPPER-LEVEL LEGAL PRACTICE REQUIREMENT

CONTRACT DRAFTING AND TRANSACTIONAL LAWYERING

This course teaches all of the foundational skills of transactional lawyering, from advising and counseling business clients to the highest professional and ethical standards, to analyzing and drafting contracts to reflect the parties' deal, objectives, and concerns. Students learn to understand a transaction through both its legal and business issues. In learning the process of drafting a contract, students learn to understand a client's deal and then translate the deal into contract concepts that become the building blocks of the contract. Through exercises, simulations, and projects, students then learn to draft clear, careful, unambiguous provisions in a well-organized, readable, complete contract. Students learn how to add value to the contracted deal by drafting language or structuring the deal so that it shifts the risk levels for each party. Students also learn the art of analyzing, reviewing and commenting on drafted contracts using current practices and technologies. The class involves group exercises, simulations, and role play, as well as lecture. The type of contracts covered are relevant to most transactional law practices.

MARITIME LITIGATION: THE WHIPS AND WHIRLS OF AN ADMIRALTY PRACTICE

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.

FAMILY AND DIVORCE MEDIATION

This course is intended to provide the student with an understanding of the contexts in which family conflict arises, the various legal and practical issues in play when families disintegrate, and with in-depth training in the skills that a mediator might employ to help the divorcing parties resolve their differences. The course exposes the student to relevant factors and normative approaches used by courts in dividing property, determining child support, custody, visitation, and spousal support among other issues, while recognizing that parties in mediation are empowered to reach their own agreements with the aid of the mediator. Role playing exercises are used to integrate theory with practice.

OPEN ENROLLMENT PERSPECTIVES COURSES

SPIRITUAL DIMENSIONS OF LAWYERING

This course will be taught by Professor Colleen Murphy explores a lawyer's identity and purpose beyond the "material" aspects of practicing law. The readings in the course, evidencing a variety of religious and secular perspectives, address topics such as the integration of deeply-held personal values into the practice of law; clients who have deeply held values that are in tension with the dominant values of the legal system; exploring with the client whether justice, peace, or reconciliation is the client's true goal; and the extent to which a lawyer might engage the client in moral conversation.

EXTERNSHIPS

CORPORATE COUNSEL CLINICAL EXTERNSHIP & CORPORATE COUNSEL SEMINAR

Students are assigned to in-house corporate offices of prominent for-profit and not-for-profit entities 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 and for corporate clients. 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 Seminar: In-House Counsel.

PUBLIC INTEREST EXTERNSHIP & PUBLIC INTEREST LAWYERING SEMINAR - LAW

Students receive academic credit while working in state or federal government agencies or non-profit legal services organizations. Students must find their own placements before applying to participate in the program. The student externs conduct legal research, prepare memoranda of law, observe administrative, trial or appellate proceedings, participate in discussions with public officials, and perform the duties of a law clerk under the supervision of a supervising attorney and a faculty member. Students in their final year of school may also appear in court on behalf of the state or clients in limited types of proceedings. 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 Seminar: Public Interest Lawyering and Ethics.

PROSECUTION CLINICAL EXTERNSHIP PROGRAM & PROSECUTION SEMINAR

Through our Prosecution Clinical Externship Program, students can earn academic credit while working two to three days per week in a prosecution office on the federal, state or municipal level. Students must find their own placements before applying to participate in the program. Students are eligible to appear in court as student attorneys in our local federal court as well as in state courts in Rhode Island and Massachusetts. In this externship program students will gain valuable hands-on experience representing the government in criminal prosecutions. 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 Prosecution Seminar.