

FALL 2018 COURSE DESCRIPTIONS

ELECTIVE COURSES

ACCOUNTING FOR LAWYERS - LAW 716

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. Business Organizations is a prerequisite.

ADMINISTRATIVE LAW - LAW 631

This course introduces the growth and development of administrative law and procedure. Topics include constitutionality and delegation of power, discretion, policy, regulatory and adjudicative functions, rules, orders, jurisdiction, investigative functions, procedures, due process and judicial review.

ADVANCED TORTS - LAW 684

This course provides an in-depth coverage to a number of classic torts cases including Palsgraf, U.S. v. Carroll Towing, MacPherson Buick and others. It also covers the torts of defamation and invasion of privacy.

APPLIED LEGAL REASONING - LAW 889

This class is the bridge between the three-year law school curriculum and the two months of bar review following graduation. The course teaches much of the law tested on the bar exam, yet focuses primarily on thinking skills and test-taking strategies. Extensive coverage is given to the most difficult part of the bar exam: the Multistate Bar Examination (MBE), the 200-question multiple-choice test that is part of the bar exam of every state except Louisiana. The course also covers essay and performance test writing techniques. The Fall Semester will cover Torts, Evidence, Criminal Law, & Criminal Procedure. The spring course will cover Contracts, Property, & Constitutional Law. The Fall Semester course is not a formal prerequisite for the Spring Semester, but is highly recommended.

BANKING LAW - LAW 804

This course examines the systems of federal and state commercial bank and bank-holding company regulations. Coverage ranges from the business of banking and its role to consideration of permissible activities and international banking by U.S. banks.

BUSINESS ORGANIZATIONS - LAW 635

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.

BUSINESS PLANNING - LAW 808

This course combines work in corporate law and federal corporate taxation in a problem context of business planning and counseling. The course focuses on several complex fact situations, giving students the opportunities to analyze and resolve issues presented. Federal Income Tax is a prerequisite.

EMPLOYMENT DISCRIMINATION - LAW 819

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.

ELDER LAW - LAW 715

Elder Law is a rapidly growing and intellectually challenging practice area. This course will focus on the legal issues and client situations most frequently encountered by Elder Law attorneys. The course will begin with an overview of how Elder Law differs from a traditional trusts and estates practice, including a review of the particular ethical challenges faced by the Elder Law practitioner. An examination of the major substantive law competencies needed by the Elder Law practitioner will follow. The course will conclude with an analysis of how the practitioner serves elders facing challenges such as diminished capacity and the need for long-term care.

ENVIRONMENTAL LAW - LAW 672

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.

FAMILY LAW - LAW 722

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.

HEALTH LAW AND POLICY – LAW 720

This course will provide an overview of the complex laws, regulations and underlying policies that govern healthcare delivery. Issues to be examined include medical liability, state and federal regulatory requirements, Medicare and Medicaid, health insurance and payment systems, antitrust considerations, non-profit governance and tax issues, quality and bioethics.

IMMIGRATION LAW - LAW 772

This course provides a survey of U.S. immigration law. The course will review the constitutional basis for regulating immigration into the United States, and, to some extent, the constitutional rights of noncitizens in the country; the contours of the immigration bureaucracy, including the roles played by various federal agencies in immigration decisions; the admission of nonimmigrants (i.e., temporary visitors) and immigrants into the U.S.; the deportation and exclusion of nonimmigrants and immigrants; refugee and asylum law; and citizenship and naturalization.

INTELLECTUAL PROPERTY - LAW 740

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 - LAW 792

This course is designed to introduce students to fundamental legal problems encountered by U.S. enterprises engaged in international business. The course will focus on some major legal problems encountered in commercial and financial business ventures that cross national borders, analyzing basic international business transactions and the effects of U.S. law, specific foreign law, and treaties on the conduct of the parties involved. Topics include an introduction to: commercial law, formation of contracts, choice of law, international sale of goods (including the CISG), letters of credit, foreign direct investment, the organization and operations of international (World Trade Organization) and regional trade institutions (European Union), international dispute resolution, and corporate social responsibility. The goal of the course is for students to develop an understanding of the laws applicable to private international transactions and an awareness of the risks inherent in doing business in or with other countries and their nationals.

LAND USE PLANNING - LAW 743

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.

MILITARY LAW - LAW 843

This course will explore legal issues peculiar to the military service as well as issues of importance to the government of the services. The course will examine the military justice system as well as the problems facing the civilian practitioner dealing with the military services and their personnel. Topics will include the military justice system, including the Uniform Code

of Military Justice and the Military Rules of Evidence, veterans reemployment rights, obtaining child support, and litigating divorce or custody disputes when servicemen are involved. Other discussions will focus on policies such as the use of the death penalty, the role of women in the military, drug testing, and first amendment rights.

OCEAN AND COASTAL LAW & POLICY - LAW 674

The areas in which oceans and their branches and land masses meet are the source of many relationships largely peculiar to those areas. Sea level rise, global warming and effects on our oceans, coastal resilience and retreat options from mega storms like Sandy and Katrina, wetlands protection, environment and ecological issues, the position of the area in terms of industry and commerce including such international rules as those governing fisheries, whaling and other trapping and hunting, are a part of the special problems facing this zone and the areas of water and land nearby. The course examines the various legal regimes with a consideration of policy issues that are involved in the complex relationships generated in these areas.

PAYMENT SYSTEMS - LAW 651

This course covers Articles 3 and 4 of the Uniform Commercial Code. It surveys the legal concept of money, negotiability, usury laws, commercial paper and bank credit as a money substitute, doctrines of holder in due course, liability and discharge and paper/electronic transfers. Consideration is given also to letters of credit and documents of title.

REMEDIES - LAW 738

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.

SALES - LAW 652

This course provides an introduction to the law related to the sale of goods (moveable personal property) under Article 2 of the Uniform Commercial Code ("UCC"). Topics to be covered include: formation, terms, performance, risk of loss, express and implied warranties, disclaimers, breach, and remedies of the aggrieved buyer and seller. The course assumes familiarity with basic contract principles, though core concepts will be reviewed.

SECURED TRANSACTIONS - LAW 653

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.

SECURITIES REGULATIONS - LAW 832

This course covers the important federal securities laws and corresponding Securities & Exchange Commission ["SEC"] rules and regulations interpreting the securities laws. The overall objective of the course is to make the students conversant in the "language" of securities laws, the major statutory provisions and rules and how these all play out in corporate American today. Special attention is paid to applying the "theory" behind securities law to practical

situations leveraging the Professor's extensive in-house experience with a Fortune 300 public company. As such, many of the materials used in the course are taken from securities matters which the professor was personally involved with. Business Organizations is a prerequisite.

WILLS AND TRUSTS - LAW 749

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.

SEMINARS

COPYRIGHT LAW - LSM 815

This class provides an in-depth study of copyright law, which grants a limited monopoly to authors of creative works, and related state law doctrines such as unfair competition law. The course will focus on the constitutional basis for copyright, the statutory requirements for copyright protection, the scope of rights granted to copyright owners, the elements of a copyright infringement action, related state law claims, and licensing issues related to copyright.

Discussion and readings will encompass topics of current interest in copyright law, including the impact of the internet, digital copying capabilities, new technologies, and the information-based economy.

DOMESTIC VIOLENCE LAW- 890

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.

NATIONAL SECURITY - LAW 794

This course will focus on 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.

SELECTED ISSUES IN CONFLICT OF LAWS – LSM 737

Callie from California and Max from Massachusetts get into a car accident with each other in the parking lot of Disney World (Florida). Max returns home to Massachusetts and sues Callie and Disney World in Massachusetts state court. Does the Massachusetts court have jurisdiction over Callie and/or Disney World? If so, what law would a Massachusetts court apply to the dispute – Massachusetts law? California law? Florida law? If Max obtains judgment against Callie and Disney World, are these judgments enforceable in California and Florida? If Callie moves to France and obtains a declaratory judgment there that she is not liable to Max for the car accident, would this French judgment be recognized by a Massachusetts court to preclude Max's

lawsuit? These are the questions to be explored in this Conflict of Laws seminar. The seminar will focus on three broad questions: 1. Jurisdiction: When does a court have jurisdiction over a dispute? 2. Choice of Law: What law will a court apply to a dispute? 3. Enforcement of Judgments: When will a judgment from a foreign court (U.S. state or foreign country) be recognized and/or enforced? The approach taken is a mix between academic and practical. The ultimate goal is to have students not only understand the doctrines that comprise the conflict of laws, but be able to apply and manipulate them to achieve a desired result.

COURSES THAT MEET THE UPPER-LEVEL LEGAL PRACTICE REQUIREMENT

CRIMINAL LITIGATION: DRAFTING & ADVOCACY - LAW 750

While less than one percent of all criminal cases go to trial, every criminal case involves a necessary knowledge of criminal pleadings and motions. This course will focus on pleadings, motions and related documents in all stages of a criminal case – from the arraignment through pre-trial, trial and post-conviction proceedings. Students will learn how to review, draft and argue criminal pleadings and motions from both the prosecution and defense perspective. The course is designed for prospective criminal defense attorneys, prosecutors, appellate attorneys, and judicial law clerks in state and federal courts. Completion of, or concurrent enrollment in, Criminal Procedure: Adjudication or Criminal Procedure: Investigation, is considered helpful.

INTERVIEWING & COUNSELING – LAW 640

This skills course develops the craft of the lawyer in client interviewing and counseling. The course provides a theoretical framework for and experience with simulated interviewing and counseling in the legal setting. Skills are introduced and honed through lecture, demonstrations, discussion, role playing, simulations, practical exercises and critiques.

LEGAL PRACTICE III - LAW 646

This course is designed to provide in-depth instruction in legal writing and analysis, and to help prepare students for legal practice. Students will complete a series of in-class and take-home exercises and will receive feedback on their writing throughout the semester. In addition, students will meet individually with their professor to discuss assignments, and to enhance their writing and analytical skills.

MEDIATION - LAW 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 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 - LAW 736

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.

TRANSACTIONAL LAWYERING AND CONTRACT DRAFTING - LAW 756

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 - LAW 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 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 & EXTERNSHIPS

BUSINESS STARTUP CLINIC - LAW 869

The Roger Williams University Community Economic Development Clinic, our newest clinical offering, is scheduled to open in the fall semester of 2013. The focus of the clinic will be to provide services to small, low-income and start-up businesses and not-for-profit organizations in Rhode Island and Southern Massachusetts. Students enrolled in the clinic will work with small business owners in determining and facilitating their legal needs. This will include selecting the best legal entity, assisting with the filing of organizational documents, creating agreements, and drafting leases and other contracts. The primary goal of the clinic will be to teach the practice of transactional lawyering while providing service to under-served entrepreneurs and organizations.

CORPORATE COUNSEL CLINICAL EXTERNSHIP - LAW 797

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: Corporate Counsel.

CRIMINAL DEFENSE CLINIC - LAW 860

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.**

IMMIGRATION CLINIC - LAW 870

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 - LAW 796

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.

PROSECUTION CLINICAL EXTERNSHIP - LAW 801

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 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. Students also participate in a weekly seminar with classmates who are working in a variety of prosecutorial settings and must be taken in conjunction with Seminar: Prosecution.

PUBLIC INTEREST CLINICAL EXTERNSHIP - LAW 798

Students are assigned to state or federal government agencies or to non-profit legal services organizations. 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 student attorney under the supervision of a supervising attorney and a faculty member. Students 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.

VETERANS DISABILITY APPEALS FIELD CLINIC – LAW 876

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 ENROLLMENT PERSPECTIVES COURSES

ELECTION CAMPAIGN & FINANCE LAW - LSM 856 AH1

This seminar will explore political campaigns and elections in the United States. Selected topics in law and politics will include the right to vote, political participation, political parties, and campaign finance, as well as special attention to the issues arising in the 2012 elections. The goal of this seminar is to provide students with an overview of the basic principles of election law and campaign finance in this country.

ENVIRONMENTAL JUSTICE – LSM 856 AH2

This honors perspectives course will explore the distribution of environmental benefits and burdens throughout the world, with an emphasis on United States laws, regulations, and policies. This course will explore whether the U.S. environmental laws, policies, and regulations are truly equal in their treatment of people regardless of race, color, income, or nationality. Through a series of readings (books and supplementary materials), participants in this course will explore the history surrounding the environmental justice movement: whether historically there has been environmental justice in the United States, whether there is currently environmental justice in the United States, and what the future of environmental justice is.

THE SUPREME COURT AND LABOR LAW – LSM 856 – AH3

This course, taught by Dean Michael Yelnosky, looks at the history of the U.S. Supreme Court's uneasy relationship with organized labor.

STATISTICS FOR LAWYERS – LSM 856 AH4

In every type of modern legal practice, lawyers must regularly deal with problems that require a basic understanding of concepts and methods from statistics and economics. This course provides an introduction to these subjects and their application and relevance to law. The purpose of this course is to make you competent enough with numbers so that you are prepared to handle the range of quantitative issues that come up in modern legal practice. Grades will be based on class participation, graded problem sets, and a final examination. No prior background in statistics or economics is required; however, we will regularly use basic algebra and arithmetic. Students with strong backgrounds in economics, mathematics, or statistics should consult with the professor before enrolling in the course

OPEN ENROLLMENT PERSPECTIVES COURSES

LAW OFFICE MANAGEMENT - LSM 856 A1

Law Office Management 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.

GENOCIDE AND ATROCITY – LSM 856 A2

Genocide in the 20th Century: In this course, which meets on Friday and Saturday on two separate weeks, Professor Noone explores the phenomenon of genocide, crimes against humanity and war crimes and the legal instruments available to identify and punish atrocity crimes.

MARITIME LIENS – LSM 856 A3

We'll look at the statutory and common-law basis for the imposition and removal of maritime liens; the foreclosure of liens pursuant to Supplemental Rule C especially the priority of liens; venue, choice of forum (including arbitration), and choice of law.

No prior knowledge of maritime law is required.

“WE WERE EIGHT YEARS IN POWER:” THE OBAMA PRESIDENCY - LSM 856 A4

This course will use the collection of essays by Ta-Nehisi Coates, “We Were Eight Years in Power: An American Tragedy” to discuss the election of the first African American president and the political response to his presidency. Mr. Coates explores the echoes of the earlier post-Civil War Reconstruction era in American history in the response to the Obama presidency and its aftermath.

PROFESSIONAL LEGAL WRITING – LSM 856 A5

In this course, which will function as part seminar and part workshop, students will explore the relationship between form and content in legal writing and employ the techniques learned to craft high-quality writing samples. Specifically, this course will review the foundational elements of writing—such as grammar, punctuation, and sentence structure—and guide students as they sculpt the structural components of their texts to match the ideas they express. More than an elaborate editing session, this course will also introduce more-sophisticated writing concepts like semiotics, prosody, and classical rhetoric to have students consider and refine not only their writing, but also their thoughts and opinions. Writing and revision will be required for, and likely in, each class but, if done with care, should result in a finely crafted and cohesive professional composition.

LEGAL REASONING WITH EVIDENCE – LSM 856 A6

Legal Reasoning with Evidence is a 6-week course that is coupled with the second year evidence course. The course sets out to expand students' analytical skills in ways that assist them in law school and ultimately on the bar exam. Students will work on their analysis in writing and in answering comprehensive multiple choice questions. Students will receive extensive personalized feedback on essays and multiple choice questions focused on the law of Evidence. Evidence is a required co-requisite. The course is taught by Professor Brittany L. Raposa, the Associate Director of Bar Support.