

ELECTIVE COURSE DESCRIPTIONS - SPRING 2020

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.

CONSTRUCTION LAW

This course examines various legal issues affecting public and private construction projects from inception through post-completion. Among the topics covered in the course are: (1) project delivery methods; (2) risk identification and allocation; (3) responsibilities and liabilities of project owners, architects, contractors and subcontractors; (4) design and construction contracting principles and standard forms of agreement; (5) risk mitigation using insurance, bonds, indemnities and limitations of liability; (6) change management; (7) common dispute types such as design errors and omissions, project delays and differing site conditions; and (8) claims and dispute resolution.

CRIMINAL PROCEDURE: ADJUDICATION

This course is an analysis of selected and evolving criminal justice issues arising under the Fourth, Fifth, Sixth, and Eighth Amendments to the U.S. Constitution. Within this context, emphasis is placed on the workings of the advocacy system, prosecution and defense functions.

DOMESTIC VIOLENCE LAW

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.

EMPLOYMENT LAW

This course will examine government regulation of the relationship of the individual employee and his or her employer. The propriety of regulating particular areas of the employment relationship and the efficacy of alternative regulatory schemes will be recurring themes. Areas of coverage may include employment at-will, wrongful termination, employment discrimination, regulation of compensation, workplace health and safety, unemployment compensation, and pensions.

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.

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.

IMMIGRATION LAW

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.

INSURANCE LAW

This course will focus on the types of insurance most likely to be encountered in private practice: property and casualty (liability) insurance. Topics covered will include the theory and basic concepts of insurance; the insurance contract and principles of interpretation; application, underwriting, and risk analysis concepts; insurance contract formation and carrier issues/responses; types and structure of typical property and casualty policies to include policy declarations, definitions of insureds, insuring clauses, coverages, exclusions, and limitations; duties imposed on insurance carriers and insureds; typical policy conditions and application; statutory requirements and policies; first and third party claim handling processes; duty to defend and duty to indemnify; fair claim handling practice requirements and extra-contractual liability; insurance fraud issues, and; insurance regulation.

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, which are central to the determination and enforcement of this legal regime.

LABOR LAW

This course surveys the federal regulation of the union-management relationship in the private sector. The principle focus of the course is the National Labor Relations Act. The course will examine the establishment of the collective bargaining relationship, the negotiation of the collective agreement, unfair labor practice proceedings, economic pressure tactics, the enforcement of the collective agreement, and the duty of fair representation.

LAW AND MEDICINE

The two professions of law and medicine intersect in many parts of American society. Issues such as expert testimony, the doctor-patient relationship, malpractice, and ethical issues, including the right to die, and their legal ramifications will be reviewed.

MARINE INSURANCE

This course examines the legal problems involved in insurance against physical loss or damage to maritime property (hull), against maritime liabilities (protection and indemnity), and for damage to goods (cargo).

MARITIME SECURITY LAW

The course addresses the law of maritime security in the United States in the context of the post-September 11 global economy. Recent, essential measures such as the International Ship & Port Security Code and the Maritime Transportation Security Act of 2002 will be covered in addition to traditional statutory and regulatory schemes such as port state control and the Safety of Life at Sea Convention. An

underlying premise of the course is the relationship between environmental considerations and maritime security risk management in the practical implementation of legal principles. Students will learn principles of U.S. and international maritime security law in a context of transactional practice, including simulated client counseling and formulation of transaction documents such as legal opinions. Prior maritime and/or environmental law courses will be helpful, but are not a prerequisite.

MERGERS AND ACQUISITIONS

The course will explore corporate acquisitions, including mergers and consolidations, in the form of asset sale, stock sale, or statutory merger. The consequences of these transactions will be discussed, including, potentially, successor liability, securities regulations, antitrust, tax, accounting, environmental, intellectual property, ERISA, and other legal issues. Due diligence review, negotiation, and documentation will also be discussed. **Business Organizations is a prerequisite.**

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.

PRIVACY LAW

This course introduces students to the various frameworks of law governing the collection, use, access and disclosure of private sector data. Students will learn the Fair Information Practice Principles and the laws and regulations administering these principles by area of sensitive data: identity, medical, financial, education, and sales and marketing. Other topics include state privacy laws and legal limitations on government and court access to private-sector information. This course will also cover information tested for certification as a Certified Information Privacy Professional (CIPP).

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.

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.

RESIDENTIAL REAL ESTATE

This class will take an in-depth look into the typical residential real estate transaction. Analysis will range from parsing individual clauses of a standard Purchase and Sales Agreement, to conducting a complete title examination, to understanding the broad spectrum of primary and secondary mortgage markets and products. The emphasis of the class will be on a practical approach making cognizant distinctions between legalities and practicalities.

SALES

This course focuses primarily on Article 2 of the Uniform Commercial Code. A study of the law governing the sale of goods and financing thereof is covered including the law governing the formation and interpretation of commercial contracts, perfection of security interests and available remedies upon breach of contract. Implied and express warranties, risk of loss allocation and default are discussed.

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.

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.

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.

SEMINARS

PATENT LAW

Creativity and productive ideas have proven essential to 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. The patent law seminar includes elements of US and foreign patentability standards, perfection of patent rights, enforcement (litigation and ADR, border controls), relation to other bodies of law and practice such as antitrust, employment, corporate finance, licensing and joint ventures, federal civil procedure and evidence, international law, legal ethics, trademark, copyright, trade secret and Constitutional law. A background of science or technology education or experience can be helpful but is not required. Practical exercises in analyzing inventions and patents are given during the semester. The seminar grade is based primarily on a term paper due at the beginning of the exam period with some adjustment for class participation.

DEATH PENALTY

This seminar will examine legal issues surrounding the death penalty in America from a variety of perspectives. After a review of the goals of punishment and their relation to capital punishment, the course will explore: constitutional challenges to the imposition of the death penalty, focusing on claims relating to equal protection, due process and cruel and unusual punishment; race, gender and the death penalty; special offenders, including juveniles, the mentally retarded, and the insane; modes of punishment and ethical issues; the impact of international law; procedural issues in trials for capital offenses, as well as post-conviction proceedings; and perspectives from the families of victims and families of capital offenders.

CRITICAL RACE THEORY

Critical Race Theory is the intellectual movement developed by legal scholars to confront the role American law has played in legitimizing and upholding racial hierarchy. This course will explore some of the foundational works in this influential movement from scholars Derrick Bell, Richard Delgado, Kimberle Crenshaw and others. The course will conclude with a one hour exam and will be taught by Diana Hassel.

COURSES THAT MEET THE EXPERIENTIAL EDUCATION REQUIREMENT

(THE CLINICAL COURSES LISTED BELOW ALSO COUNT TOWARD SATISFACTION OF THE EXPERIENTIAL EDUCATION REQUIREMENT)

APPELLATE ADVOCACY: CRIMINAL LAW

This course focuses on the art of persuasion, with attention paid to both written and oral advocacy. Students will have an opportunity to write from either prosecution or defense perspectives. Using transcripts of two actual criminal trials – one raising 4th Amendment issues and the other exploring 5th Amendment *Miranda* law – we look at how the choice of language impacts persuasion. Words count! When do we choose to call a defendant “Ms. Smith,” when “Jacqueline,” when “Jackie” and when “the young woman”? Do we refer to “the prosecution” or “the State” or “the government” or the prosecutor by name? Do we say, “Despite the late hour, she claimed she was alert and watching carefully out the window,” or do we say, “She testified she was awake and looking out the window at 2:14 a.m.”? Or even, “Apparently wide awake and unable to sleep at 2:14 a.m., she was intently peering out the window.”

What difference does it make? We stress creating themes, supporting them with propositions, and crafting messages to sell those propositions. We will also spend time on issue selection and framing: how does framing influence success? Issue analysis, creative reasoning, research skills and persuasive organization are all part of the advocacy process. The class is conducted as a writing workshop. You will write drafts, we will review and discuss them, and you will have the benefit of instructor and peer comments in refining your graded product. We will also look at research techniques and focus on using both good and bad cases to our advantage. By the end of the course, you will have written two short appellate briefs. No exam or final paper; all work will be completed by the final class.

ADVANCED CRIMINAL LITIGATION: MOTIONS

In a simulated courtroom environment students will litigate motions at various stages of a realistic but fictional complex criminal prosecution. Each week, students will be introduced to a new set of facts that add a wrinkle to an ongoing federal case by raising constitutional issues that commonly arise in criminal cases, i.e., the discovery of a pre-trial *Miranda* violation, a mid-trial Confrontation Clause issue, or a post-trial jury instruction error. Students must have a firm grasp of criminal procedure, trial practice and evidence law to succeed in this class. Students will draft and exchange short adversarial motions (3-5 pages) and make oral arguments during mock court hearings. Written motions will be treated like publicly filed documents and shared with the entire class. This is not a lecture course. The classroom will be treated like a courtroom for the most part. Students will assume the roles of attorneys and judicial law clerks. During the last two weeks of the course, each student will participate as co-counsel in a final oral argument. Students will be graded non-anonymously based on their participation in classroom exercises, submission of written motions, and presentation of oral arguments. Prerequisites: Criminal Procedure: Investigation; Evidence; and Trial Advocacy. Students who have taken Evidence with Professor Allen are excused from the Trial Advocacy requirement.

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.

ESTATE PLANNING AND 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.**

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.

OCEAN MANAGEMENT LAW & POLICY

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.

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 "e-lawyering," 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 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.

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 & EXTERNSHIPS

BUSINESS STARTUP CLINIC

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 & 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 the Corporate Counsel Seminar.

CRIMINAL DEFENSE CLINIC

Students represent indigent criminal defendants in Rhode Island District Court and Rhode Island Traffic Tribunal from arraignment through to final trial or other original adjudicative 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 & ENVIRONMENTAL/LAND USE 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.

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.

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.

NY PRO BONO SCHOLARS PROGRAM & PROSECUTION 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 CLINICAL EXTERNSHIP & PROSECUTION SEMINAR

Through our Prosecution Clinical Externship Program, students 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 federal and state courts in Rhode Island and Massachusetts. Students gain valuable hands-on experience representing the government in criminal prosecutions. Students participate in a weekly seminar with classmates who are working in a variety of prosecutorial settings.

PUBLIC INTEREST CLINICAL EXTERNSHIP & PUBLIC INTEREST 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 ENROLLMENT PERSPECTIVES COURSES

CLERKING AND APPELLATE PRACTICE: CHOOSING THE RIGHT LENS THROUGH WHICH TO EXAMINE LEGAL ISSUES

Appellate courts view the legal issues presented to them through an issue-dependent, specific lens: the applicable standard of review. When you start a judicial externship or a clerkship, the degree to which you understand the role of the standard of review and the way to apply it to the relevant law determines how quickly you can draft accurate legal analyses for your judge. But the standard of review is often (necessarily) glossed over in your doctrinal classes in favor of getting to the details of the legal principle up for discussion. This seminar class is designed to bridge the gap between the direct application of a legal framework and an appellate argument with the correct lens (or set of lenses). This seminar class will include discussions and applications of appellate standards of review (e.g., abuse of discretion, de novo, clear error) as well as the implications of failure to properly preserve an appellate issue. We will also go over dispositive motion standards (for motions to dismiss and motions for summary judgment) and the practical applications of these motion standards. To guide our discussions, you'll be reading case briefs, state and federal court opinions, law review articles, and examples of applications of the standards to hypothetical situations. This seminar will be helpful for students who wish to intern and/or clerk with a state or federal judge, as well as for students who want to work in civil litigation.

INTERNAL INVESTIGATIONS

This is a seminar on selected legal and practical issues raised in investigating, regulating and prosecuting white collar crime. There are no prerequisites to this course, but you cannot receive credit for this course if you have already taken White Collar Crime. We will explore the topics of corporate and individual accountability, internal investigations, the attorney-client privilege, work product protection, the privilege against self-incrimination, sanctions and sentencing.

U.S. SUPREME COURT CASES

This course will focus on the art of appellate advocacy with particular focus on two cases that will be argued this spring before the United States Supreme Court. The class will be taught by Professor Jared Goldstein and will include a trip to the Court to hear those two cases argued.

OPEN ENROLLMENT PERSPECTIVES COURSES

ADVANCED PROFESSIONAL LEGAL WRITING

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.

CIVIL PROCEDURE STORIES

We will read the book by the same name, which devotes each chapter to a thorough discussion of one of the landmark decisions on civil procedure, including a chapter written by our own Professor Teitz. You have likely read most of the cases already, e.g., *Erie Railroad v. Tompkins*, 304 U.S. 64 (1938), but you will no doubt find the chapters engaging because they provide interesting background information about the case (information you would not likely get otherwise) and because they explicitly address the importance of the case at the time it was decided and whether it is still important today. Most of your favorite subjects will be covered, including subject matter jurisdiction, personal jurisdiction, procedural due process, venue, class actions, pleadings, discovery, summary judgment, res judicata, and full faith and credit. I know what you are thinking. Can we start yesterday?

MARITIME PROCEDURE IN REM AND QUASI IN REM

This course will take a detailed look at the procedures involved in having a Federal Marshall take possession of a vessel or other property pursuant to Supplemental Rules B, C, and D. Prior knowledge of basic concepts of admiralty law will be assumed.