

Elisabeth Haub School of Law

Course Descriptions

Descriptions of required and elective courses offered at Pace Law are set forth below. Not all elective courses are given every semester and some course descriptions may vary from semester to semester. To determine which courses will be offered for any particular semester and any variations in the course descriptions, refer to the Class Schedule Express at <http://www.pace.edu/office-student-assistance/class-schedule-express>.

Courses that include writing papers that might qualify for the Upper Level Writing Requirement (ULWR) are indicated with the notation ULWR. Courses that count towards credits for the Upper Level Skills Requirement (ULSR) are indicated with the notation ULSR.

Access to Justice Seminar

LAW 995; 2 Credits ULWR

In this unique small seminar, students will build critical research and writing skills for legal practice, and gain a foundation in the wide-ranging access to justice issues that are increasingly relevant to both public interest and private sector legal practice, by drafting and presenting a compelling scholarly paper on an access to justice issue. Students will be free to choose any topic related to access to justice/social justice that may be addressed seriously in a scholarly paper during one semester. Papers produced must be at least 15-25 pages and can satisfy the JD upper level writing requirement if a 25 page paper is completed. Along the way, students will receive highly individualized guidance and feedback from the Professor, and have the opportunity to brainstorm with special subject matter expert (SME) mentors. Students will also hear from guest speakers on access to justice issues relating to the intersection of social justice and technology, climate and other environmental justice, criminal justice, immigration, health law, and housing, to name just a few issue areas. The course will involve a combination of class discussions, special guest speakers, article readings, highly personalized writing feedback and instruction, and written and oral presentations. The expectation is that work produced in the workshop will be of a quality that could be refined for publication in a scholarly journal or other legal or social justice periodical, and/or could even serve as a basis for a public interest fellowship proposal, if the student so wishes. The semester will culminate in student presentations about their work to the class and special guests.

Accounting for Lawyers

LAW 673; 2 Credits

The purpose of this course is to provide the law student who has no previous background in accounting with a general fluency in the language of business accounting. The course involves a study of procedures and theories and the application of generally accepted accounting principles (GAAP) to corporate financial and tax areas. Open only to students with no accounting or business background.

Administrative Law

LAW 671; 3 Credits

This course is a study of the organization, function, and procedures of state and federal administrative agencies, including the investigatory, rulemaking, adjudicatory, and enforcement functions of such agencies, and judicial review of administrative action.

Advanced Analytical Skills

LAW 861A; 2 Credits

Advanced Analytical Skills – Bar Preparation

Advanced Analytical Skills builds on the analytical, writing and organizational skills necessary to enhance a student's ability to prepare for the Bar Examination. Students will become thoroughly familiar with the format and components of the Bar exam. Students will review and outline some substantive topics, learn methods by which to review the tested areas of law, write outlines, complete practice essays, complete Multistate Performance Test questions, multiple choice exam questions and receive feedback on written answers. Memorization skills, time management and stress management techniques will also be taught.

The final grade will be determined by students' attendance and participation, weekly assignments, and a final exam. Enrollment limited to 50 students. (**25 students for the evening section**)

This course is required for 3rd and 4th year students in ASAP.

Advanced Analytical Skills – Bar Preparation, Distance Version (Fall semester)

Advanced Analytical Skills builds on the analytical, writing and organizational skills necessary to enhance a student's ability to prepare for the Bar Examination. Students will become thoroughly familiar with the format and components of the Bar exam. Students will review and outline some substantive topics, learn methods by which to review the tested areas of law, write outlines, complete practice essays, complete Multistate Performance Test questions, multiple choice exam questions and receive feedback on written answers. Memorization skills, time management and stress management techniques will also be taught.

Students in the distance version of this class will be required to watch one recorded class session per week, answer and submit questions regarding that session each week, and complete the required weekly assignments. The distance version of this class will offer students significant flexibility in their schedule, as each class session can be watched at any time during the designated week. A minimum of one in-person meeting with the Professor will be required during the semester, and more may be scheduled at the discretion of the professor. Additionally, students will have the option to participate in on-line office hours with the professor, and engage with their classmates and professor using various forms of social media. The final grade will be determined by students' performance on all online exercises, assignments, and a final exam. The distance version of Advanced Analytical Skills will cover the same material as the traditional version of this class.

This course will count as 2 distance education credits. Enrollment limited to 30 students.

This course is only available to third or fourth year students who are not in ASAP or who are taking the Bar Exam in February.

Advanced Appellate Advocacy

Law 849; 3 Credits; ULSR OR ULWR

The purpose of this course is to develop and practice the skills necessary for effective appellate advocacy: persuasive brief-writing and compelling oral argument. Through a combination of readings, class discussions and written and oral exercises, students will hone their appellate skills by briefing and arguing an assigned moot court case, culminating in the Grand Moot competition, from which Pace's National Moot Court Team and other moot court competition teams are selected. The class meets for three hours once each week throughout the semester. Enrollment is limited to second-year students pre-selected by the faculty.

Advanced Civil Procedure Seminar: Anatomy of a Trial-The Burden of Proof

LAW 612AA; 2 Credits

This course is an intensive one-semester practical introduction to the litigation strategies associated with commercial litigation. The course aims to teach students how to efficiently and effectively plan a commercial litigation strategy once the case is being prosecuted or defended by a firm or agency. Students will use legal theories associated with the burden of proof and the rules of evidence to think through litigation problems and formulate an overall strategy for a case, from inception through a non-appealable order or judgment. Class meetings will include legal analysis and strategy formulation in connection with a real (and adjudicated) problem in the commercial litigation arena. Guest lecturers from the bench and bar will lend their experience to the development and refinement of student strategies, and the course will conclude with students' presentation of their strategies. This course is not intended to teach oral advocacy, interviewing, deposition, or writing skills, but rather to inform the use of those skills, based on the strategic imperatives of the case.

Prerequisites: Evidence. Trial Advocacy is recommended.

Advanced Civil Procedure Seminar: Social Justice Litigation

LAW 612BB; 2 Credits; ULWR

Public interest lawyers have been making headlines lately, filing numerous lawsuits to defend and advance the constitutional and statutory rights of vulnerable communities. Whether involving the Muslim ban, police misconduct, LGBT rights, affirmative action, immigrant detention, or other hot-button issues, these cases face substantive, procedural, and strategic challenges as they make their way through the courts. This class will explore some of those challenges, as well as the promise and pitfalls of using litigation to achieve social justice goals. Among the topics that may be covered are: suits against government agencies; pleading requirements for social justice claims; class actions; barriers to court; suits for damages versus injunctive relief; ethical problems unique to social justice lawyering; and the use of non-litigation strategies. The class will also consider broader questions about the role of lawyers and litigation in social justice movements.

Enrollment is limited to 15 students.

Advanced Family Law

LAW 712A; 2 Credits

This course will involve a substantial research paper and class presentations. The topics that are likely to be covered are: Adoption and Termination of Parental Rights; Child Custody Litigation; Mediation in Domestic Relations Cases; Medical Decision-making; Surrogate Parenting, and Reproductive Rights.

Prerequisite: Family Law.

Advanced Issues in Criminal Law

LAW 606; 2 credits; ULWR

This seminar will cover selected criminal law topics with a focus on computers as the subject, object or instrument of criminal action. Because this is a seminar, class participation is essential for interesting class sessions, and will count for 25% of your grade. In addition, all students will write a final paper. Depending on whether the student wants the paper to satisfy the upper level writing requirement, the paper may be either 10-12 pages or 25 pages in length. There is no final examination. Enrollment limited to 12 students.

Advanced Issues in Criminal Law: Cybercrime and Cybersecurity

LAW 606B; 2 Credits

This course offers a broad survey of many legal issues surrounding cybercrime and cybersecurity. Cybercrime-for-profit is a global threat, and law enforcement is not keeping pace. Nation-states are hacking and compiling data and corporations are collecting and using data, all on a massive scale. Privacy, cybersecurity, and public safety are serious issues for our country, and lawyers will play a role in addressing them, shaping the debate, and searching for solutions. This course provides a broad overview of the issues, explores how to conduct cybercrime criminal investigations and prosecutions, and teaches cybersecurity principles so that lawyers can secure themselves and properly advise their clients.

Enrollment limited to 20 students.

Advanced Issues in Criminal Law: The Law of Policing

LAW 606E; 2 credits

Currently, the nation is evaluating the legal authority, functions, oversight and funding of police agencies as well as the privacy, contractual and constitutional rights of police officers. These issues are governed by a complex body of constitutional provisions, statutes, case law and regulations in addition to collective bargaining agreements, police department internal procedures, prosecutorial discretion and governmental policies. This class will critically examine the law governing policing in America, and will explore the legal ramifications of some important proposed changes including defunding police agencies; amending statutes and policies to restrict a police officer's justification for using deadly physical force; precluding officers from testifying in court pursuant to the *Brady/Giglio* line of cases; limits on civilian oversight of police agencies; the authority to regulate and decertify police officers; abolishing qualified immunity; compelling police officers to

answer questions regarding the death of a civilian as a result of police action; limitations on the confidentiality/privacy of a police officer's personnel records; mandating the use of body worn cameras by police officers and restrictions on the deployment of US law enforcement, military and intelligence personnel to assist local police departments. The course will also examine current issues involving the intersection of law, policy and technology including emerging facial recognition, automated license plate reader and electronic surveillance technologies. Students will study and discuss US Supreme Court and NYS Court of Appeals cases, statutes, regulations, public policy papers and police agency procedures.

Prerequisites: Criminal Procedure: Investigations

Advanced Issues in Criminal Law: Prosecutorial Best Practices

LAW 606D; 2 Credits

This course will focus on the work of the New York State Best Practices Committee comprised of prosecutors who proactively address the issues of the day and strive to improve the criminal justice system-seeking to fulfill their mission to seek justice. The course will feature weekly lectures by members of the New York State Best Practices Committee (Senior and Executive Assistant District Attorneys from throughout New York State) on topics such as prosecutorial ethics, conviction integrity, use of digital and DNA evidence, bail reform, identification procedures, community-based prosecutions and crime strategies units. The course will give students insight into the policy decisions behind prosecutors' efforts to promote public safety and guard the rights of the accused. This course will require a paper and a final presentation.

Advanced Issues in Criminal Law: Sex Crimes

LAW 606A; 2 credits

The course will cover areas of criminal law typically not addressed in the first year criminal law course, with a particular focus on sexually-based offenses such as rape, forcible and statutory crimes, and computer facilitated sex crimes. Current developments in New York law will be explored, as well as unique issues faced by sex crimes prosecutors such as how to work with sexual assault victims, experts, and rape shield laws.

Enrollment limited to 15 students.

Advanced Issues in Criminal Law: White Collar and Violent Crime Prosecutions

LAW 606C; 2 Credits

This course will examine criminal prosecutions through a comparative lens, exploring different techniques, tools and approaches used in the two major categories of criminal prosecutions: white collar and violent crime. The course will focus mainly on Federal criminal prosecutions but we will also discuss techniques and approaches that are applicable in State prosecutions. In the white collar crime area, the course will focus on

financial prosecutions as well as public corruption. In the violent crime area, we will focus on gang prosecutions as well as traditional organized crime, and sex trafficking cases.

Prerequisites: Evidence and Criminal Procedure Investigation.

Advanced Land Use & Sustainable Development Seminar

LAW 686 A; 2 Credits

This seminar explores specific land use, environmental, and/or sustainability topics that are of current concern and relevance to the field, to the curriculum, and to society. The specific topics will be identified each term by the professor teaching the course and relate to the work of the Land Use Law Center and related law school research centers. Students will work with the professor teaching the seminar to develop papers, publications, and research memoranda on the topics covered.

Advanced Legal Research

LAW 670; 3 Credits

Building on the skills learned during the first-year Legal Skills program, Advanced Legal Research has two primary objectives: to make students more effective legal researchers, and to make students more knowledgeable consumers of legal information after they are in practice. The course begins with a discussion of secondary sources, which are very useful for finding primary legal authority and for understanding the law, and then moves on to an intensive review of the basics—case law, digests, statutory law, and citators. We also cover materials to which students may not have been exposed during their law school careers—administrative law, legislative history, New York legal research, and legal research using the Internet. If time permits, we will also cover international law research. Both hardcopy and electronic sources will be covered. There will be advanced training in Lexis Advance, Westlaw Next, and Bloomberg Law.

The final project is an online research guide that will go through several drafts during the course of the semester. Students will be expected to do short in-class presentations on their guides, and to provide brief written comments on their classmates' guides. They will also be expected to compose a short blog post on a useful Internet resource they discovered while working on their research guide. Each of these assignments is weighted and factors into the final grade in the course. Students will also be expected to complete several CALI assignments during the course of the semester.

Enrollment is limited to 12 students.

Advanced Real Property

LAW 636; 3 Credits; ULSR

This course has a transactional focus, causing students to incorporate the substantive concepts covered in the first-year property course into transactions, involving a transfer of some property interest. Students may be asked to prepare the relevant documents for a commercial lease. Such an exercise will require knowledge and application of the basic rules for contracting and of leases, but will also cause students to think about the practical issues that need to be anticipated in the lease documents. The course will also include a study of the differences in transfer for intellectual property transactions and as they may be involved in the purchase of a business. The course will offer coverage of common interest communities, including homeowners' associations, cooperatives and condominiums. These forms of common

ownership raise all sorts of public policy issues, particularly those about closed communities. Extensive coverage will be given to easements and covenants in transactions, considering public regulation of such private agreements as a demonstration of the intersection of land use law and transactions. In the end, we conclude with a formal discussion of public land use controls and new thoughts on planning.

Advanced Trial Advocacy

LAW 684A; 3 Credits; ULSR

This course is intended for students interested in pursuing litigation careers. The focus of the course will be on the development of case strategies and the integration of those strategies to the case trial. Emphasis will be on the ability to develop persuasive direct and cross examination of witnesses. The students will also learn the effective use of technology in the courtroom. The course will be taught through simulated trials. Students will be responsible for a full length trial including the pretrial discovery process. Writing assignments will focus on advanced procedural and evidentiary issues. Class size will be limited.

Prerequisite: Trial Advocacy.

Agriculture Law and the Environment

LAW 920; 2 Credits

Farming has dramatic environmental impacts including air and water pollution, soil erosion, and loss of biodiversity. Unlike other industries with similar impacts, it is subject to very little federal or state regulation. This seminar will examine the legal framework governing agriculture, focusing on both the features that have incentivized or allowed poor environmental practices and the limited mechanisms to reign in those practices. Topics to be covered include the Farm Bill (including commodity payments, conservation programs, and research funding), agricultural exemptions in major environmental laws (including the Clean Air Act and the Clean Water Act), information regulation (pesticide labeling, organics, GMOs, other private labeling), water quality trading schemes, and regulation of discharges from concentrated animal feeding operations. The seminar will also explore currently developing potential solutions to the environmental problem, the advantages, disadvantages, and challenges of each solution, focusing in particular on equity issues (access and affordability).

Animal Law

LAW 815; 2 Credits

This course explores the animal law movement from its inception to its current status. This course examines the development, scope and current application of anti-cruelty laws governing laboratory test animals, trapping, animal fighting, animals used in entertainment, animals used for religious purposes or for educational purposes, and humane slaughter. The relationship of humane animal laws to conservation oriented fish and game laws is studied. Federal and selected state laws on transportation of animals and on zoological gardens are reviewed. The course studies law reform, resources, expanding the scope of animal law, and the connection between environmental issues and animal issues at both the local and global levels.

Antitrust Law

LAW 717; 2 Credits

This course explores the legal protection of the competitive system under the Sherman Act, Clayton Act, Federal Trade Commission Act, and related legislation. The course considers problems relating to monopoly power; "horizontal" restraints on competition such as price-fixing and concerted refusals to deal; "vertical" restraints such as resale price maintenance, tying and exclusive dealing arrangements; and limitations on permissible mergers and joint ventures. Economic as well as legal implications of legislation and court decisions are explored.

Appellate and Trial Advocacy Competition Teams

LAW 872; 2 Credits

Pass/Fail

After completing an application and selection process, students will have an opportunity to participate in an inter-law school Moot Court, Trial Advocacy, and/or other Advocacy Competition. Participation in such Competition will require the student to (1a) conduct extensive legal research and (2a) write a formal appellate brief for a Moot Court Competition or (2b) prepare a trial notebook, direct and cross examinations, opening and closing statement and all evidentiary arguments for a Trial Advocacy Competition, on the issues researched, with guidance and assistance from the Faculty Coach/Advisor as necessitated by the rules and history of the competition (interpretation should be subject to rules of individual competition). All students must complete at least 10 oral practice rounds before leaving for the Competition.

Upon return from the Competition, each student is required to meet with the Team Advisor to review his or her written and oral performance. Students will also be required to complete a self-reflection of both their preparation and of their competition rounds. Moot Court students may be required to revise the brief or his/her portion of the brief (if the Advisor so instructs.) The Moot Court or Advocacy faculty advisor will then determine if the student's pre-Competition and post-Competition efforts warrant credit. The Advisor will then submit names to the Director of Advocacy who will certify to the registrar that the requirements have been met.

In Past semesters the students have competed in: Frederick Douglass Moot Court; National Moot Court; International Environmental Moot Court; Jessup International Moot Court; VIS International Arbitration Moot Court; ATLA Court Competition; National Trial Competition; Georgetown -- White Collar Crime; National Association CDL; NITA - Loyola National Institutional Competition; and John Marshall Criminal Justice Competition.

Each year the Director of Advocacy will designate the Competitions that will warrant Credit. Such determination will be made based on the quality of the competition, budgetary allocations and the learning component expected.

Banking Law

LAW 737; 2 Credits

Because of the role banks play in financing both businesses and consumers, commercial banking has been called the key industry of our society. This course examines the historical roots of the unique regulatory and legal structure of the American banking system and the respective roles played by the Federal Reserve, the FDIC and other regulatory authorities. The course focuses on the dynamic changes taking place in our banking system - from megamergers to internet banking to the proliferation of new products and services - and the way that law and regulation have adapted over time to accommodate these changes.

Bankruptcy Law

LAW 680; 3 Credits

This course reviews creditors' remedies and restrictions on those remedies. The course examines state law debt collection techniques available to creditors, including the enforcement of consensual security interests created pursuant to Article 9 of the Uniform Commercial Code. Then, it explores the Bankruptcy Reform Act of 1978. Basic concepts addressed include bankruptcy as a procedure and as a debtor protective remedy; debtors duties, benefits, and exemptions; the bankruptcy estate; preferential and fraudulent transfers; power of the Trustee; stays; and use of property of the estate.

Bioethics and Medical Malpractice

(Formerly called Introduction to Health Law II)

LAW 868; 3 Credits; ULWR

This course includes an in depth look at a number of important bioethics issues, including end of life decision-making, advance directives, abortion, cloning, genetics, surrogate parenting, physician assisted suicide, and organ donation and transplantation. It also explores medical malpractice as a tool for enforcing the appropriate standard of health care. This is a paper course.

Cannabis Law: Practice & Policy

Law 998; 2 credits

The purpose of this course is to provide students with an understanding of the policy considerations around reforms of cannabis law and the realities of representing a cannabis (or hemp) client in the current rapidly developing legal environment. It will examine the background of cannabis prohibition, regulation at the state and federal levels in the United States, and specific areas of law impacted by cannabis law reform in New York State.

Children and the Law

LAW 748; 3 Credits

This course is an analysis of children's rights, the rights of parents to supervise and decide critical issues affecting children, and the power of the state to intervene in family matters. Topics include physical and mental treatment, sexual rights of minors, emancipation, economic rights, child discipline, and choice of

education. In addition, the child protective, foster care, and adoption systems are studied, including child abuse and neglect, the rights of foster children and parents, permanent termination of parental rights, and adoption.

Civil Procedure

LAW 610A; 4 Credits

Required course for all first year students

This course is about the process of civil litigation in the federal courts. It covers topics including the stages of a lawsuit, the territorial limitations on the exercise of judicial power, the division of power between federal and state courts, the binding effect of judgments, and the regulation of the size and scope of litigation.

Civil Rights Law

LAW 814; 2 Credits

This course will examine recent developments in how federal courts interpret and apply civil rights laws created to protect against the infringement of constitutional and statutory rights by both government and private actors. We will examine the applicability of these laws in a variety of contexts including law enforcement, housing, employment, education and voting rights.

Civil Rights Litigation: The 1983 Suit

LAW 828; 2 Credits

This course focuses on the use of 42 U.S.C. § 1983 in litigation seeking to protect constitutional and civil rights. The section 1983 statute provides a federal damages and injunction action for individuals whose rights have been deprived by governmental officials acting under color of law. Topics covered include the elements of a section 1983 claim and governmental defenses.

Class Actions, Mass Torts and Multiparty Litigation

LAW 844A; 2 Credits

Aggregate litigation figures center stage in many courtrooms around the country. Indeed, the Supreme Court currently has no fewer than five major class action cases before it covering different aspects of Fed. R. Civ. P. 23. This course will explore various topics employing the devices of class action and aggregate litigation. Students will learn the purposes and differences in the various aggregate litigation devices, the nuances and requirements of Rule 23 and class certification, the Class Action Fairness Act, multidistrict litigation procedures, and other aggregate litigation topics.

Climate Adaptation and the Law

(Formerly called Climate Adaptive Management)

LAW 913D; 1 Credit

This course introduces students to the legal and policy considerations driving adaptation responses to current and expected climate change impacts. Domestic and international adaptation strategies for water management, ocean and coastal resources, habitats, transportation and energy infrastructure, and public health, among others, will be studied. Management of risks posed by climate change will be examined through a lens of uncertainty about projected impacts. In particular, the course will explore emerging approaches, such as collaborative decision making and consensus building, to develop legal and policy responses in the face of uncertainty. Students will be graded via a power point presentation in class that will focus on a particular aspect of adaptation law and policy.

This class will meet for the second half of the spring semester. Detailed schedule online.

Climate Change

Law 645; 2 Credits

Climate change is perhaps the most important environmental and public policy issue of our generation. As greenhouse gas emissions increase, temperatures rise, and the impacts of climate change increasingly can be observed, appropriate legal mechanisms are necessary to address the problem. This course will explore domestic legal mechanisms for the reduction of greenhouse gas emissions. Topics covered will include common law tort actions, federal regulation of greenhouse gas emissions under the Clean Air Act, proposals for a federal mitigation statute, and mitigation approaches adopted by sub-national governments. The course seeks to provide students with an understanding of the domestic legal options available to reduce greenhouse gas emissions and invites students to develop opinions about their viability, interplay, and desirability. No pre-requisites or co-requisites are required, but Environmental Survey is recommended.

This course will meet twice a week at the beginning of the semester but less frequently thereafter to give students time to research, write, and revise their course paper.

Clinic - Barbara C. Salken Criminal Justice Clinic

LAW 831A/831B; 6 credits (4 clinical, 2 academic) each semester; ULSR

Two semesters required.

Two semesters required. The Criminal Justice Clinic has two components: representation of clients in Criminal Court and an intensive seminar in criminal practice. Students represent indigent clients charged with misdemeanor offenses in the Bronx County Criminal Court, from arraignment through sentence. Student work includes: client interviews and counseling, bail applications, fact investigation, discovery, legal writing, hearings on motions, plea bargaining, trial and sentencing advocacy. Students must be able to spend at least one full day per week in the Bronx and attend two weekly seminars.

Permission of the professor, based on application and interview, is required. Professional Responsibility is required. Criminal Procedure-Investigation, Trial Advocacy, and Evidence are required but may be taken

simultaneously or waived at the discretion of the professor. Preference will be given to third- and fourth-year students.

Clinic - Environmental Litigation

LAW 767A and 767B; 6 Credits (4 clinical, 2 academic) each semester; ULSR

May be taken for one or two semesters.

The Environmental Litigation Clinic represents public interest environmental groups bringing citizen enforcement actions in state and federal courts on a variety of environmental issues. The primary client of the Clinic is Riverkeeper, Inc., a non-profit dedicated to protecting the Hudson River and its tributaries. Student interns will practice as attorneys under the clinic's practice order, representing our clients in litigation against polluters seeking to enforce environmental laws, or against the EPA or New York DEC seeking to force the agencies to comply with their obligations under the law.

In addition to the case work, two weekly seminars focus on substantive environmental law and on lawyering skills encountered in major civil litigation. Skill areas include: pretrial and trial advocacy, case planning, integration of facts and law, client counseling, negotiation, and drafting legal documents. The Environmental Litigation Clinic requires a time commitment outside of class work of approximately 20 hours per week, although that work need not be done at the clinic. We work with students to avoid and minimize conflicts, but please note that clinical students may need to continue client responsibilities where necessary during exams and holidays.

Students must be available for clinic work and classes during the day and must be a second, third, or fourth year student. LLM students are also eligible to apply, but JD candidates are given priority. Though grades are important for selection into the Clinic, other factors are:

- 1) Balance in the program of students' skills, needs, interests and background:
- 2) The demands of the anticipated caseload;
- 3) Interest in the environment and litigation as a career.

Permission of the professors, based upon application and interview, is required. Prerequisites either Environmental Skills or Environmental Survey. Co-requisite Evidence. This seminar MUST be taken concurrently with its accompanying clinic: Law 767A.

Clinic - Equal Justice America Disability Rights/ Health Law Clinic

LAW 839A/839B; 4 credits (2 clinical, 2 academic); ULSR

Two semesters required

Students advise and represent clients with disabilities and their families in a variety of transactional matters, civil cases and administrative proceedings. Students handle all stages of the litigation process, from initial client interviews, case assessment and counseling sessions, and drafting pleadings, through discovery, fact investigation, and settlement negotiations, to hearings and trials. In transactional matters, interns engage in client interviews and counseling, prepare draft and final documents, and supervise the execution of legal instruments.

The Clinic caseload covers a broad range, with the common theme that each case involves significant issues of health law and requires the utilization of health law practice skills. Examples include challenging denials of access to health care, Social Security disability benefits, Medicaid and Medicare. Students also represent clients in the preparation of a range of legal documents, including wills, health care proxies, "living wills," powers of attorney, supplemental needs trusts, and other specialized legal instruments. Students assist families seeking guardianship of intellectually and developmentally disabled children, spouses, and parents, and help them plan for the future of family members with disabilities. Students develop sophisticated interviewing, counseling and drafting skills; and the ability to deal with legal problems often encountered by the elderly and disabled and their families. The Clinic seminar includes preparation for utilizing statutory schemes and regulatory systems central to health law practice, as well as negotiation, administrative hearing simulations and case rounds.

Permission of the professor, based upon application and interview, is required. Professional Responsibility is a pre- or co-requisite.

Clinic - Food & Beverage Law

LAW 993A/993B; 6 Credits (4 clinical, 2 academic); ULSR

Students in the Food and Beverage Law Clinic provide transactional legal services to small farms, food and beverage entrepreneurs, and nonprofit organizations. The Clinic's legal services help clients expand access to local, healthy food in underserved communities, start or expand mission-driven business ventures, steward the preservation and transitioning of farmland for future generations of farmers, and implement innovative and sustainable production, processing, and distribution practices. Areas of legal services include new business formation and legal structure; tax exemption for nonprofit organizations; review, drafting, and negotiation of contracts, including leases, financing agreements, and other documents; regulatory advice, including relating to food safety, labeling and marketing, and land use; and trademarks. Through their client work, students develop fundamental transactional legal skills including contract drafting, entity and deal structuring, negotiation, legal research and analysis, creative problem solving, and counseling.

The weekly seminar component of the Clinic teaches the substantive law and legal practice skills that will be most useful to students during the semester. In addition, the seminar provides an opportunity to discuss the role of law and lawyers in food systems and the practical, ethical, and policy-based issues that arise in the context of lawyering on behalf of mission-oriented individuals and organizations.

Permission of the professor, based upon application and interview, is required. Prerequisites: Professional Responsibility plus one regulatory course (Environmental Skills, Environmental Survey, Administrative Law, or Food Law) and one transactional course (Corporations, Drafting Legal Documents, Business Planning, Environmental Law in Commercial Transactions, or Real Estate Transactions). The regulatory or transactional course requirement may be waived or taken concurrently in exceptional circumstances. The clinic is open to students in their second, third, or fourth year of law school.

Clinic - Immigration Justice

Law 833A/833B; 6 credits/semester (4 clinical, 2 academic); or 4 credits/semester (2 clinical, 2 academic); ULSR

Two semesters required.

Students handle the immigration law problems of indigent people living, working, or detained in the lower Hudson Valley as well as in the five boroughs and occasionally New Jersey. Free representation is offered to eligible immigrants seeking to regularize their legal status through family ties, employment, asylum, or pursuant to specific federal programs such as Violence Against Women, Special Immigrant Juveniles, the Diversity Visa, Anti-Trafficking, Temporary Protected Status, or the U Visa. These cases often arise from intake sessions we conduct at community organizations that assist immigrants, like Neighbors Link in Mount Kisco (www.neighborslink.org), the Hispanic Resource Center in Mamaroneck (www.hrclm.org), and the Haitian-American Cultural and Social Organization in Spring Valley. We represent immigrants facing deportation (now called “removal”) in the Immigration Courts of New York City and occasionally at correctional facilities such as Downstate and Ulster in Fishkill and Napanoch, New York.

Students develop a preliminary diagnosis of each client’s immigration issues, generate alternative legal options and corresponding fact investigation/discovery plans for each possible remedy, and prepare and submit the relevant applications with the evidence to substantiate these claims. Students analyze the need for expert opinions and, when appropriate, recruit expert consultants. They organize documentary and testimonial evidence and draft and argue motions and briefs on substantive, evidentiary and procedural issues in proceedings before the Immigration Court, the Board of Immigration Appeals, and the United States Circuit Court of Appeals. Videotaped, critiqued simulation is used extensively to prepare for these appearances and other lawyering tasks. Recognition of a client’s non-immigration-related legal needs, which may affect the progress and outcome of the immigration case, is an important IJC responsibility. Students have represented clients in Medicaid, food stamps, unemployment insurance, and workers’ compensation hearings, as well as in State Family Court, Small Claims Court, and Criminal Court.

The IJC begins with assigned reading over the summer and, before fall semester starts, a three-day “boot camp” of intensive training to get “up to speed” on basic immigration law and practice. The IJC curriculum includes written and in-class exercises, lawyering simulations, and “case rounds” where we plan for and reflect on task performance in actual cases. It addresses topics such as advanced client interviewing and counseling; witness preparation, oral examination of witnesses and oral argument; working effectively with interpreters and translators; and drafting and persuasive presentation of documentary evidence and argument. All these skills are developed with careful attention to the implications of a multilingual, multicultural environment for lawyering proficiency. The spring seminar is largely devoted to thoughtful exploration of career decisions and various models of law practice, with special emphasis on the problems and possibilities of small/solo independent law practice.

Permission of the professor, based upon application and interview, is required. Immigration Law and/or Asylum and Refugee Law, Evidence, Professional Responsibility, Trial Advocacy, and Lawyering are recommended. Preference is given to third- and fourth-year students.

Clinic - Investor Rights

Law 826A/826B; ULSR

5 credit hours (3 clinical, 2 academic) Fall semester

4 credit hours (3 clinical, 1 academic) Spring semester

Two semesters required.

Two semesters required. Under faculty supervision, students handle arbitrations and mediations before FINRA Dispute Resolution on behalf of investors of modest means who have arbitrable disputes with their securities brokers. Students will work on critical lawyering skills including client interviewing and counseling, fact investigation, claim evaluation, participating in discovery, legal research, preparation of legal memoranda, working with experts, conducting an arbitration or mediation, or negotiating a settlement. Student teams meet regularly and frequently with each other and with the clinical faculty throughout the year. Students may also draft comment letters on SEC or FINRA rule proposals, write amicus briefs, and participate in investor education and advocacy programs. The Clinic meets once a week as a seminar to study the substantive law of broker-dealer regulation, arbitration theory and practice, and lawyering skills. Students also will participate in several simulations during the seminar. Seminars will also explore public policy considerations for investors. Private practitioners, Securities and Exchange Commission attorneys, and FINRA staff may assist in the teaching of the seminar.

Permission of the professor, based on application and interview, is required. Prerequisite: Professional Responsibility. Lawyering, Trial Advocacy, and Corporations & Partnerships are recommended. Preference is given to third- and fourth-year students.

This is a one semester four-credit course (2 academic and 2 clinical).

Clinic - Neighborhood Justice

LAW 647A/647B; 6 credits (4 clinical, 2 academic); ULSR

May be taken for one or two semesters.

Students in the Neighborhood Justice Clinic represent clients in cases and advocacy projects involving civil legal issues affecting low-income communities in Westchester County. Students represent temporarily jobless low-wage workers whose applications for unemployment benefits have been denied. Students are responsible for all aspects of their clients' cases, including representation at adversarial hearings. Students also provide legal support to grassroots organizations that are advocating for low-income communities in Westchester County. These projects involve less-traditional forms of lawyering, such as engaging in policy and legislative advocacy and analysis, creating self-help materials, developing community education trainings and materials, or providing other types of lawyering work in support of organizations serving the community. The seminar portion of the clinic will be a practice-oriented examination of advocacy on behalf of low-income individuals and communities and of social justice lawyering generally.

There are no prerequisites, but prior or simultaneous enrollment in Professional Responsibility, Evidence, or Trial Advocacy would be helpful. Permission of the professor, based upon application and interview, is required. The clinic is open to students in their second, third, or fourth year of law school.

Clinic- Amelia A. Gould Representation in Mediation

Law 999A/999B; 4 credits (2 clinical, 2 academic); ULSR

The Representation in Mediation Clinic is a one semester clinic that prepares students to effectively represent clients in mediation. Through lecture, simulation, and supervised case work; students will gain the skills needed to act as an advocate in mediation proceedings. Students (under faculty supervision) will offer limited-scope representation for litigants in The United States District Courts for the Eastern and Southern District of New York and Surrogate's Court of Westchester County. Students will attend a substantive training prior to the semester (as needed). Students will attend a weekly seminar and will participate in tutorials with their professor to receive individual feedback on performance/progress. Preference will be given to those who have taken trusts and estates or employment law.

Collaborative Law

LAW 763; 2 Credits

This course is designed to give the student exposure to the collaborative law model and practical experience in the family law setting. There will be an overview of the collaborative law process and practical skills, as well as a discussion of specific issues that arise in the collaborative family law context.

Collaborative Law is a way of practicing law whereby the attorneys for both parties to a dispute agree to assist their clients in problem solving, resolving conflict and reaching agreement using cooperative strategies rather than adversarial techniques and litigation. The focus in collaborative law is on finding the common interests and highest priorities of the parties. The goal of the process is to develop effective relationships, solve problems jointly and prevent a court battle. There will be interactive role play, skills training and a final paper.

Commercial Arbitration Law and Practice

LAW 690B; 2 Credits

This course involves a detailed examination of the law and practice of domestic commercial arbitration (excluding labor arbitration). The course will highlight key aspects of the statutes and leading cases governing commercial arbitration, and will also cover the arbitration process in detail.

Commercial Law -- Payment Systems

LAW 656; 3 Credits

This course presents an integrated treatment of the law of payment systems. Emphasis is necessarily placed on the Uniform Commercial Code treatment of the following subjects: Negotiable Instruments (UCC Article 3), Bank Deposits and Collections (UCC Article 4), Funds Transfers (UCC Article 4A), Letters of Credit (UCC Article 5), and Warehouse Receipts, Bills of Lading and Other Documents of Title (UCC Article 7).

Commercial Law - Sales of Goods (Sales)

LAW 655; 3 Credits

This course covers the law of sales. Emphasis is placed on understanding the special approach taken toward contracts for the sale of goods under Article 2 of the Uniform Commercial Code, and, to a lesser extent, the Convention on Contracts for the International Sale of Goods. The statutory approaches are compared to the treatment of contracts under the common law. One of the major issues with which the course is concerned is how the law can assist or should constrain private actors who are engaged in maximizing expected monetary returns.

Commercial Leasing

LAW 908; 2 or 3 Credits; ULSR

This course will present an in-depth study of the practical and legal issues involved in leasing, ownership and management of various types of commercial real estate developments, including some coverage of ground leasing and space leases, insurance and compliance with the Americans with Disabilities Act.

Commercial Real Estate Transactions: Skills

LAW 903A; 3 Credits; ULSR

In this seminar students will learn the basic skills necessary for the representation of a client in a complex, commercial real estate project by studying an actual “specialty” shopping center in suburban Chicago and New York variations of law and custom. We will review the developer’s analysis of a proposed project. We will study basic tax considerations and the choice of legal entity (limited liability company, corporation, partnership) through which a project can be developed and owned. We will work on a purchase and sale contract, title issues, land use and environmental matters, mortgage financing, the construction process, and retail space leasing. We will emphasize preparation, and simulated negotiation, of deal documents. As we work on documents and other matters, we also will consider the management of client relationships (understanding the client’s needs and wishes, client communications) and relationship among the attorneys for the different clients working on real estate projects. Students will be evaluated on preparation for, and participation in, class and a variety of written assignments. The course will satisfy the upper level skills requirement. Enrollment is limited to eight to ten students. Students may not take both this course and Commercial Real Estate Transactions.

Prerequisite: Real Estate Transactions and Finance.

Comparative Environmental Law

LAW 715B; 2 Credits

Students in this course will learn comparative environmental law from a European perspective. The course examines European Union environmental laws, taking a hard look at their effectiveness in protecting the environment in its Member States. In doing so, we will compare different countries’ approaches to the use and protection of land, water, biodiversity, and energy. We will also, as time permits, discuss national approaches to difficult transboundary issues, such as dealing with climate change. Students are expected to

research, write, and present a paper examining the coverage and effectiveness of the environmental law on a certain subject within water management or biodiversity protection in the USA, compared with EU environmental law system.

Comparative Environmental Law (Brazil)

LAW 715A; 2 Credits ULWR

This course compares the environmental laws of the United States and Brazil. The course aims to build students' capacity to assess the environmental laws of both countries, and to consider national policies concerning environmental quality. Students and faculty will travel to Rio de Janeiro and several other regions of Brazil to continue classes, and attend seminars conducted by prominent scholars and attorneys. Students also participate in field trips to the fragile yet crucial ecosystems of Brazil. This course requires students to write a research paper comparing some aspect of the environmental laws in both Brazil and the United States.

Required: permission of the professor.

Comparative Family Law

LAW 629; 2 Credits

Comparative Family Law surveys Family Law throughout the world; the major jurisdictions include the United States, Britain, Canada, India, the Moslem world, and European continental law. The course also analyzes Family Law international treaties, including The Hague Convention on Child Abduction and Custody and the UN Convention on Children. Topics encompass marriage, divorce, domestic violence, child support, and reproductive rights. In addition to reading the survey materials, each student selects a topic to research and write a paper. The paper is in lieu of an exam and satisfies the Law School's upper class writing requirement.

Computer Law

LAW 774; 2 Credits

This course explores selected legal problems relating to computer technology including: 1) the acquisition of computer hardware and software; 2) the copyright ability of computer software, and 3) the transfer of information over computer networks ("Cyberlaw"). Topics covered include outsourcing and licensing, the scope of protection for software, computer crime and computer privacy. Prior use of computers and prior exposure to basic copyright and trademark are beneficial but not required.

Conflict of Laws

LAW 678; 2 or 3 Credits

This course addresses the problems that arise when occurrences giving rise to legal disputes involve more than one state or nation. Such cases raise issues of judicial jurisdiction, full faith and credit and choice of law. The course examines alternative modes of analysis in approaching multi-jurisdictional legal problems, with particular emphasis on the principles of the Restatement (Second) of Conflict of Laws and interest analysis methodology.

Conservation Law

LAW 775; 2 Credits

The protection of nature in parks, wilderness areas, and wildlife refuges has produced a special body of law throughout the country and the one-third of the United States which constitutes public lands. This course focuses on state conservation laws. Using the NYS Environmental Conservation Law as an example, fish and game laws and forestry laws are examined along with newer regulations on private lands to protect ecological systems or rare geological features such as wild and scenic rivers. Programs of local Conservation Trusts and the use of conservation easements are examined. The course also examines local land use ordinances to govern trees, wildlife habitat, and cultural assets on private property, as well as to provide overlay zones for wildlife migration, or flooding mitigation, and other ecological objectives. Comparisons are made, where appropriate to analogous federal laws, and international best practices for marine sanctuaries, protected areas, biodiversity inventories and stewardship, and habitat protection for migratory species. These aspects are coordinated through the integrating processes of environmental impact assessment and rights of public participation in environmental decision-making. In context, the relative rights of indigenous peoples and their sovereign rights, of private property owners, of various state government departments (e.g. health, transportation, environment), and federal agencies are analyzed in context. This seminar meets once a week for 2 hours. Each student will prepare a research paper.

Constitutional Law

LAW 646; 4 Credits

Required course for Full time first year students and Part time second year students.

This course is a 4 credit offering which deals with the constitutional system of the United States, including the concept of federalism and the decision-making process and the shifting role of the United States Supreme Court in our constitutional framework. Constitutional Law includes the study of the doctrine of judicial review; the respective powers of the federal and state governments; and the separation of powers among the three branches of the federal government.

Constitutional Law Seminar: Church & State

LAW 648; 2 Credits

This seminar explores historical and contemporary issues concerning the constitutional relationship between religion and the State. Issues of the extent of legally permissible exercise of religious principles and restraint on both state support of and suppression of religious activities will be examined. There will be a strong focus on lower court decisions rather than concentrating solely on Supreme Court cases. Cases arising in the areas of torts, historic preservation, environmental law and the workplace will be studied. An original research paper will be submitted by each student with the topic to be chosen through consultation between the professor and the student. Members of all faiths, agnostics and atheists are equally welcome.

Constitutional Law Seminar: Constitutional Rights

LAW 648D; 2 Credits ULWR

This seminar will study the Bill of Rights. The first two weeks will look at the Bill holistically, rather than focusing on individual amendments. We will begin by examining the origin of the Bill and by investigating the original understanding of it as a bulwark of federalism. We will then consider the impact of the Civil War and the Fourteenth Amendment on the Bill and the enormous change effected when much of the Bill was “incorporated” into the Fourteenth Amendment. We will then spend several weeks exploring the First Amendment, with classes devoted to the protection of speech in public forums, restrictions on campaign finance, the Free Exercise Clause, the Establishment Clause, and religion in schools. The next several classes will consider selected other Amendments, the Takings Clause of the Fifth Amendment, and the Seventh Amendment. Students will have the option to write either several short “reading response” papers or a longer research paper.

Constitutional Law Seminar: End of Life Issues

LAW 648J; 2 Credits ULWR

This seminar reviews the constitutional right to refuse medical treatment, the right to terminate artificial treatment such as a feeding tube, the burden of proof required before withdrawal of treatment, a so-called O'Connor hearing, Aid in Dying legislation, no right to suicide, palliative care, safeguarding the rights of people with developmental disabilities, the 1994 NYS task force report, End of Life Choices advocacy group, advanced care planning and more. The seminar will analyze decisions from the Supreme Court, the NYS Court of Appeals and other state courts.

Constitutional Law Seminar: Judicial Ethics and Decision Making

LAW 648I; 2 Credits

This seminar will focus on the ethical issues confronted by a Judge in rendering judicial decisions. An examination of the judicial decision making process will be made from the perspective of a retired Justice of the Appellate Division Second Department, who presently serves on the New York State Judicial Ethics Advisory Committee. The retired justice will share the non-public view of 20 years of judicial decision making. Judicial Ethics Advisory Opinions and the Rules and Regulations governing judicial ethics and related case law will be analyzed as well as articles authored by former and present Supreme Court Justices collected in the book “Judges on Judging, Views From the Bench” and the book “A Judge’s Advice, 50 Years on the Bench” written by a Senior United States Circuit Court Judge.

Construction Law

LAW 643; 2 Credits

This course will involve a study of various aspects of construction law, including contracting, related claims and litigation, and the roles and responsibilities of developers, contractors, architects, bonding companies and lenders. The course will focus on planning to anticipate and avoid problems in all phases of a project, starting

with contracting, then bidding, liabilities, and scheduling. The course will also consider remedies and various dispute resolution alternatives.

Contracts

LAW 601; 4 Credits.

Required course for all first year students.

This course is a 4 credit offering in the law of contracts, with emphasis placed on the common law, while the Uniform Commercial Code is studied for a comparative overview. This course focuses on remedies for breach of contract; consideration, the bargain principle, and the limits consideration imposes on the bargain principle; unbargained-for reliance as a basis for enforcement; the bargaining process assent, offer and acceptance, preliminary negotiations, mistake and the parole evidence rule; problems of performance changed circumstances, obligation to perform in good faith, substantial performance, conditions and anticipatory repudiation; third-party beneficiaries, assignment; and the Statute of Frauds.

Copyright Law

LAW 660; 2 to 3 Credits

This course examines constitutional and statutory bases of copyright, the subject matter of copyright, how protection may be secured and perfected, problems of copyright notice, registration, etc. Duration and renewal of copyright and derivative works, questions of ownership, and rights and remedies are included.

Corporate Finance

LAW 750; 2 Credits

This course, a continuation of Corporations & Partnerships, examines the issuance and reacquisition of corporate securities, problems of valuation, capital structure, dividend policy, and related corporate problems.

Prerequisite: Corporations and Partnerships.

Corporations & Partnerships

LAW 745; 4 Credits

This is a basic course in corporations dealing with organizing a corporation; allocation of powers and control among directors, officers, and shareholders; the proxy system; the closely-held corporation and devices for control; the duties of directors and other "insiders"; and the interaction of federal and state corporation law. This course also presents a survey of the law of partnerships.

Criminal Law

LAW 621; 4 Credits

Required course for all first year students.

This course explores the substantive aspects of criminal law with a focus on the criminalization decision, goals of punishment, elements of criminal conduct, the crimes of homicide, attempt, conspiracy, sexually-based

offenses and defenses to criminal charges, including justification and excuse. Students will study the different approaches to criminal law of the common law and modern statutes, including the Model Penal Code.

Criminal Procedure-Adjudication

LAW 676; 3 Credits

The course deals with the procedural problems incurred in the adjudicatory stage of a criminal proceeding. Major areas of analysis include: arraignment and bail; an examination of the problems encountered in a preliminary hearing; the scope, extent, and goals of Grand Jury proceedings; pre-trial discovery motions and suppression hearings; and the "plea bargaining" process. In essence, the course attempts to follow a defendant once he enters the adjudicatory process from the point of arraignment to trial to appeal to post-conviction relief. Careful attention is paid to decisions of the U.S. Supreme Court, as well as relevant sections of the Federal and New York Rules.

Criminal Procedure-Investigation

LAW 675; 4 Credits

The primary focus of this course is a detailed analysis of the investigatory stage of a criminal prosecution. A careful examination is undertaken of the contours of the Fourth, Fifth, and Sixth Amendments as they relate to searches and seizures, the eliciting of confessions, and identification procedures. Specific attention is paid to the Federal Rules of Criminal Procedure, the Criminal Procedure Law of the State of New York, and the decisions of the U.S. Supreme Court.

Critical Race Theory

LAW 859; 2 Credits

This course explores intersections between race and law. Race impacts people, institutions, politics, culture and the economy. Critical Race Theory is a way of looking at the role that law and legal institutions play in defining and maintaining group-based classifications, especially race. We will explore the intellectual origins of Critical Race Theory and its challenges to both liberal and conservative approaches to race and discrimination. We will consider the theoretical promise of Critical Race Theory, its application to the law and its practical and theoretical limitations.

Prerequisite: Constitutional Law

Directed Research

LAW 994; 1 or 2 Credits ULWR

Directed Research is an extraordinary opportunity for upper-level students to research problems and prepare a substantial written work product under the direction and supervision of a full-time faculty member. With Directed Research, the topic, trajectory and scope of a student's research and work product are set by the professor. Directed Research may (or may not) involve working collaboratively with the professor on a jointly-authored written scholarly article, brief, or course materials, for example. Directed Research is a semester-long commitment with a workload comparable to a traditional 1-credit or 2-credit course, as the case may be

(e.g., typically 3 hours per week for a 1-credit course or 6 hours per week for a 2-credit course, without taking into account final exam preparation and completion).

Directed Research is different from Guided Research (LAW 723). Guided Research is the appropriate option for a student who has an independent desire to research a topic selected by the student and not otherwise covered within the parameters of the current curriculum. Guided Research, unlike this Directed Research course, permits the student a high degree of choice, specifically with respect to topic, and the student is expected to work mostly independently under the supervision of a faculty member. Directed Research, in contrast, is a more structured and collaborative endeavor. Students enrolled in Directed Research are expected to meet with the instructor frequently for the purposes of reporting, discussing, sharing research findings, receiving guidance, and facilitating collaboration, as appropriate. Directed Research instructors are encouraged to provide, and students should expect to receive, guidance in conducting legal research and completing citations that are appropriate to the subject matter.

Directed Research is an intensive learning experience that is intended to enhance and improve a student's research, writing and oral presentation skills. It is also an opportunity to work one-on-one with a faculty member and receive individualized feedback. The faculty member in turn receives the research assistance of a student on a project of mutual interest. Where appropriate, the faculty member should provide appropriate authorial attribution (e.g., co-authorship, or "with" credit) to the student and, in any event, should acknowledge the student's contributions to any work product that is published or produced.

Grading: Students receive a standard letter grade for Directed Research.

Prerequisites: Permission of the instructor and permission of the Associate Dean for Academic Affairs are required. Students ordinarily must have a cumulative GPA of 3.0 at the time of enrollment in Directed Research, but if not, the student ordinarily should have a 3.33 (B+) average in the particular subject matter in which the research will be taken. If not, the Associate Dean for Academic Affairs may exercise discretion in deciding whether or not to permit the student to enroll in Directed Research.

Disaster Law, Emergency Preparedness and Response

LAW 913E; 1 Credit

Climate change is increasing both the frequency and severity of natural disasters. Are we prepared? Disasters have significant human, social, economic, and environmental impacts, and require close collaboration among local, state, and federal officials. Often there are international implications as well. Using real-life case studies -- including Hurricanes Harvey, Maria, and Irma, recent wildfires in California, and 9/11 -- students will explore the framework for disaster response and recovery, the policy choices involved in reducing vulnerability, and the complexities of federalism in action. Global perspectives on disasters will be included. The course will be taught online via Zoom. Grades will be based on class participation and a final exam. The final exam will take place during the last class. **This class will meet for the first half of the spring semester.**

Drafting Legal Documents

LAW 825; 2 Credits; ULSR

The course will provide an overview of basic contract drafting principles and procedures. Specifically, students will examine and discuss proper word choice and punctuation, the role of boilerplate contract provisions and common contract drafting techniques and pitfalls. The course will provide an overview of standard contract structure and will provide students with an understanding of the purpose behind specific contract provisions.

A variety of teaching techniques will be utilized including, lectures and role play exercises along with reviews of language from actual contracts. Additional topics such as understanding and documenting deal terms and basic negotiation strategies will be discussed.

Election Law

LAW 648C; 2 Credits ULWR

This seminar examines the issue of how responsive government is to the electorate in protecting and advancing the rights of individuals and of the public as a whole. There are many dimensions to this issue. Responsiveness is tested with each election and reapportionment. Its efficacy can be measured in terms of legislative sessions and presidential terms. Our study will concentrate on aspects of federal and state law governing recent major elections (e.g. the election of 2000), applicable court decisions and the Voting Rights Acts. The decennial census provides the opportunity to reapportion or fine-tune the responsiveness of government. We shall examine the continuing challenge of the one person-one vote principle vital to representative government, i.e., the equal protection clause manifested in substantive equal representation. Other issues relating to the responsiveness of government in enacting legislation and enforcing individual rights in emergency situations will be explored.

Electronic Discovery

LAW 612A; 2 Credits

During the past decade e-Discovery, or the discovery of electronically stored information (ESI), has radically transformed litigation practice. The days of merely searching through file cabinets to comply with discovery obligations have come to an end. For today's litigants, extensive efforts to identify, preserve, collect, review and produce ESI are often required. Failure to take proper steps may result in crippling sanctions and incur tremendous unnecessary costs.

Pace Law School's Electronic Discovery Course is designed to provide students with the wide range of litigation skills needed to navigate today's discovery-centric litigation environment.

This course will address the following:

- The legal obligation of litigants to preserve potentially relevant ESI.
- Recent e-Discovery case law and applicable rules of civil procedure.
- The basics of document retention policies and IT practices.
- Approaches to navigating evolving European privacy laws and related cross-border discovery obstacles.
- Methods for efficiently searching and reviewing millions of emails and other electronic documents and for managing document review projects.
- Approaches to propounding and responding to document requests.
- The use and impact of social media in litigation.
- Ethical concerns and the growing push for cooperation in discovery.

- Structuring a defensible and cost-effective discovery plan.

The opportunity to gain practical experience is a substantial element of this course. Students will engage in mock exercises such as Rule 26 meet-and-confer conferences, IT personnel and document custodian interviews, depositions of corporate representatives, and oral arguments on discovery disputes. In addition, the course will feature guest lecturers on topics including e-Discovery vendor tools, computer forensics, and corporate in-house discovery perspectives.

In today's digital world, "Every case is an e-Discovery case." A solid understanding of e-Discovery is therefore a must for today's litigators. Consequently, it is no surprise that e-Discovery has become a highly valued skill set by law firms, corporations and legal service providers.

Elder Law

LAW 741; 2 Credits ULWR

Elder law addresses significant legal and policy questions relating to aging individuals and an older society. The topics covered include access to and affordability of health care, long term care planning and financing, age discrimination in employment, estate and health care planning, and income maintenance and housing for the elderly.

Employment Discrimination

LAW 663; 2 Credits

This course examines the federal constitutional, legislative, and judicial protections against discrimination in employment on the basis of race or sex. Contemporary issues of law and practice in the enforcement of affirmative action are also considered.

Employment Law Survey

LAW 781; 3 credits

This course provides a broad overview to the legal regulation of the employment relationship. Among the topics covered are the definition of the employment relationship; the nature of at-will employment; employee privacy; constitutional protections for public employees; the Family and Medical Leave Act; mandatory arbitration of employment disputes; and the basic substance and procedure of the federal anti-discrimination laws. Collective bargaining and unions will not be covered.

Energy Law and Regulation

LAW 689; 2 Credits

This course explores the legal and economic foundations for energy regulation, including administrative law and economic principles that drive that regulation. The course addresses how federal and state legal authority impacts energy businesses, and how jurisdictional authority is reflected in law and regulation. The course is heavily focused on the electricity industry and the elements and practice of electricity regulation, with detailed coverage of utility rate making. The course covers the ways in which renewable energy, energy efficiency, and equitable access to sustainable energy are integrated into electric utility regulation, planning,

and rates. The course is intended to provide a foundation for lawyers interested in the practice of energy and regulatory law.

Entertainment Law

LAW 736; 2 Credits

This course covers relationships established under the broad spectrum of entertainment law, including record company--record artist--record producer; music publisher--songwriter; theatrical producer, director, choreographer, etc.--performer; personal and business manager--artist; theatrical and pop music agent--artist. Negotiation of entertainment-type contracts and oral arguments of classic entertainment litigation disputes are also discussed.

Environmental Law in Commercial Transactions

LAW 772; 2 Credits; ULSR

Every commercial law practice today requires environmental due diligence. This course examines the reporting requirements, audits, and other disclosures that the attorney must provide for the purchase or sale of real property, for mergers and acquisitions, for disclosures under the federal securities laws, and under environmental permitting for real estate development. The course examines warranties, covenants, and other representations available in structuring transactions to avoid or limit environmental liability.

Environmental Dispute Resolution

LAW 797N; 3 Credits; ULSR

This course explores methods of resolving common disputes regarding land use and natural resources. Students are heavily oriented in law school to the methods of litigating such disputes, but are not as well prepared to participate in the settlement of these disputes as they arise and to avoid litigation when it is in the client's interest to do so. The course examines the roles that lawyers play in facilitated and mediated processes designed to maximize benefits to the parties to disputes, including bi-lateral controversies and those involving multiple stakeholders. The course involves several simulations where students play the roles of attorneys and their clients or stakeholders in a range of situations. The objective is to help students understand and employ the skills used by neutral third parties and legal counsel for the parties where near-term dispute resolution, rather than litigated resolution, is in the parties' best interests.

Environmental Justice Seminar

LAW 728; 2 credits

Environmental Justice (EJ) has been defined as the fair treatment and meaningful involvement of all people in the development, implementation, and enforcement of environmental laws, regulations, and policy. EJ theory and practice begins with the recognition that environmental goods (such as clean air and water) and environmental harms (such as toxic waste) are not always distributed equitably among populations. In fact, environmental harms often fall more heavily on low-income communities, communities of color, immigrant communities, indigenous peoples, and other population segments. This course will examine the various bases for these disparate impacts and will look for solutions grounded in law, policy, and practice. Throughout the

semester, students will be encouraged to identify solutions to contemporary problems of environmental justice and related concerns for social justice such as food justice, disaster justice, and climate justice. We will welcome guest speakers who are on the frontlines of efforts to ensure environmental justice, and we will learn from one other on how we can become stronger EJ advocates and allies.

Environmental Law Seminar: Advanced International Environmental Law

LAW 797T; 2 credits; ULWR

The Advanced International Environmental Law Seminar meets for two hours each week, with an additional individual meeting with the instructor to be scheduled every two weeks. Through this seminar, students research the progressive development of international environmental law in specific sectors, e.g., wildlife trade, protected area management, marine fishing, forest stewardship, biodiversity, Indigenous Peoples, endangered species, pollution, ecosystem management, biodiversity and climate, among other themes. Each student will prepare a restatement of the environmental law policies adopted by the Members of the International Union for the Conservation of Nature (IUCN), for a selected sector between 1948 and 2016. Draft restatements will be peer reviewed in the seminar, and critiqued as to both substance and drafting style. IUCN's research references and supporting documents will be accessed on line. Each student will prepare a short, annotated bibliography of monographs and reports that project future trends beyond 2016 for the law and policy of their chosen sector. Final revised Restatements, an explanatory explanation and the bibliography will be submitted to the IUCN (see www.IUCN.org) for debate and adoption. Students will hone their analytic, legal drafting and concise editing skills, for the synthesis of legal principles, environmental scientific findings, and applicable treaty provisions.

Prerequisites: International Environmental Law or International Law, or (with the permission of the instructor) Environmental Law

Environmental Law Seminar: Current Challenges

LAW 797R; 2 Credits

This seminar examines selected environmental challenges, unresolved or unimplemented mandates, or new and emerging problems in federal and state environmental programs. This year's focus will be on Climate Change. The seminar will focus on cutting-edge scholarship that is relevant to climate change, defined broadly and including implications in a variety of areas such as energy policy, pollution control, land-use planning, natural resource management, community adaptation, agriculture, and disaster response.

Environmental Law Seminar: Human Rights and the Environment

LAW 797M; 2 Credits

For several decades, certain traditional human rights increasingly have been seen as having a significant environmental component, while it has also become more common to view environmental rights as part of a panoply of human rights. This seminar will address obligations and responsibilities of States and other actors under human rights treaties, multilateral environmental agreements, and other vehicles. Certain procedural rights, especially access to information, participation in decision-making, and access to justice, are central and

have deep roots in both human rights law and environmental law and will be explored, along with topics such as corporate accountability, protection of environmental advocates/defenders, challenges involving indigenous peoples, human rights implications of climate change, and tensions between human rights advocacy and environmental advocacy.

Environmental Law Seminar: Law of Oceans & Coasts

LAW 797F; 2 Credits

This course explores the evolution of the United Nations Convention on Law of the Sea (UNCLOS) and its relation to other multilateral environmental agreements as a case study of the progressive development of international law. Specifically, the students will develop an understanding of the following: (1) history, structure, and functioning of UNCLOS, including existing limitations and its impact on legal/regulatory landscape at the global, regional and national levels; (2) legal implications of climate change impacts on the ocean; (3) governance of the Arctic via multilateral agreements, and the regulatory functions of the regional/international organizations in the Arctic; (4) challenges and opportunities associated with the international legally binding instrument under UNCLOS on conservation and sustainable use of marine biodiversity beyond national jurisdiction; and (7) theories and concepts on international law, customary international law, and legal principles.

Recommended: Environmental Skills or Survey.

Environmental Law Seminar: Post Pandemic Land Use

LAW 797V; 2 credits ULWR

This seminar is open to students who apply and with permission of the professor. Professor Nolon will supervise research and lead discussions involving a group of students with whom he has been working, mostly as volunteers. This two credit seminar will allow them to continue their work, which will lead to various publications on the topic: blogs, notes, essays, and articles published either by the students or the Professor.

Prerequisite: Land Use Law

Environmental Law Seminar: Strengthening Env Impact Assessment:

LAW 797U; 2 credits ULWR

Preparation of environmental impact statements is integral to practicing environmental law, under the National Environmental Policy Act (NEPA) at the federal level and under “Little NEPAs” at the state level (for example the State Environmental Quality Review Act (SEQRA) in New York). Regulations for environmental impact assessment (EIA) now also exist in every nation, being mandated by international law. Although the Trump Administration has adopted revisions to weaken the NEPA Regulations in the USA, other countries are strengthening their EIA laws in order to cope with the impacts of climate change, COVID-19, and the world-wide degradation of ecosystems and biodiversity. This seminar will critique the Trump Administration’s revisions to the federal NEPA regulations, and evaluate what other jurisdictions consider to be “best practices” for EIA. The seminar will then examine how to strengthen NEPA’s EIA Regulations in order to avert or cope

with the increased frequency of environmental disruptions, such as sea level rise, wildfires, species extinctions, or further zoonotic diseases like COVID-19. Each seminar participant will be assigned a specific topic to independently research, in consultation with Prof. Robinson and using the resources of the Haub Law Library. Each will write an annotated paper (25 pp), including a draft of a proposed regulation by which EIA procedures could identify prospective new environmental harms and mandate actions that are capable of restoring environmental quality, including post-project monitoring. Seminar participants will present their papers to class for peer review, and revision. Authors of final papers of publishable quality will be invited by Prof. Robinson to submit their paper for inclusion as a chapter in a book on “EIA in the Anthropocene.”

Environmental Law Survey

LAW 856; 3 Credits

Environmental law has become an integral part of most law practices in the United States today. This course provides an introduction to the framework of the major federal environmental statutes and how the lawyer encounters them in practice (including the National Environmental Policy Act, Clean Water Act, Clean Air Act, and laws on solid and hazardous materials and wastes). This course is a foundation course for the advanced specialized environmental subject and provides the generalist with a solid understanding of the legislative, administrative and judicial system of environmental law today.

Recommended: Environmental Skills and Practice

Environmental Litigation and Toxic Torts

LAW 840; 2 Credits

This course will examine how a complex environmental tort case unfolds from notice to appeal. Using as a learning tool *Anderson v. Cryovac*, the toxic tort case portrayed in the bestseller *A Civil Action*, and actual documents from the case, as well as supplemental substantive materials and current case examples, this course will illuminate key phases of the environmental litigation process. Investigation, pleadings, case management, class action and mass tort, management of complex document discovery, e-discovery, pre-trial advocacy and sophisticated application of the Federal Rules of Civil Procedure will be a focus of classroom discussion. Other topics to be addressed will be the management of scientific and expert evidence, medical causation, analysis of liability and damages, and special characteristics of environmental tort claims. The interplay between environmental statutory regulation and the common law will be explored, as will trial and settlement of toxic tort cases.

Environmental Skills and Practice/Clean Water Act

LAW 857; 4 Credits ULSR

Using a single statute, the Clean Water Act, as a model sample, this course introduces the student to interpreting and working with complex statutes and regulations. Through a series of exercises and simulations it explores basic administrative and regulatory processes, such as rule making, permit issuance, and enforcement. It explores how the three branches of the federal government, in together with federal and state governments and advocates for industries and nongovernmental organizations, interact to develop environmental laws and policy and the role of lawyers in that process.

Estate Planning

Law 700; 2 Credits

This course provides an overview of the application of laws and implementation of practices pertaining to estate planning. The topics of wills, trusts, transfer taxes and the probate process are considered in their relevance to one another in the planning process. Students are given a topical outline of laws and applications and will be asked to apply it to different planning situations, both during in-class discussions and presentations and out-of-class assignments. Examples of class discussions will range from the future of the transfer tax system to the importance of powers of attorney and health care proxies to the existence and importance of various types of trusts to an estate.

Prerequisite: Wills & Trusts and Federal Income Tax

Evidence

LAW 649; 4 Credits

This course surveys the law of evidence, with reference to the Federal Rules of Evidence, including problems of relevancy, the hearsay rule and its exceptions, competency and the examination of witnesses, admission and exclusion of evidence, demonstrative evidence, writings, presumptions, and privileges.

Externship: Corporate

LAW 786 FP (Field Placement) & LAW 786SS (Seminar)

Fall and Spring 5 Credits (4 FP, 1 seminar); ULSR Summer semester: 6 Credits (5 clinical, 1 academic)

Students accepted into this program will be placed in the legal department of a corporation in the metropolitan New York area. Students will be exposed to the various ways in which law is practiced “in house.” In a weekly seminar, students will learn the unique lawyering skills needed to work in an in-house environment and learn from their experiences at their placements. Each student will produce a major piece of writing and keep a weekly journal. Students are required to work at their field placement 16 hours per week. Permission of the professor, based on the student’s application and interview, and the student’s actual placement in an approved legal department, are required.

Summer only: Students are required to work at their field placement 40 hours per week for 10 weeks.

Prerequisites: Corporations and Partnerships (general corporate placements) or Intellectual Property Survey (IP placements). Permission of the professor, based on the student’s application and interview, and the student’s actual placement in an approved legal department, are required.

Externship: Environmental

LAW 821FP Field Placement & LAW 821S (Seminar); 4 Credits (3 FP, 1 Seminar); ULSR

Students spend twelve hours per week enforcing environmental laws, drafting environmental policy documents, and otherwise representing the host agency/office. Students must apply for and obtain their own placements in coordination with the professor. Prior placements have included: the New York State Department of Environmental Conservation (NYC and New Paltz Offices); the New York City Department of Environmental Protection (NYC); Landmarks Preservation Commission (NYC); Mayor’s Office of Environmental

Remediation (NYC): the United States Environmental Protection Agency (NYC); and the Environmental Protection Bureau of the NYS Attorney General's Office (NYC). Student work and the practice experience are further reviewed in a weekly seminar session with the faculty supervisor. The seminar also compares the approach to legal issues and environmental problems of government lawyers and "public interest" lawyers and analyzes topics such as the authority of the courts, the scope of judicial review, the relationship between administrative agency records and litigation, available remedies, ethical issues, and state-federal relations, as they arise within the framework of the clinical experience. Environmental Law Survey, application, interview, and permission of the professor are required.

Environmental Law Survey, application, interview, and permission of the professor are required.

Externship: Environmental in Washington, D.C.

Law 895FP and 895S; 6 Credits (4 clinical, 2 academic), summer only; ULSR

Students work with government agencies and NGOs in the nation's capital under the supervision of faculty in D.C. Placements may be with the U.S. Department of Justice, Environmental Protection Agency, Department of the Interior, Environmental Law Institute, National Academy of Public Administration, Council of Environmental Quality, or other government agencies or NGOs. The D.C. Externship provides students with a unique opportunity to work with some of the most important environmental agencies and non-profit organizations in Washington full-time over a seven-week period, beginning in early June each year. Prior to departing for Washington, students receive a primer on federal regulatory programs at Pace Law School. In Washington, in addition to their placement, students attend a two-hour class each week.

Application and interview during the fall semester and permission of the professor is required.

Externship: Family Court

LAW 694 FP (Field Placement) & 694S (Seminar); 3 Credits (2 FP, 1 Seminar); ULSR

Students spend one full day per week working in the White Plains Family Court or Yonkers Family Court under the supervision of experienced Pace Women's Justice Center attorneys at PWJC's Family Court Legal Program site offices. Responsibilities include interviewing victims and survivors of intimate partner violence; drafting family offense, support, and custody petitions; and arguing for ex parte temporary orders of protection before Family Court judges under a Student Practice Order, and with the direct assistance of PWJC attorneys. In the weekly two-hour seminar, taught by the FCLP Director, students learn about NY family law and legal practice, the dynamics of domestic violence, and the intersections of domestic violence law with other areas of the law. Students also participate in Family Court practice simulations.

Permission of the professor, based on application and interview, is required.

Externship: Federal Judicial Honors

LAW 764B; 1 Credit academic (Fall Course); ULWR

LAW 764FP (Field Placement) & LAW 764SS (Seminar); 4 Credits: 3 FP, 1 Seminar (Spring course); ULSR and ULSR

This program is designed specifically for students who are interested in applying for clerkships after graduation from law school. The course prepares students for a post-graduate clerkship by providing an intensive writing experience as well as an introduction to the workings of the various courts in the federal system. There are three components to the Honors Program: a mentored writing assignment that takes place in the fall semester, a judicial externship placement, and a seminar in the spring semester. Students who are selected for the program are assigned to a faculty mentor in the beginning of the fall semester and asked to prepare a writing piece similar to the type they would be required to draft for the judges in the externship portion of the course, using actual court motion papers from past cases. This portion of the program is conducted during the fall semester according to a schedule the student works out with his or her faculty mentor. Upon successful completion of the faculty-mentored writing project by December, students are placed in externships in the spring semester with individual judges in the U.S. District Courts for the Southern District of New York (White Plains, New York City, and Poughkeepsie), the Eastern District of New York (Brooklyn Heights), the District of Connecticut (Bridgeport), and the Third Circuit Court of Appeals (Newark). The externship portion of the program provides the students with a tremendous opportunity to apply their writing and research skills in a demanding setting and to experience the work of a federal court firsthand. Students will need to plan their spring semester schedules to permit their being in chambers at least 12 hours a week.

In addition, Honors Program students participate in a weekly seminar in the spring semester, which includes such topics as the role of the student extern and law clerk, judicial ethics and confidentiality, writing for the court, habeas relief, federal jurisdiction and civil procedure, and guest lectures from judges on the function of their courts (Bankruptcy, Magistrate Judges, District Court, Court of Appeals, Court of International Trade). A significant part of the course is the information and guidance provided to the students concerning the application process for judicial clerkships. As part of the seminar, the students also benefit from ongoing faculty review of their writing as judicial externs, to the extent permitted by their judges.

Application Process and Deadline: Students are invited to apply to the program based on their law school grades following their first year (full-time students) or second year (part-time students). To apply, the invited students must submit (1) a resume, (2) a transcript, (3) a writing sample, and (4) a cover letter.

Acceptance and Placement: Students will be notified of their acceptance into the program in mid-July. Typically, 20-22 students will be accepted into this program.

Externship: Honors Prosecution

LAW 710FP (Field Placement) & LAW 710S (Seminar); 6 Credits (4 FP, 2 Seminar) one semester; Summer (5 FP, 1 Seminar); ULSR

The Honors Prosecution Externship gives students the opportunity to actively participate in the daily preparation and prosecution of criminal cases under the supervision of Assistant District Attorneys in participating District Attorney's Offices with Student Practice Orders from the Appellate Division. Students will be able to: draft accusatory instruments, interview witnesses, conduct arraignments, negotiate plea bargains, appear at calendar calls, engage in motion practice and discovery, conduct hearings and actively participate in trials.

Students will spend two full days per week in the District Attorney's office. During the first two weeks of the semester (in several full-day sessions), students will receive intensive training in lawyering skills and New York State criminal procedure law. Thereafter, the seminar will meet weekly to prepare students for specific court appearances, engage in simulations and discuss various aspects of criminal prosecutions.

Permission of the instructor, based upon application and interview, is required. Preference is given to students with demonstrated commitment to criminal justice work and strong academic performance.

Prerequisites: Evidence, Criminal Procedure-Investigation

Externship: International Trade

LAW 900FP (Field Placement) & LAW 900S (Seminar); 4 Credits (3 FP, 1 Seminar)

This course is focused on the practice of international trade and transnational business transactions. Students work twelve hours per week in law firms or corporations specializing in international trade law on diverse aspects of the firm's practice under the supervision of their field supervisors. Students also are required to participate in a two-hour academic seminar each week with their faculty supervisor; to keep work logs for the duration of the internships; and to complete at least one substantial piece of legal writing related to their fieldwork. The classroom component includes discussions, in general terms and in full compliance with the confidentiality guidelines of the students' respective placements, of the challenges inherent in their work assignments, as well as a more intensive focus on the substantive law involved. Special attention is given to agency and distribution agreements (inbound and outbound; civil and common law legal systems); licensing and franchising; choice of entity (under U.S. law, E.U., and NAFTA) for companies wishing to set up an establishment abroad; basic elements of international taxation related to the entity form selected; NAFTA and the WTO; and legal aspects of political risk. Both an inbound and outbound perspective is given in order to prepare students to represent foreign entities in the U.S. and to assist U.S. entities which want to do business abroad.

Permission of the professor, based on application and interview, is required.

Externship: Legal Services

Law 829FP (Field Placement) & LAW 829S (Seminar) 4 credits (3 FP, 1 Seminar); Summer 6 Credits (5 FP and 1 Seminar): ULSR

The Legal Services Externship has two components: 1) a weekly two-hour seminar; and 2) 12 hours per week of supervised fieldwork with a provider of legal services to people who are in poverty or people who are disadvantaged, a public interest legal organization, the legal department of a not-for-profit health care provider, or a government agency. Students spend a day and a half, or three half-days, per week "in the field," at the placement office or in court. Students in this program have interviewed clients, investigated factual claims, conducted administrative hearings and routine court appearances (answering calls and the like), drafted affidavits, and researched memoranda and briefs. Students also prepare seminar presentations and simulations, meet with the professor for individual tutorials, and maintain work logs and weekly journals. Fieldwork is supervised primarily by mentoring attorneys, with back-up from the professor. Seminar topics include legal skills, ethics, legal issues affecting people in poverty, legal issues relating to bias and discrimination, and "case rounds" for mutual consultation. Fieldwork may include library research and other tasks that can be performed outside the placement office.

Summer only: The summer program is appropriate for students who have secured a non-paid legal position with a suitable organization. Students are required to work at their field placement 35 hours per week during the 8-week summer session. Some field placements may require students to work additional hours per week and/or for additional weeks during the summer.

Permission of the professor is required. Administrative Law is recommended. Health Law in America is required for Health Law placements.

Externship: Prosecution / Criminal Defense

LAW 996 FP (Field Placement) & LAW 996S (Seminar)

Summer Only: 6 Credits (5 clinical, 1 academic); ULSR

Students in the summer Externship: Prosecution/Defense (Criminal Justice Externship) engage in supervised fieldwork with a local prosecutor's office, public defender's office, or law enforcement agency, under the supervision of experienced Assistant District Attorneys, defense attorneys, or agency attorneys.

Students in this program have drafted accusatory instruments, interviewed witnesses, assisted in investigations, prepared cases for trial, performed research, written motion responses and memoranda of law, and observed hearings, trials, and other proceedings.

This course is open to students who have already secured a *non-paid* legal position with a suitable office. In order to receive 6 credits for the course, students are required to work at their field placement 35 hours per week during the 8-week summer session. Please be aware, however, that field placements may require students to work for additional weeks during the summer.

Students must attend a weekly seminar at the Law School.

Permission of the professor, based on application and interview, is required.

Externship: Prosecution

Law 799FP (Field Placement) & LAW 799S (Seminar) Fall or Spring 4 credits (3 credits FP, 1 credit Seminar);

ULSR

Students spend twelve hours per week working in a prosecutor's office under the supervision of experienced attorneys. Responsibilities may include drafting accusatory instruments, conducting investigations, researching and writing responses to motions and memoranda of law, drafting direct and cross-examination questions for grand jury, hearings, or trials, and observing and/or participating in court proceedings and complainant/witness interviews.

The weekly two-hour seminar provides background on legal, practical, and ethical issues in criminal litigation, and an opportunity to present cases for mutual consultation. Participating offices may include the White Plains branch of the U.S. Attorney's Office for the Southern District of New York, the U.S. Attorney's Office for the Eastern District of New York, the Task Force on Organized Crime, the Connecticut State's Attorney's Office, and the District Attorney's Offices of Westchester, Queens, and Rockland Counties.

Criminal Procedure (Investigation), Evidence, and permission of the professor, after application and interview, are required.

Externship: Guided

Law 993FP; 2 Credits

In a Guided Externship, the student works for an attorney in a law office approved by the Executive Director of John Jay Legal Services and the Associate Dean for Academic Affairs. Guidelines for this program are as follows:

1. Generally, guided externships are intended for potential field placements that are not already covered by an existing externship program.
2. Preapproved field placement sites are limited to those where a field supervisor already has agreed to comply with the Law School's standards and expectations for field placements. Alternatively, a student may locate a new field placement, subject to approval by the Executive Director of John Jay Legal Services. For any new field placement, the field supervisor must agree to comply with the Law School's standards and expectations for field placements.
3. Students may ask any member of the full-time faculty to act as their faculty supervisor. The Executive Director of John Jay Legal Services and the Associate Dean for Academic Affairs will assist in identifying an appropriate faculty supervisor, if necessary.
4. No more than two credits per guided externship. Four hours per week per credit. The total required over the semester is 104 hours (8 hours/week x 13 weeks = 104).
5. A completed Guided Externship Request must be submitted by the student to applicationsJJLS@law.pace.edu prior to the beginning of the semester.

Permission of the Executive Director of John Jay Legal Services and the Academic Dean, after application, required.

Externship: Real Estate

LAW 901FP (Field Placement) & LAW 901S (Seminar); 3 or 4 Credits (2 or 3 FP and 1 Seminar); ULSR

Students accepted into this program will be placed at a law firm or a corporate legal department in the metropolitan New York area. Students will be exposed to the various aspects of law firm practice and learn the unique lawyering skills and substantive knowledge for practice in real estate law. Students will work between 8 and 12 hours per week at a firm and attend a weekly seminar. Each student will produce a major piece of writing and keep a weekly journal. Pre- or co-requisite: Real Estate Transactions & Finance.

Permission of the Professor(s) is required after application and interview.

Externship: Social Justice Advocacy

LAW 609FP (Field Placement) & LAW 609S (Seminar); 4 Credits (3 FP, 1 Seminar) ULSR

In the Social Justice Advocacy Externship, we will promote social justice and gain perspective on varied means of pursuing social change through the law. The externship includes two components:

- (1) a supervised legal placement, focusing on work that furthers social justice and reduces inequality in its many forms, and
- (2) a weekly seminar where you will participate actively in discussion, studying social justice lawyering and social justice movements.

Placements will be in a wide range of legal practices, which may include nonprofit advocacy groups working explicitly to seek social change, legal services providers that seek to reduce inequality, and corporate social responsibility offices that seek to foster change. Placements will be a combination of approved opportunities found by students and placements identified by the professor.

In your placement, you'll spend a day and a half (or three half-days) each week in the field, including work at the placement office, meetings with clients or community groups, or court appearances. Students in this program will work toward social change using a variety of strategies and methods, including individual representation, impact litigation, and community campaigns. You may interview clients, meet with community groups, investigate factual claims, research legal claims and strategize, research and write memos and briefs, and, if a student practice order is available, appear in court under close legal supervision. In the seminar, you will actively participate in discussions, presentations, and simulations. You will have individual and group meetings with the professor, maintain work logs, and write thoughtful journals.

Placement fieldwork is supervised primarily by mentoring attorneys, with back-up from the professor.

Seminar topics include: the role of law in social justice movements, legal strategies used to pursue social justice (including individual representation, impact litigation, and community campaigns), empowerment of clients, restorative justice, and ethics and civil disobedience. Throughout the semester, we will seek to collaborate, foster learning together, and build community.

Permission of the professor is required after application and interview.

Externship: State Judicial

LAW 798 FP (Field Placement) & LAW 798S (Seminar); 4 Credits (3 FP, 1 Seminar)

A judicial externship provides an unparalleled opportunity to learn about the court system, the judicial process and judicial reasoning, to develop legal research and writing skills, and to observe trials, courtroom proceedings, and pretrial and settlement conferences. In the Judicial Externship Course students are placed in externships in individual judge's chambers, primarily in the New York, Connecticut and New Jersey State court systems. Students are expected to work in chambers 12 hours per week, and to attend a weekly two-hour seminar. The seminar focuses on such topics as the court system (federal and state), the judicial selection process and elections in the state system, "merit" appointments, and the judicial disciplinary process. Issues such as confidentiality, conflicts and courtroom ethics will also be addressed.

Externships are available with judges in a variety of New York state courts including the Appellate Division, the Supreme Court, Family Court, Court of Claims, Criminal Court and some of the City courts; a limited number of externships in the federal court system may also be available, including in the U.S. Bankruptcy Court. Students will need to plan their semester schedules to permit their being in chambers at least 12 hours a week. Externships will be located in New York City, Connecticut, New Jersey and the Ninth Judicial District.

Pre-requisites: The course is open to students who, at the time the course is offered, will have completed at least three semesters in law school; Evidence is a prerequisite.

Permission of the instructor, based upon application and interview, is required.

Externship: Summer Externship Abroad

LAW 896; 6 Credits (5 clinical, 1 academic)

Each externship runs for 8 weeks (320 hours) during June and July. After attending the two-week academic seminar, the externs work full time for their firms for the remaining six weeks. Pace externs are entirely self-funded and are responsible for their own air and ground transportation as well as their housing, food, and other related costs. Each extern must complete one significant piece of legal writing during the internship, based on the work assigned by the student's field supervisor. Externs are also required to complete a daily work journal.

Each extern is assigned a field supervisor(s) within the firm who provides the student with adequate supervision and meaningful learning opportunities, which might include legal research, the preparation of legal memoranda or documents, attendance at court or arbitral proceedings, meetings with clients and/or members of the profession, or other work that the supervisor considers significant. The field supervisor's assessment of the extern's performance is heavily considered, along with the quality of the extern's written submissions, in assigning the externship grade at the end of the program.

Permission of the instructor, after application and interview are required.

Family Law

LAW 712; 3 Credits

This course surveys family law, including the marital relationship, cohabitation, divorce, support, distribution of property, and child custody. A major focus is on recent decisions and legislation affecting children, family privacy, divorce litigation, equitable distribution, and adoption. The course emphasizes the interrelationship and conflicts between the traditional concepts of marriage, legitimacy, and status, and the emerging legal concepts of financial independence, "palimony," sexual freedom, the rights of unmarried parents, "surrogate" parents, and no-fault divorce.

Federal Courts

LAW 706; 3 Credits

This course examines the twin themes of federalism and separation of powers and focuses on the federal courts' role in elaborating those themes. This is not a course in advanced civil procedure; it is much more a constitutional law course. Each unit in the course examines one or more of three great power conflicts present throughout American history: (1) state power versus federal power (federalism), (2) interbranch power distribution within the federal government (separation of powers), and (3) the power of the government versus the individual (both). The following subjects receive in-depth treatment as a means of studying those themes: federal question jurisdiction, federal common law, civil actions under the Civil Rights Act of 1871 (section 1983), the Eleventh Amendment, abstention doctrines, and Supreme Court review of state court decisions.

Prerequisite: Constitutional Law.

Federal Criminal Pretrial Simulation

LAW 684B; 4 Credits; ULSR

In the modern Federal judicial system, fewer than 2% of all Federal criminal cases are tried to verdict. New attorneys may very well practice law for several years without confronting the many challenges posed by criminal defense and the professionally competent representation of clients within the Federal system. "Federal Criminal Pretrial Simulation" will prepare students with the theoretical knowledge and practical competence to properly handle Federal criminal cases. The course will be structured as a weekly three-hour simulation. The first 60 minutes will be devoted to lecture and discussion of the day's topic with reference to noted and controlling case law, and then 120 minutes will be devoted to critiqued student simulations of the discussed procedures.

Prerequisites: Evidence, Criminal Procedure (Investigations).

Federal Income Taxation I (Basic)

LAW 651; 4 Credits

This required course is a study of the Federal Income Tax Code, regulations, and case law including the concepts of income, identification of the proper taxpayer deductions and credits in computing taxable income, allocation of tax items to taxable years, taxation of business entity, tax accounting, income taxation of trusts and estates, gains and losses from the disposition of property (ordinary versus capital gains and losses), and tax procedure. The course is designed to familiarize the student with the Federal Income Tax Code and regulations as well as the use thereof.

Federal Income Tax II (Corporate Tax)

Law 713; 3 Credits

The law of corporate taxation with emphasis on organization and capitalization, distributions, redemptions, liquidations, and sale of interests therein is studied. Emphasis is on the relevant provisions of the Internal Revenue Code and applicable Treasury Regulations. Problems and case law are used throughout the course.

Prerequisite: Federal Income Taxation I

Feminist Legal Theory

LAW 759; 3 Credits; ULWR

This seminar uses gender as a lens to interpret the law and the experiences that women and men of all colors have with the law. We will begin by examining the theoretical presumptions and organizing principles of traditional feminist critiques of the law. Then, through examination of a variety of topics which have been of particular interest to feminist legal scholars, we will examine and critique the assumptions of feminist legal theory. Specifically, we will discuss legal aspects of work, motherhood, family life, sexual harassment, domestic violence, sexual intimacy, rape, pregnancy, abortion, race, wealth, poverty and sexual orientation. Throughout the course, our examination is grounded by inquiring to what extent feminism and theories of gender, when applied to the law, accurately have met the needs of women and men. The course concludes with a study of the most recent contributions to feminist legal scholarship and the emergence of a "Third Wave" feminist jurisprudence. Grades will be determined on the basis of class participation, presentations and a final paper. There is no examination. Students have the option of writing (i) several short (2-3) page papers and a 12-15 page final paper or (ii) a single 25 page final paper. Enrollment limited to 15 students.

Financial Services Compliance

LAW 745A; 3 Credits

This class will discuss the basic areas of law confronted by a compliance professional for a financial services firm such as a private fund (e.g. hedge fund or private equity fund) or a FINRA regulated broker-dealer. The class will cover the fundamental areas of regulatory compliance, an overview of the law, guidance about market practices in addressing compliance issues and practical advice about how to handle day-to-day compliance issues. Guest speakers will include ex-regulators and several GC/CCOs and law firm attorneys who practice in these areas.

Food Systems Law

LAW 921; 2 Credits; ULWR

A complex web of agricultural and food laws substantially influences what ends up on our plates, and ultimately affects the health of individuals, communities, and their ecosystems. These policies, and the regulatory mechanisms supporting them, play a vital role in determining health outcomes for the public and the environment. In the context of these policies, the course will cover the federal regulatory framework for food, administered primarily by the Food and Drug Administration; the history of this framework, its basic requirements, goals, and costs and benefits; the central provisions against labeling (misbranding), food fraud and unsafe food (adulteration); the role of administrative law in food regulation; food safety, foodborne diseases and the Food Safety Modernization Act; organic certification under the Organic Foods Production Act and other eco-labeling schemes; the regulation of genetically engineered foods; and the debate about food systems and sustainability.

Guided Research

LAW 723; 1 or 2 Credits; ULWR

The following are the guidelines for Guided Research Projects:

1. Student must obtain approval of the Associate Dean for Academic Affairs no later than the last day of the Drop/Add period by providing a written research proposal approved by the supervising faculty member.
2. The proposal must be supervised by a Full-time faculty member, OR by an Adjunct faculty member with prior permission of the Associate Dean for Academic Affairs.
3. Guided Research Project Request Form (available at the Registrar's Office) must be submitted to the Associate Dean for approval, after proposal is approved by supervising faculty member.
4. Only available to students with a cumulative GPA of 3.00 (B) or a B+ average in the particular subject area in which the research is undertaken.
5. Available for 1 or 2 credits only. Papers should be 25 pages or more for 2 credits and 15 pages or more for 1 credit.
6. No more than one project may be undertaken in a semester.
7. No more than two such projects may be applied for credit towards the Juris Doctor degree.
8. Faculty member may supervise only three projects in a semester.
9. Final paper, after grading, must be filed with the Registrar.

The Research Proposal must be prepared in the following form:

1. Problem: A precise statement of the particular inquiry to be undertaken.
2. Approach: Various questions that need to be raised and investigated in order to explore the problem.
3. Method of inquiry: Published materials, interviews, simulations, experiments, and other methods of inquiry intended to be used.

4. Data: Indication of the nature of data contemplated, not a bibliography, namely:
 - a. Primary data: reports, cases, hearings, case studies, and the like.
 - b. Secondary data: writing of scholars.

Indication must also be made of the various disciplines, in addition to law, whose data need be investigated.

Hazardous Waste

LAW 841; 2 Credits

This course explores the law of hazardous waste disposal and of the remediation of contamination from past, mostly unregulated, disposal of hazardous waste. The primary focus of the course is on the Federal Resource Conservation and Recovery Act and the Comprehensive Environmental Response, Compensation and Liability Act, and their state counterparts. It emphasizes the analysis of complicated and interrelated status and regulations. The subject matter and the course represent the most active area of practice in contemporary environmental law.

Prerequisite: Environmental Skills and Practice.

Healthcare Lawyering Skills

LAW 867A; 2 Credits

Many lawyering skills are common to almost all areas of practice, but for healthcare lawyers, those skills must be honed to the unique and challenging environment of the national healthcare system. That system carries with it not only a complex web of regulatory requirements that must be navigated, but intertwined business and clinical considerations that must be addressed in any transaction or matter. The purpose of this course is to assist interested students in developing their lawyering skills for practice specifically as a healthcare attorney. The course will begin with an orientation as to the changing healthcare landscape, a review of basic vocabulary and concepts (legal, business, policy and reimbursement), and a brief summary of healthcare legal research methods and sources. With that foundation, the course will turn to exploring how to apply basic lawyering skills to a variety of healthcare specific areas, such as: structuring the acquisition of a physician practice given the varying rules prohibiting the corporate practice of medicine in different states; conducting M&A regulatory due diligence and risk assessment; creating contractual joint ventures; understanding how to analyze and navigate various kinds of pay or-provider arrangements and reimbursement systems; drafting healthcare corporate documents (using a management services agreement as an example); defending a client in a government investigation or audit; and providing an academic medical center with regulatory, compliance and corporate advice. As the class works through each of these areas, the student will be provided with specific regulatory guidance to be analyzed in the context of a hypothetical scenario. Students will be required to write a number of e-mail memos to hypothetical clients or senior partners addressing specific issues.

Health Law in America

LAW 867; 4 Credits

This course examines the complex assortment of laws and regulations that govern the delivery of health care in America, including the Affordable Care Act (a.k.a. Obamacare), Medicare, and Medicaid, among others. Students will explore health care policy and procedures, including regulation of both health care professionals and health care institutions. Among the numerous topics touched upon in this course are managed care, access to care, not-for-profit organizations, fraud and abuse, and antitrust.

Health Law & Policy Seminar: Healthcare Compliance

LAW 819; 2 Credits

This course will explore the worlds of healthcare privacy and security with a focus on the intersection of technology and the care of humans by humans. Students will be exposed to the requirements of the Health Insurance Portability and Accountability Act of 1996 and the Act's implementing regulations (collectively "HIPAA"). In addition, students will learn practical approaches to identifying and resolving issues (including unauthorized disclosures and breach notifications) and learn about methods for demonstrating compliance.

Health Law & Policy Seminar: Health Equity

LAW 819A; 2 Credits: ULWR

Most developed countries offer universal health coverage through a single health care system. The United States, on the other hand, has a patchwork approach that falls far short of universal coverage. Even those who have access to the system may confront disparities in the care they receive. This seminar will focus on health equity. The CDC provides that health equity is achieved:

“when every person has the opportunity to ‘attain his or her full health potential’ and no one is ‘disadvantaged from achieving this potential because of social position or other socially determined circumstances.’ Health inequities are reflected in differences in length of life; quality of life; rates of disease, disability, and death; severity of disease; and access to treatment.”

This class will explore the unique challenges that people of color, immigrants, members of the LGBTQ community, the disabled, domestic violence survivors, those suffering from mental health challenges, the poor, the disabled, and others are confronted with when they interface with our health care system. The class will address legal institutional structures that need to be reformed or dismantled in order to achieve health equity for all.

Historic Preservation Seminar

LAW 743; 2 Credits; ULWR

This seminar examines the law applicable to archaeological, architecturally significant and other historic structures and cultural sites. The legal rationale behind police power regulations is studied, as are the alternative means of protection at local, state and federal levels of government. Private property tools and tax incentives are reviewed. The conflicts between preservation laws and other social values, the use of religious sites protected by the First Amendment, and the scope of "regulatory takings" are featured. Students are graded based on class participation and either a research paper or a project applying preservation laws to an actual factual setting. One class will be devoted to the presentation of papers and/or projects where students offer each other input and comment. The topics must be selected and approved by the professor before the fourth class. In addition, each student must give a 5 to 10 minute presentation on some relevant property or issue of note.

Immigration Law

LAW 720; 2 Credits

This course is designed to provide an understanding of the main areas of U.S. immigration practice. The course reviews statutory provisions, administrative regulations and case law as they relate to the key concepts of nonimmigrant, immigrant, admission procedures, exclusion, deportation, political asylum and citizenship. Students also explore the relationship of immigration law to employment law and tax law.

Insurance Law

LAW 794; 2 Credits

This course explores risk spreading through common law and administrative regulation of insurance products. The course addresses liability insurance (commercial, automobile, professional and product liability), as well as health and life insurance. Students learn how insurance institutions and the fact of insurance coverage affect economic behavior, on the part of individuals' and lawyers' litigation. The course also addresses the impact of the Employee Retirement Income Security Act (ERISA) on health and life insurance decisions, and examines the quasi-insurance aspects of managed health care.

Intellectual Property Agreements & Licensing

LAW 618; 3 Credits; ULSR

This course introduces the fundamentals of intellectual property agreements with a focus on licensing. The course starts off with coverage of the more basic intellectual property types of agreements (non-disclosure/confidentiality, non-analysis, material transfer, field-testing, intellectual property assignment). It then builds upon on these fundamentals to introduce more complex intellectual property types of agreements (technology transfer, joint development, university research collaboration, service, and consulting agreements). With regard to each of these agreements, students will gain an understanding of business

scenarios for their use, and the important basic clauses necessary for drafting, analyzing and negotiating purposes.

The course will then cover in great depth creative licensing arrangements and agreements involving licensing patents, trade secrets, copyrights, trademarks, and the right of publicity. Various aspects of leveraging intellectual property through licensing transactions are explored through licensing problems, including evaluation of client needs, negotiation of terms and conditions, IP valuation and royalty determination, due diligence investigations, crafting and interpreting contract language, licensing enforcement / dispute resolution, royalty auditing, administering a licensing program, and antitrust and tax considerations. Licensing in different industries and markets will also be explored. Relevant case law will be discussed and applied to licensing transactions and contract language. An intellectual property licensing project (see below) and practice problems to be discussed in class relative to each reading assignment will allow students to apply the principles learned throughout the course.

The course format will combine lecture and discussion on intellectual property agreement fundamentals and practice problems with a hands-on team based intellectual property licensing project. With regard to the IP licensing project, students will work in teams of two (licensor and licensee) on a business proposal involving an intellectual property licensing transaction as an integral component. Acting as either a licensor or a licensee, each student will put in place the necessary basic agreements (non-disclosure/confidentiality, non-analysis, etc.) for negotiating a license with the other party. Teams will present via PowerPoint® presentations their business proposals, licensing proposals (including a term sheet and a letter of intent to license), and licensing programs to the class for feedback. Finally, each student will then prepare a comprehensive intellectual property licensing agreement that captures the essence of the business proposal and the negotiation with the other party.

Prerequisite: Survey of Intellectual Property. Enrollment limited to 12 students.

[International Business Transactions](#)

LAW 738; 3 Credits

This is a comprehensive course in the private law aspects of international commerce, involving an examination of the sources of international commercial law, trade documents, trade terms, the international sale of goods in general and the CISG (U.N. Convention on Contracts for the International Sale of Goods) in particular, the international unification of trade and commercial law, the settlement of disputes, and to a lesser extent, transport law and the financing of exports.

[International Commercial Arbitration Seminar](#)

LAW 697B; 2 Credits

This seminar examines the practical application of alternative dispute resolution techniques used in international trade. While primary focus is on arbitration, other techniques, such as mediation (include student simulations), are included. The drafting of ADR agreements enforcement of arbitral awards, arbitration laws, procedures of prominent arbitral organizations and tribunals, jurisdictional questions, arbitrator authority, and practice techniques will be taken up.

International Criminal Law

LAW 617; 3 Credits

The purpose of this course is to provide an account of the basic principles governing international criminal law. Particular emphasis will be placed on the study of the Rome Statute of the International Criminal Court (ICC) and the leading decisions on substantive criminal law handed down by several international tribunals, such as the International Criminal Tribunal for the Former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), the Nuremberg Tribunals and the International Military Tribunal for the Far East. Topics that will be discussed include the sources of international criminal law, general principles of imputation, substantive crimes and defenses to penal liability, jurisdiction, and the basic procedural rules governing international criminal trials.

International Environmental Law

LAW 845; 3 Credits

This course examines the role of international law in the management of environmental challenges. The course begins by identifying significant global environmental problems, exploring the dynamics that generate and perpetuate them, and tracing the evolution (and critiques) of the principle of Sustainable Development. The course will then consider legal approaches for meeting select global environmental challenges, such as the protection of the atmosphere and oceans, the control of hazardous chemicals, and the preservation of biodiversity. The course will conclude with an examination of the impacts of environmental degradation and climate change on vulnerable communities and the emergence of alternatives to the dominant development paradigm. Throughout the course, we will contrast the perspectives of countries in the Global North and Global South with respect to the causes of and solutions to global environmental challenges. There are no pre-requisites or co-requisites but International Law is helpful.

International Human Rights Seminar

LAW 669; 2 Credits

This course proceeds in three closely related segments. The first segment introduces the idea of human rights with particular focus on United States constitutional law. The second segment of the course is devoted to the international human rights movement and the international law of human rights with focus on the basic international human rights instruments. The third segment considers how international human rights norms and procedures how they are adapted to particular political and cultural contexts. To consider this question, the course will student the three major regional human rights systems, The Inter-American System, the European System, and the African System and will concentrate on the jurisprudence of the tribunals established within each system.

International Law

LAW 698; 4 Credits

The course examines sources and evidence of international law, subjects of international law, peaceful settlement of disputes, use of force, relation of international law to municipal law, and state responsibility for injuries to aliens.

International Law Seminar: CISG

LAW 697; 2 Credits

The seminar will be on the United Nations Convention on Contracts for the International Sale of Goods (CISG), the Uniform International Sales Law of the United States and over seventy of our trading partners. International Contract Law "Restatements" (the UNIDROIT Principles of International Commercial Contracts and the Principles of European Contract Law) will also be addressed.

International Law Seminar: Asylum & Comparative Refugee Law

LAW 697A; 2 Credits; ULWR

This two-credit seminar will examine some of the ways in which both international and U.S. immigration and refugee law provide, or bar, legal status and protection for individuals who have been persecuted and deprived of their civil, political, or human rights by the government and/or quasi-governmental forces in their countries of origin. We will begin with the genesis of asylum law in the United Nations Refugee Convention and the U.S. 1980 Refugee Act, and explore how recent non-legislated changes in U.S. practice and policy have transformed the actual determination of asylum applications. We will briefly review the asylum doctrines and processes of Mexico and the Northern Triangle (Guatemala, Honduras, and El Salvador) inasmuch as these bodies of law affect U.S. asylum proceedings. Students will perform practice-oriented exercises and simulations to develop a realistic understanding of the complexity of asylum issues such as well-founded fear, credible fear, and reasonable fear; particular social group; persecution and the presumption of future persecution; firm resettlement; internal relocation; particularly serious crime; the one-year filing limit; and the material support of terrorism bar.

There will be no final examination, but substantial written work will be required in the form of a research paper, Immigration Court Merits Hearing Memorandum of Law, appellate brief, or expert affidavit on country conditions; this work will be evaluated based on the quality of writing as well as on its content and professional presentation. As this is an applied learning course, class participation and peer collaboration are essential, and will count toward the final grade. During spring break, selected students may be eligible to participate on a volunteer basis, or for academic credit in a separate course, in the representation of asylum-seekers in detention centers or at the Mexican border.

Prior completion of the introductory course, Immigration Law, would be helpful and is recommended, but is not a prerequisite. Students who have not previously taken Immigration Law may need to do a modest amount of additional reading (provided at relevant points in the syllabus) as background for the work in this class.

International Trade Law

LAW 836; 3 Credits

This course covers the core law and institutions of international trade and multilateral trading systems. Economic and commercial activities which cross borders are governed by legal, political, security, and diplomatic considerations that are reflected in treaties and domestic law which are increasingly relevant to United States lawyers as globalization evolves. World Trade Organization rules, dispute settlement, tariff and non-tariff barriers to trade, developing country trade, social considerations, unfair trade remedies, safeguards, trade in services, foreign direct investment, export controls, intellectual property and other basic principles along with trends in reforming the system and negotiating strategies will be examined.

Interviewing, Counseling and Negotiating

LAW 683; 4 Credits; ULSR

Interviewing, Counseling, and Negotiating is a four-credit simulation course. Through a variety of small-group and large-group exercises, students assume the role of lawyer to learn the art and skill of interviewing, counseling, and negotiating; to plan for and develop a case from one stage to another; to anticipate and deal with ethical issues; and to develop the skill of self-critique. Simulation exercises are videotaped where appropriate. It will be possible to perform most exercises during class time. Out-of-class work will include preparation and performance critique. Limited enrollment.

Introduction to the American Legal System

LAW 765A; 3 Credits

This course introduces foreign-trained law students to the history, substance and practice of law in the United States.

Introduction to US Legal Writing, Research and Analysis

LAW 765; 2 Credits

This course introduces foreign-trained law students to the process, skills and resources of conducting legal research in the United States. It also teaches students to conduct American-style legal analysis and to write legal memoranda.

Introduction to Private Funds Law & Compliance

Law 918; 2 Credits

This class will examine the Investment Advisers Act of 1940, registered investment advisors, basic private fund structures, fundamental legal/compliance issues related to registered investment advisors and guidance about market practices in addressing compliance issues. It will also involve practical advice about how to handle attorneys who practice in these areas.

Prerequisite: Corporations & Partnerships

Jurisprudence

LAW 703; 2 Credits

This course explores various schools of jurisprudential thought in order to discover the insights and procedures, if any, which underlie current legal decision-making, and to examine what they can contribute to the contemporary lawyer and to the resolution of the dilemmas facing society.

Jurisprudence Seminar

LAW 704; 2 Credits

The aim of the course is to develop an understanding of law and fluency in problem-solving tools appropriate for the needs of practitioners, responsible leaders, and scholars, based on an activist conception of the role of law and lawyers in modern democracies. These include the evaluation and selection of policy alternatives, the clarification of goals, and the examination of the past to assist in choosing decisions which are most likely to lead to the realization of goals. The behavioral sciences are drawn upon for pertinent methods and findings.

Juvenile Justice

LAW 695; 2 Credits

This course is a detailed study of the juvenile justice system including the substantive issues of delinquency, status offenses, child abuse and neglect, termination of parental rights, adoption and the foster care system. The philosophy, history, and continuing viability of the separate juvenile system are examined as well as recent innovations such as diversionary programs, the Child Welfare Reform Act, deinstitutionalization and the application of criminal sanctions in delinquency cases. The course also examines procedural due process problems and relevant constitutional issues including confidentiality and the right to treatment.

Labor Law

LAW 665; 2 or 3 Credits

This basic labor law course includes the history of labor relations and the National Labor Relations Act, as amended; practice, procedure, and substantive law before the National Labor Relations Board and the federal courts; a survey of unfair labor practices; and representation case law including pre-election campaigns.

Land Use Law

LAW 733; 3 Credits

Through land use law, local governments control the development and conservation of the land and its natural resources. They enjoy legal authority delegated by their state legislatures, putting plenary power to affect land use in the hands of locally elected, appointed officials, and their constituents. These powers are used locally to foster economic development and promote jobs, achieve sustainable development, preserve healthy eco-

systems, and, increasingly, to mitigate and adapt to climate change. Students study cases and statutes from many states, while learning the New York land use system in depth. The course includes significant materials from New Jersey and Connecticut. Students learn about fundamental property rights and study the seminal constitutional law cases that protect them. The course includes numerous practical exercises and pays close attention to the practical issues involved in representing clients before municipal bodies and courts.

Law and Education

LAW 725; 3 Credits

This course will provide a broad overview of developments and current issues in education law and policy relating to K-12 public education. A wide range of topics will be covered, including student speech rights, student discipline, authority over curriculum, religion in the schools, racial and gender equality, affirmative action, special education, school-finance reform, and the No Child Left Behind Act.

Law Practice Management

LAW 824; 3 Credits; ULSR

Designed to prepare law students for the private practice of law, the course emphasizes the problems of the small law firm including the independent sole practitioner, although large firm practice may be discussed by way of example or contrast. It looks at the organization of the law firm: the partnership, the professional corporation, and the proprietorship including the partnership or shareholder agreement. The roles of partners/shareholders and associates are addressed, particularly with respect to income production and compensation. One segment examines non-lawyer personnel; another addresses the law office itself.

Lawyering

LAW 919; 4 Credits; ULSR

In this course, students will gain competencies in the essential lawyering skills of interviewing, fact-gathering, organizing and presenting facts, counseling, negotiating and drafting transactional legal documents. In addition, students will learn the critical differences among the primary dispute resolution processes (negotiation, mediation, arbitration and litigation), and will learn how to counsel clients about and represent clients in these processes. Through the use of the planning-execution-reflection model of experiential learning, each student in the course will have the opportunity to plan to engage in each of the skills and then will execute the skill (which will be recorded). After execution, students will have substantial opportunities to reflect on their own mastery of the skill, through group, peer and instructor feedback, as well as through self-reflection.

Prerequisites: Professional Responsibility

****Students may not take Lawyering if they have already taken Interviewing, Counseling and Negotiation.**

Legal Skills I

LAW 622C; 3 Credits Required course for all first year students.

This course is designed to teach first year students the fundamental lawyering skills of legal research, writing, citation and analysis. During the first semester, students will learn how to:

- Conduct legal research;
- Analyze and synthesize cases;
- Interpret statutes;
- Cite authorities;
- Conduct an investigatory interview of a client or witness in a way that will elicit facts important to the resolution of a case; and
- Write an objective office memorandum.

Legal Skills II

LAW 622D; 3 Credits

Required course for all first year students.

This course is a continuation of Legal Skills I, but focusing on persuasive writing, and written and oral advocacy through a comprehensive appellate brief exercise. Students will draft an appellate brief and argue towards the end of the course to a simulated bench of judges.

Legislative and Regulatory Process

LAW 914; 3 Credits

State legislation and regulations can dramatically change how we live and how entire industries operate. Knowledge of these processes is fundamental to understanding the history and enactment of the statutes, regulations and decisions that have formed environmental policy for the last 40 years. This course will examine the state budget, the role of annual budgetary hearings, the legislature's unique issue development process, bill analysis, parliamentary procedure, constitutional authority, majority and minority party politics, and more. The context of the course will be New York State legislation and regulations as a microcosm of local, state and federal practices. A premium will be placed on tracking and analyzing active bills, writing and researching legislative and regulatory comments, as well as student participation during legislative case studies from elected officials, legislative staff, and issue advocates and stakeholders.

Master of Laws in Comparative Legal Studies Thesis

LAW 801C; 6 Credits

This course consists of the research and writing of an extensive and original LLM thesis on an international, transnational or comparative law topic of the candidate's choice, under supervision of a member of the Law School faculty. The thesis must be completed prior to award of the LLM and may be submitted in fulfillment of the LLM writing requirement. The thesis must be of publishable quality and candidates are encouraged to submit their theses for publication. An LLM candidate may request an oral defense of his or her thesis before a faculty panel, but is not required to do so. Enrollment in this course requires the prior authorization of the Assistant Dean or Director of Graduate Programs.

Master of Laws in Environmental Law Thesis

LAW 801; 6 Credits

This course consists of the research and writing of an extensive and original LLM thesis on an environmental law topic of the candidate's choice, under supervision of a member of the Law School faculty. The thesis must be completed prior to award of the LLM and may be submitted in fulfillment of the LLM writing requirement. The thesis must be of publishable quality and candidates are encouraged to submit their theses for publication. An LLM candidate may request an oral defense of his or her thesis before a faculty panel, but is not required to do so. Enrollment in this course requires the prior authorization of the Administration of the Environmental Law Program.

Matrimonial Practice

LAW 732; 2 Credits; ULSR

This course provides the practical knowledge and skills necessary to develop expertise in handling matrimonial matters from initial client contact through each step of the proceedings, including obtaining of marital history and financial information and preparation of court papers. Emphasis is placed on the negotiation and drafting of separation agreements. Students actively participate as counsel in all phases of the process.

Students are urged to take the basic Family Law course prior to enrolling in this class.

MBE Strategies

LAW 861C; 3 Credits

MBE Strategies is designed to help students prepare for the Multistate portion of the bar exam, in both skills and substance. The class will be jointly taught by Pace Law School Faculty, and Kaplan Bar Review. Students will learn the most heavily tested law in each of the subjects tested on the MBE, and then use that law to review multiple choice questions and strategies. This course will be a partial-distance course. There will be one in-person session and one pre-recorded lecture each week. This class will count as 3 distance education credits.

The Fall semester section of this course is only available to third or fourth year students who are not in ASAP or who are taking the Bar Exam in February.

Mediation Practicum

LAW 690D; 2 Credits; ULSR

The Mediation Practicum offers students the unique opportunity to gain hands on experience in the growing field of mediation. Students must enroll in both the seminar (2 academic credits) and practicum (2 clinical credits). The goal of the four-credit combined course is to provide students with a working knowledge of the mediation process in addition to affording them the opportunity to mediate actual cases.

Students will attend an intensive training prior to the start of the semester followed by a weekly seminar. The training and seminar will focus on the process of mediation and the skills required to serve as a mediator. This course is approved under Part 146 by the New York State Unified Court System's Office of ADR Program and satisfies Part 146 requirements, with at least 24 hours of initial mediation training.

The practicum offers students an experiential learning opportunity in which they will participate in actual mediations through an apprenticeship with Cluster, Inc. Cluster is a community dispute resolution center serving communities in Westchester and Rockland Counties. Students will first observe and later participate in mediations under Cluster's supervision.

Prerequisites: Students must enroll in the seminar and practicum. Permission of the professor after application and interview.

Mediation Seminar

LAW 690C; 2 Credits

The Mediation Practicum offers students the unique opportunity to gain hands on experience in the growing field of mediation. Students must enroll in both the seminar (2 academic credits) and practicum (2 clinical credits). The goal of the four-credit combined course is to provide students with a working knowledge of the mediation process in addition to affording them the opportunity to mediate actual cases.

Students will attend an intensive training prior to the start of the semester followed by a weekly seminar. The training and seminar will focus on the process of mediation and the skills required to serve as a mediator. This course is approved under Part 146 by the New York State Unified Court System's Office of ADR Program and satisfies Part 146 requirements, with at least 24 hours of initial mediation training.

The practicum offers students an experiential learning opportunity in which they will participate in actual mediations through an apprenticeship with Cluster, Inc. Cluster is a community dispute resolution center serving communities in Westchester and Rockland Counties. Students will first observe and later participate in mediations under Cluster's supervision.

Prerequisites: Students must enroll in the seminar and practicum. Permission of the professor after application and interview.

Mergers & Acquisitions

LAW 724; 2 or 3 Credits

This course will examine corporate merger and acquisition transactions, focusing in particular on the acquisition of private companies through negotiated transactions. The course will explore common issues, concepts and practices involved in these transactions, including choice of transactional form and structure, decision making processes and risk allocations. Much of the coursework will involve considering the principal documents involved in private company M&A transactions to identify key issues and terms, and consider the range of ways they are commonly resolved. The course will draw to some extent upon provisions and concepts of corporate law, corporate and individual taxation, securities law and contracts.

Prerequisite: Corporations & Partnerships

Municipal Law and Metropolitan Governance

LAW 696; 2 Credits

This course examines the legal and constitutional relationship of the federal government to state and local government. The main part of the course explores the nature and powers of local units of government and the legal problems confronting such units. The increased importance of regional planning and special district organization is emphasized. Civil rights, labor, taxation, tort, and contract law, all of which have special local government procedures and ramifications, are extensively reviewed.

National Security Law Seminar and the Challenge of Terrorism

LAW 822; 2 Credits

This course will examine contemporary legal and policy issues related to U.S. national security. Topics covered will include the separation of powers between Congress, the President and the Courts; war power; surveillance; targeted killing; detention; and the threat of terrorism.

Natural Resources Law

LAW 917; 3 Credits

This course will introduce students to the law of natural resources, with an emphasis on federal statutes that govern access to and use of natural resources such as wildlife, and biodiversity, wilderness and protected lands, water resources, and forests.

For Spring 2021 Only:

This course will be a two (2) week intensive, three (3) credit field course running from Sunday, May 23 to Saturday, June 5, 2021 in Grand Teton National Park, Wyoming. It will introduce students to the law of natural resources, with an emphasis on federal statutes that govern access to and use of natural resources such as wildlife, and biodiversity, wilderness and protected lands, water resources, and forests. This course will be taught by Professor Jason J. Czarnecki (Elisabeth Haub School of Law at Pace University) and Professor Sam Kalen (University of Wyoming School of Law) with additional guest lectures. Students from both Pace Law and University of Wyoming will be eligible to participate in the course. We will also go on field trips and excursions using vehicles provided by the University of Wyoming. There are additional fees/costs to participate in this course.

Important Notes

(1) This course is considered a Spring 2021 course for registration and tuition/scholarship purposes.

(2) In light of the COVID-19 global pandemic, it is possible that this course will not be able to be conducted in its designed live and in-person "field course" manner. In the event that the course cannot be held on site in Wyoming, this course will be transitioned to an intensive two-week online course during the same timeframe. By registering for this course, you are agreeing to pay the course fee. However, we will not collect student course fees and students should not book travel arrangements until we receive final confirmation that the course can take place in the field course format. Loss of travel costs and other costs will not be incurred by Pace University or the Elisabeth Haub School of Law. Please also note that some travel insurance policies may not cover cancellations related to COVID-19.

Negotiation

LAW 679; 2 Credits; ULSR

This course will develop the students' understanding of and ability to use the principles and techniques of effective negotiating with a view to creating their own successful style as practicing lawyers. The students will learn to identify and assess the variables in negotiation, sound negotiation planning techniques, various negotiation strategies and tactics and to then apply them in one-on-one and group exercises. The methodology is highly participative and utilizes class discussion and simulations. Most activities will take place in class but, outside of class, there are assigned readings and the students must prepare for the in-class activities. Class size is limited to 10 students (with a minimum of 6 needed).

New York Criminal Procedure

Law 647; 3 Credits

The subject of this 3 credit course is criminal process under New York state law, including issues of both police investigation and in-court adjudication. In other words, the course will first explore NY State statutes, cases and constitutional provisions that govern search and seizure as well as custodial interrogation by law enforcement. The course will then explore NY State statutes, cases and constitutional provisions that govern procedures of the criminal court, from bail to jail (e.g., arraignments, right to counsel, discovery, trial process, sentencing, and more).

Highly recommended that students have already taken either Criminal Procedure/ Investigation or Criminal Procedure/ Adjudication.

New York Practice

LAW 707; 4 Credits

This course is a comprehensive study of procedure and practice in New York under the Civil Practice Law and Rules. The main topics considered are the jurisdiction of New York courts, jurisdiction and service of process, venue, appearance, joinder of parties, pleading, motion practice, provisional remedies, pretrial devices, trial judgment, and the doctrine of res judicata.

Nonprofit Organizations

LAW 735; 2 Credits

This course examines major legal issues under federal and state law related to private nonprofit organizations. Among the issues addressed are nonprofits' scope, rationale and role in contemporary society; tax issues including the rationale and eligibility for exemption, restrictions on lobbying and political activity, and the unrelated business income tax; regulation of fundraising; state and federal supervision; competition between nonprofit and for-profit entities; compensation; the legal responsibilities of directors and officers; legal issues between members; and the misuse of the nonprofit form. There will be a final examination.

Patent Law

LAW 639; 2 Credits

This course is an introduction to the substantive law of patents emphasizing fundamental concepts, such as the "unobviousness" standard of patentability, factors which prevent the patenting of inventions, the utilization of patents through technology, licensing, and enforcement of patent rights through actions of infringement. The relationship between patents and trade secrets, as well as the interface between patent law and antitrust law, is also explored.

Patent Practice & Procedure

Law 615; 3 Credits; ULSR

This course bridges the gap between the Law School's doctrinal courses examining patent law (Patent Law - Law 639, and Survey of Intellectual Property – Law 603) and the ways in which patent attorneys actually use patent law in practice before the United States Patent and Trademark Office (USPTO). For students interested in patent prosecution, the course will provide insight into a unique sub-discipline of intellectual property, which combines analysis of the Patent Act, Federal Circuit and Supreme Court decisions, the rules of the USPTO, and customary practice. Drafting of patent claims and structuring of arguments in response to USPTO office actions, two vital skills for specialists in this area, are significant components of the course. As the meaning of patent claims and the interpretation of arguments made during prosecution can be outcome-determinative in patent lawsuits, students interested in patent litigation will find the course valuable as well.

Poverty Law

Law 730; 2 Credits; ULWR

Poverty Law explores historical and contemporary institutional policies and practices that cause and perpetuate widespread poverty in the United States. It also looks at a variety of legal solutions to this ongoing problem. Poverty Law reviews specific laws that impact the poor in areas, including housing, education, health care, and the workplace. It also explores the parameters and limitations of the social safety net, and touches on the criminalization of poverty. Students are required to write a legal research paper.

Pretrial Civil Litigation Simulation

LAW 817A; 4 Credits; ULSR

The Pretrial Civil Litigation or Pretrial Advocacy Program is an intensive, one-semester, practical introduction to pretrial civil litigation, including interviewing, drafting pleadings, planning investigation and discovery, taking depositions, and briefing and arguing pretrial motions. The simulation is a hands-on program in which students learn by doing. It is focused on the pretrial development of a civil case. Pretrial is, of course, the heart of civil litigation because most civil cases are resolved before trial. Students in the program take on lawyering responsibility for a simulated but realistic case. Each student interviews a client and develops the

client's case during the course of the semester – analyzing the law and the facts of the case, investigating the case, drafting relevant pleadings, preparing and responding to interrogatories and other discovery requests, taking and defending depositions, and briefing and arguing a pretrial motion. The simulation is not a classroom course but a program designed to help students make the transition from working like students to working like lawyers. It offers a structured, closely-supervised opportunity to begin to appreciate the wide range of lawyering skills that are important in litigation -- planning, problem solving, investigation, networking, legal and factual analysis, thinking strategically, communicating effectively, and working with others. Second, third, and fourth year students have found the program valuable.

There are no prerequisites. Evidence is recommended.

Principles of Legal Analysis

LAW 861; 2 Credits

This skill-based course provides students with the tools necessary to excel in law school, focusing on areas such as writing, case briefing and legal analysis. Through weekly assignments and in-class discussions, the students will hone the skills needed to be successful law students and lawyers.

All students in ASAP, all transfer students in their second year, and all students in their second year returning from an absence are required to take this course.

Prisoners' Rights

LAW 691; 3 Credits

Winston Churchill said that the “mood and temper of the public with regard to the treatment of crime and criminals is one of the most unflinching tests of the civilization of any country.” This course considers the law governing prisoners’ rights and also sets that law in context so that students can consider the role of prisons in the contemporary justice system. Prisoners’ Rights involves a body of largely constitutional law developed over the past thirty five years dealing with the conditions of confinement for the more than two million inmates in prison and jails in the United States today. Since prisons are the quintessential “closed institutions,” every aspect of the lives of inmates is controlled by the state. Prisons serve as a unique laboratory for the development of constitutional doctrine. Thus, prisoners’ rights law deals with topics as diverse as the cruel and unusual punishment clause, freedom of speech and religion, access to the courts, race and gender discrimination, due process, and privacy, as well as remedial problems involved in implementing prisoners’ rights through litigation and other dispute resolution techniques. It also deals with legislation among other things addressing prisoners’ access to the courts and providing protection for prisoners from sexual assault and protection of the right of inmates to practice their religions. With over two million Americans in prisons and jails the role of this vitally important institution has even greater importance to the legal community and society generally than ever before. These and many more topics will be the subject of class readings. Guest speakers and a visit to a prison are also a part of this course.

Privacy and Information Law

LAW 705; 2 Credits

This introductory course will cover the basic principles of privacy and data protection law, and will focus on the rights of individuals in their personal information, and the rights of governmental institutions and private enterprises to collect, use and disclose that information. The course will examine the policies underlying this still-nascent form of protection, and those areas of tort and constitutional law pertinent to privacy. It will cover the substance of some federal privacy statutes relating to record-keeping and financial information. It will also cover certain state privacy statutes, the privacy-related activities of the Federal Trade Commission, and the structure and substance of privacy law in the European Union. Current privacy issues will be discussed in class. Grades will be based on a final examination, with the possibility of a one-increment change (e.g., B to B+ or B-) based on class participation.

Pro Bono Scholars Program

LAW 805 and 805A; 15 Credits (13 clinical, 2 academic); ULSR

Students participating in the Pro Bono Scholars Program take the New York Bar Exam in February of their final year and spend the following 12 weeks interning in a not-for-profit legal services organization or law school clinic providing legal services to low income individuals. Placements are available in civil legal services offices in the Metropolitan area. Participants may also spend their final semester working full-time in one of the Law School's client representation clinics.

Pro Bono Scholars placed outside of the Law School also participate in a two credit, once a week seminar, which supplements the field placement learning experiences. Topics covered in the seminar will include "learning from practice" skills, the ethics of practice, cultural competency, the challenges of a poverty law practice, advanced interviewing and counseling, and other topics specifically germane to pro bono representation. Requirements will include individual meetings with the professor who conducts the seminar, as well as the maintenance of a weekly journal.

Interested students must apply for the Pro Bono Scholars program during the spring prior to their final year and must have met all graduations requirements by the end of the fall semester.

Professional Responsibility

LAW 625; 3 Credits

Required course - MUST be taken during the 2nd year.

An examination of practical issues of professional responsibility and professional discipline faced by lawyers in practice. It also covers the problems facing the legal profession as a whole, including, but not limited to, the lawyer's role as a negotiator and counselor.

Property

LAW 634; 4 Credits

Required course for first year students

This course investigates the law's recognition of ownership and the protection of possession. Special attention is directed to the bases for such recognition and protection and to the limits on protection that result from competing interests. Also considered are the creation of multiple proprietary interests, concurrent and consecutive, the estate system, basic future interests, landlord-tenant, bailments, easements and other servitudes, and concurrent ownership. The course concludes with an introduction to basic conveyancing and the recording acts.

Prosecution of War Crimes Seminar

LAW 605; 2 Credits

This course will focus on the newly formed International Criminal Court (ICC). We will first introduce students to the field of International Criminal Law, specifically the nature and elements of international crimes such as war crimes, crimes against humanity, and genocide which are under the jurisdiction of the ICC. We will also cover the various modes of punishment for these crimes, including prosecution at war crimes tribunals (e.g., Nuremburg and Tokyo, the Criminal Tribunals for Rwanda and the former Yugoslavia) and prosecution by individual States of their own citizens or of other nationals under the theory of universal jurisdiction over violations of jus cogens norms. The major portion of the course will focus on the system adopted by the Rome Statute for prosecution of crimes within a permanent international criminal tribunal. This will include involving the students in a simulation exercise of the four-party system to be employed by the ICC. Students will have the opportunity to act in the roles of prosecutor, defense counsel, victim's advocate, and judge.

Public Health Law

LAW 693; 3 or 4 Credits

Description for three credit course:

This course explores important issues in public health, including the constitutional limitations on the government's police power in protecting individual and community health. The course also assists students in developing appropriate evaluative skills regarding epidemiological data. The course further exposes students to specific modern public health threats including HIV/AIDS, obesity, tobacco, alcohol and drug addiction, cancer, drug-resistant bacteria, bioterrorism, and access to food and water.

Description for four credit course:

This four credit course considers how the government can balance its obligation to protect the public's health with the limits on its power imposed by the Constitution, including the requirements of the Fourteenth Amendment right to privacy, the First Amendment right to freedom of speech, and the Fourth Amendment right to be protected from compulsory search and seizure. These issues arise in the context of infectious diseases (e.g., HIV/AIDS and other sexually transmitted diseases, avian flu, and tuberculosis) and environmental hazards (e.g., contaminated drugs, exposure to lead, asbestos, pesticides, secondhand tobacco

smoke, and global warming). Students will learn about the administrative law process by reviewing the actions of a number of agencies who regulate in the public health arena, including the Consumer Product Safety Commission, the Environmental Protection Agency, the Federal Trade Commission, and the Food and Drug Administration, and by drafting portions of regulatory documents to address emerging public health issues.

Real Estate Business

LAW 905; 2 Credits

This course will introduce students to the basic vocabulary and processes of the commercial real estate business and its financing, as well as provide an understanding of how U.S. commercial real estate markets work and lawyers' several roles in that market.

The course will also introduce students to the simple basics of financial analysis of real estate from both investment and financing perspectives. It will consider the impact of financial performance on capital structures of real estate investment entities, and will look at some major recent and current events in the U.S. real estate markets. The course does NOT require any mathematical skills, though there will be occasional references to very simple arithmetic. The course will empower law school students who wish to pursue careers in real estate law, whether in private law firms, corporate real estate departments, not-for-profits, or in related environmental and/or land use practices.

Real Estate Transactions & Finance

LAW 607; 4 Credits

The course explores the real property transfer process, including duties and obligations of broker, seller and buyer to each other; the formal requirements for an enforceable contract; remedies; income tax aspects of real estate and closings; and title insurance. Fundamental aspects and legal problems of real estate financing are also explored, such as absolute deed as a mortgage; remedies of mortgagees, including receivership, assignments of rents, possession; transfers of mortgagor's interest; transfer of mortgagee's interest; foreclosure by judicial proceedings and by power of sale; equitable and statutory redemption. The course may also explore the law concerning leasehold financing, construction financing, purchase money mortgages, replacement and modification of senior mortgages and impact on junior lienors.

Science for Environmental Lawyers

LAW 802; 2 Credits

This course is designed to help future environmental lawyers achieve the level of scientific literacy required to assess the quality of scientific evidence and think critically about environmental issues. The course guides students through key topics in environmental science, expanding their scientific literacy and helping them connect how scientific knowledge and research applies to, and influences, environmental law and policy. Key science content covered includes ecological systems, biodiversity, genomics, and climate change. The course will be taught in an innovative format that melds online, classroom and experiential learning. There will be a series of two-week content modules, each of which will include asynchronous online discussions, an in-person class on campus during the scheduled class time, and an in-person fieldtrip off of campus on a weekend day. **This course is required for LLM in Environmental Law students (no specialization or Global specialization) and recommended for JD students seeking the Environmental Law Certificate.**

Secured Transactions

LAW 680A; 3 Credits

This course covers encumbrances of personal property and fixtures, focusing primarily on Uniform Commercial Code Article 9 consensual security interests. Coverage will include state lien law and the effect of the Bankruptcy Code on Article 9 Security Interests.

Securities Litigation and Enforcement

LAW 619; 3 Credits

Through readings, problem-solving, role-plays and examination of case files, this course will explore the theoretical and practical aspects of federal securities litigation and enforcement. Topics that will be covered include: litigation under and analysis of federal securities statutes, including the Securities Act of 1933, the Securities Exchange Act of 1934, the Private Securities Litigation Reform Act of 1995, the Securities Litigation Uniform Standards Act of 1998, and the Sarbanes-Oxley Act of 2002; securities fraud class actions; common securities law violations including market manipulation, insider trading, and IPO fraud; SEC civil and criminal enforcement of securities laws; the professional responsibilities of attorneys and accountants under securities laws; securities arbitration, and other current topics in securities litigation.

Corporations is a prerequisite.

Securities Regulation

LAW 657; 3 Credits

This course covers Federal law and the rules of the Securities and Exchange Commission in the issuance and trading of securities; and legal and regulatory aspects of the securities industry generally.

Prerequisite: Corporations and Partnerships.

Semester in Practice

Law 992A; 12 clinical credits; ULSR

Law 805B; 2 academic credits

The Semester in Practice is an experiential course in which students intern full-time in a law firm, corporate law department, government agency, or Law School clinic. As students will be required to learn and integrate substantive law with practical skills, including drafting, client relations and advocacy, the course serves as a bridge from law school to practice. With significant responsibility over real cases, students will develop confidence in variable lawyering situations and learn to appreciate their individual strengths and to acknowledge their weaknesses as lawyers. The field placement will challenge them to navigate workplace issues such as time management, workplace culture, collaborative work, and to balance work and personal obligations and interests. Students must be self-directed, which will lead to lifelong learning.

In addition to interning full-time (on average 41.5 hours per week, over 13 weeks), students participate in a weekly seminar in which they will hone relevant lawyering skills and discuss the practice and ethical issues

that arise in their placements. Each student will produce a major piece of legal writing and submit periodic journals.

Interested students must apply for the Semester in Practice during the spring prior to their final year and must have met all graduation requirements by the end of the fall semester.

[Sexuality, Gender & the Law](#)

LAW 758; 3 Credits

This course examines how the law addresses consensual sexuality, sexual orientation and gender expression and identity. We will analyze the application of a number of constitutional doctrines, including the right to privacy, freedom of expression, freedom of association, church-state separation, and the rights to due process and equal protection. Our study will encompass state criminal laws against sodomy and prostitution, the law of abortion and contraception, and the treatment of gay and transgendered Americans in family law (marriage, domestic partnership, adoption and child custody), public and private employment discrimination law, military law and education law. Primary course materials include cases and law review articles, supplemented by interdisciplinary readings in history, media, psychology, medicine and sociology.

[Short-Term Detention Center Representation: Practice & Policy](#)

LAW 997; 2 Credits

This course, an intensive fieldwork experience, prepares students to work intensively for a week (plus two travel days) providing short-term, limited-purpose representation at an immigrant detention center, and then to reflect on and analyze what they have learned from the experience, concluding with a public presentation at the Law School. By the end of this course, students will have developed a deep and rich understanding of current U.S immigration enforcement policies and the theoretical legal rights of immigrants, especially those seeking various forms of humanitarian relief, and the overlap and conflicts between the federal statutory and regulatory scheme and international human rights law. Students will learn how to assess and address the unique legal needs of detained immigrant youth and adults through direct representation, and will develop and refine enhanced oral and written communication skills in informal and formal settings, especially empathic listening, interviewing, counseling, collaboration, and oral and written advocacy. Each participant will also observe and intellectually analyze his/her/their own professional identity formation with respect to key lawyering competencies.

Permission of the instructor is required to enroll. To participate in this course, each student must be authorized to enter a federal immigration detention center, and therefore must pass a federal background check. Prospective students must complete a separate application (available at John Jay Legal Services Office, Preston 404, and due by January 22). The application, and a much more detailed description of the course and its requirements, are available on the TWEN page "[Short-Term Detention Center Representation: Practice & Policy](#)." Please review the full description before applying.

Prerequisites: Evidence and Professional Responsibility

SJD Dissertation

LAW 991A and LAW 991B; 9 Credits Each Part I and II

This course consists of the research and writing of an extensive and original doctoral dissertation that creates knowledge on an environmental law topic of the candidate's choice. The dissertation is written under supervision of a member of the Law School faculty, and must be completed and successfully defended in an oral defense before a faculty panel prior to award of the SJD. While actual publication of the dissertation is not required, it must be of publishable quality. Almost all dissertations are published; therefore candidates are strongly encouraged to submit their dissertations for publication. The process involves extensive research and revision of various drafts in a process that may require several years to complete. Not all of this work must be completed in residence at the Law School, though candidates are required to complete at least two semesters on campus.

SJD Tutorial

LAW 893A and 893B; 3 Credits Each Part I and II

The SJD Tutorial consists of regular consultations between the candidate and the professor who is guiding him. The candidate consults his advisor regarding creating a bibliography, conducting research, defining the scope of his research, and possible sources of useful research. The professor reads the candidate's drafts, recommending improvements. Research problems are resolved during these consultations. The candidate is expected to find new information and present new theories as a result of his research; during the Tutorial he discusses these with the professor, tests his new knowledge, and receives helpful criticism to improve the results of his work.

Skills Workshop: Damages

LAW 684EE; 1 Credit ULSR

In this course students will examine the laws pertaining to the recovery of damages in various causes of action in the New York State and Federal Courts. In addition to learning the law, students will apply the legal principles through in-class and homework assignments to several case fact patterns. Students will be challenged to identify and utilize the procedural and substantive tools that can aid in effectively establishing, as well as refuting, damage claims. Through the case fact patterns students will apply their knowledge of the CPLR, rules of Evidence, choice of law clauses, deposition techniques as well as trial advocacy and legal writing skills. The case fact patterns will encompass a multitude of legal disciplines; including cases involving disputes from business contracts, medical malpractice cases, property loss, civil-rights claims, class-action, personal injury and product liability cases. The class will discuss the variables beyond merely legal statutes that can affect the size of a damages judgment; including policy issues, punitive damages, human and social factors, collateral sources and finally, tort-reform.

Students will be taught the practical skills attorneys use from both the plaintiff and defense perspectives in order to evaluate the damages of cases. Students will learn to apply calculations based on life expectancy, work-life expectancy charts, the future value of money, the importance of venue, client characteristics and qualities, mitigation of damages, structured settlements, the use of expert witness damage witnesses and judicial review of jury awards.

Skills Workshop: Depositions

LAW 684AA; 1 Credit ULSR

This one-credit workshop introduces students to the essential litigation skill of conducting and defending depositions. Since more than 90% of all civil cases are resolved prior to trial, the deposition stage of the case is critical to success. This concentrated skills course focuses on effective questioning strategies and techniques in deposition practice. Students will gain hands-on skills experience in taking and defending depositions through in-class simulations. Topics to be covered include comparing federal and state procedural laws on depositions, developing a deposition strategy, preparation of the deponent, defending a client, handling exhibits, dealing with difficult witnesses and adversaries, and furthering the case theory in depositions. The course will conclude with students conducting a deposition. Enrollment limited to 12 students.

Skills Workshop: Forensics

LAW 684BB; 1 Credit ULSR

This skills course will integrate simulation learning with guided discussions on handling forensic and scientific evidence in litigation. The one credit course will be a comprehensive overview of various strategies to aid in both preparation and practice with forensic evidence and testimony. The three primary goals: (1) to expose students to the different types of forensic evidence used in court—fingerprint comparisons, DNA analysis, psychological examinations, ballistics, etc.—and to convey a sense of evidentiary effect; (2) to introduce students to the people who collect, analyze, and testify about forensic evidence; (3) to examine the developing hurdles that forensic evidence present to every practitioner on a practical level. No prior scientific background is required, students will be expected to become familiar with some of the basic science that underlies forensic evidence, e.g., the elements of basic ballistics, basic patterns that fingerprint analysts look for, mental health diagnosis.

It is anticipated that guest speakers will enhance the learning process and participate in class simulation problems. Enrollment limited to 12 students.

Skills Workshop: Investigative Advocacy

LAW 684HH; 1 Credit ULSR

This course will provide students a unique opportunity to learn and develop the investigative advocacy skills demanded of criminal prosecutors. Through assigned class readings, skill performances, and an immersive classroom experience, students will explore and experience the strategies, tactics, tools, and techniques of a skilled investigative prosecutor.

Skills Workshop: Jury Selection

LAW 684FF; 1 Credit ULSR

This skills seminar will focus on both civil and criminal jury selection. We will explore the empirical data on considerations in selecting jurors, juror questionnaire, establishing challenges for cause, questioning techniques and jury selection in case analysis.

Skills Workshop: Law[ying] & Science

LAW 684GG; 1 Credit ULSR

This course introduces students to the relationship between law and science, providing the opportunity to develop the lawyering skills necessary for effective use of science in litigation, legislation, regulatory, and transactional work.

Science and the law intersect at many levels. For example, science helps lawyers prove the effects of climate change in order to formulate or comply with environmental regulation, to determine the legal liability of manufacturers of drugs and vaccines, to regulate potentially dangerous instruments like e-cigarettes, and to establish new claims and defenses. In short, in civil or criminal practice, lawyers look to science for certainty in the face of difficult legal questions. But science and the law are an uneasy fit. Each approaches the world differently, with different standards, methods, and vocabularies used by scientists and lawyers who are rarely trained beyond their own discipline. Using vaccine litigation, draft legislation, and developing medical science, this course explores the dilemmas lawyers face in using science and helps students develop the skills needed to make effective use of scientific proof.

Skills Workshop: Motion Practice

LAW 684KK; 1 Credit ULSR

This class meets once a week for two hours per class for seven sessions. It will teach the techniques and tactics used in civil motion practice, one of the most important advocacy devices in litigation. It deals with motions concerning pleadings, discovery, dismissal and trial. The discussion is from both the plaintiff's and defendant's viewpoint and will cover New York State procedural practice but concerns questions of both Federal and State law.

This course will be a combination of lectures and "learning by doing" – you develop your ability by applying the skills taught in the context of the case analysis and the substantive law. All students will both write and argue three short motions consisting of no more than 3-5 pages from either a plaintiff's or a defendant's point of view.

Skills Workshop: Tax Practice

LAW 684II; 1 Credit ULSR

This workshop will introduce students to the skills needed to be a successful tax practitioner. Students will focus on developing analytical, research, writing and communication skills for various stakeholders. During the workshop, we will work through case studies and scenarios, which will allow students to practice client communication and counseling. Students will also have the opportunity to practice identifying and responding to various challenges faced by tax attorneys.

Although this course will not be focused on in-depth tax substantive law, there will be abbreviated units on relevant tax law needed to complete the case studies.

Prerequisite: Federal Income Taxation I (Basic)

Sports Law

LAW 753; 2 Credits

Based upon twenty-five years of experience in the business of sports, the instructor will provide an overview of how the various disciplines of the law impact the world of sports. A review of key cases, together with guest lecturers with actual experience in sports law, will demonstrate how sports is impacted by contract, anti-trust,

labor, intellectual property, the right to privacy and many other aspects of the law. Sports - it's not just fun and games.

State & Local Taxation

LAW 747; 2 Credits

This course will familiarize students with both the constitutional and practical challenges of state taxation at the corporate level, focusing primarily on the state income and sales taxes. The question of whether a state can impose a tax, and to what extent, could be one of the biggest challenges emerging from the shift to a global and digital economy. This explains why businesses, states, Congress, and courts have struggled with the application of state tax law in the modern economy; and why the legal field of State and Local Taxation (SALT) has experienced tremendous growth in the last 30 years. Through this course students will develop an understanding of the history of state and local taxation and how that history has led to the challenges businesses face today. As part of our exploration of state taxation, students will be given problems based on real-world issues and designed to highlight how the law impacts today's business environment from a practical perspective.

Surrogates Practice

LAW 727; 2 Credits

Surrogate's Practice will provide students with a unique opportunity to learn the inner workings of the Surrogate's Court through the administration of a fictional estate. The course will cover the substantive and procedural law of Probate proceedings for testate estates, Administration proceedings for intestate estates, and several aspects of estate administration, including the disposition of claims filed against an estate and the commencement of certain Miscellaneous proceedings. Students will be responsible for attending lectures and drafting pleadings and/or motion papers attendant to the fictional estate. The papers submitted by the students will be evaluated by actual court personnel.

Students will have the opportunity to meet and interact with members of the Court's legal and clerical staffs.

Additionally, the students will have the opportunity to attend the Court's calendar calls, conferences with attorneys and litigants and, if scheduled, hearings and/or trials. This course provides an excellent opportunity for students who have an interest in becoming general litigation practitioners as well as Surrogate's Court practice specialists. Due to the significant "hands on" experience the students will receive in this "workshop," course enrollment is limited to 15 students.

Due to the limited enrollment, a preference will be given to students who have completed Wills, Intestate Succession & Trusts - Law 701

Survey of Dispute Resolution Processes

LAW 690A; 3 Credits; ULSR (Not for Fall 2020)

This course surveys the law and practice of the alternative dispute resolution processes of negotiation, mediation and arbitration, and compares these processes to litigation. Students will participate in at least one simulated negotiation, mediation, and arbitration during the semester, and will draft a dispute resolution

clause. With permission of the professor, up to 15 students can use the course to satisfy the Upper Level Skills Requirement. Course capped at 30 students.

Survey of Intellectual Property

LAW 603; 3 Credits

A comprehensive introduction to the principal intellectual property law areas, including copyright, trademark and patent law, unfair competition, the right of publicity, trade secrets, and related federal and state doctrines. We will examine the basic legal principles independently as well as at their intersections, and in the context of the evolving technologies of the new millennium, including the Internet, computer software, digital broadcasting and music distribution, bioengineering, and industrial design. Themes will include the study of intellectual property as "property" and "commodity," the protection of intellectual property across national borders in a globalizing marketplace, and the complicated governmental objective of promoting and protecting human creativity and ingenuity while not unduly restricting its dissemination to the rest of society.

Sustainable Business and the Environment

LAW 993; 2 Credits

This 2-credit seminar provides an introduction to the roles that private organizations, including nongovernmental organizations, corporations, lenders, investors, and others are playing in reducing environmental pollution and managing natural resources. Private environmental governance initiatives utilize many regulatory instruments that parallel the instruments used by public environmental governance, such as regulatory standards, market mechanisms and information disclosure requirements.

Business managers must think about their firms' interactions with the environment. Goals of this course include learning to think critically about: (1) the relationship between business and the natural environment (e.g., the desire to achieve business sustainability), (2) the existing legal and policy framework of environmental protection and its effects on what business managers are charged and able to do, and (3) the intersection between private environmental governance and public regulation. Relying on expert scholars and business leaders, the course will introduce you to sustainability topics as they relate to different business and legal concepts.

Topics include the drive towards impact valuation; how informational regulation affects business strategy; the emerging concepts of private environmental governance, in which private contracting, third-party certification, and insurance can impose environmental obligations and create incentives in the absence of government action; different approaches of incorporating sustainability into business practices, including through life-cycle analysis and environmental management systems; and the legal issues surrounding the use of trade and taxation measures to achieve climate change mitigation.

Sustainable Development Law Survey

LAW 633; 3 Credits

The course illustrates the initiatives taken by local governments to achieve sustainable development, showing these initiatives provide important opportunities to manage, mitigate and adapt to climate change. The course provides an introduction to how the U.S. legal system fosters greenhouse gas reduction, energy

conservation, and sustainable patterns of growth, including energy-efficient and sustainable buildings, the use of renewable energy resources, the protection of sequestering open space, and the adaptation of buildings and communities to sea level rise and natural disasters.

Recommended: Land Use Law

Topics in Legal Theory: The Black Lives Matter Movement

LAW 627E; 1 Credit

This 1 credit course shall explore the Black Lives Matter (“BLM”) movement. The course will explore the historical underpinnings of BLM, and the evolution of the legal treatment of American protest movements in general. We will discuss how BLM has transformed the current social discourse regarding the continued inequities in our Criminal Justice System- including but not limited to police brutality, mass incarceration, and economic inequality. We will also explore how BLM has impacted pending corrective legislative reforms. Student performance will be assessed based on four short reflection papers. This class may not be used to satisfy the upper-level writing requirement.

Torts

LAW 631; 4 Credits

Required course for all first year students

This course studies civil wrongs analyzed under the three general theories of tort liability: intent, negligence, and strict liability. This course covers an introduction to tort liability; intentional torts; negligence; nuisance; strict liability; defenses; causation; statutory torts; alternatives to negligence (no-fault); and an introduction to defamation and privacy, products liability and commercial torts.

Trademark Law

LAW 853; 2 Credits

This introduction to trademark law provides an overview of trademark protection. The course examines the subject matter of trademark protection, acquisition and retention of trademark rights, federal trademark registration, likelihood of confusion and trademark infringement, trademark dilution, trade dress, false advertising, and trademark/free speech issues.

Trademark Practice and Procedure

LAW 853A; 2 Credits

This course introduces the fundamentals of trademark counseling and trademark practice before the United States Patent and Trademark Office (PTO). It focuses on the lifecycle of a trademark, from clearance, to application/registration, through to protection and enforcement. The course will cover the various types of U.S. trademarks, searching of trademarks, drafting of trademark applications, filing of the trademark applications with the PTO, and prosecuting of trademark applications before the PTO, as well as adversarial proceedings (both before the PTO and in court). Students will become familiar with the statutes, PTO

regulations, decisional law, customs and practice governing the drafting and prosecution of trademark applications. Students will also become knowledgeable of the strength and enforceability of trademarks and how to counsel clients on the availability and registrability of marks as well as whether trademark rights are being violated and when and how to enforce one's trademark rights. In addition, students will learn how to search the PTO trademark database and how to analyze comprehensive trademark reports to determine whether a trademark is available. Other topics to be covered include practice and procedure for foreign trademark clearance and filing, including under the Madrid Protocol, maintenance of trademarks, appealing adverse Examiner decisions and domain name disputes.

The course format will combine formal lecture presentations and case analysis with skill-based practice exercises/assignments to provide students the opportunity to develop searching strategies, opinion drafting experience, and fundamental trademark application drafting and prosecuting skills.

Trial Advocacy

LAW 684; 4 Credits; ULSR

This course introduces students to the theories and approaches to fact analysis, persuasion and rhetoric, trial planning, trial process, jury composition, evidence, advocacy, addressing jurors, examining witnesses, visual persuasion. In addition, students practice and master the basic techniques of advocacy at trial: voir dire examination, opening statements, closing arguments, direct examination, cross examination, exhibit handling, offering and objecting to evidence, presenting and combating expert witnesses. This course is a prerequisite for some clinics and for both the intra- and interschool Trial Advocacy competitions.

Prerequisite: Evidence and Co-requisite: Professional Responsibility.

United Nations Environmental Diplomacy Practicum

Law 602S; (Practicum); 4 credits

In this course, students study the decision-making process and negotiation of environmental treaties in the United Nations (UN) system. Students in the Diplomacy Practicum provide assistance to UN country Missions by attending meetings on behalf of the Missions and by preparing memoranda and/or research papers on a range of issues such as climate change, human rights, biodiversity, and marine and forest resource management. Students meet at the Law School for a weekly seminar, and spend two days per week working at UN Missions. Since sessions at the UN typically run until 6:00 p.m., students will not be able to take 6:00 p.m. courses on the days they are at the UN.

Suggested prerequisites: Students should be well-grounded in environmental issues and law or have taken International Environmental Law or International Law. Application, interview, and permission of the professor are required.

United Nations Environmental Diplomacy Practicum Continuing

LAW 602B; 2 credits

This course allows selected students who have taken LAW 602S to continue working two days a week at the United Nations. The student's placement may be the same, or may be different, from their placement when

enrolled in LAW 602S. Students must keep a journal, prepare written papers and conduct research as needed by the UN Mission, and meet regularly with the Instructor for guidance.

Prerequisite: LAW 602S and Permission of the Instructor.

Water Rights Law

LAW 681A; 3 Credits

Water law occupies a unique niche in the American legal landscape. At one level, it is about property. At another level, water law is about the public rights inhering in a shared and biologically crucial resource. And at still another level, water law is about federalism, navigable waterways, and fisheries and wildlife management. This course is about all those things and more. It examines the evolving law of water, looking at the differences between states and between regions, and at whether current laws remain applicable and relevant to a changing hydrologic landscape.

White Collar Crime Seminar

LAW 807A; 2 Credits

Crime rates in general may have dropped dramatically in the U.S. in the past decade but that good news doesn't apply to White Collar Crime. White Collar Crime attracts people of high intelligence and low moral and ethical values as well as con artists and amiable sociopaths. It also offers apparently unlimited opportunities for those skilled in technology to innovate and apply it to criminal deeds. And its economic impact is vast. White Collar crime also presents complex and troubling ethical issues for BOTH prosecutors and defense counsel, an area we will examine in depth.

Wills, Trusts & Estates

LAW 701; 3 or 4 Credits

This course examines principles of law governing intestate succession, testamentary disposition of property, and trusts. Also included are the rights of after born, adopted children, and children born out of wedlock.