

## **ELECTIVE COURSE DESCRIPTIONS - SPRING 2021**

### **ADMIRALTY LAW**

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

### **ANTITRUST**

This course examines the limitations imposed by the Sherman Act, Clayton Act, and Federal Trade Commission Act on anti-competitive practices of businesses. The course includes price fixing, monopolization, mergers, tying, restraints in distribution, boycotts, price discrimination, procedural issues in private enforcement, and the relationship between state and federal laws and enforcement.

### **BUSINESS ORGANIZATIONS (SPACONE)**

Doctrinal and practical oriented course designed to prepare the students for the bar exam, the practice of business law and the practice of law in general. The course will explore the law and practicalities of agency relationships which pervade business organizations and the major for-profit business organizations: sole proprietorships, general partnerships, public and private or close corporations, Limited Liability Partnerships and Limited Liability Companies. The course will leverage “real world” examples and draw on the professor’s in-house and outside law firm experience in the areas of business and corporate law and litigation, to make key teaching points.

The primary of the law that will be studied includes case law and the Restatement, Third, Agency, the Model Business Corporation Act [MBCA] with occasional divergence to Delaware General Corporation Law [DGCL], the Revised Uniform Partnership Act [RUPA], the Revised Uniform Limited Company Liability Act [RULLCA] and the Securities Act of 1933 and Securities & Exchange Act of 1934. Specific subjects that will be discussed are the fundamental principles that underly the law of agency and business organization law, the characteristics of agency relationships and the individual business organizations, the formation of agency relationships and legal requirements for the formation of business organizations, the dimensions of a business including why for-profit businesses are started and how businesses are organized and function, client objectives for selecting a business organization, representing business people, agency and business organization agreements, owner liability, veil piercing, control of business organizations, agents, managers and owners’ authority to make decisions, the fiduciary duties of agents, directors and officers, partners, other managers, and owners; owners’ rights and remedies, transfer of ownership interests, dissociation or withdrawal, dissolution, financing a business through securities offerings and other means, and mergers and acquisitions. Additional important topics will include the importance of preventive law, accounting and financial statements, insurance, contractual indemnification and the tax implications of business organizations. Also, the course will thoroughly explore the important role the business lawyer plays in advising her or his clients as to what business organization to select based on the client’s objectives. and eliminating or minimizing potential legal issues that can arise from the business.

Assessment tools include seven sets of overnight problems and the professor’s suggested solutions, both of which will be discussed in class, and problem-oriented comprehensive mid-term and final take-home examinations and the professor’s grading matrix for comparison purposes. The casebook and statutory supplement will be supplemented by an extensive instructional syllabus and glossary of key terms and definitions prepared by the professor.

If the students apply themselves diligently, they will be well- prepared for the bar exam, subject to reinforcement with bar preparation materials, and the practice of business law, recognizing that one really does not know the law until he or she practices law.

### **CRIMINAL PROCEDURE: ADJUDICATION**

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

### **DOMESTIC VIOLENCE LAW**

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

### **EMPLOYMENT LAW**

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

### **ENTERTAINMENT LAW**

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

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

### **ENVIRONMENTAL LAW**

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

### **FAMILY LAW**

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

## **INTERNATIONAL BUSINESS TRANSACTIONS**

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

## **INTERNATIONAL LAW**

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

## **LAND USE PLANNING**

This course explores the relatively evolving field of land use law, seeking to understand the theoretical basis for such regulation, the effects (intended, unintended or perhaps unconsciously intended) of such regulation and the practicalities of land use and development within the legal framework. Among the major issues this course will examine are the law of zoning, the constitutional constraints on land use regulation, the establishment and enforcement of subdivision and land development controls, and other development regulations. The course will examine several current topics in land use regulation, including climate change, environmental regulations, smart growth, historic preservation and renewable energy. Students will approach the course material from both theoretical and practical vantage points, and will be required to conduct research on how land use regulations are implemented in "real world" situations.

## **MERGERS AND ACQUISITIONS**

Doctrinal and practical oriented course with ample problem solving. The course leverages "real world" M&A related materials and the professor's in house and outside law firm experience practicing law in this area, to make key teaching points. The students will explore thoroughly the three most common M&A transactions or structures: asset purchases, mergers in their several forms, and stock purchases including tender offers, primarily under Delaware general corporation law. These transactions will be examined from the perspective of large "Wall Street" public company transactions and smaller private or close corporation "Mainstreet" transactions. Students will learn the fundamental principles underlying the "law of M&A" and important steps necessary to complete M&A transactions including obtaining a working knowledge of how to assess the advantages and disadvantages of each transaction and recommend the transaction that best meets the client's objectives. The course will cover the critical internal and external stakeholders who influence M&A transactions, client objectives for M&A transactions, advising business people, deal checklists, due diligence, confidentiality agreements, letters of intent, drafting and negotiating definitive agreements, closing including closing and post-closing checklists, integration, appraisal rights, board and senior manager fiduciary duties [good bar exam prep], shareholder rights and

remedies, anti-takeover statutes, tender offers, successor liability, accounting, finance and tax implications of M&A transactions and antitrust and federal securities regulation. The students also will learn the important role that the M&A lawyer plays in M&A transactions on behalf of their clients, most importantly, selection of the transaction that best meets their objectives and compliance with the legal requirements.

The course assessment tools will consist of 15 sets of overnight problems which will be compared with the professor's suggested solutions and discussed in class, and comprehensive problem-oriented mid-term and final take-home exams and the professor's grading matrix for comparison purposes. The casebook and statutory Delaware General Corporation Law [DGCL] will be supplemented by an instructional syllabus and comprehensive glossary of key terms and provisions provided by the professor.

If the students apply themselves diligently, they will be well-prepared to begin the practice of business law, recognizing that one does not really learn any area of the law until she or he practices.

**Business Organizations is a prerequisite.**

### **MENTAL HEALTH LAW: A MULTIDISCIPLINARY APPROACH**

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

### **RACE & THE FOUNDATIONS OF AMERICAN LAW**

The course will provide both a historical overview and a current assessment of how race has played a role in American law and provide critical analytic tools students can bring to all aspects of their legal education and future practice. The course will examine the ways in which creating and perpetuating racial hierarchy, benefiting those deemed white, has influenced the development of American law. The roles white supremacy and racial hierarchy play in current systems will also be covered. The operation and racial implications of systems such as legal education and the legal profession, the criminal system, immigration, the housing market, and public education will be addressed. Finally, the course will take a critical look at current anti-racist approaches and tactics and explore ways in which unjust/or discriminatory systems can be dismantled. This is a novel course team-taught by three faculty members for the purpose of integrating these important topics into the larger law school curriculum.

### **REGULATORY COMPLIANCE**

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

### **REMEDIES**

The remedies course surveys what a court can do for a claimant who has been, or might be, wronged by the defendant. We will address the principal remedies: damages; injunctions (orders to do or refrain from

doing certain conduct); restitution (including the possibility of recovering the defendant's gains from a wrongful act, even if the gains exceed the amount of the plaintiff's loss); remedies that simply declare the rights of the parties; pre-judgment remedies before a determination of liability; and the various means of enforcing remedies (including contempt and seizure of property). Throughout the course, we will discuss which of the several remedies are best for the plaintiff, and how to determine the extent of the remedy that the plaintiff may obtain.

## **SALES**

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

## **SALVAGE**

This course will cover the doctrine surrounding the award due to those who rescue property from marine peril. Topics may include jurisdiction over salvage claims; the substantive law of salvage as developed in the United States and set out in the London Salvage Convention of 1989; its relation to the law of maritime liens; its relation to the law of general average and marine insurance; environmental salvage under SALCON 89; and the law of treasure salvage, including the Abandoned Shipwrecks Act.

## **SECURED TRANSACTIONS**

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

## **TRIBAL COURTS, TRIBAL LAW, AND TRIBAL GOVERNMENTS**

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

## **WILLS AND TRUSTS**

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

## **WORKERS COMPENSTATION**

This course will consider and evaluate benefit delivery systems for those who suffer work related injuries. Class discussion will trace the evolution of the law from common law tort system and the use of the

affirmative defenses to bar most claims to the development of benefit systems which do not utilize fault as a liability measure. The structure of the benefit system will be evaluated and distinctions considered between the various state systems as well as the federal longshore and harbor workers compensation act.

## **SEMINARS**

### **CLIMATE CHANGE**

This course explores the impact that climatic changes are having, and will continue to have, on law and policy in the United States. Recent reports anticipate increased climate change impacts including water scarcity and decreased quality, ocean warming and acidification, sea level rise and coastal impacts, extreme weather events, risks to public health, increased forest wildfires, and national security risks. Coastal states on the forefront for these climate change impacts. Many coastal states are beginning to address adaptation through changes in law and policy. This course will examine the framework for federal and state policy and law changes to adapt to climate change, and the status of efforts throughout the United States. While the focus will be on efforts within the nation in coastal areas, the course will briefly discuss non-coastal and international climate change laws and policies. Students will be evaluated based on class participation and a paper that can fulfill their writing requirements.

### **PATENT LAW**

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

### **WHITE COLLAR CRIME**

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

## **COURSES THAT MEET THE EXPERIENTIAL EDUCATION REQUIREMENT**

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

#### **APPELLATE ADVOCACY: CRIMINAL LAW**

This course focuses on the art of persuasion, with attention paid to both written and oral advocacy. Students will have an opportunity to write from either prosecution or defense perspectives. Using transcripts of two actual criminal trials – one raising 4<sup>th</sup> Amendment issues and the other exploring 5<sup>th</sup> Amendment *Miranda* law – we look at how the choice of language impacts persuasion. Words count! When do we choose to call a defendant “Ms. Smith,” when “Jacqueline,” when “Jackie” and when “the young woman”? Do we refer to “the prosecution” or “the State” or “the government” or the prosecutor by name? Do we say, “Despite the late hour, she claimed she was alert and watching carefully out the window,” or do we say, “She testified she was awake and looking out the window at 2:14 a.m.”? Or even, “Apparently wide awake and unable to sleep at 2:14 a.m., she was intently peering out the window.” What difference does it make? We stress creating themes, supporting them with propositions, and crafting messages to sell those propositions. We will also spend time on issue selection and framing: how does framing influence success? Issue analysis, creative reasoning, research skills and persuasive organization are all part of the advocacy process. The class is conducted as a writing workshop. You will write drafts, we will review and discuss them, and you will have the benefit of instructor and peer comments in refining your graded product. We will also look at research techniques and focus on using both good and bad cases to our advantage. By the end of the course, you will have written two short appellate briefs. No exam or final paper; all work will be completed by the final class.

#### **TRIAL AND PRACTICE COMPETITION**

This course is designed to be an intensive study of trial advocacy skills for students interested in pursuing litigation careers. It also serves as a foundational course for students who wish to participate in law school-level trial competition. The course will build upon the foundation of previous instruction in LAW 641 (Trial Advocacy) and LAW 645 (Evidence) to perfect trial practice skills of organized argument, the development of theories and themes, confidence in presentation, extemporaneous speech, and application of law to fact. Students will have the opportunity to prepare and argue motions, make opening statements, conduct direct and cross-examinations and deliver closing arguments. Students will participate in a final mock trial competition at the end of the course.

#### **ADVANCED TRIAL ADVOCACY**

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

#### **ESTATE PLANNING AND ADMINISTRATION**

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

## **MEDIATION**

When parties are unable to resolve their dispute through discussion or negotiation, a logical next step is to seek the assistance of a third party mediator to facilitate communication and the search for a solution. This course is intended to familiarize students with the norms of the mediation process and to develop the skills that will enable students to either serve as mediators or to better represent clients in this increasingly important form of ADR. Attention is given to both facilitative and evaluative styles of mediation. Significant emphasis is placed on role playing exercises and on the legal consequences of the mediation process.

## **SEA GRANT LAW FELLOW PROGRAM**

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

## **TECHNOLOGY AND LAW PRACTICE**

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

## **TRANSACTIONAL LAWYERING AND CONTRACT DRAFTING**

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

## **TRIAL ADVOCACY**

The trial advocacy course employs a learning-by-doing approach. Thus, most of the course will involve the practice of trial skills including direct and cross examination, opening statements, closing arguments,

and jury selection, in a simulated courtroom environment. During the last two weeks of the course, each student will participate as co-counsel in a full-length simulated civil or criminal trial with a sitting Rhode Island judge or professor presiding.

**Evidence is a prerequisite but may be taken concurrently with the permission of the Trial Advocacy instructor.**

## **CLINICS & EXTERNSHIPS**

### **BUSINESS STARTUP CLINIC**

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

### **CORPORATE COUNSEL CLINICAL EXTERNSHIP & CORPORATE COUNSEL SEMINAR**

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

### **CRIMINAL DEFENSE CLINIC**

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

### **DISTRICT OF COLUMBIA CLINICAL EXTERNSHIP & SEMINAR**

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

### **ENVIRONMENTAL/LAND USE CLINICAL EXTERNSHIP & ENVIRONMENTAL/LAND USE SEMINAR**

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

### **EVICTION DEFENSE EXTERNSHIP & HOUSING STABILIZATION & PANDEMIC LAWYERING SEMINAR**

Students train at Rhode Island Legal Services, the RI Center for Justice, HousingWorks RI and/or the Executive Counsel's Office for the Governor. Students will either provide direct representation to tenants facing eviction due to the economic conditions created by COVID 19, or students will provide legal research and recommendations to non-profit or government agencies working on the pandemic housing eviction crisis. Students will also participate in a weekly seminar titled "Housing Stabilization and Pandemic Lawyering," designed in consultation with the field supervisors at Rhode Island Legal Services and the Rhode Island Center for Justice, to teach substantive law, regulation, and policy directly relevant to the students' field work. In addition to learning the specific skills needed to represent tenants in housing eviction proceedings, students will be asked to critically analyze city, state, and federal housing policies that affect low-income renters, in light of the COVID-19 pandemic. This Program will only be offered in the spring 2021 semester.

### **JUDICIAL CLINICAL EXTERNSHIP & JUDICIAL PROCESS SEMINAR**

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

### **IMMIGRATION CLINIC**

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

### **NY PRO BONO SCHOLARS PROGRAM & PROSECUTION SEMINAR**

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

### **PROSECUTION CLINICAL EXTERNSHIP & PROSECUTION SEMINAR**

Through our Prosecution and Government Clinical Externship Program, students train in a prosecution or government office on the federal, state or municipal level. Students will gain valuable hands-on

experience representing the government in a variety of settings, including criminal prosecutions. Students may be certified to appear in court at some of these sites. Students will participate in a weekly seminar with classmates who are working in a variety of prosecutorial and government placements.

### **PUBLIC INTEREST CLINICAL EXTERNSHIP & PUBLIC INTEREST LAWYERING SEMINAR**

Through this program, students will be representing low-income clients. Students may choose from a variety of placements in civil legal services offices, public defender offices, immigration non-profit offices, and any other non-profit law office that provides direct representation to low-income or marginalized clients. Eligible students may be certified to appear in court under a student practice order. The seminar will focus significantly on the issue of race including mass incarceration, the history of slavery in the US, and bias in the court system that impact marginalized communities and particularly low-income clients seeking legal help for civil, immigration, and criminal issues. The seminar will also focus on bias in the legal profession.

## **HONORS ENROLLMENT PERSPECTIVES COURSES**

### **COMPLEX LIT. - PRACTICAL AND ETHICAL LESSONS FROM THE STATION NIGHTCLUB FIRE**

On February 20, 2003 a heavy metal band set off pyrotechnics inside a crowded Rhode Island nightclub, igniting foam insulation on the walls. The ensuing fire and panic killed 100 persons and injured hundreds more, spawning civil litigation that lasted seven years. This interactive seminar, conducted by a lead attorney representing plaintiffs in that litigation, explores the legal and ethical issues faced by counsel in that case. While the factual context of this seminar is tort-based, emphasized skills will be useful for all future litigators. John Barylick's book, *KILLER SHOW: The Station Nightclub Fire, America's Deadliest Rock Concert*, is the seminar's main text and a jumping-off point for explorations of: legal ethics, civil procedure, plaintiff selection, defendant selection and liability theories, formal and informal discovery methods, mediation and formulation of a damages distribution plan. Audiovisuals include materials from the Station Fire case and mediations. Additional readings include sections of the ABA Model Rules of Professional Conduct, the Federal Rules of Civil Procedure, Title 28 of the United States Code, law review articles and pleadings from the case.

### **U.S. SUPREME COURT CASES**

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

### **TORTURE: RIGHTS, WRONGS, & REMEDIES**

Torture inflicts pain, undermines human dignity, and violates U.S. and international law. However, despite the absolute bar in the U.N. Convention Against Torture (the CAT), many countries, including the United States, arguably practice torture today. This course considers the legal status of torture in all of its guises, including U.S. post-9/11 "enhanced interrogation techniques" and policies such as solitary confinement, prolonged detention without trial, and family separation.

## **OPEN ENROLLMENT PERSPECTIVES COURSES**

### **LAW OFFICE MANAGEMENT**

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

### **THE COLOR OF LAW**

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

### **CRIMMIGRATION: THE INTERSECTION OF CRIMINAL LAW AND IMMIGRATION LAW**

In this course we will explore some of the common effects of criminal cases on immigration cases within the context of the immigration court. We will discuss how a criminal case may result in the apprehension of an immigrant, the effects on any ongoing removal proceedings, the effects on bond hearings (including Joseph Hearings), mandatory detention for certain crimes, ice detainers, and we will also discuss what the categorical and modified categorical approach are and how they may be utilized to assist clients in otherwise difficult situations.

### **SENIOR ABUSE NEGLECT AND INJURIES**

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

### **SUPERHEROES AND THE LAW**

Have you ever wondered what happens after the big superhero fight? Can a hero with a secret identity testify in court or is that a violation of the confrontation clause? Who pays for the property damage; are the heroes personally liable to insurance companies/property owners? We'll discuss these and more! This course will help refine your analytical and critical thinking skills as you prepare for a life as a lawyer. We will discuss various areas of law and the hypothetical impact superpowers would have on our law. The final exam will be in the style of a Multistate Performance Test, a section of the Uniform Bar Exam.