

COURSE DESCRIPTIONS

SUMMER 2020

DOCTRINAL COURSES:

CRIMINAL PROCEDURE: INVESTIGATION

This course examines the procedural aspects of the criminal justice system with emphasis on the impact of the fourth, fifth, and sixth amendments to the United States Constitution on state and federal prosecutions. Topics include the law of arrest, search and seizure, police interrogation and the privilege against self-incrimination. This is a required second year course.

PROFESSIONAL RESPONSIBILITY

This course analyzes the responsibility of lawyers and judges from the perspectives of the rules and case law, the profession and the client/consumer. Topics include the historical, political, and sociological bases of legal ethics; conflicts of interest; attorney-client privilege; admission to the bar; disciplinary matters and procedures; unauthorized practice of law; attitudes toward bench and bar; professional liability; and canons of ethics and codes of professional responsibility. This is a required second year course.

BAR TESTED ELECTIVE COURSES:

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.

SALES

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

SECURED TRANSACTIONS

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.

SEMINARS:

REPRODUCTIVE RIGHTS & JUSTICE

This course will closely examine selected aspects of the rapidly changing legal landscape affecting reproductive, health, rights, and justice in the United States. The course will review law and policy governing abortion, sterilization, and contraceptives; pregnancy, childbirth and

breastfeeding; state regulation of childbearing by low-income women and women of color; the reproductive rights of minors, incarcerated women, women with disabilities, and the LGBTQ+ community. In a seminar setting the course will analyze the competing doctrinal, legal, and constitutional bases of individual rights in these areas, evaluating the dominant theoretical frameworks within which reproductive rights are commonly understood. This seminar also satisfies the upper level writing requirement, as students will be required to write an appellate brief on a reproductive justice issue. ***This course may satisfy the graduation writing requirement**

SELECTED PROBLEMS IN INTERNATIONAL LITIGATION

This course covers current developments in transnational litigation-- procedural problems that occur in disputes arising out of commercial and civil transactions that cross national boundaries. The course will examine topics including: cross-border personal jurisdiction and jurisdiction over foreign defendants; choice of forum and forum non conveniens; parallel litigation; recognition and enforcement of foreign judgments; applying and proving foreign law; cross-border discovery; litigation involving foreign governments; and international human rights litigation in US courts. Students are expected to produce a paper on one of these or related topics (there is no final exam). ***This course may satisfy the graduation writing requirement**

COURSES THAT SATISFY THE UPPER-LEVEL LEGAL PRACTICE REQUIREMENT

ADVANCED LEGAL RESEARCH:

A survey of legal and law-related research resources, primarily those not covered in the first-year Legal Practice classes, including federal legislative history, administrative law research, current awareness tools, practice materials, and specialized digital resources. There will be an emphasis on research strategy and process and on the integration of print and digital techniques. Students will complete exercises in class in a workshop format. Assignments will consist of problem sets covering topics and resources discussed in class.

CONTRACT DRAFTING AND TRANSACTIONAL LAWYERING

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

FAMILY AND DIVORCE MEDIATION

This course is intended to provide the student with an understanding of the contexts in which family conflict arises, the various legal and practical issues in play when families disintegrate, and with in-depth training in the skills that a mediator might employ to help the divorcing parties

resolve their differences. The course exposes the student to relevant factors and normative approaches used by courts in dividing property, determining child support, custody, visitation, and spousal support among other issues, while recognizing that parties in mediation are empowered to reach their own agreements with the aid of the mediator. Role playing exercises are used to integrate theory with practice.

INTERNATIONAL ANTI-CORRUPTION LAW

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

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.

PERSPECTIVES COURSES:

COMPARATIVE LAW

Description forthcoming

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.

MASS INCARCERATION

This one credit six week asynchronous online course examines the mass incarceration crisis in the United States. Specific topics of study will include a discussion of the fundamental justifications of punishment, the creation of the current crisis, issues of race, and collateral

consequences of incarceration. Particular attention will be given to current issues and trends facing legislators, attorneys, correctional policy makers, and judges.

SIMPLE JUSTICE: THE HISTORY OF BROWN V. BOARD OF EDUCATION

The text is the Pulitzer-Prize winning *Simple Justice*, by Richard Kluger. The book traces the line of cases from *Plessy v. Ferguson* to *Brown v. Board of Education*, blending constitutional and historical analysis with fascinating portraits of the lawyers (and their litigation strategy) and the judges (and their personal struggles with how to dispense justice a changing society) who were involved in the history-making journey from “separate but equal” to the death of state-sponsored racial segregation in public schools. The grade will be based on class participation and a take-home exam.

WOMEN & THE LAW STORIES

This course will examine several landmark cases concerning women’s legal rights, covering such topics as: constitutional law, reproductive freedom, sexual harassment and employment law, family law, the intersectionality of race and gender discrimination, and the role of women in the legal profession. Utilizing the *Women and the Law Stories* book, we will go behind the cases to discuss the litigants, history, strategies and theoretical implications involved.

ELECTIVES:

OCEAN AND COASTAL LAW & POLICY

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

PIRACY

This course will deal with legal issues resulting from efforts to deal with maritime piracy, and legal issues raised by the law, both domestic and international piracy. Students will write a significant, original paper and present their findings to the class. Readings will be from materials prepared by the instructor.

INTERNATIONAL FAMILY LAW & HUMAN RIGHTS

With Instructor's permission, paper may be substituted for exam and satisfy the writing requirement for graduation. There is no required casebook for the course as instructor will provide own materials.

The course will explore the international legal framework in place to protect human rights within the context of family law. The course will look at some of the international organizations (e.g. the U.N., the Hague Conference on Private International Law) and treaties (e.g., U.N. Convention on the Rights of the Child), as well as regional organizations (e.g., Council of Europe, EU) and instruments that help protect families and children. National courts and institutions and their part will also be examined. The course will emphasize the role played by private international law in protecting families and children cross-border. The intersection of

human rights and religion in family law will also be explored. Areas of concentration will include the UN Convention on the Rights of the Child and the several Hague family law conventions (Parental Abduction, Child Protection, and Intercountry Adoption). The class will explore the cutting edge developments in the jurisprudence of the Hague Child Abduction Convention and the role of regional European instruments to secure human rights; the role of the Hague Child Protection Convention in protecting children crossing borders, refugees, and human trafficking; the role of religion and tensions with human rights in the family law context, as for example in the area of forced marriage, child custody, unmarried couple; and US law currently being written to deal with "rehoming" of adopted children. Current initiatives underway at the Hague Conference on Private International Law including in the area of crossborder surrogacy serve as case studies to examine the intersection of private international law and substantive law, public law and private rights, and the ways that private international law can shape and support underlying human rights. Students will be expected to make presentations.

WRITING FOR THE PRACTICE OF LAW

In this course, which will involve both seminar and workshop components, students will focus on improving their legal analysis and writing skills. More specifically, students will explore the relationship between form and content in "real-world" legal documents by discerning both the purpose and formal attributes of those texts before attempting to create them for themselves. Such documents may include a summary of a client intake, a professional email to a client, or a short memorandum to a supervisor. In particular, this course will emphasize a recursive writing process that develops texts incrementally and prioritizes foundational elements over superficial features.

EXTERNSHIPS

SUMMER CLINICAL EXTERNSHIP SEMINAR

The Summer Clinical Externship Program is designed to help law students maximize their professional development and legal skills development through a structured curricular externship experience over the summer. This summer's program will be a combined group of public interest, prosecution, government and/or corporate counsel externs. If you are looking for a specialized program where the seminar content will be specifically tailored to a single practice area, like the Corporate Counsel, Judicial, Prosecution & Government, Public Interest (Direct service to low income clients) or the Environmental and Land Use Externship Programs, you should apply to participate during the Fall or Spring semesters.

Externship placements include internships with legal services offices, public defender's offices, certain non-profit agencies engaged in public interest legal work, prosecutor's offices, government agencies and corporate counsel offices. Internships at private law firms are not allowed as externship placements. Placements may be local or remote. All placements must be vetted and approved by the Assistant Dean for Experiential Learning before a student can officially be accepted into the summer program.

Students selected to participate in the summer externship program can choose to receive a total of 6-8 credits through a combination of ungraded fieldwork credits and 2 graded seminar credits. In limited circumstances, students may be permitted to earn up to 10 credits by permission of the Assistant Dean of Experiential Education. In addition to fieldwork hours, students must

participate in a weekly two-and-a-half hour seminar class on Tuesdays from 6-8:30 pm, in Providence that runs from May 18 through July 24, 2020. Students with externship placements two hours or more from campus can participate in the weekly seminar remotely through live videoconferencing.

The Summer Clinical Externship Program is open to 2Ls ONLY and students graduating the December following the summer program.

NOTE REGARDING PAY: RWU Law allows students to accept pay (including stipends) while earning academic credit for externships.

HOW TO APPLY:

- (1) **Schedule a mandatory summer externship planning** meeting with Suzanne Harrington-Steppen. **This should be done before you interview with potential summer employers.** Email sharrington-steppen@rwu.edu to schedule a meeting.
- (2) **Secure a summer internship/placement**, in consultations with Suzanne Harrington-Steppen. Not all internships will qualify as externship placements so make sure you schedule your mandatory planning meeting early.
- (3) **Once steps 1 and 2 above are complete, apply via Symplicity (Posting ID #8556) during our application session that runs February 5 – March 2.**

DEADLINE TO APPLY TO THE SUMMER 2020 CLINICAL EXTERNSHIP PROGRAM IS MARCH 2, 2020.