

COURSE DESCRIPTIONS

SUMMER 2021

DOCTRINAL COURSES:

CONTRACTS II

While Contracts I focused on the creation of a contract, Contracts II largely focuses on the effect of a contract. In particular, we will cover avoidance doctrines such as unconscionability, duress, misrepresentation, mistake, and changed circumstances. We will also look at breach of contract and remedies for breach. Students will be expected to complete assigned readings and watch a power point video in advance of every class. The primary form of instruction will be through the asynchronous videos—class time will simply be an opportunity to review, ask questions, and work through practice problems. This class is open to anyone who has completed Contracts I; we will be using the Knapp, Crystal and Prince Contracts textbook.

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.

LEGAL PRACTICE III

LP III continues to develop students' "client-ready" lawyering skills. Students represent a client in a case involving a trade secret throughout the semester. We begin with a research assignment designed as an intra-office memorandum to a supervising partner (LP professor). That assignment is followed by a client interview; a second research assignment with an oral presentation of the research findings to the supervising attorney; and an objective letter drafted to the client to discuss the client's likelihood of establishing a trade secret claim. Thereafter, we shift to persuasive writing and draft a demand letter to the opposing party/attorney. As with LP I and LP II, students will have multiple opportunities to conference with the LP professor and rewrite the major writing assignments.

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.

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.

OTHER ELECTIVE COURSES:

ADMINISTRATIVE LAW

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

SEMINARS:

CRITICAL RACE THEORY

This seminar will examine the ways in which race has played a role in the development of American law. We will look at how race is defined in America and look at the experience of different racial minorities both historically and in the present day. The ways in which race plays a role in particular areas of law, such as criminal law and housing law, will also be examined. The course material for this seminar will be the work of scholars who have explored the historical and on-going subordination of racial minorities and provided critiques of legal regimes which have enforced racial subordination.

ENVIRONMENTAL JUSTICE

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

COURSES THAT SATISFY THE UPPER-LEVEL LEGAL PRACTICE REQUIREMENT

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:

CRIMINAL INJUSTICE & THE ROLE OF LEGAL ADVOCACY

This one-credit graded six-week online course will shine a light on racial injustice within the criminal justice system through the lens of the Netflix Documentary Trial 4. The 2020 documentary is about Sean Ellis, a black man who was wrongfully convicted of killing a Boston police officer and who spent 22 years in prison for a crime he did not commit. This course will explore the many factors that lead to wrongful convictions, including coerced and fabricated evidence in criminal investigations, tunnel vision and confirmation bias, false testimony, and single witness identifications. The course will also explore the role that effective legal advocacy can play in overturning wrongful convictions and will culminate with student presentations on other wrongful conviction cases, weaving in themes and issues discussed throughout the class and contemplating possible solutions.

SPIRITUAL DIMENSIONS OF LAWYERING

This course will be taught by Professor Colleen Murphy explores a lawyer's identity and purpose beyond the "material" aspects of practicing law. The readings in the course, evidencing a variety of religious and secular perspectives, address topics such as the integration of deeply-held personal values into the practice of law; clients who have deeply held values that are in tension with the dominant values of the legal system; exploring with the client whether justice, peace, or reconciliation is the client's true goal; and the extent to which a lawyer might engage the client in moral conversation.

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 (Zoom).

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.