The City University of New York
School of Law

Fall 2013

Course of Study For Second and Third Year Students

Course Descriptions
and
Program Planning Information

Office of Academic Affairs Room 4/106– Ext. 84370
To: Second and Third Year Students
From: Academic Affairs Office
Re: Course Descriptions and Program Planning Information
Date: April 15, 2013

This packet contains descriptions of elective courses for second and third year students as well as information about program planning and registration. Please review it carefully. We strongly suggest that students meet with their academic advisor about course selections to help ensure their course of study satisfies graduation requirements and prepares them both for the area of practice they wish to pursue and for the bar exam. The schedule including specific course times will be sent from the registrar’s office.

General Program Planning Information
Students must have passed 91 credits, be in good academic standing, and have successfully completed all required courses to graduate. A student must have successfully completed 53 credits and be in good academic standing to enroll in a clinic or concentration. To be in good academic standing a student must obtain a 2.5 gpa or better at the end of each semester.

No more than a combined total of 10.5 credits towards graduation may be earned in the following courses: Teaching Assistant, Independent Study, Law Review, Moot Court, and Public Interest/Public Service (counted as 1.5 credits towards this limit). In general, students may take 3 credits of independent study and 4 electives Credit/No Credit. However, students on probation may not take courses Credit/No Credit.

Required Courses
All students are required to take Mastery of Core Legal Doctrine (CORE Doctrine) although students with a 3.3 cumulative gpa at the end of their fifth semester may opt out of this requirement. CORE Doctrine may not be taken Credit/No Credit. Applied Legal Analysis (ALA) is not required, but it is a highly recommended one-credit essay writing course, which accompanies CORE Doctrine. ALA provides extensive individualized feedback and many third year students have found it very helpful. CORE Doctrine and ALA are currently only offered in the spring semester.

Bar Electives
All students are required to take four bar electives, although students with a cumulative gpa of 3.3 at the end of their third semester may opt out this requirement. The current bar electives are: Business Associations, Criminal Procedure, First Amendment, New York Practice, Professional Responsibility, Real Estate Transactions, UCC Survey, and Wills, Trusts and Estates. We hope to expand the list of bar electives in upcoming semesters.

This packet "Fall 2013 Course of Study for Second and Third Year Students," contains descriptions of required and elective courses for second and third year as well as helpful information about program planning and registration. Please review it carefully.

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It is strongly encouraged that students meet with their academic advisors for assistance in planning their course of study. Meeting with an academic advisor about your course selections can help to ensure that your course of study prepares you for the area of practice you plan to pursue as well as for success in law school and on the bar exam. An advisor can help you to choose wisely from among the available lawyering seminars, clinics and concentrations, and help you make your elective choices.

**Recommended Criteria to Consider**
We recommend that you consider the following criteria in developing your program:

- courses that provide you with the doctrinal coverage necessary for practice and for the bar exam;
- courses that enhance practical lawyering skills;
- courses that prepare you for the particular area of practice you plan to pursue;
- courses that enrich and round out your law studies and prepare you for public interest practice; and
- courses that appeal to your interests and background and that will enable you to connect intellectually and emotionally to the study and practice of law.

**Electives in Areas Tested on the Bar Exam**
You will need to plan your schedule to accommodate the four bar elective requirements. While the Office of Academic Affairs tries to offer most bar electives each semester, that is not always possible.

In addition to the bar elective requirement in spring of your third year, unless you are able to opt out, you must take Mastery and Application of Core Legal Doctrine (CORE Doctrine). Other courses highly recommended for preparation for the New York Bar and which we suggest you consider taking in your third year are Applied Legal Analysis (ALA), New York Practice, and Wills, Trusts, and Estates. If you are planning to take the bar exam in another state, New York Practice and other New York law focused courses are less useful for your bar preparation.

*Professional Responsibility is required to sit for the New York Bar exam and an in-class professional responsibility course may also be a requirement for admission to practice in other jurisdictions. If you are considering practicing in another jurisdiction upon graduation you will need to determine that jurisdiction’s requirements.

**Graduation Requirements**
The course of study required of all students for graduation includes:

- Passing grades in all required courses;
- Successful completion of four bar electives;
- Successful completion of CORE Doctrine;
- Completion of clinic or concentration; and
- Successful completion of 91 credits.

**Second and Third Year Requirements**
The first year program totals 30 credit hours. Thus, to meet graduation requirements, you need to take and pass a minimum of 61 credits during your second and third years.

Second year required courses include:

- Evidence (Lawyering and the Public Interest) (fall only, 4 cr.)
- Constitutional Structures (fall only, 3 cr.)
- Property (Law and the Market Economy III (fall or spring, 4 cr.)
- Administrative Law: Public Institutions (fall or spring 3 cr.) *
- Fourth Semester Lawyering Seminar (spring only, 4 cr.)

*This fall, we will offer Public Institutions in Context – Environmental Law as a pilot course. It will satisfy the Administrative Law: Public Institutions requirement. In the spring, the regular Administrative Law: Public Institutions course will be offered.

Each year, between six and eight fourth semester lawyering seminars are offered, each focusing on a different area of public interest practice. Second year students will receive information about the fourth semester lawyering seminar offerings next Fall.

In the third year, you must enroll in a clinic or concentration. Some of the clinics are one-semester, 12-credit courses; others are two-semester courses with 8 credits in each semester. The concentrations are one-semester, 12-credit courses. The clinic and concentration offerings may vary from year to year. Second-year students will receive more information about the clinic and concentration offerings during the spring 2014 semester.

**Bar Electives**

All students must take four bar electives. The current bar electives are:

- Business Associations (3cr.);
- Criminal Procedure (3cr.);
- First Amendment (3cr.);
- New York Practice (4cr.);
- Professional Responsibility (2cr.);
- Real Estate Transactions (3cr.);
- UCC Survey (3cr.); and
- Wills, Trusts and Estates (3cr.)

Real Estate and Wills, Trusts & Estates are open only to students who have passed Property. New York Practice may be offered both semesters but is often restricted to third year students only. We generally design the class schedules on the assumption that students will take Criminal Procedure, Business Associations and/or UCC Survey in their second year. You may take these courses as third-year students, but they may be scheduled against other third year courses.

Deciding which of the recommended bar elective courses deserves careful attention. Some of the courses—Criminal Procedure, and Business Associations—are courses that are fundamental to the development of the basic legal literacy every lawyer needs. Others—UCC, for instance—involves areas of the law that many students find difficult to learn on their own in bar review because the vocabulary, legal concepts, context, and policy considerations are unfamiliar. Most bar electives are useful not only for bar preparation, but preparation to practice in particular interest areas.

**SECOND YEAR SPECIFIC PROGRAM INSTRUCTIONS**

- The Individual Skills Development course is designed to reinforce legal analysis, writing and test-taking skills. It is recommended that those students struggling academically enroll in the ISD program.

- If you plan to pursue a career in criminal law, you should seriously consider timing your program so that you will be eligible for the Defenders’ Clinic in your third year. Defenders’ Clinic enrollment is limited to students who have successfully completed the Criminal Defense Lawyering Seminar in the spring semester of second year (one of the “fourth” semester lawyering seminars). Only those students who have successfully completed or are currently enrolled in Criminal Procedure may apply to take the Criminal Defense Lawyering Seminar. Thus, if you are considering applying for the Defenders’
Clinic down the road, you should take Criminal Procedure either in the summer after your first year or in the fall of your second year.

- Other clinics have Fourth Semester Lawyering pre-requisites which will be explained in the upcoming fall semester. However, no other clinics also require completion of an additional course.

If you have a particular area of interest for which a course is offered, it makes sense to take a course in that area in your second year. Some courses are only offered once a year; others are only offered once every two years. **Therefore, if you see a course offered that is in your area of interest, you should register for it.**

**Grades and the Credit/No Credit Option**

Courses at CUNY School of Law except Individual Skills Development, and other specifically designated courses) use the following grading scale: A, A-, B+, B, B-, C+, C, C-, D and F. These grades will be used to determine a student’s academic status. The terms which will appear on academic records under the university’s new computing system are “Credit” and “NCL” (No Credit-Law School).

After completing the first year, a student may elect to take up to 4 elective courses including Individual Skills Development, Moot Court and Law Review for Credit/No Credit. To elect the Credit/No Credit option, the student must notify the Office of Registration and Records Management no later than the date designated by the Academic Calendar for each semester.

However, to receive “Credit” for a course taken Credit/No Credit a student must receive a C+ or better in the course. Thus if you receive below a C+ in a course you have selected to take Credit/No Credit – you will not receive credit for the course jeopardizing your ability to graduate.

Here are some factors you might want to consider when deciding to elect the Credit/No Credit option:

- Keep in mind your individual career goals. Consider whether you want to be able to point to an “A” or a “B” in an elective course, in a subject matter related to the area in which you want to practice. Transcript information provided to employers will include a description of the “Credit” grade as encompassing all passing work.

- Assess your total workload for the semester to determine whether electing the “Credit/No Credit” option for a particular course is likely to enhance the picture presented on your transcript or to detract from it. If “Credit/No Credit” in one course gives you the space you need to do very well in all your other courses, this is certainly a relevant consideration. On the other hand, if you’re likely to do well anyway, you may want to take courses for a grade.

- Think about whether during a particular semester you will have a very heavy workload in courses, extracurricular activities, job search activities, or in outside employment. You may want to save your Credit/No Credit option for that semester.

- If you are considering electing Credit/No Credit for a bar-related course, you may want to think about whether you will be motivated enough to have your work in that course translate into adequate preparation for the bar exam.

**Best of luck as you proceed with your coursework!**
Some Sample Programs to Consider

Sample A – This is a possible program for a student who wants to take five of the bar electives before graduation and plans to take a one-semester clinic or concentration. (Required courses are in bold.)

<table>
<thead>
<tr>
<th>Third Semester</th>
<th>4 cr.</th>
<th>Fourth Semester</th>
<th>3 cr.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence</td>
<td></td>
<td>Public Institutions</td>
<td></td>
</tr>
<tr>
<td>Const’l Structures</td>
<td>3 cr.</td>
<td>4th Sem. Law Sem</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Bar Elective</td>
<td>3 cr.</td>
<td>Property</td>
<td>4 cr.</td>
</tr>
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<td>Bar Elective</td>
<td>2 cr.</td>
<td>Bar Elective</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Elective</td>
<td>3 cr.</td>
<td>Elective</td>
<td>2 cr.</td>
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<tr>
<td></td>
<td>15 cr.</td>
<td></td>
<td>16 cr.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Fifth Semester</th>
<th>3 cr.</th>
<th>Sixth Semester</th>
<th>4 cr.</th>
</tr>
</thead>
<tbody>
<tr>
<td>3L Bar Elective</td>
<td></td>
<td>3L Bar Elective</td>
<td></td>
</tr>
<tr>
<td>Clinic/Concentration</td>
<td>12 cr.</td>
<td>CORE Doctrine</td>
<td>4 cr.</td>
</tr>
<tr>
<td></td>
<td>15 cr.</td>
<td>ALA</td>
<td>1 cr.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Elective</td>
<td>3 cr.</td>
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<tr>
<td></td>
<td></td>
<td>Elective</td>
<td>3 cr.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>15 cr.</td>
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</tbody>
</table>

Note: This schedule reflects the decision to take Property in the fourth semester, rather than the third semester. Many students have reported that the third semester is very difficult even without Property. Other students have carried the load including Property successfully. Because there is no lawyering seminar or required small section in the third semester, you should think carefully about your readiness to take on a difficult program without the individual and small-group learning opportunities you had in the first year.

Sample B – This is a possible program for a student who wants to take just four of the bar electives before graduation and plans to take a two-semester clinic. (Required courses are in bold.)

<table>
<thead>
<tr>
<th>Third Semester</th>
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<th>Fourth Semester</th>
<th>3 cr.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence</td>
<td></td>
<td>Public Institutions</td>
<td></td>
</tr>
<tr>
<td>Const’l Structures</td>
<td>3 cr.</td>
<td>4th Sem. LawSem</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Property</td>
<td>4 cr.</td>
<td>Bar Elective</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Bar Elective</td>
<td>2 cr.</td>
<td>Bar Elective</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Elective</td>
<td>2 cr.</td>
<td>Elective</td>
<td>3 cr.</td>
</tr>
<tr>
<td></td>
<td>15 cr.</td>
<td></td>
<td>16 cr.</td>
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</table>

<table>
<thead>
<tr>
<th>Fifth Semester</th>
<th>8 cr.</th>
<th>Sixth Semester</th>
<th>8 cr.</th>
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<tbody>
<tr>
<td>Clinic</td>
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<td>Clinic</td>
<td>8 cr.</td>
</tr>
<tr>
<td>Elective</td>
<td>3 cr.</td>
<td>CORE Doctrine</td>
<td>4 cr.</td>
</tr>
<tr>
<td>3L Bar Elective</td>
<td>4 cr.</td>
<td>ALA</td>
<td>1 cr.</td>
</tr>
<tr>
<td></td>
<td>15 cr.</td>
<td>Elective</td>
<td>2 cr.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>15 cr.</td>
</tr>
</tbody>
</table>

Note: This schedule reflects the decision to take Property in the third semester.
Sample C – This is a program for a student who wants to take four bar electives before graduation and plans to take a one-semester clinic or concentration. (Required courses are in bold.)

<table>
<thead>
<tr>
<th>Third Semester</th>
<th>Fourth Semester</th>
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</thead>
<tbody>
<tr>
<td>Evidence</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Const'l Structures</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Public Institutions</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Bar Elective</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Elective</td>
<td>3 cr.</td>
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<tr>
<td></td>
<td>16 cr.</td>
</tr>
<tr>
<td></td>
<td>4th Sem. Law Sem 4 cr.</td>
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<tr>
<td></td>
<td>Property 4 cr.</td>
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<tr>
<td></td>
<td>Bar Elective 3 cr.</td>
</tr>
<tr>
<td></td>
<td>Elective 2 cr.</td>
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<tr>
<td></td>
<td>Elective 3 cr.</td>
</tr>
<tr>
<td></td>
<td>16 cr.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fifth Semester</th>
<th>Sixth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>3L Bar Elective</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Clinic/Concentration</td>
<td>CORE Doctrine 4 cr.</td>
</tr>
<tr>
<td></td>
<td>ALA 1 cr.</td>
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<tr>
<td></td>
<td>Bar Elective 3 cr.</td>
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<tr>
<td></td>
<td>Elective 3 cr.</td>
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<tr>
<td></td>
<td>Ind. Study 2 cr.</td>
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<td></td>
<td>13 cr.</td>
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<td></td>
<td>16 cr.</td>
</tr>
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</table>

**Elective Offerings (Bar and Other) Offered Most Semesters**
The following electives are usually offered each semester. However, we reserve the right to deviate from these predictions if budget, enrollment, or staffing constraints require that we do so.

<table>
<thead>
<tr>
<th>Course</th>
<th>Credits</th>
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</thead>
<tbody>
<tr>
<td>Business Associations</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Criminal Procedure</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Law Review</td>
<td>2 cr.</td>
</tr>
<tr>
<td>Moot Court</td>
<td>2 cr.</td>
</tr>
<tr>
<td>New York Practice</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Professional Responsibility</td>
<td>2 cr.</td>
</tr>
<tr>
<td>Real Estate Transactions</td>
<td>3 cr.</td>
</tr>
<tr>
<td>UCC Survey</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Wills, Trusts, and Estates</td>
<td>3 cr.</td>
</tr>
</tbody>
</table>

**Electives Usually Offered Once Each Year or Once Every Two Years**
(budget & staffing permitting)

| Advanced Evidence                     | Federal Courts |
| Advanced Torts: The Law of Medical Malpractice | First Amendment |
| Capital Punishment & the Courts       | Health Law or Health Law Policy |
| Contemplative Practice: An Exploration of Mindfulness | Immigration and Citizenship |
| Criminal Procedure II                 | Individual Skills Development (ISD) |
| Employment Law                        | Intellectual Property |
| Environmental Justice                 | Internet Law |
| Environmental Law                     | International Law |
|                                       | International Environmental Law |
|                                       | Jurisprudence |
Labor Law  
Legislation and Legislative Process  
Mastery and Application of Core Doctrine  
Prisoners’ Rights  
Racc and Law  
Reproductive Rights  
Rights of Low Wage Workers  
Sexuality and the Law  
Voting Rights  

Summer 2013 Evening Elective Offerings  
To facilitate your planning, listed below are the electives being offered in the Summer 2013. We reserve the right to deviate from these predictions if budget, interest, enrollment or staffing constraints require that we do so.  

Course  
Criminal Procedure  
Delivering Access to Justice in a Challenged Society  
New York Domestic Relations Law  
Professional Responsibility  
Public Interest/Public Service  
TIL: New York Landlord-Tenant Law  
TIL: Sex Offender Civil Management in New York: Issues and Strategies  
TIL: The Patient Advocate: Necessary Tools For Healthcare Advocacy (June)  
UCC Survey  
Wills, Trusts & Estates  

Professor  
Zeidman  
Judge Fisher  
Davila  
Gibbs/Goode  
Siegel  
Riccardi  
Judge Duffy  
Gentile, L  
Kerner  
Zorn, S.  

Elective Offerings Projected for Spring 2014  
(budget and staffing permitting)  
Mastery & Application of Core Legal Doctrine  
(3L’s Only)  
Business Associations  
Conflict of Laws  
Contemplative Practice  
Criminal Procedure  
Criminal Procedure II  
Disability Law  
Environmental Justice  
Employment Law  
First Amendment  
Gender Equality  
Government Misconduct  
Health Law and Policy  
Immigration & Citizenship Law  
Intellectual Property  
New York Domestic Relations Law  
New York Practice  
Prisoner’s Rights  
Professional Responsibility  
Real Estate Transactions  
Reproductive Technology  
Rights of Low Wage Workers  
TIL: Transactional Legal Drafting  
UCC Survey  
Wills, Trusts & Estates
SECOND YEAR REQUIRED COURSES

Administrative Law/Public Institutions in Context/Environmental Law
3 credits – Professor Rebecca Bratspies
This course offers an introduction and overview of administrative law, through the lens of environmental law. Students will gain an appreciation for the role that public institutions play in the modern regulatory state. After laying a solid foundation of administrative law and process, this course will focus on the major federal environmental regulatory regimes, detailing how the EPA uses rule-making and adjudicative processes to achieve environmental ends. Through detailed study of environmental regulatory schemes, students will attain proficiency with environmental regulation in the United States while also developing a textured understanding of the regulatory state more generally. The course will draw on a combination of statutory/regulatory analysis and case studies alongside more traditional case-based materials. A consistent theme throughout this course will be how to use administrative procedures to achieve public interest environmental goals. Students will participate in the notice and comment phase of an actual rule-making procedure. This course satisfies the CUNY Law School’s administrative law graduation requirement.

Constitutional Structures and the Law
3 credits – (Fall)
The course examines federalism as a core value and structural element of the Constitution. It examines the separation of powers within the federal government, as well as the distribution of powers among local, state and federal governments. In this connection, the public-private distinction gets explicit examination. The public power emerging from the commerce clause and the increasing role of public regulation in the market place are also considered.

Evidence and Lawyering in the Public Interest
4 credits – (Fall)
The content of the course centers on three areas: evidence, advocacy skills, and theoretical understanding of dispute resolution. In each area, the emphasis is on combining a focus on litigation with a broader context. Thus, this course explores alternatives to adjudication, settlement and enforcement efforts as well as litigation. The central objective of this course is to enable students to acquire some of the skills and understanding they need for practice.

Property: Law and the Market Economy III
4 credits – (Fall or Spring)
This course surveys property law, addressing the broad concept of what property is and when the law should vest ownership as a matter of right. The course concentrates substantially on real property (such as estates in land, easements and covenants, adverse possession, landlord-tenant law, and zoning and takings law.). However, the course also examines the law’s recognition of property rights in creativity, new technologies, marriage, and human tissue among other matters, to explore the difficulties and consequences of establishing and defining ownership as a rule of law. The course is designed to encourage the study of each of these areas of property law from a public interest perspective – the primary dilemma of balancing private interests in ownership with the public interest in protecting land, things, and people.
Second Year Lawyering Seminars
4 credits – (Spring)
These seminars, similar in structure to the first-year Lawyering Seminars, provide a framework for studying the ways that lawyers work and think. Built around specific doctrinal areas and skills, they teach the fundamental lawyering skills of legal analysis, legal research and writing, fact investigation and presentation, and advocacy or mediation. Beyond that, the courses introduce students to qualitative skills such as: listening (to clients, adversaries, others), exercising judgment and reflecting on one's decisions, and engaging in the process of ethical reasoning. While focusing students' attention on the development of their skills as lawyers through student work on simulated or real client problems, the courses are also designed to develop students' critical awareness of the social, legal, ethical, and psychological content of their work. Students examine the philosophical, political and psychological premises of the lawyer's status and role, as expressed in the Code of Professional Responsibility. The objective is to teach what has been thought of simply as "skills" training in a way that does not fragment skills from values, but combines the acquisition of skills with the beginning of an inquiry into professional role and responsibility that will be carried on throughout the three-year program. All seminars are offered for 4 credits and provide students with the opportunity for substantial legal writing experience.

FALL 2013
SECOND AND THIRD YEAR
ELECTIVE COURSES

Advanced Trial Practice
2 credits – Professor Rick Rossein
The Advanced Trial Practice seminar is open to eight (8) students who have completed either Professor Rossein’s Trial Practice fourth semester lawyering seminar or Professor Howell’s Trial Advocacy fourth semester lawyering seminar. The students will engage in advanced trial practice skills development culminating in participating in the ABA Section on Labor and Employment Regional Trial Competition held at the U.S. Courthouse for the Southern District of New York. The students will examine the law of the case, develop a litigation plan, explore the factual theories, examine the exhibits, develop ideas about demonstrative exhibits, explore advanced evidentiary issues and workshop objections, develop a trial plan, participate in three moot trial experiences, and the Trial Competition at the U.S. Courthouse.

Advanced Torts: The Law of Medical Malpractice
2 credits – Professor Anthony Gentile
This course addresses the substantive law of medical malpractice, including physician's liability, informed consent, causation and vicarious responsibility. As a result, the course becomes the equivalent of an "advanced torts" review with special consideration given to joint and several liability, vicarious liability for the acts of others, complex statute of limitations, and other procedural concepts. After the substantive law is covered, the course becomes a "trial practice" seminar in which students will participate in an actual examination before trial of a board-certified physician, based upon actual medical records from a trial record. Thereafter, students, as part of their final examination, will perform an opening statement based upon the discovery obtained from the deposition. By the end of this course, students will understand not only substantive and procedural issues with respect to medical malpractice, but also how to prepare and present a trial of a medical malpractice action. In the past, videotaped reproductions of
actual trials and depositions have been used to demonstrate proper practice and procedure for depositions and opening statements.

Bankruptcy Law
3 credits – Professor Alan White
Using a problem-based method, this class will cover bankruptcy and debtor/creditor law from several perspectives, including those of consumers seeking debt relief; creditors, tenants, employees and other stakeholders confronting a business liquidation or reorganization; and lawyers practicing in other areas, such as family law, who suddenly must deal with another party’s bankruptcy filing. The class will cover some related material concerning state and federal debt collection law as well.

Business Associations
3 credits – Professor Deborah Zalesne
Corporations, both large and small, are the major structures through which business is carried out in the United States today. The influence of business corporations on politics, on the environment, and on the health of communities is immeasurable. This course is designed to provide students with a basic understanding of the structure, rights, and responsibilities of the American corporation. While the course looks primarily at small business corporations, some attention is paid to large corporations, and to charitable, religious, and other uses of the corporate form. The course covers only briefly sole proprietorships, partnerships, and other non-corporate forms of doing business. The major focus will be on shareholder rights and duties, on the duties and responsibilities of corporate directors and officers, and on the capital structure of the corporation. Students will learn to apply statutory and case law to problems concerning the formation, development, and structuring of a typical small corporation. This is an elective that is highly recommended as preparation for the bar exam.

Constitution and Foreign Affairs
3 credits – Professor Franklin Siegel
A research and discussion seminar examining constitutional issues of the foreign relations of the United States. Topics include the powers of the President and Congress, separation of powers, war powers, covert action, treaties, executive agreements, participation in international organizations, the role of the courts and justiciability of foreign affairs controversies, state and local government actions affecting federal conduct of foreign relations, and individual rights (including freedom of expression, right to travel, rights of foreign nationals, extraterritorial constitutional issues). Since the attack on the World Trade Center, there have been rapid developments in the courts and Congress affecting the balance between national security and civil liberties. The seminar will examine some of the legal issues this era generated such as indefinite detention, torture, extraordinary rendition, military tribunals, warrantless wiretapping and state secrets. Contemporary legal problems of targeted killing, use military force on the “cold battlefield” and intelligence agencies undertaking special operations roles will also be discussed. Grading will be based on a 72-hour take home final examination, an in-class presentation and on class participation throughout the semester. (An option of doing a seminar paper instead of the final exam will be offered, but must be selected by early October.)

Contemplative Practice: An Exploration of Mindfulness and Social Justice Lawyering
2 credit – Professor Victor Goode
This course is designed to introduce students to the growing movement of contemplative practice and to explore its application to those who use the law for social justice. “Contemplative practice” encompasses a variety of traditions, practices, rituals and belief systems that quiet the mind and draw ones consciousness inward in order to gain insight and better enable one to deal with the obstacles that one faces in life. While our focus will be on the particular issues confronting lawyers who seek to apply their career to social justice, contemplative practice is not specifically applicable to any one profession, nor is it necessarily connected to a particular social outlook. It is however connected to the process of gaining
self-awareness and pursuing personal transformation and the many different forms that process might take for each individual. This course will focus on meditation as a form of contemplative practice and will introduce the student to some of the various techniques of meditation. There are many contemplative practice forms that we will not have time to discuss in any depth; however, students are encouraged to explore their own interests in these forms as time permits.

Criminal Procedure
3 credits – Professor Jeff Kirchmeier
This course explores the constitutionality of various investigatory techniques used by law enforcement agencies to acquire evidence, and it includes discussion of the effectiveness and propriety of such techniques in a democratic society. The Supreme Court decisions featured in the course address important rights protected by the Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution. Subjects include the exclusionary rule as a means of enforcing the ban on unreasonable searches and seizures, search warrants, searches without warrants, surreptitious and electronic eavesdropping, the fruit of the poisonous tree doctrine, arrests, police interrogation, /Miranda/ warnings, and eyewitness identification procedures. Course requirements: Examinations are the basis for the final grade.
This course is an elective that is highly recommended to prepare for the bar exam.

Independent Study
1, 2, or 3 credits
(Faculty Permission Required)
To meet the credit requirements for graduation a student, with the permission of the Academic Dean, may take up to 3 credit hours of independent, faculty-supervised study. (A student may take fewer than 3 credit-hours of independent study at a time and may do so more than once, as long as the total number of independent study credit hours during the student's tenure at the Law School is not more than 3 or meets the requirements outlined below.) A student may also register for more than 3 credits of Independent Study if the credits are not used to meet the credit requirements for graduation. In exceptional circumstances, the student may, with the permission of the Academic Dean, register for up to 3 additional hours of Independent Study credits to meet the credit requirements for graduation.

A judicial clerkship, internship, or a law office clerkship does not satisfy the requirements of an Independent Study. However, these experiences may form the basis of further research for an independent study project. This research and writing must be done under direct faculty supervision in order to gain Independent Study credit.

Procedure for Registration for Independent Study:
1. Student obtains an Independent Study Form
2. Student identifies faculty member willing to supervise the student’s work
3. The student and teacher fill out the sections on the form
4. The student obtains the signature of the Academic Dean.

Note: Students must complete the registration process for this course during the regular registration and add/drop periods for the semester during which they hope to obtain credit for the course.

Individual Skills Development
3 credits – Professor Shirley Lung
(2L’s Only)
The Individual Skills Development course is aimed at giving second-year students an intensive opportunity to reinforce and refine the array of analytical, test-taking, and study skills needed for successful performance in law school, on the Bar, and in the practice of law. All skills in the course will be taught through material drawn from Constitutional Structures and Evidence. We will work heavily on
the analytical skills that are stressed throughout the second-year curriculum, which include analyzing, interpreting, and synthesizing cases; integrating legislative history and case law into the analysis of a statutory standard; and developing legal arguments by analogizing, distinguishing, and reconciling cases. In addition, we will use hypotheticals and problems that require students to use doctrine to construct legal and factual arguments on behalf of clients on all sides of an issue. Of equal importance to the course are the study skills that enable students to cogently structure and understand new doctrine. We will explore how to create context and framework for learning new doctrine, as well as how to map and outline the relationships between concepts. Students will have ample opportunity to apply what they have learned by taking practice multiple-choice and essay exams.

**International Law**

3 credits – Professor Dinesh Khosla

In the post-Second World War period, international law has become one of the central facts of modern legal and political life. International legal norms and processes have increasing impact on the practice of domestic law. Despite its growing familiarity, however, international law continues to be one of the most intellectually difficult and frustrating parts of the law school curriculum because the international politics which shape international norms are rooted in extremely diverse cultural, social, religious ethos that make them both more volatile and violent. This course seeks to provide students with an intellectual framework for comprehending the processes of contemporary international law, equipping them with the tools for understanding how and why past decisions were made; for assessing how future decisions are likely to be made; and for influencing the decision processes in order to advance world order and human dignity. Specific areas of study would include, but not be limited to, international law; relationship of international law with domestic law; idea of a nation state and how it is undergoing radical transformation; human rights; international environmental law; the United Nations system, and the International Court of Justice.

**Jurisprudence**

3 credits – Professor Dinesh Khosla

This course recognizes that theorists have an active role to play in shaping public policy and, more narrowly, that both law and philosophy stand to gain from the dialogue. We will examine different schools of legal thought to enrich this dialogue and our own ability to understand and critique “legal” developments and precedents. Special emphasis will be given to the significant contribution marginal voices have to offer. In this regard, we explore the interrelationship of race, class and gender. A primary objective of this course is to foster the integration of experience into the examination of issues such as the rule of law, justice, neutrality, interpretation, rights and law and morality.

**Labor Law**

3 credits – Professor John Cicero

This course introduces students to the core provisions and principles of the National Labor Relations Act, which regulates the right of employees to organize a union, as well as collective bargaining between unions and employers in the private sector. Through the use of an interactive pedagogy that places students in role as the employees of a fictional company, students will learn how a union achieves representational status, what employee conduct is protected by law, as well as the range of unlawful employer responses to an organizing drive and to the duty to bargain in good faith. In the context of studying the economic weapons available to management and labor and the process of collective bargaining, we will examine issues of status in the workplace and the so-called duty of loyalty, and analyze important decisions by the National Labor Relations Board and the Supreme Court, which have impacted on the relative strength of the parties at the bargaining table. We will explore the rights of strikers and the critical issue of their permanent replacement, as well as the related issue of picket line misconduct. We will also examine the impact of the law’s prohibition against “secondary boycotts” on union tactics during a strike, including a Supreme Court decision upholding a union’s first amendment right to handbill. Throughout the course, we will examine the values underlying the law, including the
economic and political interests that have influenced its development. (Students will be evaluated on the basis of a lawyering exercise and a take-home final exam).

Land Use and Community Lawyering
2 credits – Professor Andrea McAdarle
(Students have the option to register for a third credit, which entails producing an additional ten pages of a final written product, and several meetings with the instructor during the semester, relating to the small-group case project. The student must fill out an independent study form for approval.)

This New York City-focused seminar is intended to help prepare students who will represent community stakeholders in controversies related to urban redevelopment involving the state’s power of eminent domain, zoning, and urban renewal, or that implicate the environmental impact of land use decisions. Drawing on the perspectives of law, urban planning and politics, critical geography, environmental justice, and public health, the seminar places contemporary contests over urban land use in historical context, relating them to legal issues generated by post-war urban renewal, displacement, fiscal crisis, and gentrification.

To develop a situated knowledge of how law intersects with questions of political economy, the dynamics of community formation, and the built environment, the seminar models a literally grounded study of urban space by a planned walk for students through a New York City neighborhood that is undergoing transition/development. Guided by this grounded approach, seminar students will participate in small-group case studies to generate knowledge about, and potential approaches to, a contested local land use issue. The seminar addresses the various roles of law as conservatizing force, mechanism for determining access to resources, and strategic tool for mobilizing community advocacy in contests over equity and access.

Among other topics, the course will consider the various contested meanings of “community” and efforts to expand meaningful community participation in local land use decisions and environmental justice advocacy; analyze the role and authority of local government structures in the land use planning process; study recent New York Court of Appeals decisions addressing the use of the eminent domain power in the Atlantic Yards (Brooklyn) and Columbia University (West Harlem) expansion projects, as well as the role of community benefits agreements in these cases; consider ongoing efforts to finance, create, and preserve affordable housing and the increasingly tenuous position of public housing in the larger landscape of housing options; study the land use implications of climate change and the responsibilities of a coastal city in relation to the risk of storm surges, disaster planning, and vulnerable populations at the urban periphery. The seminar will address concepts in property law, constitutional law, contract law, state and local government law, New York civil practice, and administrative law relating to urban land use. It will provide opportunities to build skill in legal writing, negotiation, and informal advocacy through role plays derived from actual cases implicating local land use decisions.

Law Review Editing
1 credit – Professor Andrea McAdarle
(Faculty Permission Required)
Law Review Board members who are in charge of and will be substantially editing and revising an article or note for publication with the Journal will be eligible to receive one credit for the fall semester. This course is open only to 3L students in good standing who have completed two semesters on the Law Review staff.
Moot Court
2 cr. - Professor J. Kirchmeier
(Faculty Permission Required)
This two-credit course features structured assistance to students who wish to improve their advocacy skills through participation in a moot court competition. The course requirements include the completion of an appellate brief and oral argument of professional quality prepared for an external competition or the equivalent thereof. While students will meet regularly as a group and individually with the instructor, each student is expected to work independently toward completion of the course requirements, including participation in oral argument practices. Before registering for a competition and for credit, students must have successfully completed the CUNY Moot Court training program and competition to earn membership in Moot Court. Students must obtain permission from the Moot Court faculty advisor before enrolling in this course. This course is graded Credit/Fail.

New York Practice (A)
4 credits – Professor Sarah Valentine
Knowledge and strategic use of the rules governing civil procedure is essential to successful civil practice. This course is designed to provide a foundational understanding of the Civil Practice Law and Rules (CPLR) governing New York Supreme Court Practice. The class will roughly follow the course of a civil matter as it moves through the court system. Examples of issues to be covered are jurisdiction, service of process, pre-trial discovery, and statute of limitations. The course also explores aspects of the CPLR often relied on by counsel representing the poor and impoverished -Article 78 (challenging administrative actions) and Article 4 (governing special proceedings). Grading will include an in-class final exam, a midterm, and at least one additional written assignment. This is a bar elective course.

New York Practice (B) (3L’s Only)
4 credits – Professor Jeffrey Glen
Knowledge and strategic use of the rules governing civil procedure is essential to successful civil practice. This course is designed to provide a foundational understanding of the Civil Practice Law and Rules (CPLR) governing New York Supreme Court Practice. The class will roughly follow the course of a civil matter as it moves through the court system. Examples of issues to be covered are jurisdiction, service of process, pre-trial discovery, and statute of limitations. The course also explores aspects of the CPLR often relied on by counsel representing the poor and impoverished -Article 78 (challenging administrative actions) and Article 4 (governing special proceedings). This is a bar elective course.

Professional Responsibility
2 credits – Professor Sue Bryant
This class will explore the requirements and the limitations of the ethical practice of law. While not an MPRE course, it will provide an overview of the Model Rules of Professional Conduct but will emphasize concepts of professionalism, professional judgment, and some of the tensions inherent in social justice lawyering. The goal of the course is to allow students to discuss the ethical complexities that exist in practice, especially when representing clients who may be marginalized by our society or when engaging in social change litigation. Students will be expected to research and lead a class on an aspect of professional conduct, actively participate in classroom discussions, and complete a take home exam.

Race & the Law
3 credits – Professor Pamela Edwards
The purpose of this seminar is to "introduce" students to the study of race and law. This is not a civil rights course, though some civil rights cases will be studied. Until recently, both liberal and conservative theorists agreed that race was merely an element that surfaced in Equal Protection cases or in a class on
civil rights. This course begins with a different premise, that of the Critical Race Theorists who posit that race, which has been a major shaping factor in American history, its institutions and culture, also has had a profound influence on the formation and expression of legal doctrine, even when that doctrine is not based on constitutional or civil rights law. This course makes it possible for students to make connections between race, history and legal doctrine. The task is not easy—reading about race and races requires us to think critically about the powerful and ingrained modes of thinking about and expressing racial ideas that are part of our culture and affect each of us. It requires a critical examination of our own beliefs about race and how they have been shaped by the legal order as well as the broader culture. This course has as one of its goals is to engage in a cross-cultural exploration of race and law therefore I always hope for an enrollment that is as diverse as our student body. Another goal of this course is for students to develop a broader and more dynamic sense of how to think critically and creatively about the challenges for equality that this country and its legal system will confront in the coming years. Course Requirements: Active class participation and the completion of either a thirty page research paper or three guided reflection memos of approximately ten pages each over the semester. Students will also be asked to work on some project that results in a class presentation.

Real Estate Transactions
3 credits – Professor Richard Storrow
(Pre-requisite: Successful completion of Property)*
This is a course on the substantive law of real estate transactions and the role of the real estate market in bringing about the current global economic crisis. The key emphasis of the course will be on the law relating to four critically important real estate documents: (1) the contract of sale, (2) the deed, (3) the mortgage, and (4) the real estate listing agreement. Issues regarding title examinations and insurance will be discussed in conjunction with real estate closings. Course material will include examination of consumers’ rights in real estate matters, of financing problems and techniques, and of problems and techniques of dealing with default by various parties to the transaction. Class participation is required, and the course grade is based on a midterm and final exam. This is an elective that is highly recommended as preparation for the bar exam. *3rd-year students concurrently enrolled in Property may enroll with permission of the Academic Dean.

Sexuality & Law
3 credits – Professor Ruthann Robson
This three credit seminar will explore the legal issues surrounding human sexuality. We will consider concepts such as consent, privacy, power, and normalcy in the context of specific topics, such as gender conformity, sexual harassment, rape, reproduction, pornography, sex work, sexual identities, cybersex, AIDS, and children. Theoretical perspectives implicated include liberalism/neo-liberalism, feminism, postmodernism, critical queer theory, critical race theory, and law and economics. The objectives of the seminar are to familiarize students with the historical relationships between law and sexuality; to introduce students to current controversies in legal theory, doctrine, and practice relating to sexuality; to foster critical and independent thinking about relationships between law and sexuality; and to enable students to explore an aspect of the relationship between law and sexuality in an independent project which develops writing and analytic skills. Substantial class participation is required. The written product required is a paper on an approved topic relating to law and sexuality.

Teaching Assistant
1, 2, or 3 credits
(Faculty Permission Required)
A student may TA for any required course, except Clinics or Concentrations. No student may enroll in more than 3 credits of TA, except students who are TAs for both semesters for LME I and LME II who may earn up to 2 credits for LME I TA and up to 2 credits for LME II TA. To earn credit as a TA, all students must attend a 3-hour peer learning/teaching orientation session to be offered during the second
week of the semester. All TAs must meet at least one hour per week with the course teacher. All TAs must have at least one contact hour per credit per week with students. To earn credit, each TA must submit at least one written work product. Examples of such work product include a journal, teaching observations, lesson plans, periodic submissions, and an independent research paper. Regarding grading in any course that utilizes TA’s, grading remains the responsibility of the course teacher. TAs may not grade student work product, nor may the teacher substantially rely on a TAs feedback in grading. Regarding grading in any course which utilizes TAs, in compliance with our policy requiring at least two graded evaluative devices in each course and encouraging faculty feedback (either individual feedback or group feedback) on all evaluative devices, in addition to any feedback given by TAs, the course teacher must grade and give feedback on at least one evaluation device other than the written work product.

UCC Survey
3 credits – Professor Pamela Edwards
This course covers the commercial sale of goods, including sales with negotiable instruments: the law of commercial paper and banking and of secured debt from the perspective of lawyers who will be representing consumers, small businesses and charitable corporations. The course will focus primarily on the Uniform Commercial Code. This is an elective that is highly recommended as preparation for the bar exam.

Wills, Trusts, and Estates
3 credits – Professor Steve Zorn
(Pre-requisite: successful completion of Property)
This course examines wills and alternative ways of passing property upon death, intestacy, the rights of family members (including gay and lesbian spouses and partners), trusts, estate planning, and estate administration. The goals of the course are to help students master the relevant legal doctrine, successfully answer the wills and trusts questions on the New York bar exam, examine the law from a critical perspective, and understand the human, ethical, and public policy dimensions of the law. The focus is on New York law, although there is some comparative analysis with the Uniform Probate Code and other statutes. The course covers most of the doctrine and concepts tested on the New York bar exam. The course integrates a public interest lawyering perspective that helps students understand and apply the relevant doctrine and also provides a foundation for students who may practice in this area as a primary concentration or as part of a broader community based family or elder law practice. This is an elective that is highly recommended as preparation for the bar exam.

TIL: Legislative Process and Advocacy
3 credits – Professor Caitlin Borgmann
This course examines the legislature as a legal institution and explores the law-making function of this body as complementary to and independent of the courts and the executive branch within a system of democratic governance. Students will review the nature of public interest lawyering as it occurs within and outside of this institution. The course examines the legislative process, including the technical requirements for the research, drafting, and submission of bills. We will also consider the politics of the legislative process, including some of the major factors that influence a bill's content and its movement through the legislature. Finally, the course will examine various methods of statutory interpretation to explore how attorneys make arguments for or against particular constructions of a statute and how judges construe legislation. Students will be evaluated based upon class participation, written assignments (including legislative drafting and legislative testimony), and the in-class presentation of oral legislative testimony.
TIL: Small Firm Practice
3 credits – Professor Laura Gentile
Each student will learn to design a law practice and draft a business plan. Each student will interview an expert in a specialty relevant to the planning and running of a law practice. Drawing on the experience of CUNY graduates and others who have started small community based practices, or provide services to law firms, the course teaches students to identify and manage the legal, business, ethical, and professional considerations that confront small firm practitioners. Topics include: identifying the type of practice, locating a practice, finding space, identifying the right partners and drafting partnership agreements, financial management, risk management, client management, employee management, stress management, management management, ethical considerations (including the management of escrow accounts), choosing the right malpractice insurance, billing and collections, among other issues. Students draw on readings, lectures, discussions, and outside sources to develop the business plan for starting each students’ unique profit or non-profit law firm. In the past, the business plans have been used to apply for grants, loans, and as a blueprint for new practices.