The City University of New York

CUNY SCHOOL OF LAW

To: All Continuing Students
From: Sarah Valentine
Re: Summer Session 2014
Date: February 19, 2014

CUNY Law Summer Session Information

Summer is a great time to study at CUNY Law! Summer session allows you to stay on track for graduation, shape your coursework through different elective options, and reduce your fall/spring academic course load. Summer session is unique in that you take only one or two courses at a time and focus intensively on your subjects. Take a look at our summer offerings and talk with your advisor about whether summer school is right for you.

Following is some key information about the summer session:


- Most of the classes are held at the School of Law two nights per week on Monday through Thursday evenings from 6:15-9:15 p.m.

- You will receive a summer registration packet from the Registrar’s office. **Registration will take place from February 25th through June 3rd, 2014.** After you register, we will open enrollment to students from other law schools.

- You must register for at least 6 summer session credits to be eligible to apply for financial aid over the summer. You may pick up a brochure about summer school financial aid requirements in the Financial Aid office (room 4-109). Students on probation should check with Financial Aid, as special rules apply for summer financial aid.

- You may earn a maximum of 6 credits during the summer session.
Information describing the process for obtaining permission to attend classes at another ABA-approved law school in the summer is also included in this packet.

Please keep in mind when choosing your classes that 2 substantive summer courses are the equivalent of a full-time load. In the past, students have found this load very demanding. We invite you to talk to your faculty advisor or to contact the Academic Affairs office about course selection.

Note: Summer session will start before we have received spring semester grades and have calculated academic point averages. We are not permitted to give credit for summer school work to students who are dismissed from the Law School during the course of the summer. Because notification of academic dismissal will be received during the summer session and is effective immediately, students who are dismissed will not receive credit for the summer courses they are enrolled in and may not be eligible for a summer session tuition rebate. Therefore, if you are on probation or have been on probation, please consider carefully whether or not to register for summer session.

The following courses are being offered in summer 2014:
(These course offerings are subject to change based on budget, enrollment and other factors.)

**TIL: Community and Economic Development Social Justice Lawyering**

**Professor Carmen Huertas-Noble – 3 credits**
**Mondays and Wednesdays 6:15-9:15pm**

This Course is designed to teach students how to provide legal support to community-based organizational clients - such as nonprofits and worker-owned cooperatives - that are creating viable neighborhood institutions and organizing for social and economic justice during a time of massive income inequality and wealth disparity.

By taking the Course, students will learn, through simulation-based work and in class exercises, how to incorporate a nonprofit, draft bylaws and apply for federal tax exemption. Through these experiential experiences, students will gain a deeper understanding of and an ability to interview, counsel and draft documents on behalf of organizational clients that seek to provide essential services and to organize communities in need, to build their base of power.

The course will also focus on worker-owned cooperatives and union coops, a model created by Mondragon and the United Steel Workers. Students will learn how to provide strategic legal services to union coops in their ongoing policy campaigns to grow the worker-owned cooperative movement and provide democratic alternatives to traditional corporations and traditional forms of governance. As part of this work, students will learn how to form a limited liability company, structure a democratic operating agreement and draft a collective bargaining agreement. Students will also be introduced to multi-party negotiation skills and an understanding of complex drafting, planning and project management skills.
Students planning on taking the CED fourth semester lawyering seminar and applying for the CED Clinic may not take this summer course. This course is limited in its skills instruction to nonprofits and worker-owned co-ops as opposed to the CED fourth semester lawyering seminar that is more inclusive of housing and litigation skills and will better prepare students for the CED Clinic. The summer course is more of an introduction to CED lawyering skills within in the context of working with nonprofits and worker-owned cooperatives. Thus it is mainly designed for students who are planning to take one of our other clinics or concentrations. It is also designed for students who would like to gain broader CED skills before taking the CED Clinic but would prefer to take the not-for-profit lawyering seminar as a specialized entry point into the CED Clinic.

Students are encouraged to contact Professor Carmen Huertas-Noble if they have any further questions.

**Criminal Procedure**
Professor Steve Zeidman - 3 credits
**Mondays and Wednesdays 6:15-9:15pm**
This course explores the various investigatory techniques utilized by law enforcement agencies in the accumulation of evidence, including analysis of their effectiveness and propriety in a democratic society. The basic constitutional decisions involving the Fourth, Fifth and Sixth Amendments, principally in the last twenty-five years, are studied. Subjects considered include stop-and-frisk, the “exclusionary rule” as a means of enforcing the ban on unreasonable searches and seizures, racial profiling, and police interrogation and identification procedures. Students interested in taking the Defender Seminar/Clinic in their 2nd and 3rd year are strongly advised to take this course. This elective is highly recommended as preparation for the bar exam.

**Independent Study**
This course can be taken for 1-3 credits. Each student is permitted to take up to 3 credits of Independent Study over the course of law school. Students seeking Independent Study credit must find a faculty advisor, complete a study description form, and receive approval from the Academic Dean during the registration process.

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 or an independent project. This research and writing must be done under direct faculty supervision in order to gain Independent Study credit. The requirement for approval are the same as above.

**Professional Responsibility**
Professor Victor Goode - 3 credits
**Tuesdays and Thursdays 6:15-9:15pm**
This class will explore the regulations, laws and rules that contribute to 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 evaluated based on a take home research/midterm and a traditional in class final exam. Class participation will also be part of the evaluation since the course will be organized around a series of ethical problems that are best explored through active discussion.

**Public Interest/Public Service (Internship Course)**
**Professor Franklin Siegel - 2 or 3 credits**
**Wednesdays 6:15-9:15pm**
The Public Interest/Public Service course is designed to accompany a student’s internship in public interest practice settings or judicial clerkships. The course will explore some legal ethics issues and a range of contemporary issues facing the legal profession, particularly in public interest practice settings. The Career Planning Office is available to help students find an unpaid internship/placement which may include working for a not-for-profit organization where an attorney admitted to practice will provide direct supervisions of legal work, a government attorney’s office or working with a private lawyer on pro-bono cases. Placements in nonprofit organizations and private settings must be approved in advance by the professor to assure that the public interest focus of the internship and the attorney supervision framework are consistent with ABA and NY Court of Appeals requirements. Please note: ABA rules provide that students MAY NOT receive pay and credit for the same work; this includes fellowship funds. Students will be expected to work at their internship for a minimum of 20 hours per week for 2 credits and 30 hours per week for 3 credits.

**TIL: Trial Practice from a Judicial Perspective**
**Judge Colleen Duffy - 3 credits**
**Mondays and Wednesdays 6:15-9:15pm**
“May it Please the Court” – A pragmatic approach to trial practice from the perspective of the judiciary. This course examines the skills, techniques and strategies needed by attorneys for successful advocacy at trial before a judge as well as a jury. Students will learn trial strategies through simulated trial exercises and will practice such strategies through role playing vis a vis selecting a jury, making objections, addressing discovery issues, making and responding to oral motions, making a record, arguing a position, and participating in a charge conference for trial.

Students will be required to become familiar with all aspects of trial practice including jury voir dire, motions in limine, objections, and jury charges. Evaluation in this course will be based on students’ performance of the above mentioned skills and a written motion in limine.

**TIL: New York Landlord-Tenant Law**
**Professor John Whitlow - 3 credits**
**Mondays and Wednesdays 6:15-9:15pm**
In New York City, where more than two thirds of households are renters, landlord-tenant law defines the legal rights and responsibilities that concern the basic need for shelter.
This course will provide a comprehensive survey of New York residential landlord-tenant law from a public interest perspective. The course will explore all aspects of the residential landlord-tenant relationship with particular emphasis on rent regulated tenancies in New York City, and will serve as good preparation for students who plan on working in civil legal services.

Students will spend significant time focusing on litigation in Housing Court with the goal of learning how to represent tenants in summary eviction proceedings. Students will explore all phases of litigation including pre-trial motions, drafting stipulations, and trial strategy. In addition to summary eviction proceedings, topics covered will include rent regulation, Article 7a proceedings, Housing Part (HP) actions, and public housing.

Prior knowledge of property law will be useful, but not necessary.

**TIL: The Patient Advocate: Necessary Tools for Healthcare Advocacy**
Professors Laura Gentile, Juliette Forstenzer Espinosa and Elain Sobel Berger, M.D., J.D. – 3 credits
Tuesdays and Thursdays 6:15-9:15pm (JUNE ONLY)
and one Saturday, June 28th 10:00am-4:00pm
This course will provide the practical skills and core knowledge to prepare the student to advocate for those in need of health care. This course is intended to be useful for all attorneys, no matter what area of specialty. The course will identify the common obstacles – both institutional and specific – which form barriers to health care and explore options for overcoming those obstacles. Students will identify and analyze the structures and powers of insurance companies, hospitals and primary care facilities (a/k/a the doctor’s office). We will study statutory protections as well as pragmatic approaches when challenges arise to obtaining good medical care.

The course will explore these issues in a variety of health care settings including: Ambulance and transport services, Emergency Room care, Hospital Admissions and Pre-certifications, Hospital Discharge, and the Long Term Care Facility. The course will consider health care advocacy based on specific illnesses including cancer, AIDS and dementia.

We will study one of the important gatekeepers to health care – the Insurance Carrier. In order to challenge a denial of payment it is important to understand the legal obligations of those who pay for health care. We will map the U.S. health insurance landscape including employer-based insurance, the individual insurance market, as well as a review of Medicare and Medicaid and long term care insurance. We will review relevant portions of ERISA the Patient Protection and Affordable Car Act (a/k/a Obamacare, as well as New York State legal structures that impact patient advocacy. We will consider the distribution of the quality and quantity of health care based on class, race, gender and other factors.
We will use a practice-based advocacy approach to the material. Theory, statute, and doctrine will be used to help students address the real crises faced by real people in the United States.

The work products of the course include an interview assignment and a 10-page paper.

The faculty consists of three attorneys who advocate for patient care in diverse settings:

Elain Sobel Berger, M.D., CUNY Law ’06, is Senior Policy Advisor for the New York State Workers’ Compensation Board and former Medical Director of a Residential Rehabilitation/Nursing Home Facility
Juliette Forstenzer Espinosa, CUNY Law ’08, founded and directs Health Care Rights Imitative, a national non-profit dedicated to patient education and advocacy.
Laura Gentile, CUNY Law ‘87 founder and manager of Gentile & Associates, a tort firm prosecuting medical malpractice cases on behalf of plaintiffs

**TILL: Law and Policy in Public Education**
Professor Matthew DelForte – 3 credits

**Tuesdays and Thursdays 6:15-9:15pm**

This course explores major legal issues presented within American public school systems, the practice of education law in New York and its impact on public and education policy, students, teachers, and school leaders. Areas of focus will include the constitutional rights of student, the rights of students with disabilities, developing issues in the charter school world, the rights of teachers and administrators, and the invariably important public policy and political considerations both affecting, and resulting from, education law disputes. Students will also examine New York’s legal framework as it relates to and shapes education law and policy; church-state relationships; student discipline and, in particular, the pervasive problem of bullying in schools today, as well as the parameters of a student’s right to an education.

The course presents current legal issues for problem solving by the class as a whole and by students individually. Practical issues, problems and challenges faced by school leaders and school attorneys will be raised and analyzed through readings, class debate, real-time practice issues, and an administrative trial simulation.

**UCC Survey**
Professor Florence Kerner – 3 credits

**Tuesdays and Thursdays 6:15-9:15pm**

This course covers the commercial sale of goods, including the law 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, Articles 2 and 9. **This is an elective that is highly recommended as preparation for the bar exam.**
Wills, Trusts & Estates
Professor Steve Zorn – 3 credits
(Pre-requisite: successful completion of Property)
Mondays and Wednesdays 6:15-9:15pm
The course will provide a grounding in the law of wills and trusts, with emphasis on the specific provisions of the New York Estates, Powers, and Trusts Law (“EPTL”). Topics to be covered include intestate succession; protection of spouse and family; capacity to make a will and will contests, required formalities, will construction in light of changes in assets and circumstances; non-probate transfers (testamentary substitutes); and creation and operation of trusts. In addition, the course will touch somewhat more lightly on planning for incapacity; Surrogate’s Court procedure and estate and gift taxation. There will be several brief in-class quizzes and a final exam.

Required texts: New York “Greenbook” (Text of EPTL and Surrogates Court Procedure Act). Other materials will be distributed via the TWEN page for the course. Please sign up for the TWEN page well before the first class.
Procedure for requesting permission
to attend summer session at other law schools

Students who would like to take summer courses at other schools must receive the approval of the Academic Dean. Permission to take courses at other schools is regularly granted if the course is not offered at the Law School and is critical to the student’s career goals. Students who live outside the metropolitan area and are unable to take CUNY courses may receive permission to take summer school at another institution. Requests to attend summer school courses that do not meet these criteria will be considered only if there are significant extenuating circumstances. If permission is obtained, transfer credit will be given for any course in which the student receives a grade of “C+” or better. All grades of “C+” or better will be entered as “credit” on a student’s transcript and will not be calculated into a student’s grade point average. ONLY letter grades will be accepted for transfer. We will not accept pass/fail grades.

Students seeking permission to attend summer school at another ABA-approved law school should complete and submit the forms available at the office of Academic Affairs, with a copy of the summer school brochure describing the course(s) you are requesting permission to take, how many credits for each course, and how long the classes meet (times, days, weeks), and a completed NON-CUNY Permit form to Vicki Hickey, (room 4-106F).