The City University of New York
School of Law

Fall 2017

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 7, 2017

This packet "Fall 2017 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. We strongly recommend that students meet with their academic advisors about course selection to 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 help you make your elective choices.

General Program Planning Information

Students must have passed 86 credits, be in good academic standing, and have successfully completed all required courses to graduate. To be in good academic standing a student must obtain a 2.5 gpa or better at the end of each semester. A student may take a Clinic or Practice Clinic only if they are in good academic standing (not on probation), have passed a minimum of 45 credits, including all first year required courses, all required lawyering seminars, and Constitutional Structures and Evidence; some Clinics or Practice Clinics may have additional individual pre- or co-requisite course requirements. Students seeking to graduate in three years are expected to take Property and Public Institutions during their second year.

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 who have matriculated in or after the fall 2015 semester are required by the American Bar Association (ABA) to take Professional Responsibility. Students must also take Mastery of Core Legal Doctrine (Core Doctrine), although students with a 3.3 or higher cumulative gpa at the end of their fifth semester may opt out of this requirement. Applied Legal Analysis (ALA) is a required co-requisite that runs concurrently with Core Doctrine and focuses on bar exam taking skills. Core Doctrine may only be taken Credit/No Credit if you meet the opt-out requirement, but choose to enroll in Core Doctrine.

Bar Electives

All students are required to take four bar electives, although students with a cumulative GPA of 3.3 or higher at the end of their third semester may opt out of this requirement. Thus 2L full-time students should plan their course of study knowing that they must take four bar electives prior to graduation and also take Core Doctrine and a clinic during their third year. The current bar electives are: Advanced Evidence, Business Associations, Core Doctrine taken with ALA, Criminal Procedure I, Criminal Procedure II, Federal Courts, First Amendment, New York Domestic Relations Law, New York Practice, Real Estate Transactions, UCC Survey and Wills and Trusts. Professional Responsibility is only a bar elective for students who matriculated before fall of 2015.
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.

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 and Applied Legal Analysis;
- Completion of a clinical offering; and
- Successful completion of 86 credits.

Upper-level Requirements
Upper level 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 (including Public Institutions in Context) (fall or spring 3 cr.) *
- Lawyering Seminar III (spring only, 4 cr.)

Part-time 2L students will be administratively registered for Evidence, Constitutional Structures and Law and Family Relations in their third semester. Each year, between six and eight Lawyering Seminar III classes are offered, each focusing on a different area of public interest practice. Second year students will receive information about the Lawyering Seminar III offerings during the upcoming Fall semester.

All students must enroll in a clinical offering. Full-time students will take clinic in the third year, and part-time students will do so in the third or fourth years. For full-time students, some of the clinics are one-semester, 12-credit courses; others are two-semester courses with 8 credits in each semester. Clinics for part-time students are 10-credit, one semester clinics. The clinical offerings vary slightly from year to year. **Second-year students will receive more information about the clinical offerings during the spring semester.**

Credit hour policy
Students should take into account the Law School’s credit hour policy when planning their schedules. The policy is available here: http://www.law.cuny.edu/academics/academic-policies/credit-hours-policy/CUNY-credit-hours-policy-11-4-16.pdf. It provides that students should expect to spend 42.5 hours per credit of combined direct faculty instruction and out-of-class student work.
Bar Electives

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

- Advanced Evidence (3 cr.)
- Business Associations (3 cr.)
- Criminal Procedure I (3 cr.)
- Criminal Procedure II (2 – 3 cr.)
- Federal Courts (3 cr.)
- First Amendment (3 cr.)
- New York Domestic Relations (3 cr.)
- New York Practice (4 cr.)
- Professional Responsibility (2)**
- Real Estate Transactions (3 cr.)
- UCC Survey (3 cr.)
- Wills, Trusts & Estates (3 cr.)
- ALA taken with Core Doctrine (4+1 Cr.)

** Professional Responsibility is only a bar elective for students matriculating before fall of 2015.

Real Estate is 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 I and/or II, Business Associations, New York Domestic Relations and/or UCC Survey in their second year.** You may take these courses as third-year students, but one or more of them 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 I and II, 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

- **ISD:** The Individual Skills Development course (ISD) is designed to reinforce legal analysis, writing and test-taking skills. It is recommended that those students struggling academically enroll in the ISD program. ISD is presently only available to full-time students.

- **Planning for clinics:** 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. Defenders’ Clinic enrollment is limited to students who have successfully completed the Criminal Defense Lawyering Seminar (one of the Lawyering Seminar III offerings). Only those students who have successfully completed or are currently enrolled in Criminal Procedure I or II may apply to take the Criminal Defense Lawyering Clinic. **Thus, if you are considering applying for the Defenders’ Clinic down the road, you should plan on taking Criminal Procedure I; first year full-time students should plan on taking it either in the summer after your first year or in the fall of your second year.**

- Some clinics have Lawyering Seminar III pre-requisites which will be explained in the upcoming fall semester. No other clinics also require completion of an additional course.

- **Electives:** 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. After completing the first year, a student may elect to take up to 4 elective courses including Individual Skills Development, Moot Court and Academic Legal Writing 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.

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 – full-time students – This is a possible program for a student who wants to take six of the bar electives before graduation (including Core and ALA taken together) 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>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence</td>
<td>Public Institutions</td>
</tr>
<tr>
<td>Const’l Structures</td>
<td>Law Sem III</td>
</tr>
<tr>
<td>Bar Elective</td>
<td>Property</td>
</tr>
<tr>
<td>Bar Elective</td>
<td>Elective</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Fifth Semester</th>
<th>Sixth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bar Elective</td>
<td>CORE Doctrine</td>
</tr>
<tr>
<td>Clinic/Concentration</td>
<td>ALA</td>
</tr>
<tr>
<td>Total</td>
<td>Elective</td>
</tr>
<tr>
<td></td>
<td>2 Bar Electives</td>
</tr>
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<td></td>
<td></td>
</tr>
</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 – full-time students – This is a possible program for a student who wants to take four bar electives (including Core doctrine and ALA) before graduation and plans to take a two-semester clinic. (Required courses are in bold.)

<table>
<thead>
<tr>
<th>Third Semester</th>
<th>Fourth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence</td>
<td>Public Institutions</td>
</tr>
<tr>
<td>Const’l Structures</td>
<td>Law Sem III</td>
</tr>
<tr>
<td>Property</td>
<td>Bar Elective</td>
</tr>
<tr>
<td>Elective</td>
<td>Bar Elective</td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fifth Semester</th>
<th>Sixth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clinic</td>
<td>CORE Doctrine</td>
</tr>
<tr>
<td>Prof Resp</td>
<td>ALA</td>
</tr>
<tr>
<td>Bar Elective</td>
<td>Elective</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: This schedule reflects the decision to take Property in the third semester.
Sample C – full-time students – This is a program for a student who wants to take four bar electives (including Core Doctrine and ALA) 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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Evidence</strong></td>
<td><strong>Law Sem III</strong></td>
</tr>
<tr>
<td>4 cr.</td>
<td>4 cr.</td>
</tr>
<tr>
<td><strong>Const'l Structures</strong></td>
<td><strong>Property</strong></td>
</tr>
<tr>
<td>3 cr.</td>
<td>4 cr.</td>
</tr>
<tr>
<td><strong>Public Institutions</strong></td>
<td><strong>Bar Elective</strong></td>
</tr>
<tr>
<td>3 cr.</td>
<td>3 cr.</td>
</tr>
<tr>
<td><strong>Elective</strong></td>
<td><strong>Prof Resp</strong></td>
</tr>
<tr>
<td>3 cr.</td>
<td>2 cr.</td>
</tr>
<tr>
<td></td>
<td><strong>Ind. Study</strong></td>
</tr>
<tr>
<td></td>
<td>1 cr.</td>
</tr>
<tr>
<td></td>
<td>14 cr.</td>
</tr>
<tr>
<td><strong>Total</strong> 13 cr.</td>
<td></td>
</tr>
</tbody>
</table>

Fifth Semester

| **Bar Elective** | 3 cr. |
| **Clinic/Concentration** | 12 cr. |
|                    | 15 cr. |

Sixth Semester

| **CORE Doctrine** | 4 cr. |
| **ALA**           | 1 cr. |
| **Bar Elective**  | 3 cr. |
| **Elective**      | 3 cr. |
| **Elective**      | 2 cr. |
| **Elective**      | 13 cr. |
| **Total**         | 10/11 |

Sample D – Part-time students – This sample outlines options for part-time students who matriculated in the Fall 2015 semester. Part-time students generally will take a one-semester 10-credit clinic in which clinic is the only course in which they are enrolled; clinic can be taken in either students’ fifth or seventh semester.

<table>
<thead>
<tr>
<th>Third Semester</th>
<th>Fourth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Evidence</strong></td>
<td><strong>Property</strong></td>
</tr>
<tr>
<td>4 cr.</td>
<td>4 cr.</td>
</tr>
<tr>
<td><strong>Constructs</strong></td>
<td><strong>Public Institutions (3 cr.) OR</strong></td>
</tr>
<tr>
<td>3 cr.</td>
<td><strong>Professional Responsibility (2 cr.)</strong></td>
</tr>
<tr>
<td><strong>Lawyering Seminar II</strong></td>
<td><strong>Law Sem III (4 cr.) OR Elective (2/3 cr.)</strong></td>
</tr>
<tr>
<td>4 cr.</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong> 11 cr.</td>
<td></td>
</tr>
</tbody>
</table>

Fifth Semester

| **Public Institutions (3 cr.) OR** |
| **Professional Responsibility (2 cr.)** |
| **OR Electives (7 cr. - 11 cr. total), OR Clinic (10 cr.)** |
| **Total** 10/11 |

Sixth Semester

| **Professional responsibility (2 cr.) OR** |
| **Electives (3 cr. – 9 cr. total) OR** |
| **Law Sem III (4 cr.)** |
| **Total** 9-11 |

Seventh Semester

| **Professional Responsibility (2 cr.)** |
| **OR Electives (7 cr. - 11 cr. total), OR Clinic (10 cr.)** |
| **Total** 10/11 |

Eighth Semester

| **CORE/ALA (5 cr.)** |
| **Electives (5-6 total)** |
| **Total** 10/11 |
Sample E – Part-time students – This sample outlines options for part-time students who matriculated in the Fall 2016 semester. Part-time students generally will take a one-semester 10-credit clinic in which clinic is the only course in which they are enrolled; clinic can be taken in either students’ fifth or seventh semester.

Third Semester
Evidence 4 cr.
Constructs 3 cr.
Law and Family Relations (LFR) 2 cr.
Total 9 cr.

Fourth Semester
Property 4 cr.
Public Institutions (3 cr.) OR Professional Responsibility (2 cr.)
Law Sem III (4 cr.) OR Elective (2/3 cr.)
Total 10/11

Fifth Semester
Public Institutions (3 cr.) OR Professional responsibility (2 cr.) OR Electives (3 cr. – 9 cr. total), OR
Clinic (10 cr.)
Total 10/11

Sixth Semester
Professional responsibility (2 cr.) or Law Sem III (4 cr.)
Total 9-11

Seventh Semester
Professional Responsibility (2 cr.) OR Electives (7 cr. - 11 cr. total), OR
Clinic (10 cr.)
Total 10/11

Eighth Semester
CORE/ALA (5 cr.) OR Electives (5-6 total)
Total 10/11

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.

Course Credits
Business Associations 3 cr.
Criminal Procedure I 3 cr.
Law Review 2 cr.
Moot Court 2 cr.
New York Practice 4 cr.
Real Estate Transactions 3 cr.
Wills, Trusts, and Estates 3 cr.
UCC Survey 3 cr.

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

Advanced Evidence Criminal Procedure II
Advanced Torts: The Law of Medical Environmental Law or Environmental Justice
Malpractice Federal Courts
Contemplative Practice: An Exploration of First Amendment
Mindfulness Health Law or Health Law Policy
### CUNY School of Law

<table>
<thead>
<tr>
<th>Course</th>
<th>Professor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal Procedure</td>
<td>Zeidman</td>
</tr>
<tr>
<td>Health Care Advocate</td>
<td>Gentile, L.</td>
</tr>
<tr>
<td>New York Landlord-Tenant Law</td>
<td>Justice Jackman Brown</td>
</tr>
<tr>
<td>Professional Responsibility</td>
<td>Siegel</td>
</tr>
<tr>
<td>Public Interest/Public Service (Immigration)</td>
<td>Neilson</td>
</tr>
<tr>
<td>Real Estate Transactions</td>
<td>Monroe</td>
</tr>
<tr>
<td>Trial Advocacy</td>
<td>Kamdang</td>
</tr>
<tr>
<td>Introduction to International Criminal Law/Practice</td>
<td>Gallagher/Spes</td>
</tr>
<tr>
<td>Advanced Legal Writing</td>
<td>Deo</td>
</tr>
</tbody>
</table>

### Summer 2017 Evening Elective Offerings

To facilitate your planning, listed below are the electives being offered in the Summer 2017. **We reserve the right to deviate from these predictions if budget, interest, enrollment or staffing constraints require that we do so.**

<table>
<thead>
<tr>
<th>Course</th>
<th>Professor</th>
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<tbody>
<tr>
<td>Criminal Procedure</td>
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<td>Gallagher/Spes</td>
</tr>
<tr>
<td>Advanced Legal Writing</td>
<td>Deo</td>
</tr>
</tbody>
</table>

### Elective Offerings Projected for Spring 2018

(Not yet finalized and will vary depending on budget and staffing)

<table>
<thead>
<tr>
<th>Course</th>
<th>Professor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advanced Evidence</td>
<td>Immigration &amp; Citizenship Law</td>
</tr>
<tr>
<td>Advanced Legal Research</td>
<td>Jurisprudence</td>
</tr>
<tr>
<td>Applied Legal Analysis (3L’s only)</td>
<td>New York Domestic Relations Law</td>
</tr>
<tr>
<td>Mastery &amp; Application of Core Legal Doctrine (3L’s Only)</td>
<td>New York Practice</td>
</tr>
<tr>
<td>Business Associations</td>
<td>Professional Responsibility</td>
</tr>
<tr>
<td>Contemplative Practice</td>
<td>Real Estate Transactions</td>
</tr>
<tr>
<td>Criminal Procedure I</td>
<td>Rights of Low Wage Workers</td>
</tr>
<tr>
<td>Criminal Procedure II</td>
<td>Small Firm Practice</td>
</tr>
<tr>
<td>Current Topics in Gender Violence</td>
<td>Transactional Legal Drafting</td>
</tr>
<tr>
<td>Disability Law</td>
<td>UCC Survey</td>
</tr>
<tr>
<td>Environmental Justice</td>
<td>Wills, Trusts &amp; Estates</td>
</tr>
</tbody>
</table>
SECOND YEAR REQUIRED COURSES

Administrative Law/Public Institutions and Law
3 credits – Professor N. Gomez-Velez
This course provides an overview of administrative law, the legal rules and procedures that govern administrative agencies. The course will cover the creation and functions of federal and state administrative agencies, their rulemaking, adjudicatory and policymaking functions, executive and legislative oversight and judicial review of agency action. This course satisfies CUNY Law School’s administrative law graduation requirement.

Administrative Law/Public Institutions and Law
3 credits – Honorable J. Rivera (part-time)
This course provides an overview of administrative law, INCLUDING the legal rules and procedures that govern administrative agencies. The course will cover the creation and functions of federal and state administrative agencies, their rulemaking, adjudicatory and policymaking functions, executive and legislative oversight and judicial review of agency action. This course satisfies CUNY Law School’s administrative law graduation requirement.

Constitutional Structures and the Law
3 credits – Professor S. Loffredo and Professor N. Gomez-Velez (full-time) and Professor F. Deale (part-time)
The course examines federalism and national separation of powers as core values and structural elements of the Constitution. It examines the nature and scope of the powers the Constitution vests in the three branches of the national government, the interrelationships between those branches, the distribution of powers among local, state and federal governments, and the ways in which these constitutional structures and relationships impact democratic processes, individual rights and the advancement (or interference with) core constitutional values, including democratic governance, equal citizenship, individual liberty and the rule of law. The course also attends to questions of constitutional interpretation, historical development of constitutional doctrines and the role of changing social understandings in the evolution of constitutional law.

Evidence and Lawyering in the Public Interest
4 credits – Professor J. Cicero
The primary goal of this course is for you to develop an understanding of the most important Federal Rules of Evidence (FREs). An understanding of these rules will equip you to represent and counsel your future clients. Understanding these rules will also assist you with the Evidence portion of the Bar Exam. In addition, this course will sharpen your advocacy skills because you will practice crafting legal arguments, conducting legal research, and interpreting non-judicial and judicial law, and you will develop an understanding of the structure of a trial.

Evidence and Lawyering in the Public Interest
Professor N. Chernoff (full-time)
Professor S. Valentine (part-time)
The primary goal of this course is for you to develop an understanding of the most important Federal Rules of Evidence (FREs). An understanding of these rules will equip you to represent and counsel your future clients. Understanding these rules will also assist you with the Evidence
portion of the Bar Exam. In addition, this course will sharpen your advocacy skills because you will practice crafting legal arguments, conducting legal research, and interpreting non-judicial and judicial law, and you will develop an understanding of the structure of a trial. This course requires extensive reading supplemented with out of class assignments.

**Property: Law and the Market Economy III**  
**4 credits – Professor R. Storrow**  
This course explores the concept of property in the law via an exploration of the conflict between private ownership and the public interest in two distinct jurisprudential arenas: (1) the common law concept of possession and its role in defining interests in personal property, present and future estates in land, and lesser interests in land such as tenancies, easements and covenants, and (2) the zoning powers of government and the constitutional law of eminent domain.

**FALL 2017**  
**SECOND AND THIRD YEAR ELECTIVE COURSES**

**Advanced Trial Practice**  
**2 credits – Professor C. Santiago**  
The Advanced Trial Practice seminar is open to eight (8) students who have completed Professor Rossein’s Trial Practice 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.

**Business Associations**  
**3 credits – Professor N. Ota**  
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 private American business entities including corporations, partnerships, and limited-liability organizations with a primary focus on corporations. We will cover shareholder rights and duties, the duties and responsibilities of corporate directors and officers, and 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 business.
Civil Disobedience
3 credits – Professor D. Khosla
The extermination camps of the Nazis, the incineration of Hiroshima and Nagasaki, the My Lai massacre (Vietnam), the ongoing torture and rape of innocent civilians and the violence waged by governments against their own citizens in various parts of the world are all testimonials proving that men are entirely capable of committing yet greater catastrophes in the name of "superior orders." In this age of nuclear and other weapons of mass destruction, an unyielding, "NO" may prove to be our sole password to the future. Students of law know that radical changes in the social, political and legal consciousness of societies are caused not by incremental change-oriented lawyers but by those who say and continue to say "NO" to the unjust commands of duly constituted authority. In this course, we will engage in learning the theory, practice and legal justifications of civil disobedience. Case studies and our imaginations about challenging the select, oppressive rules of law will be the food for thought in this course. In particular, we will discuss issues such as the necessity defense; jury nullification; the fugitive slave law; the Kvorkian phenomena (aiding one to take one's life); Operation Rescue and its impact on choice, the Stonewall riots aimed at asserting the issue of the dignity of gay and lesbian lifestyles; the civil rights movement; and objections to war based on conscience. Please join if you really believe in the theology of liberation and CUNY motto: Law in the Service of Human Needs.

Criminal Procedure I
3 credits – TBD
This course explores the various investigatory techniques used by law enforcement in gathering evidence, including analysis of their effectiveness and propriety in a democratic society. The course will focus primarily on the rights protected by the Fourth, Fifth, and Sixth Amendment. Subjects covered include stops, arrests, searches, police interrogations, Miranda warnings, the right to counsel, identification procedures, and the “exclusionary rule” as a means of deterring unconstitutional police conduct. This elective is highly recommended as preparation for the bar exam.

Criminal Procedure II
2 credits - Professor R. Tomlinson
This course will examine the criminal process after the police investigation ends and the criminal prosecution begins, roughly from post-arrest through sentencing. It will focus on the constitutional, statutory, and other protections afforded to criminal defendants in relation to the actions of prosecutors, judges, defense attorneys, and grand and petit jurors. The goal of the course is to develop an understanding of selected, core topics in criminal procedure adjudication, as well as to develop legal reasoning skills in this area of law. The topics covered will likely include the charging process, the right to the effective assistance of counsel, bail and pretrial release, discovery, speedy trial, plea bargaining, and sentencing. Topics will be examined through Supreme Court cases, as well as the rules of criminal procedure, statutes, lower court cases, applicable rules of professional responsibility, and transcripts of court proceedings. Criminal Procedure I, which focuses on the investigative process, is not a prerequisite.
Disability and the Law
2 credits - Professor P. Berg
This course surveys the law affecting people with mental and physical disabilities. We will examine federal and state disability discrimination laws governing access to employment, public accommodations, public facilities and services, housing, and education. We may also cover federal income support programs--specifically Social Security Income (SSI) and Social Security Disability (SSD)--for people with disabilities, and legal standards governing the involuntary institutionalization and treatment of people with mental illness. As a backdrop to our exploration of these laws, we will examine alternative theoretical perspectives on the nature of disability and the responsibility of society toward people with disabilities. Students’ grades will be based on class participation and a research paper and class presentation.

Federal Courts
3 credits – Professor F. Deale
This class will examine the continuing viability of the federal courts as a vehicle for obtaining social justice. We will examine doctrines and strategies for getting legal resolution to problems such as police violence (42 USC 1983), wrongful incarceration (federal habeas corpus), international human rights violations (Alien Tort Claims Act) and deprivations of rights by federal officials (Bivens remedy). We will also look at areas where claims for social justice present tensions between the state and federal courts (abstention doctrines, civil rights removal), and review strategies to obtain immediate appellate relief when clients are frustrated by interlocutory lower court rulings. This is an important course for students considering working or litigating in the federal judiciary.

Students will be evaluated based on two take home writing assignments.

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.
5. The student brings the form to the Office of Records and Registration.

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 S. 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. Students who enroll in ISD must also register for Evidence with Professor Chernoff and Constitutional Structures with Professor Loffredo.

**Intellectual Property**

2 credits - Professor S. Shelden

This course provides a basic overview of copyright, patent, trademark, and related areas of intellectual property (IP) law, such as trade secrets and rights of publicity. Once the concern principally of large corporations, today IP laws increasingly impact the lives and opportunities of individuals across economic strata, as well as of small businesses, not-for-profit organizations, and the lawyers who represent them. To take one example, consider a health care rights group that, in one hypothetical day, might advocate for patent reform to lower pharmaceutical costs, share third-party content on social media, click through a software license agreement, stream music at a fundraiser event, and publish photographs of the event’s attendees in an advertisement. This course considers how such actions implicate different IP rights by examining applicable caselaw and statutes and by learning, from a practical perspective, whether and how individuals and entities both may protect their own IP as well as re-use the IP of others.

As society struggles to balance competing public interests – on one hand, incentivizing innovators to innovate while, on the other, allowing the world to benefit from those innovations – we explore issues that are sure to affect your careers and lives.
**International Law**  
3 credits – Professor D. 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.

**Labor Law**  
3 credits – Professor J. 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).

**Law Review Editing**  
1 credit - Professor L. Davis  
(Faculty Permission Required)  
A CUNY Law Review Editor who is leading an editing session or, as determined by a Faculty Advisor, substantially editing a writing for publication with the CUNY Law Review in either its print or digital format, is eligible to receive one credit. One of the Faculty Advisors will review and provide feedback on the work of enrolled students a minimum of three times during the semester and provide a final evaluation of their work at the end of the semester. This course is offered Credit/No Credit.
Prerequisite: Enrolled students must be third-year students in good standing and have completed two semesters on the Law Review staff.

Mastery and Application of Core Doctrine/Applied Legal Analysis
5 credits – Professor F. Kerner and Professor A. Robbins
This course is an intensive bar exam preparation program designed for the self-motivated student. This course will cover some of the most frequently tested doctrine on the Uniform Bar Exam (UBE). Subjects covered may include contracts and UCC sales, criminal procedure, real property, secured transactions, and torts. This course will also have a heavy skills focus - working through skills for completing each component of the UBE – The Multistate Essay Exam (MEE), the Multistate Bar Exam (MBE), and the Multistate Performance Test (MPT). This course will require significant work outside of class time including synthesizing doctrinal material, writing and rewriting several essays and MPTs, and doing sets of multiple choice questions, along with an MBE process tracker and learning journals. While the course focuses primarily on the UBE, students preparing for another state bar exam will benefit, as much of the material and skills learned are transferable to other bar exams.

You must register for both Core Doctrine and Applied Legal Analysis separately. They are two courses that are co-requisites. In the fall semester, this course is designed for Pro Bono Scholars. Other students may only enroll in the course with permission of the Academic Dean’s Office.

Moot Court
2 credits - TBD
(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/No Credit.

New York Practice
3 credits – Professor L. Gentile
Civil Procedure in the Service of Human Needs. Litigation in the New York State court system is complicated, challenging, and sometimes frustrating. Success requires facility with New York State’s code of civil procedure known as the Civil Practice Law and Rules (CPLR). This course provides a broad knowledge and understanding of the Laws and Rules of the CPLR and provides practical skills in the strategic use of procedure to achieve victory in court. You will learn how to use those rules strategically to enhance your position in litigation and how to fend off your adversary’s procedural aggressiveness.
The sequence of this course approximates the path of a civil case, providing the law a litigator needs to make strategic litigation decisions, including determining which court to bring suit, obtaining jurisdiction, making proper service, engaging in motion practice, obtaining discovery, resolving the litigation, taking appeal, and enforcing judgments.

You will learn how to obtain jurisdiction over the parties to the action and to commence the action in the proper venue, how to properly serve the defendant, and how to obtain a default judgment. You will learn how to advance your litigation strategy in motion practice, how to bring in new parties to the action through doctrines of joinder, impleader, interpleader, intervention, subrogation, contribution and indemnification; how to make your case by obtaining evidence through disclosure; how to timely file your action within the requirements of Notice of Claim and Statutes of Limitation, and will learn whether any tolls of the Statutes of Limitations apply. You will learn how to obtain relief before you start the action through provisional remedies, including injunctions, seizure and lis pendens. You will learn how to enter judgment, how to vacate judgments and defaults, what to do after you win by use of enforcement of judgment procedures, how to timely and properly file a notice of appeal, how to bring on actions that challenge unlawful government acts through the Article 78 Action Special Proceeding and other forms of Special Proceeding. You will learn the basics of class actions and arbitration.

Course requirements include quizzes, cumulative tests, research and writing a state court motion, arguing that motion, and visiting a New York State Supreme Court motion calendar in Manhattan (one weekday morning) to observe motion argument. This is an elective that is highly recommended as preparation for those who will engage in civil litigation.

**Professional Responsibility (A)**

*3 credits - Professor V. Goode*

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, and 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 class participation, a midterm and a take home 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.

**Professional Responsibility (B)**

*2 credits – Professor S. Valentine*

Using the Model Rules of Professional Conduct as a starting point, the class will explore the requirements and responsibilities for the ethical practice of law. The goal of the course is to allow students to develop a more robust understanding of 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. At the end of the course students should have an understanding of how the practice of law is regulated as well as an understanding of the major duties a lawyer owes to clients, tribunals, third parties, and society. Students should also understand how those sometimes conflicting duties are threaded through the Rules of
Professional Conduct. Students will be evaluated based on two written memos, a class presentation, and a final exam.

Professional Responsibility (C)
2 credits – Professor F. Siegel
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 New York Rules of Professional Conduct and the ABA Model Rules of Professional Conduct, and 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 midterm examination, a traditional in-class final examination and class participation.

Real Estate Transactions
3 credits – Professor A. White
(Pre-requisite: successful completion of Property)*
The course will cover the principal elements in real estate transactions, including (1) real estate brokerage agreements; (2) purchase and sale contracts; (3) title and title insurance; (4) buyers’ and sellers’ remedies; (5) mortgages and foreclosure; (6) condominiums and co-ops; and (7) landlord-tenant issues. The course has two primary objectives: to teach the legal rules that are tested on the bar exam and to introduce students to the drafting and lawyering issues they will encounter in real estate practice.

Grading will be based on several short writing assignments including a drafting assignment, and a final exam with multiple-choice, essay and drafting components.

Sexuality & the Law
3 credits – Professor R. 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, cyber-sex, 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. 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. TA’s do not take part in grading students. 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.

**TIL: Planning with Parents at Risk of Removal**

2 credits – Professor J. Rosenberg

We have seen an increase in legal, verbal, and physical attacks against immigrants by elected officials, in courts, the media, and in the streets. Unaccompanied minors are detained under inhumane conditions in the U.S. and have to battle through multiple court systems to attain legal status. While advocates are challenging recent Executive Orders governing immigration policies, parents who fear deportation need help in learning about advance planning tools for their children.

This course will locate the current legal planning needs of parents and children within the broader historical U.S. immigration context. Students will learn about cross-cultural lawyering with advance planning tools and documents, the legal framework governing care and guardianship of minors, and the role of the courts, particularly N.Y. Family Court and N.Y. Surrogate’s Court.

This course is part of the cuny.is/planningwithparents project, which is organizing legal training and free walk-in clinics. It will integrate theory, doctrine, and practice, and include an experiential component that will provide students with opportunities to apply what they learn as part of the cuny.is/planningwithparents project, which will likely include some combination of work with individuals, know your rights information sessions, and/or training of advocates from community based organizations.

**TIL: Special Education: Law & Practice**

2 credits – Professors R. Briglio & Professor N. Francullo

This course will cover basic areas of the Individuals With Disabilities Education Act (IDEA), the federal civil rights law protecting students with disabilities and their families. The course will emphasize special education practice and opportunities for lawyers that are developing in this field. School District responsibilities under the IDEA to provide a “free, appropriate public education” (FAPE) will be examined, and the rights of students and parents to contest School District special education recommendations through due process proceedings will be examined. Major federal court decisions defining a student’s right to FAPE will be analyzed, and the remedies obtained for students through due process when FAPE is denied will be explored. The
course will emphasize special education practice in New York, particularly New York City where the greatest number and variety of due process proceedings occur nation-wide. The course will include assignments that require production of legal papers used in IDEA litigation. A final paper or legal brief will be required.

**UCC Survey**

3 credits – Professor P. 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 & Estates**

3 credits – Professor R. Storrow

(Pre-requisite: successful completion of Property)

Focusing on the New York Estates, Powers and Trusts Law and the Surrogates Court Procedure Act, this course covers the law regulating the inheritance of property through intestacy, testamentary succession (including testamentary trusts) and will substitutes and also covers inter vivos trusts and the obligations of fiduciaries. Examples, problems, and discussion will challenge students to use statutory provisions and case law to develop problem-solving skills and will also introduce them to the special ethical issues involved in this area of practice. As the greatest emphasis in the course is on the mastery of the relevant legal doctrine and an understanding of the underlying public policies, this is an elective that is highly recommended as one prepares to take the bar exam in any jurisdiction.