The City University of New York
School of Law

Spring 2018

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: October 30, 2017

This packet "Spring 2018 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 and all required lawyering seminars. 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](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.); and
- 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. (Required courses are in bold.)

<table>
<thead>
<tr>
<th>Third Semester</th>
<th>Fourth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence 4 cr.</td>
<td>Public Institutions 3 cr.</td>
</tr>
<tr>
<td>Const'l Structures 3 cr.</td>
<td>Law Sem III 4 cr.</td>
</tr>
<tr>
<td>Bar Elective 3 cr.</td>
<td>Property 4 cr.</td>
</tr>
<tr>
<td>Bar Elective 3 cr.</td>
<td>Prof Resp 2 cr.</td>
</tr>
<tr>
<td>Elective 13 cr.</td>
<td>Elective 2 cr.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fifth Semester</th>
<th>Sixth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clinic 12 cr.</td>
<td>CORE Doctrine 4 cr.</td>
</tr>
<tr>
<td>Total 15 cr.</td>
<td>ALA 1 cr.</td>
</tr>
<tr>
<td></td>
<td>Elective 2 cr.</td>
</tr>
<tr>
<td></td>
<td>2 Bar Electives 6 cr.</td>
</tr>
<tr>
<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 4 cr.</td>
<td>Public Institutions 3 cr.</td>
</tr>
<tr>
<td>Const'l Structures 3 cr.</td>
<td>Law Sem III 4 cr.</td>
</tr>
<tr>
<td>Property 4 cr.</td>
<td>Bar Elective 3 cr.</td>
</tr>
<tr>
<td>Elective 2 cr.</td>
<td>Elective 3 cr.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fifth Semester</th>
<th>Sixth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clinic 8 cr.</td>
<td>CORE Doctrine 4 cr.</td>
</tr>
<tr>
<td>Prof Resp 2 cr.</td>
<td>ALA 1 cr.</td>
</tr>
<tr>
<td>Bar Elective 3 cr.</td>
<td>Elective 3 cr.</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. (Required courses are in bold.)

<table>
<thead>
<tr>
<th>Third Semester</th>
<th>Fourth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence</td>
<td>Law Sem III</td>
</tr>
<tr>
<td>4 cr.</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Const'l Structures</td>
<td>Property</td>
</tr>
<tr>
<td>3 cr.</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Public Institutions</td>
<td>Bar Elective</td>
</tr>
<tr>
<td>3 cr.</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Elective</td>
<td>Prof Resp</td>
</tr>
<tr>
<td>3 cr.</td>
<td>2 cr.</td>
</tr>
<tr>
<td></td>
<td>Ind. Study</td>
</tr>
<tr>
<td></td>
<td>1 cr.</td>
</tr>
<tr>
<td></td>
<td>14 cr.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Fifth Semester</td>
<td>Sixth Semester</td>
</tr>
<tr>
<td>Bar Elective</td>
<td>CORE Doctrine</td>
</tr>
<tr>
<td>3 cr.</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Clinic</td>
<td>ALA</td>
</tr>
<tr>
<td>12 cr.</td>
<td>1 cr.</td>
</tr>
<tr>
<td>15 cr.</td>
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</tbody>
</table>

**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>Evidence</td>
<td>Property</td>
</tr>
<tr>
<td>4 cr.</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Constructs</td>
<td>Public Institutions (3 cr.) OR</td>
</tr>
<tr>
<td>3 cr.</td>
<td>Professional Responsibility (2 cr.)</td>
</tr>
<tr>
<td>Lawyering Seminar II</td>
<td>Law Sem III (4 cr.) OR Elective (2/3 cr.)</td>
</tr>
<tr>
<td>4 cr.</td>
<td>Total 10/11</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Fifth Semester</td>
<td>Sixth Semester</td>
</tr>
<tr>
<td>Public Institutions (3 cr.) OR</td>
<td>Professional responsibility (2 cr.) or</td>
</tr>
<tr>
<td>Professional Responsibility (2 cr.)</td>
<td>Electives (3 cr. – 9 cr. total) OR</td>
</tr>
<tr>
<td>OR Electives (7 cr. - 11 cr. total), OR</td>
<td>Law Sem III (4 cr.)</td>
</tr>
<tr>
<td>Clinic (10 cr.)</td>
<td>Total 9-11</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Seventh Semester</td>
<td>Eighth Semester</td>
</tr>
<tr>
<td>Professional Responsibility (2 cr.)</td>
<td>CORE/ALA (5 cr.)</td>
</tr>
<tr>
<td>OR Electives (7 cr. - 11 cr. total), OR</td>
<td>Electives (5-6 total)</td>
</tr>
<tr>
<td>Clinic (10 cr.)</td>
<td>Total 10/11</td>
</tr>
</tbody>
</table>
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.

<table>
<thead>
<tr>
<th>Third Semester</th>
<th>Fourth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence</td>
<td>4 cr.</td>
</tr>
<tr>
<td>Constructs</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Law and Family Relations (LFR)</td>
<td>2 cr.</td>
</tr>
<tr>
<td>Total</td>
<td>9 cr.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fifth Semester</th>
<th>Sixth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Institutions (3 cr.) OR Professional Responsibility (2 cr.)</td>
<td>Professional responsibility (2 cr.) or Electives (3 cr. – 9 cr. total) OR Law Sem III (4 cr.)</td>
</tr>
<tr>
<td>OR Electives (7 cr. - 11 cr. total), OR Clinic (10 cr.)</td>
<td>Total 9-11</td>
</tr>
<tr>
<td>Total</td>
<td>10/11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Seventh Semester</th>
<th>Eighth Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional Responsibility (2 cr.)</td>
<td>CORE/ALA (5 cr.)</td>
</tr>
<tr>
<td>OR Electives (7 cr. - 11 cr. total), OR Clinic (10 cr.)</td>
<td>Electives (5-6 total)</td>
</tr>
<tr>
<td>Total</td>
<td>10/11</td>
</tr>
</tbody>
</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>
</tr>
</thead>
<tbody>
<tr>
<td>Business Associations</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Criminal Procedure I</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>Real Estate Transactions</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Wills, Trusts, and Estates</td>
<td>3 cr.</td>
</tr>
<tr>
<td>UCC Survey</td>
<td>3 cr.</td>
</tr>
</tbody>
</table>
Electives Usually Offered Once Each Year or Once Every Two Years
(budget & staffing permitting)

Advanced Evidence
Advanced Torts: The Law of Medical Malpractice
Contemplative Practice: An Exploration of Mindfulness
Criminal Procedure II
Environmental Law or Environmental Justice
Federal Courts
First Amendment
Health Law or Health Law Policy
Immigration and Citizenship
Individual Skills Development (ISD)
Intellectual Property
International Law
Jurisprudence
Labor Law
Mastery and Application of Core Doctrine
New York Domestic Relations
Race and the Law
Rights of Low Wage Workers
Sexuality and the Law
Voting Rights

Pro Bono Scholars Program

Registration for the Pro Bono Scholars program will be in the spring. We do not yet know which clinics will participate and thus we do not yet know how many students we will be able to accommodate.

Second year students interested in the Pro Bono Scholars program will, at a minimum, need to meet the following requirements:

1. Be in good standing, and never have been on academic probation.
2. Have both a third semester GPA of 3.0 or above and a cumulative GPA of 3.0 or above at the end of their third semester.
3. Have successfully completed all required first and second year courses.
4. Have successfully completed at least two bar electives prior to the start of the fall 2018 semester.
5. Have successfully completed Professional Responsibility prior to or during the start of the fall 2018 semester.
6. Completed a minimum of 58 credits prior to the start of the fall 2018 semester.
7. Not have any outstanding incomplete grades by the start of the fall 2018 semester.
The Academic Dean and the Dean of the Clinic will, in consultation with the faculty in the participating clinics, select the students who will participate in the Pro Bono Scholars Program. The selection will be guided by 1) our understanding of the likelihood a student will successfully and professionally complete the entire program, including passing the February 2019 bar exam and managing the minimum of 45 hours per week commitment during the 12 week period directly after the bar exam; 2) the student’s explanation of their commitment to the clinic or concentration subject areas; and 3) the openings within each program.

Summer 2018 Evening Elective Offerings
To facilitate your planning, listed below are some of the electives we hope to offer in the summer of 2018. 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>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>TIL: Advanced Topics in Legal Writing</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Criminal Procedure</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Health Care Advocate</td>
<td>2-3 cr.</td>
</tr>
<tr>
<td>Independent Study</td>
<td>1-3 cr.</td>
</tr>
<tr>
<td>New York Landlord-Tenant Law</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Professional Responsibility</td>
<td>3 cr.</td>
</tr>
<tr>
<td>Public Interest/Public Service</td>
<td>2-3 cr.</td>
</tr>
<tr>
<td>Real Estate</td>
<td>3 cr.</td>
</tr>
<tr>
<td>TIL: Trial Advocacy</td>
<td>3 cr.</td>
</tr>
</tbody>
</table>

SECOND YEAR REQUIRED COURSES

**Administrative Law/Public Institutions and Law (Evening)**
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.

**Public Institutions in Context Environment Law (Day)**
3 credits – Professor S. Lamdan
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.

**Property: Law and the Market Economy III (Day)**
4 credits – Professor R. Storrow
Property gives students a thorough grounding in all aspects of property law via an exploration of the conflict between private ownership and the public interest in two distinct jurisprudential arenas: (1) the concept of title and its role in defining interests in personal property, present and future estates in land, and lesser interests in land such as leaseholds and servitudes, and (2) the zoning powers of government and the constitutional law of eminent domain. The course also examines the public policy restraints on ownership embodied in nuisance law and proscriptions on housing discrimination. Finally, the course explores the legal relationships between buyers, sellers and lenders in real estate transactions. Class discussion will foreground the difficulty of balancing private interests in ownership with the public interest.

**Property: Law and the Market Economy III (Evening)**
4 credits – Professor B. Walker
This course is an overview course introducing the basic principles of real property law. We will begin the semester with a detailed discussion of the policy and doctrinal issues involved in property ownership, with particular reference to how people acquire title to property and how title changes. The course will further explore types of ownership interests in real property, including estates in land (like joint tenancy), trusts, and future interests. In addition to landlord-tenant law, we will study private agreements regarding land use (covenants and easements), and conclude with public land use planning (zoning) and constitutional aspects of property regulation (takings).

**Lawyering Seminar III**
4 credits – (Spring) (Day and Evening)
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.

SECOND/THIRD YEAR ELECTIVE COURSES

**Advanced Clinic**
2-4 credits
Is 2-4 credits and requires prior approval of the Clinic Director, Clinic Dean, and Academic Dean. Advanced clinic is limited by a 4-1 student-faculty ratio and by the case and project docket of the individual clinic. In addition, student selection is based on several factors including fourth semester cumulative gpa, work in the fall clinic, consistent level of performance in doctrinal and experiential courses, and the number of bar electives the student has successfully completed.

**Advanced Legal Research (Hybrid)**
2 credits – Professor D. Cox
Advanced Legal Research further develops the legal research skills acquired in the first year legal research course and prepares students for the complex research problems they will encounter in practice. Topics include researching administrative law, municipal law, legislative history and international and foreign law. This class will be taught as a hybrid course using both online and in-person learning. Exercises, both in and out of class, and written assignments will simulate research assignments typically done by lawyers. This class is designed to be hands-on, collaborative and interactive. Enrollment requires frequent computer and Internet access. For more information, see the class website at [http://alr.legalresearch.nyc](http://alr.legalresearch.nyc).

**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 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.
Contemplative Practice
2 credits – Professor V. 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 the pursuit of social justice. Contemplative practice includes a variety of practices that quiet the mind and draw one’s consciousness inward, enabling us more skill to address the obstacles that inevitably occur in legal practice and in life. While this “movement” is ongoing in a number of disciplines, our focus will be on lawyers who integrate the traditional skills of lawyering with contemplative practice in their career and in social justice movements. This course will concentrate on meditation and mindfulness as a particular form of contemplative practice and will allow students to explore a variety of techniques in order to develop a meditation practice that works for them. We will also read and discuss a number of articles that raise questions about the challenges typically faced by lawyers and how they integrate contemplative practice with their traditional legal skills. Themes that will be explored include contemplative practice and its relationship to law, cultivating contemplative skills, Mindfulness and social justice, contemplative practice and new forms of legal practice.

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.

First Amendment
3 credits - Professor R. Schaffer
This course will consider the historical, theoretical, doctrinal, and practical contours of the First Amendment, including the free speech clause and related clauses and the two religion clauses. Free speech issues addressed will include political speech, commercial speech, obscenity, hate speech, money as speech, unconstitutional conditions, the regulation of forums, the government as employer, as well as the difference between content regulation and “time, place, and manner” regulations. Free association issues include questions regarding discrimination by the government against members of certain groups as well as discrimination by private groups against others based upon race, gender, or sexuality. Freedom of the press issues include discrimination against the press, balancing press freedoms against other rights, and the status and definition of the press. Religion issues include the definition of “religion”, the meaning of and
tension between the establishment and free exercise clauses, the requirement of and limits to the accommodation of religious beliefs, and the balancing of religious rights against other rights.

**Government Misconduct**
2 credits - Professors J. Moore and Professor F. Siegel
An important feature of our legal system is remedies people can pursue to address illegal or arbitrary policies and practices by government officials. This class will be a research and discussion seminar in selected topics involving government misconduct. It will examine the historical evolution of constitutional and statutory remedies such as 42 U.S.C. 1983, as well as litigation techniques for framing claims. Reflecting major themes of the last decade, police misconduct and racial profiling will be a focus of the class. If time permits other topics may include federal and state freedom of information laws and the Federal Tort Claims Act.

**Immigration and Citizenship Law**
2 credits – Professor J. Calvo
This course is designed to give students an overview of immigration and citizenship and the legal consequences of non-citizen status. The course will also focus on the current controversial changes in immigration policy and the litigation and proposed legislation in response. The course will selectively address some of the underlying race, ethnicity, gender and sexual orientation issues in immigration and citizenship laws. It will cover topics such as, Citizenship by Birth and Naturalization, Dual Nationality, Family Based Immigration, Employment Based Immigration, Refugees//Asylees, the Process of Becoming a Permanent Resident, Deferred Action for Childhood Arrivals, the Constitutional Basis of Immigration Regulation, and an Overview of Exclusion and Deportation. The course will also address some of the state attempts to limit or expand the rights of non-citizens, especially in the areas of access to health care, education and professional licensing including bar membership. Evaluation in this course will be based on a final take-home examination, a take-home midterm examination, class participation and a class log. Instead of the final exam, students may opt to write and submit a paper or complete volunteer participation with CUNY Citizenship NOW. Students who opt to write a paper must submit a topic for approval by February 12 and submit a completed paper by the last day of class. Students who opt to volunteer through CUNY Citizenship now must complete the training and participation in events and submit a paper that relates the participation and answers questions about those experiences by the last day of class.

**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.
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.

Law Review Editing
1 credit – Professor A. McArdle and 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 as a Credit/No Credit option.

Prerequisite or Requisite: 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, corporations, criminal law, criminal procedure, real property, torts, and wills. 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 multiple 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.
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 Domestic Relations Law
3 credits – Professor C. Smith
The goal of this course is to familiarize students with the doctrine and practice of family law in New York State, and to develop lawyering skills that will enable them to practice in the Family and Supreme Courts of New York. The course covers the Family Court Act and Domestic Relations Law encompassing areas such as divorce, equitable distribution, custody and visitation, abuse and neglect, domestic violence, paternity, and child/spousal support. Students will work on problems that will enable them to practice law, integrating doctrine, policy analysis, and procedure into a cohesive framework from which trial strategies are crafted. Inherent in our analysis of family law is a critique of the social policies that give shape to the law. The course will not duplicate the Law and Family Relations course, as we will focus on the application of family law principles to practice in New York State.

Pre Bar Seminar Guided Study (Pro Bono Scholars only)
1 credit - Professor F. Kerner & Professor A. Robbins
The Pre Bar Seminar II builds upon the skills and doctrine students learn in Core Doctrine. Each student will meet with a professor individually at least once per week for two hours. During these sessions, students will complete an essay, performance test, and/or series of MBE questions. Students will then get immediate feedback on their work, will discuss doctrinal areas of concern, and will go over study schedules and strategies. The course is designed to keep students on track with their bar study and prepared for the February bar exam pursuant to the Pro Bono Scholars program requirements.

Pro Bono Scholars Clinic (PBS Students Only)
12 credits – Professor C. Soohoo and Professor L. Davis
Students must be participants in the Pro Bono Scholars Program to enroll in this clinical offering. Client, project work, and a seminar component are combined in the clinic. Students are expected to work full-time for indigent clients under the supervision of the placement supervisors to whom they have been assigned. Over the course of the 12-week program, students are expected to devote at least 45 hours per week to work related to their placement and the seminar component.
Seminar coverage will include relevant doctrine, ethical and professional responsibility, practical legal skills, and case rounds.

**Professional Responsibility**

2 credits – Professor N. Chernoff (Day)
This class will equip you to recognize, research, and resolve ethical issues in public interest law practice. The class will also provide opportunities to practice professional skills that you will likely use in your legal jobs, including professional presentations, research, writing an outline, writing a legal memo, and both facilitating and being a prepared participant in discussions. As a result, the class requires students to engage in prepared participation in every class and conduct independent research. *Specifically, students will be required to (1) prepare and present a rule analysis; (2) research, analyze, and prepare outlines on ethical problems; (3) lead a class discussion on an aspect of professional conduct; (4) actively participate in class discussions; and (5) write a final paper.

**Professional Responsibility**

2 credits – Professor F. Siegel (Evening)
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 an in-class midterm examination, a take-home final examination and class participation.

**Race & the Law**

3 credits – Professor P. Edwards
The purpose of this seminar is to introduce students in to the study of race and the law. Our text, Race and Races is considered a seminal work in this field. The idea that race played a central role in the law other than traditional civil rights cases was antithetical to prevailing legal theory. The late Professor Derrick Bell began to change this view with his publication of the first race and law text, and his insistence on teaching doctrine from a race conscious perspective. Professor Bell's work laid the foundation for the emergence of the Critical Race Theory movement in legal scholarship and his work continues to influence this course. Critical race theory generally refers to the study of the ways in which racial concepts and ideas operate across social institutions and practices, including but not limited to the law and our legal institutions. Critical race theory is an attempt to develop critical tools for analyzing the racial effects of legal as well as other practices, which appear neutral, objective or colorblind, but have a disproportionate impact on a particular racial group.
Goals of the course: This course provides students an opportunity to explore in greater depth some of the issues or themes concerning race that may have surfaced in other courses. One goal is to learn how to explore legal doctrine from a race conscious perspective. The emerging Critical Race Theory movement was founded precisely as a vehicle to overcome some of those obstacles and to demonstrate how issues of race and color are indeed central to the evolution and operation of legal theory.

Real Estate Transactions
3 credits – Professor A. McArdle
(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; and (6) an overview of communal ownership and landlord-tenant issues. The course has three principal objectives: to teach the legal rules that are tested on the bar exam; to introduce students to the lawyering issues, including counseling and drafting, that they will encounter in real estate practice; and to provide a social-justice context for understanding legal doctrine and practice in this area.

The class will be framed in terms of the attorney-client counseling relationship and will feature one or more guest speakers who will connect the doctrine and practice of real estate transactions. The class will include regular opportunities to review material.

Grading will be based on several short quizzes during the semester consisting mainly of multiple-choice questions, with some attention to essay drafting; a short reflection essay on social-justice and policy issues implicated in real estate law; class participation; and a final exam consisting principally of essay questions with some multiple choice questions.

Small Firm Practice
3 credits – Professor L. Gentile
Each student will design a law practice and draft a business plan for her/his firm. 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, and experts who provide services to law firms, students 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, 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 student’s 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.
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. 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.

TIL: Current Issues in Gender Violence: An Intersectional Survey
2-3 credits – Professor J. Goldscheid and Professor J. Byssainthe
This seminar examines the ways intimate partner violence intersects with multiple areas of law, policy and practice. The course will begin with a diversity of perspectives on the history of legal reforms used to address gender based violence in the US, including perspectives of traditionally marginalized populations. It will use the lens of law reform to examine theories, strategies, and doctrines aimed at ending gender-based violence and assisting survivors. We will draw upon an interdisciplinary range of theoretical and empirical frameworks to explore the tensions among them, with a particular focus on the ways that differing strategies implicate conceptions of identity, equality, and autonomy, and intersect with issues of race, class, culture, sexuality, and gender identity, among other axes of experience. Readings and class discussions cover selected topics of current debate. Students will study key issues, cases and commentary to analyze competing theories and strategies, and to understand the challenges facing survivors and their advocates. Students will have an opportunity to work on projects with a local or national NGO working on gender violence issues and will be encouraged to develop written advocacy pieces such as an op ed. Finally, the seminar calls upon students to consider the successes and limitations of previous reform efforts and to conceptualize directions for the future.

TIL: Electronic Discovery
2 credits – Honorable J. Francis
If justice is a quest for the truth, it is imperative that lawyers be able to deal with information in a digital world. Records that were once stored in paper files are now maintained electronically. Communications previously made through written memoranda are now sent by email. Evidence of a narcotics transaction is contained in text messages on a cell phone. A wife seeks proof of her husband’s infidelity in his social media account. Such changing technology has given rise to a field of jurisprudence known as Electronic Discovery. In this course we will address such issues as:
• How is digital different? Do our legal rules need to evolve to adapt to changing technology?
• Who owns electronic information? For example, does the employer or the employee possess the information on the email account the employee uses at work?
• When and how must electronic information be preserved for litigation? What sanctions are appropriate when it is not?
• How do parties in litigation search through masses of digital data to locate relevant information? What legal principles apply to this search?
• What are the privacy implications of seeking electronic information in litigation?
• How can the potentially enormous costs of e-discovery be contained?

We will examine these and other related subjects in light of the 2015 amendments to the Federal Rules of Civil Procedure, the relevant case law, and the writings of experts in the field. Students are not expected to have technical expertise.

**UCC Survey**
3 credits – Professor Y. Patel
This course covers Article 2 and 9 of the Uniform Commercial Code. Specific topics covered include: sales contract formation, general construction, and interpretation; performance, breach, repudiation, and damages; remedies and warranties. This course will take a practical approach toward sales and security issues as they are likely to be encountered by attorneys in their first few years of practice as well as how these provisions are tested on the Uniform Bar Exam. **This is an elective that is highly recommended as preparation for the bar exam.**

**UCC Survey**
3 credits - Professor D. Zalesne
This survey course covers two Articles of the Uniform Commercial Code: Article 2 (the sale of goods) and Article 9 (secured transactions). It is taught from the perspective of lawyers who will be representing consumers and small businesses. **This elective is highly recommended as preparation for the bar exam.**

**Wills & Trusts**
2-3 credits – Professor Shalini Deo, Principal Law Clerk to Judge, Surrogate’s Court
(Pre-requisite: successful completion of Property)
This survey course covers the fundamental concepts and law regulating the ways that property may be passed upon death or otherwise transferred as part of an estate plan, including by will, trust, testamentary substitute, or via intestacy. A central goal of the course is to provide students with a foundational understanding of the lexicon and legal doctrine relevant to estates and inheritance, in particular as preparation for the Bar Examination. With a focus on the New York Estates, Powers and Trusts Law and the Surrogate’s Court Procedure Act, this course will also expose students to the basics of Surrogate’s Court practice, explore current and developing issues related to estate administration and definitions of family as relates to the right to inherit, and examine the implications and impact of this area of law on the communities that students may
serve as lawyers. Students may take this course for either 2 or 3 credits, with additional research, drafting and writing assignments required for those who register for the added credit.

**Wills, Trusts, and Estates**

3 credits – Professor J. Rosenberg

*(Pre-requisite: successful completion of Property)*

This course examines lifetime and estate planning with advance directives, trusts, wills, and alternative ways of managing and passing property. We will explore the relationship between planning and “default” court systems for probating wills, appointing guardians of minor children, distributing property through intestacy, and administering estates. The course integrates a public interest lawyering perspective that will helps students understand and apply the relevant doctrine and professional responsibility issues in particular contexts, including lifetime and estate planning with parents who are undocumented, planning with supplemental needs trusts for people with disabilities, and planning with older adults. The primary goal of the course is to help students master the relevant theory, doctrine, and practice dimensions in this area of the law. The focus will be on New York law with some comparative analysis to the Uniform Probate Code. Students will gain a practical understanding of planning and drafting (including the use of document assembly programs) that will help those who may practice in this area as a primary concentration or as part of a broader community based family law, elder law, or other public interest practice. **This is an elective that is recommended as preparation for the bar exam.**