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 31st, 2016

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

General Program Planning Information

Students must have passed 86 credits, be in good academic standing, and have successfully completed all required courses to graduate. A student must have successfully completed all required first year courses, Evidence, Constitutional Structures, Lawyering Seminar III and Property or Public Institutions and be in good academic standing to enroll in a clinic. To be in good academic standing, a student must obtain a 2.5 gpa or better at the end of each semester.

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

Required Courses

All students are required to take Mastery of Core Legal Doctrine (Core Doctrine) although students with a 3.3 cumulative gpa at the end of their fifth semester may opt out of this requirement. Core Doctrine may not be taken Credit/No Credit unless a student’s cumulative gpa at the end of the fifth semester is 3.3 or higher. Applied Legal Analysis (ALA) is a co-requisite for Core Doctrine. Therefore, students must enroll in both courses. Together, the courses focus both on doctrine that is heavily tested on the bar exam, and the skills needed to pass the bar exam.

Bar Electives

All students are required to take four bar electives, although students with a cumulative gpa of 3.3 at the end of their third semester may opt out this requirement. A list of bar electives can be found on the next page.
Program Information
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;
• Completion of clinic or concentration; and
• Successful completion of 86 credits.

Upper Level Program Requirements

Upper Level Required Courses:

• Evidence (Lawyering and the Public Interest) (fall only, 4 cr.);
• Constitutional Structures (fall only, 3 cr.);
• Property (Law and the Market Economy III) (fall or spring, 4 cr.);
• Administrative Law: Public Institutions (fall or spring, 3 cr.); and
• Lawyering Seminar III (spring only, 4 cr.) (You should have received a registration packet describing the choices for this seminar.)
• Professional Responsibility
• Core Doctrine
• Clinic

Bar Electives

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

Advanced Evidence (2 cr.);
Applied Legal Analysis (ALA) (1 cr.);
Business Associations (3 cr.);
Criminal Procedure I (3 cr.);
Criminal Procedure II (2 cr.);
Federal Courts (3 cr.);
First Amendment (3 cr.);
New York Domestic Relations Law (3 cr.);
New York Practice (3 cr.);
Professional Responsibility (2 cr.);
Real Estate Transactions (3 cr.);
UCC Survey (3 cr.); and
Wills, Trusts and Estates (3 cr.).
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 2017 semester.
5. Have successfully completed Professional Responsibility prior to or during the start of the fall 2017 semester.
6. Completed a minimum of 58 credits prior to the start of the fall 2017 semester.
7. Not have any outstanding incomplete grades by the start of the fall 2017 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 2018 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.

Regular Elective Offerings

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. Some courses may only be offered during the day, while others may only be offered during the evening. However, it is our goal to rotate most electives into the evening program.

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<tr>
<th>Course</th>
<th>Credits</th>
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<tr>
<td>Business Associations</td>
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<td>Criminal Procedure I</td>
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<td>Moot Court</td>
<td>2 cr.</td>
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<td>New York Practice</td>
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<td>UCC Survey</td>
<td>3 cr.</td>
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Summer 2017 Evening Elective Offerings

To facilitate your planning, listed below are some of the electives we hope to offer in the summer of 2017. We reserve the right to deviate from these predictions if budget, interest, enrollment, or staffing constraints require that we do so.

**Course** | **Credits**
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Criminal Procedure I | 3 cr.
Independent Study | 1-3 cr.
Professional Responsibility | 3 cr.
NY Landlord-Tenant Law | 3 cr.
The Patient Advocate | 3 cr.
Public Interest/Public Service | 2-3 cr.
Topics in Law: International Criminal Law | 3 cr.

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. In order to receive Credit in a course taken Credit/No Credit, a student must obtain a grade of C+ or better.

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!

SECOND YEAR REQUIRED COURSES

**Administrative Law/Public Institutions and Law**
3 credits – Professor F. Deale (Day)
This course explores the phenomena of bureaucracy and regulation that combine to shape the impact of public institutions. The course covers the rules of administrative procedure, which very often form the core opportunity for legal intervention in public interest lawyering, and examines the role of public interest lawyering from inside as well as outside institutions. Students examine the stages of rule-making and adjudication governing executive and legislative administrative agencies. Using analysis of the sources of authority and the premises of expertise and efficiency in regulation as touchstones, students explore the federal statutory schemes that allocate power and order implementation across a broad range of substantive areas.

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

**Property (Hybrid) (Part-Time)**
4 credits – Professor A. White
The law of Property determines the rights of individuals and society to use and possess land and things, and even intangibles like songs and shares of a corporation. Our study will cover primarily rules regarding land and buildings, i.e. real property, leaving topics like intellectual property and sales of goods for other courses. This course is being taught as a hybrid classroom
and online course, with about one-third of instruction time happening outside the classroom via the course site on TWEN. The TWEN site includes supplemental readings, links to short video talks, quizzes, folders to submit all required assignments, discussion forums and links to CALI lessons and electronic casebook resources. In addition to watching mini-lecture videos, answering review questions, and taking graded quizzes online, you will also gain some familiarity with property record databases via online tutorials. The objectives of the course are 1) to learn the basic rules and principles of property law, 2) to apply those rules and principles to analyze case problems, 3) to learn skills that lawyers use in advising clients in buying, selling and leasing property and in protecting their housing tenure, 4) to learn related lawyering skills, including collaboration, client counseling and planning, policy advocacy and critical perspectives, and 5) to learn to use technology that lawyers use, such as presentation software, slack, MS-Word editing tools and Google Docs for communication and collaboration, and online property record databases for research and investigation.

Property: Law and the Market Economy III
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 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. The course also examines the law’s tentative and evolving recognition of property rights in creativity, new technologies, and medical research as a lens through which to study the limits on extending traditional notions of ownership to new contexts. Class discussion will foreground the difficulty of balancing private interests in ownership with the public interest in protecting land, things, and people.

Second Year Lawyering Seminars
4 credits – (Spring)

These seminars, similar in structure to the first-year Lawyering Seminars, provide a framework for studying the ways that lawyers work and think. Built around specific doctrinal areas and skills, they teach the fundamental lawyering skills of legal analysis, legal research and writing, fact investigation and presentation, and advocacy or mediation. Beyond that, the courses introduce students to qualitative skills such as: listening (to clients, adversaries, others), exercising judgment and reflecting on one's decisions, and engaging in the process of ethical reasoning. While focusing students' attention on the development of their skills as lawyers through student work on simulated or real client problems, the courses are also designed to develop students’ critical awareness of the social, legal, ethical, and psychological content of their work. Students examine the philosophical, political and psychological premises of the lawyer's status and role, as expressed in the Code of Professional Responsibility. The objective is to teach what has been thought of simply as "skills" training in a way that does not fragment skills from values, but combines the acquisition of skills with the beginning of an inquiry into professional role and responsibility that will be carried on throughout the three-year program. All seminars are offered for 4 credits and provide students with the opportunity for substantial legal writing experience.
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 Evidence
2 credits – Professr J. Cicero
Evidence doctrine lies at the heart of the study and practice of law. Knowledge of the rules is fundamental to successful trial work and lawyering generally, including the informal disposition of cases through alternative dispute resolution mechanisms. It is also a major topic on the bar exam.

This course allows you to review and conduct more in-depth analysis to deepen your understanding of doctrine covered in Evidence (for example, the state of mind, business/public records hearsay exceptions, hearsay within hearsay, the confrontation clause and the character evidence rules), and goes on to examine several additional doctrinal areas including, the residual hearsay exception, opinions and expert testimony, the use of scientific evidence, “rape shield” and related rules, and privileges. Students will be evaluated on the basis of a lawyering exercise and a take-home final examination.

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.

Business Associations
3 credits – Professor P. Edwards
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.

**Criminal Procedure I**

3 credits – Professor I. Rahman

What laws dictate the bounds of an encounter between police and civilians on the street, in a car, and in the home? What happens when police officers act outside of those bounds? What remedies are available, and how effective are they? In this course, students will explore the investigatory techniques used by law enforcement agencies to acquire evidence, and discuss the efficacy and propriety of such techniques in a democratic society. Building upon key Supreme Court decisions on the Fourth, Fifth, and Sixth Amendments, students will study subjects including stops, searches and seizures, interrogations, identifications, Miranda warnings, right to counsel, and remedies including the exclusionary rule as a means of deterring unconstitutional police conduct. This course is an elective that is highly recommended as preparation for the bar exam.

**First Amendment**

3 credits - Professor R. Robson

This course will consider the historical, theoretical, doctrinal, and practical contours of the First Amendment including free speech and association, free press, and the religion clauses. The course stresses current controversies in First Amendment doctrine and theory and includes comparative constitutional perspectives.

Free speech issues addressed will include political speech, commercial speech, obscenity and pornography, hate speech, money as speech, unconstitutional conditions, “time, place, and manner” and the regulation of forums. Free association issues include questions regarding discrimination by the government against members of certain groups such as The Communist Party, as well as discrimination by private groups against others based upon race, gender, or sexuality. Freedom of the press issues include personal privacy, discrimination against the press, and press “leaks.”

The religion clauses issues begin with interrogations of the meaning of “religion.” The Establishment Clause issues include prayer or other religious observance in government and public schools, religious monuments on public land, and religious foundations for specific laws. The Free Exercise Clause issues include specific religious practices (polygamy, peyote), accommodation of religious belief and practices, as well as religious objections to laws promoting equality or liberty.

Enrollment is limited to 30 students, no more than 15 of whom can pursue the directed writing opportunity which will require a 25-page paper on an approved topic of the student’s choosing. Students not pursuing the directed writing opportunity shall complete a take-home exam based on the current controversies discussed in class. There is a substantial class participation component.
**Immigration and Citizenship Law**  
2 credits – Professor V. Neilson  
This course is designed to give students an overview of immigration and citizenship law, including challenges within the current immigration system and potential solutions. Using real life examples and a problem-based approach wherever possible, students will learn about: sources of immigration law; non-immigrant visas; lawful permanent residence; inadmissibility and deportability; asylum; humanitarian relief; and naturalization and citizenship.

The course will also address developing issues in the law such as litigation concerning President Obama’s executive action; family detention; and changes in the law and enforcement proposed by the next President.

Evaluation in this course will be based on a final take-home examination, a take-home midterm examination or midterm volunteer project and class participation. With the permission of the professor, students who arrange for and engage in an immigration or citizenship law related volunteer activity during the spring semester may substitute a report and reflection on that experience instead of the take home midterm. The report must include an analysis of the law involved in the experience and answer specific questions about the experience.

This course is recommended, but not required, for second year students who are considering the Immigrant and Non-Citizens Rights Clinic. The course also has applicability to students considering the health, family, or equality concentrations and the criminal defense or elder law clinics as immigration status affects those areas of law and understanding immigration related law is particularly important in areas like New York with significant non-citizen populations.

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

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

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

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

**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 - Professor J. Kirchmeier
(Faculty Permission Required)

This two-credit course features structured assistance to students who wish to improve their advocacy skills through participation in a moot court competition. The course requirements include the completion of an appellate brief and oral argument of professional quality prepared for an external competition or the equivalent thereof. While students will meet regularly as a group and individually with the instructor, each student is expected to work independently toward completion of the course requirements, including participation in oral argument practices. Before registering for a competition and for credit, students must have successfully completed the CUNY Moot Court training program and competition to earn membership in Moot Court. Students must obtain permission from the Moot Court faculty advisor before enrolling in this course. This course is graded Credit/No Credit.
New York Domestic Relations Law
3 credits – Professor A. Cammett
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.

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.

**Pre Bar Seminar Guided Study**

1 credit – Professor F. Kerner & Professor A. Robbins

The Pre Bar Seminar II builds upon the skills and doctrine students learn in PreBar Seminar I. In addition to classes, and extensive out of class work, each student will meet with a professor individually at least once per week for two hours. During these sessions, students will complete an essay 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 P. Berg

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 F. Siegel (Day)

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.

**Professional Responsibility**

2 credits – Professor K. Lamdang (Evening)

This class will equip you to recognize, research, and resolve ethical issues in public interest law practice. (Although this class will provide you with an overview of many of the Model Rules of Professional Conduct, the class is not designed to prepare you for the MPRE.) 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.

**Race & the Law**

3 credits – Professor V. Goode

The purpose of this seminar is to introduce students 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.

**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 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 feature a number of guest speakers who will connect the doctrine and practice of real estate transactions, and who will address policy implications related to the practice of real estate law.

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

**Rights of Low Wage Workers**

2 credits – Professor S. Lung

The restructured economy has had deleterious consequences for workers. These trends have intensified with the 2008 financial crisis. Today’s U.S. workforce is comprised of ever-expanding numbers of unemployed and under-employed workers, and workers in low-wage jobs, often non-unionized, and lacking the most basic protections and benefits. The role of contingent, subcontracted, and immigrant workers is a key feature of the “flexible economy.” Employers rely increasingly on these workers to circumvent laws on wages and hours, anti-discrimination,
unemployment insurance, workers’ compensation, and the right to organize. This course examines the laws governing employment relationships and the legal obstacles that exclude contingent, immigrant, and other workers from many protections. Employment laws rest on restrictive regulatory and judicial definitions of who is an employee and who is an employer. Similarly, employers have claimed that the National Labor Relations Act and Fair Labor Standards Act do not cover various immigrant workers because they do not qualify as “employees.” Employers also try to shed their legal status as “employer” by claiming that those performing services for them are independent contractors instead of employees.

Throughout the course, we will identify how employers use race, gender, class, and citizenship to divide workers, and how current labor and employment laws perpetuate these divisions. Even when employment and labor laws cover immigrant and contingent workers, weaknesses in the enforcement regulatory schemes abound. This will be another area of our study. The resources for enforcement are scarce, penalties on employers are lax, and the obstacles faced by workers who assert their rights are onerous. These shortcomings are magnified by the complexity of organizing workers who are undocumented, isolated, and viewed as “disposable.”

The focus of the course is to (1) explore gaps in our current regime of labor and employment laws for advancing the rights of workers; and (2) examine litigation strategies, legislative proposals, and organizing campaigns for expanding the rights of immigrant, contingent, and other low-wage workers, and for realigning relations between workers and employers. We will study the intersections between immigration and labor/employment laws by examining the Immigration Reform and Control Act of 1986, Fair Labor Standards Act, and National Labor Relations Act. The course goals are to foster independent thinking about the relationship between law reform, policy, and organizing; to explore frameworks for advancing the rights of workers; and to discern how law promotes the subordination of workers' interests to employers' interests, and despite this, the possibilities for using law to achieve justice and dignity at work.

The course written requirements consist of (1) reading reflection papers; (2) a news analysis paper; and (3) the option of either a take-home final examination or a legal research paper (20-22 pages).

**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: CLEAR Project (Creating Law Enforcement Accountability & Responsibility)**

2-3 credits-Professor R. Kassem

CLEAR is a project of Main Street Legal Services, Inc. founded in 2009 by CUNY students and faculty to address the legal needs of Muslim, Arab, South Asian, and other communities in the New York City area that are particularly affected by so-called “national security” and “counter-terrorism” policies and practices. Law enforcement agencies’ use of informants, undercover officers, predatory prosecutions, surveillance, watch lists, passport confiscations, immigration holds, and human mapping without concrete suspicion of criminal wrongdoing has diluted the basic rights of many New Yorkers and damaged community life and civic participation. Accordingly, CLEAR is committed to a philosophy of community lawyering that dictates holistic support driven by community aims and priorities. CLEAR uniquely combines legal representation (over 250 clients served) and litigation with public education and advocacy (approximately 100 know-your-rights workshops at nearly 50 different community sites so far), as well as research in support of community organizing initiatives and to promote change in current policies and practices. Because CLEAR handles challenging, cutting-edge cases with no easy solutions, they become “impact” cases, and a breakthrough in one case can have ramifications in dozens of others nationwide.

CLEAR students and supervising attorneys have developed expertise in handling sensitive and challenging advocacy on behalf of clients and partner communities.

Current second-year students can enroll in CLEAR as a clinical add-on topics-in-law course (TIL) for 2 or 3 credits. Current third-year students who are enrolled in a one-semester clinic or practice clinic in Fall 2016 can enroll in CLEAR as a topics-in-law course for 2 or 3 credits or join CLEAR in partial satisfaction of their advanced clinic requirements, subject to instructor approval. Current third-year students who are enrolled in a two-semester clinic can join CLEAR in partial satisfaction of their “home”
clinic requirements, subject to instructor approval. The CLEAR topics-in-law course can only be taken for credit once during a student’s tenure at the law school. Finally, all students are able to join or remain in CLEAR on a “volunteer” basis, for no credit, or for independent study credit, if appropriate, as has been CLEAR’s practice since its inception. Students have typically participated in CLEAR for two semesters or more.

Students in CLEAR are required to attend our weekly, 90-minute “Plenary” meetings. Plenary will be devoted primarily to clinical rounds and lawyering simulations, with critical discussion of doctrine, legislation, regulations, policy, and trends on the following topics, among others:

- Law enforcement policies and practices in relation to security and counterterrorism
- Over-policing of communities of color
- Surveillance and its societal effects
- Federal watch lists
- Material support statutes and predatory prosecutions
- Alternatives to incarceration in material support cases
- Interrogating “terrorism” and “radicalization” concepts
- Grand jury representation
- Delays and denials on purported security grounds in the immigration system
- Requests and litigation under freedom of information statutes
- Exporting the U.S. security state
- Community lawyering
- Information and communications security best practices

Each student who enrolls in CLEAR would be expected to represent and counsel at least two clients and facilitate at least one rights awareness workshop at a community site.

**TIL: Comprehensive Skills Intensive**

2 credits – Professor A. Robbins

Comprehensive Skills Intensive is designed to complement the CORE/ALA bar program, and to provide interested students with an additional opportunity for in-depth study and practice of the skills needed for success in the bar exam and legal practice. The course will provide an intensive opportunity to practice bar exam essays, multiple choice questions, and performance tests. The course will center on metacognition, critical analysis, issue spotting and self-diagnosis of sample answers. Students will be required to attend both a weekly seminar and weekly one on one meetings, and will be required to answer and review additional sample essay, multiple choice, and MPT questions weekly. In the weekly individual meetings, students will receive detailed feedback on their work, will discuss doctrinal areas of concern, and will review memorization techniques, study strategies, and stress management. In order to enroll, students must be registered for Mastery and Application of Core Legal Doctrine (Core Doctrine).

**TIL: Contemplative Practice**

1 credit – Professor A. Newman

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 contemplative questions about the challenges typically faced by lawyers and how they integrate contemplative practice with their traditional legal skills. Students will receive a grade based on attendance, participation, a weekly journal and a short research paper.

**TIL: Environmental Justice**

2 credits – Professor R. Bratspies

This course will begin by documenting the unequal distribution of environmental benefits and burdens in the United States and around the world. We will then explore how the major US environmental statutes intended to ensure a healthy environment do not provide sufficient tools for responding to this inequality. Charting the rise of the environmental justice movement in the United States, we will examine how agencies, courts and legislatures have responded to claims for environmental justice. We will examine how the environmental justice movement has made use of specific U.S. administrative laws, such as the Freedom of Information Act, and the “sunshine” laws to access information, and will identify the key barriers to participation in environmental decision-making. The course will conclude with an examination of the human right to a healthy. Specific topics to be covered include: exposure to toxic and hazardous wastes; the assessment and management of environmental risks; urban land redevelopment; and the role of communities in environmental decision-making. Grading will be based on a research paper, and in-class presentations of the paper, and class participation.

**UCC Survey**

3 credits - Professor Y. Patel

This course covers sales of goods, the law of payments and banking and of secured credit from the perspective of lawyers who will be representing consumers, small businesses and charitable corporations. The course will focus primarily on the Uniform Commercial Code. This is an elective that is highly recommended as preparation for the bar exam.

**Wills, Trusts, and Estates**

3 cr. – Professor J. Rosenberg

(Pre-requisite: successful completion of Property)*

This course examines wills and alternative ways of passing property upon death, intestacy, the rights of family members (including LGBTQ spouses and partners), trusts, and estate planning and administration. The goals of the course are to help students master the relevant legal doctrine, examine the law from practical and critical perspectives, understand the human, ethical, and public policy dimensions of the law, and prepare for wills and trusts questions on the Uniform Bar Exam, The focus will be on New York law with comparative analysis to the Uniform Probate Code. The course integrates a public interest lawyering perspective that helps
students understand and apply the relevant doctrine and also provides a foundation for students who may practice in this area as a primary concentration or as part of a broader community based family or elder law practice. **This is an elective that is recommended as preparation for the bar exam.**