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**SUNY BUFFALO LAW SCHOOL**  
**FALL 2014**  
**COURSE DESCRIPTIONS**

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**L-500 LEGAL PROFESSION** - Melinda Saran, Barbara Sherk  
(held during Orientation, Bridge, and weekly, required for all first year students)

**1 credit**

This course is a year-long professional development seminar. Sessions will be held more often in the pre-semester sessions of August and January, and weekly during the semester. Students will develop an understanding of the skills and professional responsibility of being an attorney, counselor at law and legal advocate. Students will learn skills to perform well in the Law School curriculum. You will also learn about issues facing law students and attorneys as they try to meet their obligation to "maintain the highest standards of ethical conduct." Topics will include ethical obligations and stressors facing lawyers, and mentoring. Due to guest presentations, attendance is required at all sessions to successfully complete this course. While the course will be graded S/U, students who do not regularly attend will not pass the course and will have to repeat it in their second year of Law School.

**L-501 CIVIL PROCEDURE**– Anya Bernstein, James Gardner

**4 credits**

The law and practice of pre-trial procedure in the courts of the United States--pleadings, motions, discovery and summary judgment--together with an introduction to evidence, remedies, subject matter and personal jurisdiction, finality and complex litigation. Value and policy choices implicit in the American civil adversary system and corresponding personal, professional, and ethical dilemmas will be emphasized.

**L-503 CONTRACTS** - Rick Su, James Wooten

**4 credits**

The general scope and purpose of the legal protection accorded contracts: interpretation, formation, warranties, covenants, conditions, breach and remedies. Emphasis will be placed on the way that these scraps of doctrine get translated into, or avoided by, formal contract documents used in contemporary commercial practice.

**L-505 CRIMINAL LAW** – Luis Chiesa

**4 credits**

Introduction to substantive criminal law, emphasizing the purposes, sources and limits of criminal law, the elements of criminal conduct, criminal responsibility, justification and excuse, criminal combinations, and the application of general principles to specific crimes. Introduction to selected aspects of the criminal justice system essential to an understanding of substantive criminal law.

**L-509 TORTS** – S. Todd Brown, David Engel, Charles Ewing

**4 credits**

A basic introduction to the tort law system, covering such topics as causation in fact, negligence, proximate cause, emotional harm, comparative fault, assumption of risk, intentional harms, and strict liability. Attention will be given to the role of tort law in its broader social context and to proposals for "reform" of the tort law system.

**L-511 CONSTITUTIONAL LAW 1** - George Kannar

**4 credits**

An introduction to the allocation of governmental power under, and the limitations on that power established by, the Constitution of the United States. The course will focus on judicial interpretation of the Constitution, the scope and division of federal power, the relationship between the federal government and the states, issues concerning the extent of state authority, and the rights of individuals guaranteed by the due process and equal protection clauses of the Constitution.

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**L-515 LEGAL ANALYSIS, WRITING AND RESEARCH I** – Christine Bartholomew, Patrick Long, Johanna Oreskovic, Stephen Paskey, Laura Reilly  
**4 credits**

This course introduces the essential skills of legal analysis and writing. It is structured around several progressively more difficult cases for which students prepare client letters and predictive office memoranda that explain the relevant primary authorities and apply the law to the facts. As they address these projects, students learn to identify rules, standards and policies, to use deductive and analogical reasoning, and to read and interpret judicial opinions and statutes. Instructors closely supervise the preparation of course documents and provide detailed instruction in citation form and the conventions of legal writing. **This is a required first year course.**

**L-517 ADVANCED LEGAL ANALYSIS, WRITING & RESEARCH** –Bernadette Gargano  
**3 credits**

Law 517 is an advanced legal skills course. The ultimate goal of this course is to prepare students to address complex legal issues as they arise in practice. A lawyer's duty to counsel clients is often overlooked during discussions of legal skills. However, this duty underlies almost all of a practicing lawyer's work – whether the lawyer is drafting a contract, administering an estate, mediating a dispute, deciding whether to sue or settle a case, or trying a lawsuit. This course will prepare students by focusing on vital legal issues that arise in the context of advising clients and pursuing legal remedies. An effective lawyer must think critically, analyze legal issues and rules of law, exercise independent judgment, and present legal conclusions in a clear and effective manner to a variety of audiences. Students will work towards understanding the context of legal skills in terms of client goals, legal purpose, audience, and procedure. As a result of this course, students will gain a more sophisticated understanding of legal research, rules of law, rule synthesis, statutory analysis, and the intersection of common law with statutes and regulations.

**L-517 ADVANCED LEGAL ANALYSIS, WRITING & RESEARCH** – Nan Haynes  
**3 credits**

Students in this section of LAWR3 will practice and refine their legal analysis, writing, and research skills while learning about litigation and legislative advocacy. They will follow a hypothetical case from the initial interview with a client, through appeal from an order granting summary judgment. Along the way they will draft a complaint, appellate brief, and perhaps a trial level brief. If time permits, the class will then refocus on legislative advocacy, and students will write an argument either in support of, or in opposition to proposed legislation.

**L-517 ADVANCED LEGAL ANALYSIS, WRITING & RESEARCH** –Monica Wallace  
**3 credits**

This course will prepare students to address complex legal issues as they arise in actual practice. Students will explore all phases of civil litigation, from intake through appeal. Students will conduct legal research, analyze legal problems and authorities, draft a variety of legal documents, complete distinct legal skill exercises, and write an appellate brief. Students in this course will refine and hone their legal research, writing, and advocacy skills. This course will also reinforce fundamental civil procedure concepts and introduce students to foundational principles in appellate advocacy, such as finality, preservation, and standard of review. Students will learn how to draft pleadings, use discovery tools to obtain evidence to support a claim or defense, and engage in pretrial motion practice. By the end of this course, students will be more adept at conceptualizing and analyzing legal issues, have a more sophisticated understanding of legal elements, rules of law, statutory analysis, and case law synthesis, and will have applied these concepts to complex legal problems in a practical setting.

**L-532 DISABILITY LAW-** Martha McCluskey  
**3 credits**

This class will survey rights and protections for people with disabilities in areas such as employment, government services, education, housing and medical care. We will consider the law in historical context and in relationship to ideas about the meaning and nature of disability. Class discussion will focus on casebook readings, supplemented by speakers, films and perhaps field trips and short research

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projects. Students will be evaluated on regular short writing assignments and class discussion as well as a final short writing assignment. **Optional seminar credit is available** for those who wish to complete a longer final research and writing project.

**L-529 MINDFULNESS AND PROFESSIONAL IDENTITY: BECOMING A LAWYER WHILE KEEPING YOUR VALUES INTACT** – Stephanie Phillips and Athena Mutua  
**SEMINAR- 3 credits**

Who will you be as a lawyer? A hard-charging, zealous advocate? A gentle, wise counselor? What images of lawyering did you bring with you to law school, and how has your law school experience changed those images? How should you connect your personal ethics and sense of humanity with your professional role – or should they connect at all?

To facilitate exploration of these questions, we will use an innovative method – mindful reflection. Each week, in addition to discussing readings assigned for class, we will spend time learning about and practicing mindfulness techniques that are designed to sharpen your powers of attention and observation, as well as to promote relaxation, reflection, and engagement with your deepest sense of self. Although some of these techniques originated in various religious traditions, the seminar does not promote a religious perspective. Rather, the goal is to help you develop a toolkit of practices that you will be able to use as a student and as a practicing lawyer to reduce stress, to manage the emotional ups and downs that lawyers constantly face, to find the kind of professional work that fits your goals and values, and to stay human, connected to your sense of humor and your deepest ethical and professional ideals.

Armed with these tools, we will explore a number of substantive questions reflecting three themes: professional identity, lawyering skills, and rethinking legal institutions. With respect to professional identity, we will discuss questions like the following: What makes a good lawyer? What are the limits of zealous advocacy? When lawyering for a cause, is it sometimes appropriate to put your own values before the client's? What ethical and human challenges are presented by different types, and styles, of lawyering? What characteristic personality styles do many lawyers possess? What kind of lawyer do you want to be, and what kind of lawyering work will make you happy?

With respect to the second theme, lawyering skills, we will discuss these and other questions: How do you make clients feel listened to, and heard? How do you handle a situation in which your client has a very different cultural, social or religious background from your own? How do you handle feelings of attraction, repulsion, rage, frustration, and sympathy that may arise when you deal with certain clients – or certain co-workers? How do you deal with hostile or controlling opposing counsel? How do you avoid “burnout”?

Finally, with respect to the third theme, rethinking legal institutions, we will hear from guest speakers and read materials concerning a range of innovative lawyering practices and institutions that go beyond courtroom work and the adversarial system, including: negotiation and mediation; “holistic” law practice; therapeutic justice; and restorative justice. **This course fulfills the seminar requirement.**

**L- 564 LEGAL ETHICS AND PROFESSIONAL RESPONSIBILITY** - James Milles  
**3 credits**

This course examines the ethical standards and legal obligations of lawyers and the contextual factors that lead to ethical failures. We will discuss real life problems using the ABA Model Rules of Professional Conduct, the Restatement (Third) of the Law Governing Lawyers, statutes, case law, and ethics opinions that govern lawyer behavior and the lawyer's duties to the client, third parties, the courts and the public. This course will focus not just on learning the rules, but understanding and recognizing the circumstances in which lawyers violate the rules. An understanding of the rules accompanied by critical self-awareness helps the lawyer recognize pitfalls before they become serious and gives students the analytical tools they need to make good decisions. **The course fulfills the 3-credit ethics requirement and must be taken in second year.**

**L-567 GREENING BUFFALO** - Sam Magavern  
**3 credits**

A wide range of organizations are greening Buffalo: creating urban farms, weatherizing houses, promoting biking and walking, fighting polluters to improve air quality, and so on. In this class, we'll study local efforts and potential policy changes to strengthen them, with a particular focus on two or three current issues. We'll meet with local environmental leaders and government officials to hear their views. We'll craft policy briefs to educate the public and elected officials on issues and solutions, and we'll use our final class to make a

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public presentation of our work. Students will enhance their policy advocacy skills while contributing to local environmental efforts with action-oriented research. The class will meet in downtown Buffalo at 237 Main St., Suite 1200. Enrollment is limited to fifteen.

**This course fulfills the skills requirement.** Fridays, 9-12.

**L-568 ENVIRONMENTAL LAW: POLLUTION CONTROL** - Kim Diana Connolly

**3 credits**

This course will focus on the ways different legal regimes deal with environmental, health and other risks caused by pollution. We will begin with policy concepts underlying what has become our system of environmental laws, touch on common-law theories such as tort, nuisance, and trespass, and ground ourselves in some administrative law basics. We will then examine some of the major federal-state “media statutes” such as the Clean Water Act, the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Clean Air Act, and the Toxic Substances Control Act. We will ask why each statute was written (i.e. what Congress had in mind), how it has been implemented by the agencies, how it has been interpreted by courts, and how it works in actual practice. We will explore broader areas of authority under which agencies act beyond just regulations and enforcement. Throughout, we will evaluate whether these kinds of programs are appropriate to deal with the major environmental and energy issue of this era, climate change. A good deal of the substantive law will be covered by practicing environmental law experts, who will complete short graded “units” in an adjunct capacity. Assessment and grading will be based on a series of short assignments at the end of each unit, one final brief paper on a topic chosen by each student, as well as short weekly written assignments. There will be no final exam. **Students who have taken Law 672, Environmental Law I, may NOT take this course.**

**L-570 ADVOCACY IN MEDIATION** – Steve Sugarman

**1 credit**

This one-credit, fall course focuses on mediation advocacy—developing lawyering skills to maximize the results for clients at the mediation table. In addition to attending 2 three-hour classes to learn the theory and practice of effective mediation attorney advocacy that will be scheduled on two Saturday mornings in October, students will be assigned and quizzed on reading assignments, and, with their partner outside of class, prepare for and participate in a daylong UB Law School Representation in Mediation Competition on a Saturday in November. Students will be emailed the specific scheduling of the two Saturday classes and the Competition itself in early September. In this Competition, pairs of law students form attorney-client teams and are given two different dispute fact scenarios. The attorney strategizes with the client and prepares to negotiate at a mediation session with the most effective balance of client and attorney participation. Then, on the day of the Competition, the team competes by engaging in negotiations with an opposing attorney-client team (in a morning and afternoon round) with a professional mediator from the community at the table to facilitate. A mediator, lawyer or (sometimes) a judge from the community will also be present to score and give feedback to the teams. The students are judged on preparation, teamwork, how well the interests of the client are represented, how well opportunities in the mediation process are used to promote those interests, and other elements of effective advocacy in mediation. Students are required to submit a 5-page paper within two weeks of the Competition integrating their experience in the Competition with what they learned from the classroom instruction and assigned readings on mediation advocacy.

**L- 583 INTERNATIONAL BUSINESS TRANSACTIONS** – Meredith Kolsky Lewis

**3 credits**

This course will provide an overview of legal issues faced by companies engaging in international business transactions and the role of lawyers in addressing those issues. Topics will include the international sale of goods and technology transfer; commercial terms of international sales agreements; allocation of shipping responsibilities/risk of loss and bills of lading; financing arrangements and letters of credit; intellectual property issues including protecting and licensing IP; franchising and distribution agreements; foreign direct investment; applicable national and international regulations affecting the ability to import and export; and international dispute resolution issues.

**L-604 SPORTS LAW I: THE LAW OF AMATEUR & PROFESSIONAL SPORTS** – Helen Drew

**3 credits**

This course provides an overview of the primary issues and legal principles addressed in the practice of amateur and professional sports law. Both statutory and case law will be examined, with attention to the pragmatic effect upon the legal practitioner. Topics of discussion will include the impact of antitrust law and policy upon both amateur and professional sports associations, amateur sports

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eligibility issues, gender equity problems, the structure and governance of amateur and professional sports organizations, and labor relations in professional sports.

**L-607 TECHNOLOGY AND INFORMATION MANAGEMENT (Formerly Tech & E-Business)** – G. Larry Sanders  
**3 credits- Cross-listed with MGT607. BEGINS 8/26/14**

The focus of this course will be on technology management and developing an Internet-based business or extension to an existing business. The course will integrate concepts from economics, organizational strategy, entrepreneur-ship, and Web design. Topics to be covered in the course include: aligning technology and strategy; models of diffusion and innovation; characteristics of information and digital goods, identifying potential Web-applications and information products for solving a problem and/or identifying a business opportunity; intellectual property rights; pricing issues related to information goods; developing a business plan for a venture capital proposal; launching the e-business; designing Web-based applications for usability; and strategies for successfully implementing systems. Case studies, lectures, guest speakers, and an integrated E-business project will be used to understand the complexities of the current business environment. **This course fulfills the professional skills requirement.**

**L-608 FEDERAL INCOME TAXATION I** - Stuart Lazar  
**3 credits**

An introduction to the basic principles of the federal personal income tax. Topics treated will include federal tax procedure, the definition of gross income, and exclusions and deductions from gross income. The course is designed to equip students to handle common personal income tax problems likely to arise in general practice. The course emphasizes a critical examination of the provisions of the Internal Revenue Code and the Treasury Regulations so that students may become proficient in the use of these basic tax tools. The teaching methods and materials used in the course are intended to encourage independent thought and critical analysis of the law and policy of federal income taxation. **Pre-requisite OR Co-requisite for L742, Estate & Gift Tax, as well as other upper level tax courses.**

**L-610 CRIMINAL PROCEDURE I** – Guyora Binder  
**3 credits**

This course, employing a lecture and socratic format, examines the constitutional constraints on government investigation of crime imposed by the 4th, 5th and 6th Amendments.

**L-611 CORPORATIONS** – Michael Halberstam  
**3 credits**

This course introduces students to the rules and laws governing the organization and management of business corporations. Drawing on current events and examples from legal practice, the course covers the special legal, financial, and ownership structures of corporations, and provides students with a first introduction to concepts of agency, risk, business valuation, financial markets, and tax structure. Other business entities (such as partnerships, sole proprietorships, and LLCs) are studied mainly to contrast the benefits and costs of operating a business as a corporation and to make students aware of the context in which corporations and groups of businesses operate. The fiduciary duties of corporate directors and officers, and their enforcement through private litigation, are an important theme of the course.

**L-611 CORPORATIONS** – Athena Mutua  
**3 credits**

This course will introduce the basic rules and laws governing the organization and management of the corporation as well as other business structures. These other structures will include the sole proprietorship, partnership, limited partnership and limited liability corporation. It will focus on the ways in which authority is exercised and constrained in these various business settings through fiduciary, agency and other principles and among shareholders, directors and officers.

**L-613 EVIDENCE** - Chuck Ewing  
**3 credits**

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A study of the common-law and statutory rules of evidence designed to regulate the judicial fact-finding process, and the underlying principles and policy considerations upon which they rest. **PREREQUISITE** or **CO-REQUISITE** for Trial Technique.

**L-615 FUTURE INTERESTS** - Tammie Schultz

**3 credits**

Development of the law of property from the earliest land-based economy in England to our modern treatment in New York; the concept of the division of interests, present and future, legal and beneficial; classification of interests created and retained: the concept of *vestedness*, understanding conditions and covenants as affecting vesting, importance of classification of interests when determining rights and remedies, includes analysis under New York's Real Property Actions and Proceedings Law (RPAPL).

Development of the laws of intestate descent and distribution and the laws of Wills and Trusts with New York application. Understanding the process of judicial construction, practical analysis of the axioms of construction when drafting, distilling and defending an interest; anatomy of class gifts; powers of appointment: concept of a power as an authority over property as distinguished from an interest in property, detailed study of powers of appointment, utility of powers as a modern estate planning tool. Taking up the Rule Against Perpetuities (RAP), future interests as the object of RAP, development and application: NY's perspective on perpetuities as "one rule with two parts"; reviewing the classic common law "vesting rule", and focusing on New York's "suspension of alienability" rule, especially in the context of spendthrift trusts and class gifts; application of RAP to charitable gifts (yes, contrary to popular belief, the Rule has threshold application!); mitigating the harshness of the rule in NY; we will also examine the expansion of RAP in the context of modern commercial transactions. Introduction to estate planning.

The course stresses a conceptual approach to the law and an in-depth analysis under New York's Estates, Powers and Trusts Law (EPTL), using study problems designed to integrate materials and provide students an opportunity for practical application. **This course fulfills the professional skills requirement.**

**L-616 FAMILY LAW** – Isabel Marcus

**3 credits- Block 1 and 2**

An intensive introductory exploration of contemporary US family law issues. Topics include: state regulation and legitimation of intimate relationships and the construction of households; reproduction as a basis for family life and the challenges of the new reproductive technologies, family violence and support policies and practices. Gender, race, and class are important considerations for all of these analyses. Students will observe Family Court, Domestic Violence Court and Child Support Enforcement Hearings during the semester. Guest speakers will also offer their professional perspectives. **Meets Block 1 and 2.**

**L-617 GRATUITOUS TRANSFERS** – Heidi Forman

**3 credits**

This course will cover various aspects of family wealth transmission and the attendant problems that can occur. Topics include trusts, wills, powers of appointment, intestacy, class gifts, restrictions on testamentary dispositions, will contests, the surviving spouse's elective share, and other administrative issues arising in wealth succession. Highly recommended for 3Ls only.

**L-619 INTERVIEWING, COUNSELING AND NEGOTIATING-** Katrin Rowan

**3 credits**

Course Description: Employers today seek new lawyers who can effectively engage with clients, opposing counsel, and other actors in the legal system. This course will familiarize students with the fundamentals of interviewing, counseling, and negotiation skills through drafting exercises and workshops in preparation for the everyday practice of law. **This course satisfies the skills requirement.**

**L-626 PROBLEMS IN NEW YORK CIVIL PRACTICE** - Sharon Gerstman

**3 credits**

A course on the rules of civil procedure in New York. The major portions of the Civil Practice Law and Rules and other practice statutes are taught by lecture and by application to a class problem derived from actual cases. Students will be expected to participate in a "Law Firm" representing a party to litigation and to conduct various aspects of pre-trial activity including pleadings, motions, discovery devices, etc. Subjects to be covered will include jurisdiction, venue, service, pleadings, parties, discovery, motion practice, statutes of limitations and special proceedings. An exam will be required. **ONLY THIRD YEAR STUDENTS MAY REGISTER FOR THIS COURSE. This course fulfills the professional skills requirement.**

**L-626 PROBLEMS IN NEW YORK CIVIL PRACTICE** - James Gresens

**3 credits**

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A very practical course on the rules of civil procedure in New York based on the real-life experiences of a member of the local bar. The major portions of the Civil Practice Law and Rules and other practice statutes are covered in a series of interesting lectures. As a hands-on experience, the class will be divided into groups assigned to represent a party in a hypothetical personal injury/property damage lawsuit. The groups will prepare and serve pleadings and make appropriate preliminary motions, etc. Major subjects covered are jurisdiction, conditions precedent, statutes of limitations, venue, service, pleadings, parties, discovery, motion practice and special proceedings. The grade is based on a combination of factors including class participation, the group project, an optional essay and a final examination. **ONLY THIRD YEAR STUDENTS MAY REGISTER FOR THIS COURSE. This course fulfills the professional skills requirement.**

**L-629 CHILDREN AND THE LAW** – Susan Vivian Mangold

**3 credits**

Children and the law will explore the many areas of law in which children are represented by Attorneys for the Child: child abuse and neglect; foster care; adoption; status offenses; delinquency; custody. Constitutional case law and theories of children's rights along with current statistics and contemporary problems will frame the discussions. Students who have taken Child Welfare Law or the Attorney for the Child Externship may take this class. Although the materials will overlap, this is designed as a more comprehensive course on the law as it impacts children. There will be several short written assignments and active class discussion based upon those assignments and the class reading.

**L-630 CONCEPTS IN CRITICAL ANALYSIS: APPLICATIONS TO LEGAL RESEARCH & WRITING** – Barbara A. Sherk

**3 credits**

This course will focus on the further development of research and writing skills through deductive reasoning methods as well as the technical aspects of legal writing. New York statutes and case law will be used for required readings, class discussion and writing assignments. Students will incorporate significant rules of practice, including the NY CPLR, General Municipal Law, and the Uniform Rules of the Trial Courts, to craft persuasive writings for submission to court through presentation of oral case briefs and short writing assignments. This will involve a comprehensive examination of the methodology of "legal thinking".

Requirements: Class participation and regular attendance, weekly writing exercises. The final assignment is a "Notice of Motion," "Memorandum of Law," and an "Attorney Affidavit" in support of a substantive motion. Enrollment is by **permission of instructor**. Interested students should contact Professor Sherk at [bsherk@buffalo.edu](mailto:bsherk@buffalo.edu) as early as possible for consideration. **This course fulfills the professional skills requirement.**

**L-631 ADMINISTRATIVE LAW** – Errol Meidinger

**3 credits**

This course provides an intensive introduction to modern administrative government and the law organizing it. Topics addressed include the nature and structure of administrative agencies, forms of and procedures for making administrative policy, relationships between administrative agencies, interest groups and other elements of the public, delegation of authority to and within administrative agencies, administrative discretion and ways of controlling it, and judicial review of administrative actions.

Students should have ready internet access, since some reading materials will be provided on the class website. Grades will be based primarily on a final examination reviewing the course as a whole. Short, written reports on specific subjects in administrative law may be included and contributions to class discussions will also be considered.

**L-634 SECURED TRANSACTIONS-** Garry Graber

**3 credits**

This course will cover Article 9 of the Uniform Commercial Code, which governs security interests in commercial and consumer contexts. We will examine the formation, attachment, perfection and enforcement of security interests under state law and the manner in which federal bankruptcy law incorporates and alters the rights of secured parties. Special emphasis will be given to techniques of statutory analysis and problem solving.

**L-638 TRIAL TECHNIQUE** – Various Staff

**3 credits**

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The purpose of this course is to offer an opportunity to gain some experience in the actual trial of a lawsuit. Each student will engage in selecting a jury, making an opening statement, conducting direct and cross examination of witnesses, and giving a closing argument. Both criminal and civil cases are used. The instructors in charge of each section are practicing attorneys or judges, who are also part time members of the faculty. The class sections meet for a minimum period of ten weeks. The eleventh session is a mock trial which is held in courtrooms downtown. Judges and trial attorneys from the area preside, law students and assistant DA's are the court assistants, high school and college students serve as jurors, and stenographers are available for most trials. The jurors hear the evidence, receive instructions from the judge, deliberate and return a verdict. Students in the course are responsible for selecting and preparing witnesses.

**PREREQUISITE or COREQUISITE:** Evidence. **This course fulfills the professional skills requirement.**

### **L-639 CURRENT TOPICS IN CRIMINAL LAW – Luis Chiesa**

**SEMINAR- 3 credits**

The goal of the seminar is to discuss foundational problems of criminal law by focusing on recent scholarship about issues such as, but not limited to, theories of punishment, the harm principle, the act/omission distinction, causation, mens rea, self-defense, necessity, duress and free will and the criminal law. The readings will consist mainly of law review articles or book chapters/excerpts published during the last 5 years.

### **L-641 INSURANCE LAW – Dan Kohane**

**3 credits**

The course will focus on the practical aspects of insurance law for the general practitioner, the business lawyer, the personal injury lawyer, and one desiring to practice insurance coverage law. The curriculum will cover the concepts of insurance, the purpose of insurance and the nature of the various risks, e.g. life, fire, health and accident, liability (comprehensive, auto, professional, environmental), no-fault and workers compensation. We will emphasize contemporary issues using the New York Insurance Law, selected insurance cases and exemplar insurance policies, as well as ethical issues facing insurance companies, insured and attorneys practicing in the field.

The subject matter will analyze the rights, remedies and liability of the insured, insurers, agents and brokers, and third parties, and the relationship of insurance to contract and tort law. In the liability insurance field we will explore the duty to defend and indemnify and the scope of disclaimers. Open book final exam.

### **L648 EXEMPT ORGANIZATIONS - Paul Battaglia**

**3 credits**

This course will address the federal and state law applicable to the formation, qualification and subsequent compliance of organizations which are exempt from federal income tax under Section 501 of the Internal Revenue Code. We will consider the types of organizations which qualify for exemption under Section 501 and the consequences of exemption (including the extent to which such organizations may nevertheless be subject to taxation). We will also consider the distinction drawn under the Internal Revenue Code between public charities and private foundations.

### **L-651 TRIAL ADVOCACY - Hon. Thomas Franczyk**

**3 credits**

*Note: Students enrolled in this course will receive 3 credits. Students may be eligible for an additional 3 credits if they advance from a Regional Competition to a National Competition during one semester or if they are selected to participate in two competitions in two semesters. In no event shall any student receive more than 6 credits for this course.*

In this intensive course, students will learn how to prepare and try a criminal or civil case with an eye toward participating as trial counsel in a national mock trial competition. This course picks up where basic Trial Technique leaves off. It is more in-depth and concentrated in its focus and time commitment.

The students will organize and analyze a complicated fact pattern by focusing on the elements of proof, defenses and by developing a theme of the case. In each session, students will, under the guidance of the instructor, guest judges and trial lawyers, work on a different aspect of a selected case. In the process they will sharpen their skills in the mechanics of trial lawyering: how to ask proper questions on direct and cross examination, impeachment with a prior inconsistent statement, introduction and use of objections. The student performances in each aspect of the trial will be critiqued on the spot so that they can identify their weak points and improve upon them for the next session.

In the trial competition, the students will try a case against top student trial lawyers from across the country. Competitions are either invitationals which involve trying both sides of a criminal or civil case at least twice, and up to 5 to 6 times depending on whether the



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team advances past the preliminary rounds. The competitions usually take 3 to 4 days. With the National Trial Competition and ATLA Competition, if the team wins the Regional, they advance to the Nationals and repeat the process. Actual trial judges and trial lawyers serve as judges and evaluators. Course schedule varies from semester to semester and ordinarily consists of frequent meetings during a 6-week period. The time commitment is generally 3 nights a week and Saturday or Sunday mornings with all sessions running about three hours.

**Practice schedules are some weekend mornings and week nights based on student schedules.**

**Pre-Requisite: Basic Trial Technique but students who have not taken that course are still permitted to try out for the Trial Teams. Evidence is encouraged as a co or pre-requisite. Enrollment by permission of instructor only. This course fulfills the professional skills requirement.**

**L- 652 HANDLING A PERSONAL INJURY TRIAL: INTAKE TO APPEAL (formerly called Principles of Case Analysis) -**

Jennifer Scharf

**3 credits**

This course teaches students the practical aspects of handling a personal injury case, both for plaintiff and defense. We will work from a fact pattern and develop our case from start to finish. Students' grades are based on five written assignments (including pleadings, motions, and discovery documents), participation in live exercises (like mock depositions, jury selection, settlement conferences, and arguing motions), as well as in class participation. Assignments and exercises are designed to mimic assignments that new associates will work on in law firms.

**L-656 PRIVACY: THEORIES AND HISTORY-** Samantha Barbas

**SEMINAR-3 credits**

What is privacy? How much privacy do we need? What is the "right to privacy"? What role, if any, should the law play in protecting personal privacy? This seminar course addresses theoretical and historical perspectives on privacy and privacy law in the United States. Particular attention will be paid to information privacy, and the emerging dilemmas of privacy in an age of digital communications and social media. The course will culminate in a 30 page research paper on a topic of the student's choosing.

**L-657 ELECTION LAW -** James Gardner

**3 credits**

Democracy does not just happen by itself; it must be implemented and institutionalized by constitutional and legislative means. This course examines American election law, conceived in the broadest possible terms. Topics include the structure of republican government, the sources of state and federal power to regulate the electoral system, the right to vote, apportionment and representation, candidates' rights, the party system and the conduct of political campaigns. Throughout, we will try both to discern the philosophical assumptions that underlie contemporary election law, and to determine whether existing legal frameworks effectively institutionalize those assumptions.

**L-660 LEGISLATION I: LEGISLATIVE PROCESS AND THE COURTS** – Anthony O'Rourke

**3 credits**

While most traditional law school courses focus on case law, the vast majority of American law is statutory. This course will accordingly examine legislatures, particularly Congress, and legislation. Specifically, we will address the structures and procedures of legislatures, and how these influence the legitimacy and quality of legislation. We will also consider how legislative decisions translate into actual law, looking at how courts interpret new statutes against the backdrop of common law and existing statutory frameworks. In examining these issues, we will focus on whether, and how, the legislative process affects how courts interpret statutes.

Legislation I & Legislation II form a comprehensive package of intellectual inquiry and practical legal skills. The courses are not sequential and students may take the courses in any order. Each course focuses primarily on a different aspect of statutory law-making

**L-665 TOPICS IN REGIONAL ECONOMIC DEVELOPMENT: HOUSING** – John Henry Schlegel

**SEMINAR - 3 credits**

The effects of public and private economic development initiatives are hotly debated. In the Buffalo area, at least, publicly funded economic development, especially large-scale infrastructural improvements, seem not to have worked very well. Recent scholarship has suggested why

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that is the case. However, there has not been much work directed toward understanding what makes public or private economic development initiatives successful, much less toward identifying less grand public economic development activities might contribute to that success. The study of economic development is a multifarious enterprise. This semester we will focus on residential development in any area, be it city or suburb. We will begin with what even after over 50 years is the baseline understanding of residential life: Jane Jacobs, *The Death and Life of Great American Cities*, and then move on to more recent ideas that are based on Jacobs' book. Students, working in groups, should expect to acquire detailed knowledge of a specific neighborhood in the area and to use that knowledge to develop a plan for improving the residential economy of that neighborhood.

This seminar satisfies the colloquium requirement for students in the JD/MUP dual degree program. **This course will NOT be offered again in Spring 2015.**

**L-678 FEDERAL INDIAN LAW** – Jessica Owley

3 credits

This course covers the development of Federal Indian Law from the late 18th century to the present, focusing on the legal relationship between Indian nations and the United States. Emphasis is given to unique principles of law concerning tribal sovereignty, tribal regulation of non-Indians, the federal trust relationship, tribal hunting, fishing, and water rights, treaties, casinos and reservation economic development and the interplay between tribal, state, and federal criminal and civil jurisdiction. Students should gain a critical understanding of the basic tenets of Indian law, the bases of tribal sovereignty, the structure of the federal-tribal relationship and its history, and a sense of the future directions the courts, tribes, and Congress may take in addressing current legal issues in Indian country. This course qualifies as an elective for the Environmental Law Program.

**L-679 EDUCATION LAW** – Andrew J. Freedman

3 credits

Students will have the opportunity to learn the principals of public school law with a focus on the state education system, relevant federal laws, and selected federal and state cases affecting the administration of our educational system. The course is designed to familiarize students with the legal principals of particular importance to an education attorney. Education attorneys are becoming increasingly involved in decisions made from the school district or parent perspective. To that end, school law topics are discussed through a combination of lecture and case law analysis. The goal of this course is to empower you with knowledge of how laws effect schools and how laws are applied to school situations. A focus on the practical aspects of school law is emphasized.

**L-684 FINANCIAL ANALYSIS & REPORTING** - Jeanette Toth

3 credits- **CROSSLISTED WITH ECO504- BEGINS 8/25**

This course provides an introduction to the fundamental concepts and issues of financial accounting with emphasis on the interpretation of financial statements. The course addresses the economic consequences of transactions and their presentation on corporate financial statements. A primary objective is to introduce corporate financial statements as a tool for company valuation and decision-making. Emphasis is on the analysis of effects of decisions on financial performance and use of financial statements to evaluate organizations. **This course fulfills the professional skills requirement.**

**L-686 ATTORNEY FOR THE CHILD PRACTICE** - Susan Vivian Mangold

3 credits

**Prerequisite or Co-requisite:** Children and the Law or Child Welfare Law

**Students must be available one full day or two half days consistently for the semester and Friday afternoons is not an option. One single day is preferred. Field work completed at the Children's Legal Center.**

This class will examine the representation of children in custody and visitation proceedings. Theoretical analysis and practical experience will be combined to provide students with an intense introduction to matrimonial practice and Attorney for the Child work. Students will be required to complete field work at the Children's Legal Center in downtown Buffalo. The work will include observations, case work and research. Students will conduct a research project with practical application for Attorneys for Children under the supervision of Professor Mangold. **Children and the Law or Child Welfare Law must be taken before or concurrent with the Attorney for the Child Externship.** Students who have completed Child Welfare Law are given preference. **This course fulfills the professional skills requirement.**

**This externship fulfills the pro bono requirements for applicants to the New York Bar that apply to anyone admitted on or after January 1, 2015 (current first and second year students and any other students or graduates who delay admission until January 2015).**

**L-688 INTRO TO SECURITIES REGULATIONS** – Phil Halpern

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### **3 credits-Block 1 and 2**

This course is a basic introduction to the federal regulation of capital formation in the United States under the Securities Act of 1933 and related disclosure issues arising under the Securities Exchange Act of 1934.

#### **L-689 IMMIGRATION LAW** - Rick Su

##### **3 credits**

Immigration is a contentious and complex issue. At its most basic level, it involves the rules and regulations that determine who is permitted to enter this country and the conditions upon which they are allowed to remain. But as our impassioned and conflicted history of immigration show, developing these basic rules often requires us to address more fundamental questions, such as those involving the meaning of our national identity, the values of our democratic institutions, the boundaries of community and belonging, and the nature of our relationship with the rest of the world. This course explores these and other questions through the lens of the statutes and case law governing the immigration system in the United States. Special attention will be given to the source and scope of the Congressional power to regulate immigration, and the statutory procedure for admission, exclusion, and removal.

#### **L-690 ALTERNATIVE DISPUTE RESOLUTION (ADR)** - Christen Civileto Morris

##### **3 credits**

Alternative Dispute Resolution, which refers to the out-of-court resolution of disputes using a neutral third party, is a proven, cost-effective and time-efficient alternative to the traditional litigation process. The national and regional trend toward the use of ADR is gaining broad acceptance in both the business and legal communities, particularly through the use of mediation and arbitration.

The course starts with an overview of the various forms of ADR, including negotiation, mediation, arbitration, neutral evaluation, mini-trials, and summary jury trials. Next, we explore the substantive law governing agreements to arbitrate, including the Federal Arbitration Act (FAA), 9 U.S. C. §§ 1-16 and Article 75 of the N.Y. CPLR, as well as procedures for enforcement of awards in arbitration.

Throughout the course, we will emphasize practical application, including counseling clients in determining whether and when to select ADR, drafting ADR agreements, negotiating skills and techniques, representing clients in ADR proceedings, selecting arbitrators or mediators, and conducting mediation and arbitration proceedings.

Students will develop mediation advocacy skills that will have broad application to law practice. **This course fulfills the professional skills requirement.**

#### **L-693 LABOR LAW** – Robert Steinfeld

##### **3 credits**

This course will be devoted primarily to studying the law of union-management relations under the National Labor Relations Act. Accordingly, we will examine the legal problems involved in organizational campaigns, focusing upon legislative and case materials relating to unfair labor practices. We will also deal with regulation of labor under the common law and anti-trust acts.

**PREREQUISITE** for Collective Bargaining which deals with the regulation of actual bargaining and the enforcement of the collective agreement.

#### **L-695 CONTEMPORARY ISSUES IN LAND USE PLANNING** – William M. Murray

##### **3 credits**

This course will focus on emerging issues in land use regulation and community planning, and provide a practical understanding of land use planning, utilizing examples taken from current development projects and community planning initiatives. Topics to be discussed include comprehensive planning, zoning and subdivision regulation, environmental review, eminent domain, growth management, zoning and discrimination, and zoning reform.

#### **L-696 INTELLECTUAL PROPERTY INTRODUCTION** – Rebecca French

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**3 credits**

One of the most interesting and growing fields of law is Intellectual Property, the study of legal protection for ideas, phrases, processes, discoveries, inventions, symbols, designs, music, art and literary works. Just as first-year Property Law covers basic ideas about real and personal property, Intellectual Property Law deals with relationship between persons and the state concerning intangible property. This course will walk students through the legal areas of copyright, trademarks, patents, industrial design, trade dress and trade secrets. We will probably be reading one of the most current casebooks on the topic, *Intellectual Property in the New Technological Age*, 2012, which seeks to set these issues in the context of the Internet and Digital Era of the last few decades. An area of rapidly changing statutes and technology, this course will be an essential introduction to this field.

**L-698 THE COMMON LAW** – Matthew Steilen**SEMINAR - 3 credits**

This class will study the history and theory of the common law. The first half of the class is devoted to studying the origins of the jury, the writ system, and the common-law courts in medieval and early-modern England. The class will read excerpts of crucial legal texts in the common law tradition, including Blackstone's Commentaries, Glanvill, the Yearbooks, and statutes of Parliament. The second half of the class is devoted to studying the adoption and growth of the common law in America, and to theoretical issues raised by the modern American common law. For example, what makes the common law truly "law"? Does it leave too much room for judicial discretion? Is the presence of common-law methods in constitutional law appropriate? Students will be graded on the basis of weekly "reaction papers" and a final paper of 15 pages. The final paper may address an issue examined in class materials or a related topic that was not covered.

**L-699 EMPLOYMENT LAW** – Matthew Dimick**3 credits**

Employment Law is intended as a general introduction to a broad range of legal issues that arise in the context of the employment relationship. The major emphasis of the course is on the legal protections of job security in private employment, as well as the policies—and the social and economic conditions—that shape modern developments in the law of the workplace. Topics studied include the common law doctrine of employment at will, judicial recognition of expansive contract and tort doctrines protecting employment security, state whistleblower and just cause dismissal legislation, and some federal protections of job security. Some employment discrimination topics will be covered. The course also explores privacy issues that arise in the employment relationship, including limits on employers' control over employees' personal conduct and limits on employers' acquisition and disclosure of information about employees.

**L-702 DOMESTIC VIOLENCE LAW**- Isabel Marcus**3 credits- Block 1&2**

Over the past 35 years, there have been significant changes in law and public policy and shifts in culture regarding domestic violence. This course focuses on legal issues (in theory and practice) with the understanding that they cannot be dissociated from policy considerations and outcomes as well as cultural norms. Guest speakers will supplement course materials to connect theory (especially in Family Law and Criminal Law) to practice. Students will observe the Integrated DV Court. There will be two or three periodic written assignments in lieu of an exam at the end of the semester.

**L-703 MONEY, CENTRAL BANKING AND MONETARY POLICY** – David Westbrook**3 credits**

What is money? What do central banks do? How does monetary policy affect the business environment, the economy, and daily life? Can or should monetary policy be used to reduce unemployment or for other social goods? What are the limits of monetary policy? How do different monetary policies affect different kinds of economic actors (your clients or employers)? This course considers such questions. Considerable attention will be paid to the global financial crisis, the European debt crisis, and the emergence of new currencies such as Bitcoin. Considerable attention will be paid, also, to why employers, law firms, and the like care about these questions.

Prerequisites: None. Texts: TBD. You may choose to take this course as either a seminar (for seminar credit), i.e., with a substantial paper, or as a class graded by a final exam.

**L-706 THEORY AND PRACTICE OF NEGOTIATIONS** - Brian Becker**3 credits- Crosslisted with MGG 640 and BEGINS 8/26.**

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Introduction to the analytical concepts necessary for effective negotiations. Emphasis on the negotiation and bargaining skills required by general managers. Classroom lectures are supplemented by experiential exercises. **This course fulfills the professional skills requirement.**

**L-718 INTRODUCTION TO HEALTH CARE ORGANIZATION & POLICY** - Kristina Young

**3 credits**

The course introduces students to the historical development, structure, operation, and current and future directions of the major components of the American health care delivery system. It examines the ways in which health care services are organized and delivered, the influences that impact health care policy decisions, factors that determine the allocation of health care resources and the establishment of priorities, and the relationship of health care costs to measurable benefits. The course enables students to assess the role of organized efforts to influence health policy formulation, and the contributions of medical technology, research findings, and societal values on our evolving health care delivery system with specific references to the landmark Patient Protection and Affordable Care Act of 2010. Since almost every medical or technological advance or change in the way health care is delivered is accompanied by new and vexing policy, ethical and legal dilemmas, course time will be devoted to open discussion of these complex and value-laden issues. Course materials are drawn largely from the required text, supplemented by articles from the current literature. As appropriate, factual information is presented in its social, political and economic contexts to enhance understanding of the forces that shape the health care delivery system and the evolving mandates for change.

**L-722 MEDIATION THEORY AND PRACTICE** – Steven R. Sugarman

**3 credits**

Mediation is becoming an extensively utilized dispute resolution tool as Federal and State Courts establish mediation referral programs and as clients are increasingly hiring private sector mediators to avoid costly court battles and to maximize results. It is vital that new lawyers are cognizant of what mediation is all about, whether they want to possibly make mediation part of their future law practices, or simply know enough to effectively advise and assist their clients at mediation sessions.

This course examines mediation as a tool for resolving conflict, both in the legal and non-legal arenas. We will look at mediation from both a practical and theoretical perspective, drawing upon a variety of reading materials, speakers and videos. Topics we will cover include the nature and dynamics of conflict, negotiation theory and practice, and, in greatest depth, the mediation process itself. We will learn about the stages of mediation; the varied roles, styles, and orientations of mediators; mediators' communication skills and other tools used in mediating conflict; mediation ethics; the use of mediation in various contexts, including the court system; and the role of attorneys representing clients who participate in mediation. To bring mediation to life, students will participate in many mediation role-plays, communication and other hands-on exercises. **This course fulfills the professional skills requirement.**

**L-729 TRADEMARKS & UNFAIR COMPETITION** – Mark Bartholomew

**3 credits**

Brands are big business. The Apple trademark for computers is valued at over \$100 billion. This number doesn't include any of Apple's factories, employees, or its inventory of computers, tablets, and smartphones. It is simply the value that economists put on the "Apple" name. And Apple is not alone. Many of the world's most valuable companies owe that value to the reputation bound up in their particular name or corporate logo. Not surprisingly, with this much money at stake, law has stepped in to decide what is fair and what is not when it comes to the use of a business's trademark. This course provides an in-depth treatment of this body of law, including discussion of eligibility for trademark and trade dress protection, trademark and trade dress infringement, trademark dilution, misappropriation and unfair competition, and the right of publicity. The course also examines the role of trademark within the larger context of intellectual property law and policies, both domestic and international. No prior experience with intellectual property law is required. Grades will be based on a final examination and class participation.

**L-733 DRUG TESTING IN PROFESSIONAL SPORTS**– Helen Drew

**1 credit- Block 2**

This one-credit course will consist of intensive research into the history and development of drug testing in the four major professional sports leagues. Class discussion and readings will focus upon the intricacies of implementing drug testing in a collective bargaining context. The rationale behind union and league perspectives on various methods of drug testing will be examined, as well as the political

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ramifications of each. The role of specialized federal legislation also will be investigated and analyzed. Each student will research and prepare a paper on a topic of individual interest in this area, subject to the instructor's approval.

**L-736 LAW AND ANTHROPOLOGY** - Mateo Taussig-Rubbo  
**SEMINAR- 3 credits**

This course introduces fundamental concerns in the anthropological study of law. Topics include: the relationship between 'law' and 'culture' as competing concepts of social order; the diversity of forms that legal phenomena have assumed in different societies; the constitution of legal order in modern colonial and postcolonial settings; the challenges that arise from efforts to make the law responsive to cultural difference in contemporary contexts; and the application of anthropological perspectives to the practice of law. Students may write a research paper or take a final exam. Readings are theoretical and ethnographic.

**L-740 INTERNATIONAL LAW** – Tara J. Melish  
**3 credits**

This core international law course explores the normative and institutional foundations of contemporary international law, a dynamic field that increasingly permeates all other fields of law. Critically examining the processes underlying the creation, evolution, and enforcement of international law, the course will provide an introductory survey of a broad range of doctrinal subfields, including the use of force and law of armed conflict, human rights, international criminal law, maritime law, trade law, and foreign investment regulation. It will also cover such key topics as international dispute resolution, the law of treaties and treaty interpretation, the status of treaties and customary international law in the domestic legal system, foreign sovereign immunity, the act of state doctrine, state succession and dissolution, constitutional foreign affairs preemption, the allocation of legal authority among states in international institutions, and the role of non-state and sub-state actors in the creation and enforcement of international law. This is a required course for the international law concentration.

**L-741 FORENSIC SCIENCE IN CRIMINAL INVESTIGATION** - Daniel Jay  
**3 credits**

This course is intended to provide a general introduction to forensic science, the application of science to the purposes of the law. The emphasis in this course is on forensic science in criminal matters. The course examines the use of various scientific disciplines in criminal investigation, prosecution, and defense. Among the topics to be considered are: crime scene investigation; forensic photography; analysis of physical evidence & trace evidence; forensic toxicology; serology; DNA analysis; fingerprint comparison; firearms analysis; document examination; forensic medicine; forensic pathology; and forensic psychology. No background in science is necessary, but some understanding of the law of evidence will be assumed, and extensive student participation will be required. **This course fulfills the professional skills requirement.**

**L-742 ESTATE & GIFT TAX** – Heidi Forman  
**3 credits**

One of the most contentious tax issues is the taxation of wealth transmission. This course analyzes the transfer tax regime focusing on the estate tax and the gift tax systems and how these two systems interact. The course will examine inclusions in and deductions from the gross estate, taxable gifts, the unified credit (now called the applicable credit amount), and the policy considerations that inform the federal transfer tax regime. **Prerequisite OR Co-requisite: Federal Income Taxation I (L608).**

**L-745 INTRODUCTION TO LEGAL REASONING, RESEARCH, AND WRITING IN THE UNITED STATES** - Katrin Rowan  
**2 credits**--Blocks 1 and 2 – LLM Students only

This course is required for all LL.M. students with non-US law degrees. It focuses on building legal research, analysis and writing skills. Students will become familiar with the US approach (common-law) to legal research and writing, with particular emphasis on NY State law, through exercises that include conducting legal research online and in the library, writing memoranda, and constructing oral arguments. Registration is by permission of the instructor.

**L-748 INTERNATIONAL LEGAL RESEARCH: SOURCES & STRATEGIES** – Nina Cascio  
**3 credits**

In this course students will examine and use both print and electronic sources for international legal research. Sources and strategies for researching treaties, judicial decisions, documents of intergovernmental organizations and non-governmental organizations, and selected

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foreign law sources will be covered. There will be weekly short assignments and short class presentations. The final project will be an annotated bibliography/research guide on an international law topic of student's choice (with permission of instructor).

This course is useful for students with an interest in international law and those researching international law topics for case notes, articles, or papers. It is also helpful for students who anticipate participating in international moot court competitions.

**Three Credits, (prior or concurrent course in Public International Law or related topic, or similar exposure to international law highly recommended). This course fulfills the professional skills requirement.**

**L-751 LAW AND PROCREATION**- Michael Boucai  
**SEMINAR- 3 credits**

This seminar examines some of American law's multiple intersections with human procreation, especially as they relate to social and governmental interests in regulating whether and how individuals conceive children. Topics include: reproductive liberties, from the freedom to procreate to the right to avoid or terminate pregnancy; the legal status of fetuses; the rights and obligations of pregnant women and of genetic parents generally; an array of legal questions relating to surrogacy and assisted reproductive technologies; law's role in facilitating, permitting, and/or deterring eugenic practices; and alternatives to procreation such as adoption and foster parenting. Students enrolled in the course will complete a substantial research project.

**L-755 ENVIRONMENTAL JUSTICE ADMINISTRATIVE AND REGULATORY ADVOCACY**- Nils Olsen  
**3 credits**

This course will explore environmental justice theory and law. It will also provide a simultaneous service learning experience, with students participating in a hazardous waste landfill facility siting board hearing beginning in October of 2014. Students will both study and participate in this unique administrative proceeding, to consider whether the DEC should issue 30-year construction and operation permits for a hazardous waste landfill in Niagara County. The decision is reached by a panel composed of designees from involved state agencies and three local citizens appointed by the Governor. Students will work with a range of stakeholders to help research law and prepare evidence, including the Lewiston-Porter Central School District, the Niagara County Farm Bureau, Residents for Responsible Government, a local environmental group, and a range of faith leaders from the community. **This course counts for skills credit.**

**L-761 JEWISH LAW** - Sergey Dolgopolski  
**3 credits- crosslisted and begins 8/25**

This course addresses question of the relationship between Bible, Law, and philosophy focusing on the development of the Jewish Law in a comparative perspective. We will approach "Jewish Law" as both a concept and a tradition, attending to this task through an exploration of the role of the Bible and its subsequent Jewish and Christian interpretations in modern philosophy, legal, and literary theory, and in a comparative perspective between American, Jewish and Christian systems of law and legal thinking. We will pay particular attention to the following question: how modern philosophy and literary theory construes and critiques the Biblical traditions as either "Jewish Law" or "Judeo-Christian" religion. The flip side of the same question would be: how Jewish and Christian techniques of Biblical interpretation, legal and narrative, inform classical and modern philosophical thinking. Along with readings in such theorists of the law as Carl Schmitt, Martin Buber, Emmanuel Levinas, Jacques Derrida, Franz Rosenzweig, and Jean-Luc Nancy, we will come back to the relevant primary Biblical and post-biblical legal sources in the Talmud and Church Fathers to trace the development of the "Jewish Law" and "Judeo-Christianity" -- both as concepts and as traditions -- as these concepts and traditions are engaged in and inform the work of the above thinkers.

**L 768 INTRODUCTION TO COMMUNITY ECONOMIC DEVELOPMENT LAW**- Lauren Breen  
**3 credits**

Utilizing Community Development Law, A Text for Engaged Learning, students will be exposed to substantive law and advocacy strategies relating to the practice of Community Development Law. We will engage in a series of simulation and discussion exercises in the context of fictional Milkweed Park, an "Everycity" with history, demographics, physical and economic structures similar to many

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older U.S. cities. Students will learn about community lawyering, community planning, development and community justice, while drawing upon an array of transactional law topics such as contracts, tax, real estate transactions and finance, land use, landlord-tenant, local government and small business advisement. The final exam will be a community development problem that requires students to create a responsive strategic plan based upon community development advocacy, transactional law, organizing and resident participation. **This course satisfies the skills requirement.**

**L-799 INDEPENDENT STUDY** - Various Faculty

An upper-class student who wishes to pursue a special research interest under the guidance of a law school faculty member may earn up to three credit hours for an independent research and writing project. Students undertaking independent research will meet periodically with the faculty member supervising the research for discussion, review, and evaluation of the research project. An adjunct faculty member cannot serve as the exclusive supervisor of an independent study. The finished written product must be comparable in scope and quality to a student note or comment in a law review or social science journal. In order to register for an independent study project the student must prepare a written research proposal approved by the supervising faculty member and obtain this faculty member's signature on the Independent Study form. This form can be found on the Records website or in the Records Office. The proposed study must be one that requires substantial investment of time and effort and results in a significant work that makes an original contribution to the understanding of law or reflects pursuit of a specialized interest of a student not covered in standard offerings in the curriculum. With faculty approval an independent study may count for seminar credit.

The independent study program may not be used to earn credit for work performed as a research assistant or in an internship, an externship, or a clinic.

Students are allowed to register for one independent study while in the law school. In very limited circumstances, a student may continue work on an independent research project in a later semester for up to three additional credit hours, such as where continuation of work on the paper will facilitate publication of an independent research paper or allow completion of an ambitious social science research project. Expansion of an independent study project requires a request by the supervising faculty member and approval of the Vice Dean for Student Services.

**L- 801 INTERNATIONAL HUMAN RIGHTS RESEARCH**- Tara J. Melish  
**3 credits**

This course is open to students who have received a Summer Human Rights Fellowship from the Buffalo Human Rights Center and have completed 400+ hours of human rights-related work with a national or international organization. Enrolled students will complete a substantial supervised analytical research paper of publishable quality related to one of the legal issues encountered in their summer fieldwork experience.

**L-806 INTERNATIONAL ENVIRONMENTAL LAW** – Errol Meidinger  
**3 credits (SEMINAR OR LECTURE)**

This course introduces the primary legal concepts, structures, and processes used to address environmental problems across international boundaries. Because international environmental law is a highly diverse and rapidly developing field, the course is a selective examination of certain areas with the goal of enabling students to understand the main ways in which transnational environmental problems are addressed. Among the areas likely to be discussed are species and biodiversity protection, trans-boundary water pollution, climate change, hazardous waste transport, and human rights-environment and international trade-environment interactions. Institutional mechanisms considered include treaties and conventions, decisions by international and national tribunals, customary rules and standards, and environmental standards developed by non-governmental organizations and business groups.

Students will prepare research papers on topics of their choice with instructor consultation and approval. Understanding of the joint readings will be evaluated through a basic multiple choice and short answer exam at the conclusion of the reading portion of the course. Final grades will be based primarily on research papers. **Students who wish to take the course for seminar credit (meaning their papers will receive particular scrutiny for form, exposition, and precision) should inform the instructor of that fact early in the semester.**

**L-827 ADVANCED CORPORATIONS: STRUCTURES OF US CIVIL SOCIETY** - David Westbrook  
**3 credits (SEMINAR OR LECTURE)**



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This course will look at the legal structures through which business and much of social life in the United States is conducted. In the basic course, rather abstract ideas of partnership and the corporation are used to sketch business entities. But real actors -- real clients -- are not so simple. There are considerable differences in the structure of a manufacturing company, a bank, a car dealership, and a franchised restaurant. There are even more profound differences if one considers a hospital, a university, a church, a not for profit, a political action committee (PAC), or a company established by the state for some public purpose. Unsurprisingly, the structure of different entities create characteristic legal questions as the entities attempt to govern themselves, and to do business with similar entities, with other actors in the marketplace, notably with governments, and with the public. So we will try to think about what kind of problems may we expect, for example, a startup company to have? A bank? And what can (good) lawyers do to avoid or at least lessen such problems?

Prerequisites: Corporations or permission of the instructor. Texts: TBD. You may choose to take this course as either a seminar (for seminar credit), i.e., with a substantial paper, or as a class graded by a final exam.

**L-844 SPECIAL TOPICS; MERGERS & ACQUISITIONS** – John Dunbar

3 credits

Examines the development of the private equity and venture capital industries over the past 20 years. Students will learn the various aspects of identifying, analyzing, structuring and financing acquisitions. Crosslisted. **Class begins 8/29/14. This course fulfills the professional skills requirement.**

**L-849 INTERNATIONAL LAW COLLOQUIUM** – Makau Mutua

**SEMINAR - 1.5 credits in fall and spring**

The International Law Colloquium is a yearlong, three credit course (1.5 hours each semester), open exclusively to third year students in the international law concentration, for whom it is a required course. Students will read and discuss recent scholarship on the changing structure and function of the international legal system in the era of globalization and democratization. Each student will develop and present to the group a research project on an emerging issue in international law, culminating in a substantial research paper. **Please see Sue Caruso in 524 O'Brian for a Registration Force Slip.**

**L-856 ACQUISITION TRANSACTIONS** - John Schlegel

**3 credits**

This course will examine the legal, financial and practical aspects of transactions relating to the purchase of business entities.

One component of the course will be background concepts and substantive knowledge in the areas of finance and law which impact the decisions of the key participants in these transactions. We will also review documents generated in an actual finance transaction. Throughout the course, we will examine the relationship between the concepts explored and the documents which reflect the final deal reached by the parties to the transaction.

Students who intend to complete the Finance Transactions Concentration are required to satisfactorily complete this course with a minimum grade of B. This course will not be offered in the Spring semester. This course is also open for enrollment by students who do not intend to complete this Concentration.

There are no formal prerequisites for this course. However, a background knowledge of business and finance issues would be useful. Students without this background are welcome, but they may need to do additional reading to fully participate in the class. **This course fulfills the professional skills requirement.**

**L-864 JD/MSW FIELD SERVICE COLLOQUIUM** - Melinda R. Saran and Diane Elze (School of Social Work)

**1-3 Credits**

This colloquium will allow students enrolled in the JD/MSW program to meet and discuss the ethical issues involved in the practice of both law and social work, using examples from students' field/clinical work. Other topics pertinent to the dual degree program will also be discussed. This course is required each semester that the JD/MSW students enrolled in the Law School Clinical Program as a fulfillment of their MSW Field Service requirements. Other upperclass students matriculated in the JD/MSW program may enroll.

Students wishing to enroll in this course should see Camille Catalano in Room 507 O'Brian for a force registration slip as this is a **permission of instructor only course. This course fulfills the professional skills requirement.**

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**L-887 ADVANCED TOPICS IN CONTRACT LAW- PRIVATE MILITARY CONTRACTING – Mateo Taussig Rubbo  
(LECTURE/SEMINAR) – 3 credits**

The increased privatization and global outsourcing of military security, logistics, and intelligence functions has raised new questions about contract law. These deployments of contract demand a rethinking of the boundaries between public and private law, domestic and foreign transactions, the sovereign state and the private market.

This course examines the rise of these contractors and asks, how has contract law managed to regulate these relationships? How does the public procurement system actually work? What are the legal and policy controversies in these settings? What is the overarching law—national, international, or private—if any? What should it be? Students will engage with a range of sources, including private military contracts, appellate cases, and scholarship from anthropology and social and political theory. Students may write a final paper based on class readings or original research for seminar credit or they may take an exam.

**L-951 SEX, DISEASE, AND THE LAW - Bernadette Hoppe  
1 credit- Block 2**

The legal reaction to diseases transmitted by sexual activity has changed as the sexual mores in the US have changed over the past 100 years. In the early 20<sup>th</sup> century, women were imprisoned/quarantined simply for the suspicion that they might have syphilis. Now, the courts have a variety of opinions on the culpability of individuals with HIV who have unprotected sex with unknowing partners. This class will review the changes in the public health response and the legal treatment of sexually transmitted diseases from syphilis to HIV. Does the police power of the states reach into the intimate lives of citizens to combat sexually transmitted diseases? Does the First Amendment right of free association include public sexual meeting places? Is there a duty to warn sexual partners about a sexually transmissible disease? This course will include a variety of cases on all of these issues.

**L-956 INTRODUCTION TO APPELLATE ADVOCACY - George Kannar  
1 Credit-Block 1**

This course will provide selected students with an introduction to various aspects of appellate advocacy. Topics will likely include the nature and structure of argument, standards of review, the use and review of trial-stage records, brief-writing, and oral argument. Students who are interested should leave their names with Professor Kannar's assistant Debbie Nasisi in Room 717 or at [dlnasisi@buffalo.edu](mailto:dlnasisi@buffalo.edu). Students will not be selected for this course until late April (at the earliest), and the Registrar therefore recommends that interested students register for a full class-load until their admission to this course has been confirmed.

**L-960 THE PATH OF A CRIMINAL CASE – A PRACTICAL GUIDE TO CRIMINAL DEFENSE WORK - Andrew LoTempio  
1 credit- Block 2**

This course will acquaint the student with the responsibilities of a criminal defense attorney. The course will guide the student through pre-trial steps, arraignment, motion practice, plea bargaining, and trial preparation. It is also designed to address the human side of defending a client in a criminal case, giving the student a sense of the people whom the criminal defense attorney represents and what happens to them after they are arrested. Finally, it will explore the role that a criminal defense attorney can play in improving the criminal justice system.

**L-981 INTRODUCTION TO THE US LEGAL SYSTEM - Joseph Schneider  
2 credits**

For LLM students only. This course is required for all LL.M. students with non-US law degrees. During this course we will cover the structure of government and separation of powers, sources of law and their hierarchy, states and federalism, legal methodology including emphasis on stare decisis, and the adversary system and jury trials. Students will learn legal analysis through the IRAC method as well as how to brief a case. Registration is by permission of the instructor.