

**SUNY BUFFALO LAW SCHOOL**  
**FALL 2013**  
**COURSE DESCRIPTIONS**

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**L500 LEGAL PROFESSION**– Melinda Saran, Barbara Sherk (Held during Orientation for all first year students)

**.5 credits**

Students will 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 stressors facing lawyers and mentoring. Due to guest presentations, attendance is required at all sessions to successfully complete this course. No one will be excused.

**L-501 CIVIL PROCEDURE**– James Gardner, Nils Olsen

**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, ethical dilemmas will be emphasized.

**L-503 CONTRACTS** - 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** – Michael Boucai, 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** – Samantha Barbas, 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.

**L-515 LEGAL ANALYSIS, WRITING AND RESEARCH I** – Christine Bartholomew, Patrick Long, Johanna Oreskovic, Chris Pashler, 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 (Section 1) 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 (Section 2) LAWR III: THE CORPORATE LAWYER: CONTRACT DRAFTING & BUSINESS COUNSELING-** -  
 Bernadette Gargano- **3 credits**

This course qualifies for the mandatory LAWR III requirement. It will focus on contract drafting, the practical application of contract law, and counseling business clients. Students will learn both advanced skills in legal research, analysis, and writing for business clients as well as foundational skills in transactional drafting and counseling. We will dissect contracts and their provisions and learn how to draft specific contract provisions in light of New York law. We will consider the import, interpretation, and enforcement of particular contract provisions and how to weave those provisions into a cohesive and enforceable contract. We will discuss a variety of practical topics, including jurisdictional clauses, choice of law provisions, non-disclosure clauses, non-compete clauses, arbitration or other ADR provisions, and severability. We will also devote part of our time to client interviews, meetings, and counseling business clients on the various legal issues impacting different types of business entities. Client meetings are necessary to determine what a client wants and what can legally and effectively be achieved. Clients must understand the impact and scope of contract provisions as well as possible sources of liability. As part of this course, students will have to research legal issues, perform legal analysis and draft a variety of legal documents in order to advise clients on legal problems. Students will also participate in innovative and interactive experiential exercises.

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

Students in this section of Law 517 will exercise their legal analysis, writing, and research skills while learning about childhood lead-paint litigation. They will follow a hypothetical case from the initial interview with the mother of a child injured as a result of exposure to lead-based paint, to the drafting of a complaint against the family's landlord, discovery, and summary judgment. They will then turn their attention to the legislative process as advocates either in favor of or in opposition to proposed legislation that would affect lead-paint litigation.

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

The ultimate goal of this course is to prepare students to address complex legal issues as they arise in actual practice. This course will prepare students by focusing on legal issues that commonly arise in the context of civil litigation. Using one civil case file, students 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. This course will help students to develop sophisticated legal research skills, refine their legal analysis, and hone their legal writing. It will also reinforce fundamental civil procedure and legal practice concepts. Students will learn how to draft pleadings, develop an understanding of how discovery tools are used to obtain evidence to support your claim or defense, draft a pretrial motion brief, and develop an understanding of essential appellate concepts such as finality, preservation, and interlocutory appeal. 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- 522 JUDICIAL CLERKSHIP SKILLS COURSE** - Andrew Moeller**1 credit**

Limited to 12 students; by permission of instructor only. Contact Dawn Skopinski for permission at [Skopinsk@buffalo.edu](mailto:Skopinsk@buffalo.edu) or 645-6261. Mandatory co-requisite for Judicial Clerkship – Intensive (L 523); if there are openings in the course after preference is given to the Judicial Clerkship - Intensive students, Judicial Clerkship students (L797 – 3 credits) only, may be admitted.

Students will learn the skills necessary to perform as efficient and effective judicial student clerks, and perhaps future post-graduation law clerks to judges. Along with covering judicial opinion drafting and editing, topics will include appropriate interaction with judges and staff, chambers etiquette, confidentiality, ethics, identification of legal issues, and trial preparation. Because students will be simultaneously serving as judicial clerks, ample time will be allotted for questions, discussion, and the exchange of workplace experiences. Speakers from the legal community, particularly judges and law clerks, will also be arranged. Students will be assigned one to two written projects (less than 10 pages) and will participate in in-class activities to hone research skills. **This course fulfills the professional skills requirement.**

**L-529 MINDFULNESS AND PROFESSIONAL IDENTITY: BECOMING A LAWYER WHILE KEEPING YOUR VALUES INTACT** – Stephanie Phillips**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 DECISIONMAKING** – James Milles  
**3 credits**

This course examines the ethical standards and legal obligations of lawyers and the contextual factors which lead to ethical failures. We will discuss real life problems using the ABA Model Rules of Professional Conduct and the Restatement (Third) of the Law Governing Lawyers, as well as New York rules, statutes, and case law which 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 break 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 grade will be based on a multiple-choice final exam. **The course fulfills the 3-credit ethics requirement mandated for students who were admitted to SUNY Buffalo Law School after July 2012.**

**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 those efforts, with a particular focus on two projects: raising Buffalo's recycling rate and creating a Niagara River Greenway from Lake Erie to Lake Ontario. We'll meet with local environmental leaders and elected officials to hear their views. We will craft policy briefs to educate the public and elected officials on issues and solutions, and we will invite the public to our final class, at which we will present our proposals. The class will meet in downtown Buffalo at 237 Main St., Suite 1200. Enrollment is limited to eighteen. **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. **This course fulfills the professional skills requirement.**

**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-595 THE LEGAL PROFESSION-** Lynn Mather**3 credits**

This course provides an overview of the legal profession, including the business, culture, and ethics of lawyering in different practice contexts. Ethical issues for lawyers will be studied as they arise in different fields of law, in small and large firm settings, and in representing individuals, corporations, or government entities. Since lawyers now specialize in specific legal fields more than ever before, it is important to deconstruct the general rules of professional responsibility to understand their meaning across areas of legal practice and as they work in conjunction with informal forms of regulation. Course materials will include the ABA model rules, sociological and historical research on the legal profession, recent economic trends in practice, and studies of ethical (and unethical) decision making in different areas – securities, litigation, criminal, family law, personal injury, immigration, legal services, government lawyers, and so forth. A central theme of the course is how one resolves the tension between the ideal of the lawyer as an autonomous professional and the economic, social, and political realities of legal practice. **The course fulfills the 3-credit ethics requirement mandated for students who were admitted to SUNY Buffalo Law School after July 2012.**

**L-596 GOVERNMENT BY DISCLOSURE** Michael Halberstam**SEMINAR- 3 credits**

Disclosure regimes, which force the disclosure of information both to government officials and directly to consumers, have been central to modern U.S. regulation. They represent a uniquely U.S. style of governance that emerged with the rise of the modern administrative state in the 1930s, but has since become a critical and pervasive strategy of public and private lawmaking. Over time, disclosure regimes and information transparency rules have become central to the U.S. regulation of the financial markets, the environment, public health, public safety, civil rights, labor relations, labor conditions, government integrity, and elections.

Disclosure regimes are viewed as a fundamentally democratic mode of regulation, in that they (1) enable consumer choice in the face of the overwhelming economic power on the part of large private/business interests, and (2) empower individual citizens and interest groups to protect their rights in the face of an all-too pervasive government bureaucracy.

This seminar will examine the “promise and perils” of “regulation by disclosure” at a time when technological innovation – including the use of social media – has dramatically augmented the political and economic implications of information disclosure, and such regulation is fast becoming the default tool for lawmakers. We will also examine the Snowden affair, the case of Wikileaks, and the current debate about online privacy to consider whether democracy also requires secrecy.

The seminar will begin with a discussion of *Full Disclosure: The Perils and Promise of Transparency*, by Archon Fung, Mary Graham, and David Weil (2007), which provides ample case studies from which students can choose to focus on in developing their presentations and final papers. During the first half of the seminar we will discuss readings. During the second half of the seminar, we will focus on student presentations and on student papers.

Requirements: Each student (or group of students) must make a class presentation and submit a final paper.

Prerequisites: No prerequisites are required, nor any working familiarity with current social media or information technology.

### **L-600 FEDERAL COURTS** - George Kannar

#### **3 credits**

This course deals with the problem of judicial competence in a constitutional structure in which sovereignty is shared by a single national government and the governments of fifty different states. The relationship between the judicial systems of these different sovereigns -- a regime in which the state judicial systems operate as courts of "general" jurisdiction, and the federal courts are presumed to focus only on certain defined and specified concerns -- will be the subject of extensive theoretical and doctrinal exploration.

Particular attention will be devoted to standing, mootness and the other "justiciability" issues that frequently arise in connection with the "case or controversy" requirements of Article III, the substantive scope of federal jurisdiction, and issues surrounding the Eleventh Amendment and state sovereign immunity. The central concern will be with the implications of these questions for the effective protection of civil liberties and civil rights.

### **L-602 BANKRUPTCY** – S. Todd Brown

#### **3 credits**

This course focuses on the United States Bankruptcy Code and how it alters the rights and obligations of debtors, creditors, and other parties in interest. During the semester, we will address liquidation and reorganization cases in both the personal and business bankruptcy contexts, with an emphasis on how the Code's distinct provisions serve the basic policies and goals of bankruptcy law. Specific topics to be discussed may include voluntary and involuntary bankruptcy commencement, eligibility, property of the estate, the automatic stay, avoidance powers, discharge of debts, executory contracts, means testing, and plan confirmation.

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

### **L-606 INTRODUCTION TO HEALTH LAW** - Anthony Szczygiel

#### **3 credits**

This course will introduce students to the variety of legal issues and areas of study related to health care. Lawyers are very involved in the U.S. health care system. They are, for example, advocating for patients' rights, creating new health care provider structures and

negotiating reimbursement rates and participation agreements. A broad background, including the policy and ethical issues that arise, is helpful in this work.

Major topics will include the patient-provider relationship and the role of government in health care as well as the structure, regulation and financing of the health care industry. Students will prepare written and oral presentations for the class to supplement the readings and class discussion. The course grade will be based on the presentations (25%) and a written examination (75%). This is the required introductory course for the Health Law Concentration. Registration is open to second and third year students whether or not they are in the Health Law Concentration.

**L-607 TECHNOLOGY AND INFORMATION MANAGEMENT (Formerly Tech & E-Business)**– G. Larry Sanders  
**3 credits- Cross-listed with MGT607. BEGINS 8/27**

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** - Heidi Forman, 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.**

**L-609 CORPORATE TAX** - Stuart Lazar  
**3 credits**

This course covers the tax consequences of corporate formations, issues relating to the differences between debt and equity, operating distributions of property or stock, constructive distribution issues, redemptions and sales of stock, and liquidations. This course will briefly discuss some differences in the taxation of S corporations and C corporations, though more emphasis on the taxation of S corporations will be made in the partnership taxation course. Corporate Tax will be taught using case studies and problems that students will be asked to analyze prior to class, and will be the focus of class discussion. **Prerequisite for this course is Federal Tax I.**

**L-610 CRIMINAL PROCEDURE I** – Teresa Miller  
**3 credits**

This course will deal with selected topics involved in the investigatory and adjudicatory phases of the criminal process, including the right to counsel, search and seizure, the exclusionary rule, confession, line-ups and retroactivity. We will explore these topics utilizing traditional classroom discussion. Emphasis will also be placed upon the distinction between federal constitutional standards and the more stringent standards enunciated by the New York Court of Appeals.

**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-611 CORPORATIONS** - Phil Halpern

**3 credits**

This course provides a basic introduction to corporation law. We will learn about how corporations and other business associations (both for-profit, and not-for-profit) are structured, examine typical financing arrangements, and explore the relations among stakeholders in the corporation, such as shareholders, directors, managers, and employees. We will study the corporation in its actual, transactional context, e.g., the ways corporations behave during proxy fights, takeovers, and financings. Students will learn what lawyers really do for corporate clients, and begin to work on how to do it well.

**L-613 EVIDENCE** - Chuck Ewing, John Nuchereneno

**3 credits**

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-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-623 PROPERTY 2 - REAL ESTATE TRANSACTIONS** - Robert Reis**3 credits**

Property 2 is designed as an introduction to the basic Real Estate Transaction. It is intended to provide a practical context for the student and builds upon the introduction to real property covered in the first year property course. Students are expected to acquire a working knowledge and overview of real estate transactions including the following: a) Real Estate Listing and Brokers Agreements - listing contracts and performance; b) Real Estate Contracts - drafting, necessary provisions and performance; c) Real Estate Finance and Secured Interests - real estate mortgages and alternative security devices, drafting mortgages and security devices, real estate finance and qualification; d) Environmental Issues and Review - environmental assessments and audits - the range of environmental issues; e) Performance Under the Contract - marketable title, insurable title, specific performance and damages; f) Recording of Security Interests.

The course is designed to identify the subject matter of the real estate transaction, the nature and process of marketing real estate, the formation, content and performance of the real estate contract, financing, mortgages and the recording of security and real estate interests. The first half of the semester is devoted to traditional course and class materials and preparation; the second half of the semester is devoted to a simulated residential real estate transaction, including the preparation of the necessary documents, forms, applications, letters and necessary legal papers to consummate the closing of the transaction with accompanying memorandum of explanation. **This course fulfills the professional 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**

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 limitation, 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-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 submit a writing sample to the instructor 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** – Lise Gelernter

**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-638 TRIAL TECHNIQUE** – Various Staff**3 credits**

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.

**L-645 LOCAL GOVERNMENT LAW** - Rick Su**3 credits**

This course explores the legal structure of local governments and its effect on the spatial and social organization of American society. We will examine the doctrines that govern the power and operations of localities, their relationship with the state and federal government, and the role of decentralized power in our constitutional order. In addition, this course investigates the profound consequences of these doctrines on our everyday lives, including their effects on key issues such as school funding and other municipal services, land-use planning and economic development, housing policy, city-suburb relations, racial and ethnic segregation, and democratic participation.

**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** - 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 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 PRINCIPLES OF CASE ANALYSIS**- Jennifer Scharf**3 credits**

This course is designed to teach students how to prepare a civil case from client intake to appeal. Goals include learning how to manage a civil lawsuit, identifying how to structure a civil case including drafting pleadings, conducting fact investigations, utilizing discovery devices, finding expert witnesses, preparing for trial and handling appeals. **This course satisfies the skills requirement.**

**L-658 CHILD WELFARE LAW** - Susan Mangold**3 credits**

This course will explore the history of the legal responses to child abuse and neglect up to the current federal mandates and state systems. Current operations, statistics and issues in the child welfare system will be discussed with students doing research on various states. Likely "reforms" will be examined with reference to the history and expected consequences of such changes. Students will explore the representational models for attorneys for children and the interdisciplinary and ethical issues inherent in such representation. **This course is a co-requisite or pre-requisite for Attorney for the Child Practice (Law 686).**

**L-663 INTERNATIONAL TRADE LAW**- Meredith Kolsky Lewis  
**3 credits-Block 1 and 2**

This course covers the theory and practice of international trade law including relevant U.S. laws, free trade agreements, and the World Trade Organization (WTO) regime. An overarching theme will be the interplay and tension between international trade commitments and regulatory autonomy to enact policies domestically. Topics will include comparative and absolute advantage; the most-favored nation and national treatment obligations; protection of health, safety and the environment; trade remedies; intellectual property; trade in services; dispute settlement; development issues; and trade in agriculture. **Meets Block 1 and 2.**

**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 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 2014.**

**L-679 EDUCATIONAL 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 8/27**

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:** 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. 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-690 ALTERNATIVE DISPUTE RESOLUTION (ADR)** - Christen Civiletto 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** – Matthew Dimick

**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-694 CRIMINAL PROCEDURE II** – Tony O'Rourke

**3 credits**

This course will cover criminal procedure adjudication. It will examine the constitutional doctrines that regulate the criminal adjudication process, and look at the statutory and institutional choices made within this constitutional framework. The topics covered will include the prosecutor's charging discretion, the right to counsel, discovery, plea bargaining, jury rights, sentencing, and double jeopardy. The course is designed to complement Criminal Procedure I, but that course is NOT a prerequisite.

**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** – Robert Reis

**3 credits**

This course is an introduction and survey of patents, copyrights, trademarks, trade secrets, and unfair competition. The primary focus is on how these areas of the law cohere to create rights in intellectual and other intangible activities, their creation, boundaries and the enforcement of remedies for infringement of rights. The underlying public policy issues that are at the foundation of rights in intellectual and intangible interests are predicated on the balance between public and private interests. These rights are dynamic and subject to judicial and legislative interpretation and evaluation. The focus of the course is on the basics of these subject areas in the context of historic and contemporary forces molding their present and future applications.

**L-697 INTERNATIONAL HUMAN RIGHTS LAW**- Tara Melish

**3 credits**

This introductory human rights course critically examines the norms, institutions, processes, and methodologies that constitute and shape the international law of human rights. The course will begin by considering the history and antecedents to the modern international human rights regime, placing it in historical context, tracing its dominant approaches to that context, and critically reflecting on the contending philosophical, moral, cultural and instrumental meanings it attracts. The course will then survey human rights law's institutional architecture within the United Nations and regional systems (African, European, Inter-American) and examine the key concepts that guide its application: the nature of treaty, customary and *jus cogens* law; the overarching principles of sovereignty and subsidiarity; soft vs. hard law; the debate between universalism and cultural relativism; the law of state responsibility; the nature of human rights duties; and the legitimacy of restrictions on rights. Turning to international human rights law's primary mechanisms of enforcement, the course will then consider the use and effectiveness of international complaints procedures, periodic reporting processes, monitoring and inquiry procedures, indicator and benchmarking methodologies, aid conditionality; and other tools, of both vertical and horizontal application, increasingly used in the human rights field. The course will conclude by looking at a series of case studies in a select number of thematic areas in an effort to complicate and deepen our understanding of human rights as they are experienced and understood on the ground.

**L-699 EMPLOYMENT LAW** – Dianne Avery

**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** – Suzanne Tomkins

**3 credits**

This 3-credit course will provide an exploration of domestic violence. Many principal legal issues are raised by domestic violence situations. This course provides students an opportunity to explore these issues and engage in critical thinking. Some of the topics covered include the history of the battered women's movement, the development of the legal system's response to domestic violence (civil and criminal), cross cultural issues, the impact on children, accountability of batterers, immigration and human rights issues. The primary focus of this course is to provide an overview of this complex issue. However, the relevant state and federal laws will be covered. Grading is based on a series of short written assignments, in-class presentations, and a final 15 page paper on a topic selected by each student.

**This course fulfills the professional skills requirement. Corequisite or prerequisite** for Women Children and Social Justice Clinic.

**L-706 THEORY AND PRACTICE OF NEGOTIATIONS** - Brian Becker

**3 credits- Crosslisted with MGG 640 and BEGINS 8/27.**

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-724 AMERICAN LEGAL HISTORY: FROM THE REVOLUTION TO THE CIVIL WAR** - Alfred Konefsky

**3 credits**

This course focuses on the development of American law in the century from 1760 to 1860. Transitions in the legal ideology of the period will be examined, including the reception of the common law in America; the influence of the American Revolution on beliefs about the nature of law; shifts in forms of legal reasoning; changes in the legal profession; and the rise of the codification movement. In turn, resulting changes in legal doctrine in areas including contract, tort, and property will be studied for their impact on private and public economic activity.

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

**3credits**

This course will provide an in-depth treatment of trademark and unfair competition law, including protection of trademarks and trade dress, 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.

**L-733 PROFESSIONAL SPORTS DRUG TESTING RESEARCH PROJECT** – 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 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-734 - AMERICAN CONSTITUTIONAL HISTORY II: FROM RECONSTRUCTION TO THE NEW DEAL** – Alfred

Konefsky and Robert Steinfeld

**SEMINAR – 3 credits**

This seminar (paper required) focuses on the development of constitutional doctrine and interpretation from the post-Civil War period of Reconstruction until the New Deal. Particular attention is placed on the constitutional law of race relations and civil rights in the aftermath of the passage of the 13<sup>th</sup> and 14<sup>th</sup> amendments, the constitutional examination of the regulation of property and liberty of contract under the 14<sup>th</sup> amendment and the commerce clause, and the development of free speech principles under the 1<sup>st</sup> amendment. In the process, the application of constitutional doctrine to issues of race, gender, labor, and capital will be explored against the backdrop of American social and economic history during the era.

**L-737 TOPICS IN JURISPRUDENCE**- James Wooten

**3 credits**

This course will provide an opportunity for students to step back from the cases, statutes, and regulations studied in “black letter” courses to focus on broader issues and topics that apply to law “in general.” One thing we will do is take a closer look at some building blocks of legal institutions and legal analysis – concepts such as “rule,” “standard,” “precedent,” and “authority.” We will consider such questions as: Why do drafters of statutes and regulations sometimes use narrowly drawn rules (such as speed limits) to regulate conduct and at other times use open-ended standards (such as duties to act “reasonably” under the circumstances)? When two rules seem to apply to the same situation and the rules require contrary courses of action, how should a person decide which rule to follow? What force should a rule have in situations in which it is not clear whether the rule applies? (In other words, if it is not clear whether a particular rule applies to the situation I am in, and I choose not to follow the rule, how much trouble could I get into if a court later decides that the rule does apply?)

By reflecting upon these and similar issues relating to legal institutions, I hope students will improve their skills in analysis and argument. Grades will be based on short essays responding to the readings, class participation, and a final exam.

**L-740 PUBLIC INTERNATIONAL LAW** – Tara J. Melish

**3 credits**

This basic international law course explores the elementary and foundational sources, norms, and institutions in the field of contemporary international law, a dynamic field that increasingly permeates all other fields of law. Critically examining the processes of the creation, evolution, and enforcement of international law, the course will cover such topics as the use of force, the allocation of legal authority among states, international dispute resolution, the status of treaties and customary international law in the domestic legal system, foreign sovereign immunity, the act of state doctrine, state succession, and the exportation of democracy. This is a basic course for students interested in 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** - Kathryn Friedman

**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 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-752 ECONOMIC AND SOCIAL JUSTICE** - Athena Mutua

**SEMINAR- 3 credits**

This course is not for the faint of heart or those who believe that the unconstrained rational individual creates the world anew at birth. It attempts to move in and from critical legal theory to legal action and rebellious lawyering. The course explores and situates discussions of a number of important social issues within critical, interdisciplinary and globalized frameworks in order to study how law promotes and/or impedes social justice in diverse local communities across the United States and beyond. Engaging materials on rebellious lawyering as an overall frame, the course specifically focuses on a number of different economic and legal theories to explore the world in which we live, centering race and class (and related identitarian socio-legal forces, like gender and sexuality) to anchor issues and discussions of contemporary law, policy, practice, education and theory. Some of the issues the course will examine include, shopping and going to the mall; privatization, public goods and other models for organizing schools, healthcare, prisons, water, and food; mass incarceration, money in politics; dual wage structures and the young; affirmative action; the contradictions inherent in business enterprises such as Google, Apple and other technological institutions, even as they are part of the new frontier for justice networking and social movements.

The materials for the course have been developed for a new law course book on social justice lawyering.

Students may choose to write a research paper on a topic of their choice or complete three short exercises. These exercises include (1) an analysis of a problem based on class materials; (2) development of a strategy (with both legal and non-legal components) for contesting an issue discussed in the materials (such as the local banning of medical marijuana dispensers in California, voter ID laws, etc.); and (3) development of a problem and materials for possible inclusion in the course book.

**L 758 TAX POLICY** – Sagit Leviner

**3 credits**

This course will familiarize students with the foundation and basic concepts in the theory and practice of U.S. tax policy and expose them to some recent developments in that area. The class is designed to be informative and accessible to those interested to expand their knowledge in taxation.

Topics covered will include: (1) the goals of the tax system, (2) the tax base (e.g., income, consumption, cash flow etc) and rates, (2) balancing economic efficiency against fairness and equity considerations, (3) comparative taxation, (4) tax avoidance and evasion, (5) tax and economic growth, and (6) tax and the global economy.

**Pre-requisite: Tax 1.**

**L-772 HEALTH HOMES LEGAL PRACTICUM**- Kim Diana Connolly, Nan Haynes, Grace Andriette

**4 credits**

Students enrolled in the Healthy Homes Legal Practicum will learn law while helping those in need. This new practicum will provide a distinctive, multifaceted advocacy approach to Buffalo residents most impacted by unhealthy housing. Working with three experts (adjunct professor Grace Andriette, Supervising Attorney of the Housing Unit at Neighborhood Legal Services, SUNY Buffalo Law School professor and expert lead paint litigator Nan Haynes, and the SUNY Buffalo Law School Director of the Clinical Legal Education and the Environmental Law Program, Kim Diana Connolly), students will address environmentally related health impacts through five distinctive strategies: assessing existing resources (determining and analyzing existing ordinances and caselaw); proposing legislative solutions (work on ordinance drafting); assessing options to financially assist and incentivize property owners via tax credits, loans, subsidies, and other approaches; direct advocacy; and a lead poisoning “mapping” project.

Home-based health hazards are a significant problem in Buffalo. High poverty rates, aging housing stock, and a high population of renters create severe health risks for families residing in substandard housing. Lead poisoning causes neurological damage, developmental delays, learning disabilities, memory loss, attention deficit, hyperactivity, behavioral disorders, and intellectual impairment. These impacts result in lost earning capacity, and increased medical and educational costs. Similarly, medical interventions related to asthma, carbon monoxide poisoning, and other home-related injuries are closely linked to substandard housing, and disproportionately impact communities of color and low income families. Other stakeholders in the area, including local and state governmental experts, Neighborhood Legal Services, and the Community Foundation of Greater Buffalo, will be cooperating with the practicum’s efforts. **This course qualifies for skills credit.** Online application is due by 4/3 and is found here:

<http://www.law.buffalo.edu/current/registrar/formPracticumApplication.html>

**L-777 INTEGRATED ENVIRONMENTAL MANAGEMENT** - Christian Renschler

**3 credits**- Cross-listed with Geo 470/570. Class begins 8/27 and is located in the Ellicott Complex.

This interdisciplinary course introduces an integrated framework for environmental management that addresses biophysical, social, and economic issues affecting natural resources such as water, soil, air, plant and animal communities and their use through agriculture, forestry, fishery, mining, human settlements and industry. The multidisciplinary approach equips the participants with the necessary approaches and techniques to develop sound management policy and practice in the context of the watershed scale ranging from small watersheds to large basins. The course present detailed case studies and outlines methods for problem definition and goal setting to elect management strategies and procedures for monitoring and implementation.

**L-791 EXTERNSHIP** – Lise Gelernter

See Fall 2013 Externship and Clerkship Packet at [www.law.buffalo.edu/registrar](http://www.law.buffalo.edu/registrar).

**L-796 INTERNAL REVENUE SERVICE OFFICE OF CHIEF COUNSEL EXTERNSHIP** – Stuart Lazar

**4 credits – Third year students only**

**ONLY U.S. Citizens may apply.**

**An interview and background investigation are required before beginning work in the office.**

**Required Co-requisite: Topics in Tax course (#L-809).**

**Required Pre-requisite: Federal Tax I course (#L-608).**

**In addition to the co-requisite and pre-requisite listed above, students interested in participating in this externship should have a record that indicates an interest in tax. While no one course is considered controlling, students that have taken (or concurrently are taking other tax or tax-related courses) will be given preference. Among the courses considered are: Tax Practice & Procedure, Federal Tax II, Corporate Tax, Corporate Reorganizations, Partnership Tax, Estate & Gift Tax, Bankruptcy and Debtor/Creditor.**

As an extern at the Office of Chief Counsel for the Internal Revenue Service, the student will be expected to take on a professional role equivalent to an entry level attorney. He or she will be assigned Tax Court cases upon receipt from the Tax Court. The student will be preparing pleadings, motions, discovery, stipulations of fact for trial, trial memorandums, and possibly participating in the trial of the cases. The extern will also take part in any settlement negotiations or conferences related to the cases. In addition, the extern will be immersed in collection issues – summons, writs of entry, offers in compromise, liens and levies, and advisory opinions for the revenue officers. This office also handles dozens of bankruptcy cases in which the extern would be asked to prepare pleadings, motions, referrals, and possibly attend Bankruptcy Court with a Chief Counsel attorney. The extern may also be asked to assist in a criminal tax matter or a large corporate tax case.

For the externship, students will be required to work a total of 150 hours over the course of the 12-week semester, which amounts to **12.5 hours per week**. The schedule will be arranged on an individual basis with the student's supervisor.

Students interested in being considered for placement in this externship should follow the instructions provided above. Professor Lazar will choose up to three students for this IRS Externship.

### **L-797 JUDICIAL CLERKSHIP - Lise Gelernter**

See Fall 2013 Externship and Clerkship Packet at [www.law.buffalo.edu/registrar](http://www.law.buffalo.edu/registrar).

### **L-799 INDEPENDENT STUDY - Staff**

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 and submit to R & R a written research proposal approved by the supervising faculty member. 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. 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. **Students can obtain forms from Records and Registration.**

### **L-803 ENVIRONMENTAL LAW EXTERNSHIP – Lise Gelernter 3 credits - Second and third year students**

**Pre-requisite: If you have successfully completed the course Environmental Law 1 or Environmental Law 2, you may apply as provided in the instructions. If you have not taken either Environmental Law course, then you need to meet with Professor Lise Gelernter to determine if you have other qualifications that are equivalent to the course prerequisites. It is best to set up an appointment first by emailing Professor Gelernter at [gelernt@buffalo.edu](mailto:gelernt@buffalo.edu).**

**An interview and background investigation are required before beginning work in the office.**

This externship allows students to work with attorneys of the Environmental Protection Bureau of the New York State Attorney General's Office to gain a practical understanding of how environmental cases are developed and prosecuted by that office. Much of the

work is likely to involve analyzing case files, preparing documents, and gathering additional information. Enrolled students will work under the direct supervision of EPB attorneys.

**L-809 TOPICS IN TAX** – Stuart Lazar

**1 credit**

**This course is required for students enrolled in the IRS externship.** It is also open to other interested students with the permission of the instructor. This course will meet every second week during the semester for two (2) hours. Students will present topics in taxation for discussion with the class and will need to prepare materials on their topic to be distributed to the rest of the class one week in advance of their presentation. Students in the IRS program should discuss topics that they are working on in their externship including a summary of the applicable IRS Code sections and regulations, case law, and other policy and practical matters relevant to their topic. Students who are not enrolled in the externship will need to choose topics and develop them similarly. Depending on the number of students enrolled, it is anticipated that each student will do two presentations during the semester. Guest speakers may be invited to present to the group.

**L-815 TOPICS IN LABOR LAW** - Matthew Dimick, Lise Gelernter

**1 credit**

**This course is required for students enrolled in the National Labor Relations Board externship (Law 885).** Students will be assigned reading on topical labor law issues prior to the weekly one-hour meeting and the professor will lead the students' discussion on the reading. Students will also have a chance to discuss their externship experience. In addition, students will be expected to present topics in labor law for the class and distribute materials on that topic one week prior to their presentations. Students will be encouraged to discuss topics they are working on at their externship, including the relevant statutes, case law and other sources.

**L-820 THE LEGAL CULTURE OF THAILAND** – David Engel

**3-4 credits**

This course, which is open only to UB Law students, provides a general introduction to the “legal culture” of Thailand. A key component of the course is a two-week residence in Chiangmai, Thailand, where the instructors will conduct intensive classes, and students will have the opportunity to engage in structured “conversations” with Thai law professors, students, attorneys, NGO representatives, and others. In addition, students will visit important historical and legal sites in northern Thailand. The in-country experience will be arranged in cooperation with the Chiangmai University (CMU) Law School, which is a longtime exchange partner with the UB Law School.

The study of Thai “legal culture” entails both an introduction to Thailand’s formal legal system and the broader social, cultural, and political context that determines how law functions in Thailand. Readings and discussion, as well as in-country experiences, will therefore include general overviews of Thai culture and society – with particular attention to Northern Thailand – as well as specific explorations of the legal framework. The course will focus on a few particular topics that illustrate Thai legal culture in action. These topics will be determined by students’ interests and by the availability of particular experts and resource people in Thailand. Possible topics may include, for example, Thai tort law, environmental law, women’s rights, immigration and human rights in general. Attention will also be given to differences between the common law and civil law traditions. **If chosen, students will be registered by Records and Registration for Fall 2013, but the two weeks in Thailand will be scheduled for January 2014.**

Students interested in applying for Professor Engel's course, "The Legal Culture of Thailand," should go ahead and register for a full course load in the Fall 2013 semester. If you are later accepted to the Thailand course, you will not need to drop any other fall course. Although there will be some meetings of "The Legal Culture of Thailand" during the fall, the bulk of the course will take place in January 2014 in Thailand. You will be permitted to carry an overload during the fall semester if necessary.

**A general informational session about the Thailand course will be held on Thursday, April 18, from 3:30-5:00 pm in 107 O'Brian Hall.** Details will be announced soon.

Information about the course is also available at: [www.law.buffalo.edu/faculty/facultyDirectory/EngelDavidM.fourth.html](http://www.law.buffalo.edu/faculty/facultyDirectory/EngelDavidM.fourth.html).

**This course fulfills the professional skills requirement. If interested please contact Professor Engel or his faculty assistant.**

**L-830 ADVANCED TOPICS IN TAX** – Sagit Leviner

**SEMINAR – 3 credits**

This seminar will involve reading and discussing articles and books dealing with advanced issues of federal taxation. Topics covered will include (1) progressivity and the tax burden distribution, (2) wealth and inheritance taxation, (3) taxpayer compliance and enforcement, (4) tax and behavioral economics, (5) corporate social responsibility, and (6) globalized aspects of tax policy design.

Attendance and class participation required. **Pre-requisite: Tax 1.**

**L-831 POST-INCARCERATION REENTRY PRACTICUM**- Monica Wallace and Paul Curtin

**4 credits**

Each year over 650,000 ex-offenders are released from state and federal custody with dreams of successfully reestablishing themselves back into their communities. Upon release, these individuals and their families face legal and social obstacles to successful reentry, including challenges finding employment, housing, and social assistance. These obstacles interfere with successful community reintegration and increase the likelihood of recidivism. In this Post-Incarceration Reentry Practicum, we will discuss barriers to reentry and explore potential solutions. Students enrolled in this Practicum will actively contribute to the civil representation of individuals participating in the Western District of New York's Federal Reentry Court. The Federal Reentry Court provides intensive probation oversight as well as holistic legal services to each voluntary participant. Students will have the opportunity to gain direct, hands-on experience in identifying and resolving the legal and social barriers faced by persons with criminal records attempting to reestablish themselves in the community. Working with a full-time SUNY Buffalo professor and a full-time Legal Aid attorney, students will engage in classroom study and intense service learning. Legal Aid will serve as the host site for office hours, client contact, and internal case review. Students will be assigned to work with a staff attorney at Legal Aid and will interview program participants and assist in the identification of barriers to housing, employment, education, and family reunification. Students will research legal issues and participate in the drafting of memoranda and motions. Given the range of issues faced by these individuals, we expect that students may have an opportunity to work under practice orders in Federal, Supreme, City, and Family Courts. In addition to weekly classes, students will be expected to attend and participate in the bi-weekly Federal Reentry Court sessions including case review with Judge Hugh Scott, probation, and court staff. A final research paper will be required of each student. **This course satisfies the skills requirement.** Online application is due by 4/3 and is located at: <http://www.law.buffalo.edu/current/registrar/formPracticumApplication.html>.

**L-833 WOMEN'S INTERNATIONAL HUMAN RIGHTS** – Isabel Marcus

**3 credits – SEMINAR**- Blocks 1 & 2

This course interrogates the complexities of relationships among cultures, national laws and their implementation, international rights norms and instruments, and the work of the non-governmental organization sector internationally. We will focus on various reporting mechanisms to international and regional fora and evaluate moves to develop state accountability for violations of women's human rights. Substantive women's human rights issues will include: Violence against women; reproductive and other health concerns; economic justice issues. Students will receive training in using electronic resources for research and will have regular opportunities to practice and enhance their skills. Films and guest speakers (either live or via teleconferencing) are part of the syllabus as available. Course requirement: 25 page research paper.

**L-848 COURTS AND SOCIAL CHANGE**- Lynn Mather

**SEMINAR- 3 credits**

This seminar will explore the role of courts, lawyers, and litigation in processes of social change in the United States. What are the limits and potential of courts as areas for significant policy reform? To what extent can courts facilitate, mandate, or block social change? We will examine the role of lawyers and interest groups in selecting litigation rather than alternative political processes for change and also consider the obstacles to implementing legal reforms. Readings will be drawn from political science, sociology, history, and law, using case studies in areas such as civil rights, right to life, gay marriage, prison reform, school financing, gun and tobacco control. Students will write a substantial research paper on a topic of their choice and present a draft to the seminar for discussion and feedback.

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

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

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.

**L-852 STATE CONSTITUTIONAL LAW** – James Gardner  
**SEMINAR- 3 credits**

As the Supreme Court becomes ever stingier in its interpretation of federal constitutional rights and powers, state constitutions become ever more important as the organizing charters for the exercise of government power. This course introduces students to the largely neglected area of state constitutional law. We will approach the subject from both a comparative and integrated perspective by examining how state constitutions differ from the federal constitution, and how they fit into the larger power distribution system of federalism. Significant attention will also be devoted to the proper methodology for interpreting state constitutions. Students will prepare a substantial research paper on a topic selected in consultation with the instructor, and will later in the semester present the results of their research to the class.

**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.**

**L-882 LAW LIBRARY EXTERNSHIP** – Beth Adelman  
**3 credits**

Law Library field placements give students enrolled in the Collaborative JD/MLS Program in Law Librarianship the opportunity to gain understanding and experience in professional practice by working closely with law librarians who serve as partners to the course instructor at the Law School. Placements may be available at the local court and law firm libraries as well as the SUNY Buffalo Law Library. Students who are selected for a Fall or Spring placement will be required to spend at least eight (8) hours a week for twelve (12) weeks on site, for a total of 96 hours, working under the supervision of a law librarian (the "field supervisor"). Students who are selected for a Summer placement will complete 96 hours over the span of up to 8 weeks. The specific hours of work each week will be scheduled on an individual basis in consultation between the student and the field supervisor. Regular attendance during such scheduled hours is required, and the student may NOT receive compensation for work performed as part of the field placement.

Over the course of the semester, each student is required to keep a weekly journal reflecting on his or her work experiences and to meet periodically with Vice Dean Adelman. Vice Dean Adelman will assign each student a final grade based on her periodic meetings with

the student, her evaluation of the student's journal, any other written work produced in the field placement, and an evaluation by the field supervisor. Grades assigned will be “S” (Satisfactory) or “U” (Unsatisfactory).

The Law School is responsible for arranging and supervising all field placements. Students should NOT contact another law library in an attempt to solicit their own placements. Students who attempt to solicit their own field placements without permission to do so will NOT be allowed to participate in the Law Library Externship.

Students interested in being considered for placement in a Law Library Externship should submit a resume and unofficial transcript to Miranda Ashby, Law Library, Room 208 O'Brian Hall, no later than one week before registration deadline. Vice Dean Adelman will make the selections for the Law Library Externships. Students will be notified by e-mail of their acceptance, site placement, and contact information.

The academic rules governing Law Library Externships can be found in UB Law School's —Field Placements: Policies and Procedures. **Permission of instructor is required.** Only students enrolled in the Law Librarianship Program are eligible to register for this course. Additional information on the course, including partner placement locations, will be sent to each student under separate cover. **This course fulfills the professional skills requirement.**

**This externship DOES NOT fulfill 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-883 INTELLECTUAL PROPERTY EXTERNSHIP - Robert Reis**

**3 credits - Second and third year students**

**Candidates must have a sufficient technical background in either life sciences (biochemistry, biology, botany, cell biology, molecular biology, microbiology, zoology, medicine, pharmaceutical sciences, etc.), or in physical sciences (chemistry, computer science, mathematics, physics, electrical engineering, etc.) in order to comprehend the technology they will be assessing (minimum requirement BS, but preferably MS or PhD). Prior exposure to patent law, particularly patent searching or patent opinion work, would be advantageous. Candidates with a desire to be an intellectual property attorney are encouraged to apply.**

UB Office of Science, Technology Transfer and Economic Outreach Externship (STOR) assists UB and its researchers in identifying, protecting, and licensing intellectual property. Under the supervision of STOR's patent counsel, externs will mainly be involved in assessing the patentability of technology disclosures received from researchers at UB.

Students interested in being considered for placement in this externship should follow the instructions provided above. Professor Reis will make the selections for this IP Externship.

### **L-885 NATIONAL LABOR RELATIONS BOARD EXTERNSHIP - Lise Gelernter or Matthew Dimick**

**5 credits – second and third year students**

**Co-requisite: Topics in Labor Law course (#L-815)**

**Pre-requisite: Labor Law course or equivalent experience**

**An interview and background investigation are required before beginning work in the office.**

The National Labor Relations Board Externship is a field placement at the National Labor Relations Board (NLRB), Region 3, located at Niagara Center Building, Suite 630, 130 S. Elmwood St., Buffalo, New York. Each semester one to two law students will have an opportunity to earn academic credit through performing law-related work in the NLRB Student Volunteer Service Program, under guidance of the NLRB Deputy Regional Attorney, who is the field supervisor, and the Law School faculty supervisor.

The National Labor Relations Board is a federal agency that administers the National Labor Relations Act. The extern may be involved in investigating unfair labor practice charges brought against employers and unions, rendering assistance in setting up and conducting elections to determine whether or not employees want union representation, and performing research assignments.

The students who are selected **will be required to work 16 hours per week** over the course of the semester (12 weeks) on site, working under the direction of the field supervisor and other attorneys at Region 3 of the NLRB. The specific hours of work each week will be scheduled on an individual basis in consultation between the student and the field supervisor. Regular attendance at the office during such scheduled hours is required, and the student may NOT receive compensation for work performed as part of this externship. **In addition, the externs must enroll in the “Topics in Labor Law” class, which is a one-credit course required for this externship.**

### **L-889 REFUGEE AND ASYLUM LAW – Rick Su**

**3 credits**

This course focuses on the legal regulations that govern the migration and status of refugees, asylum seekers, and other victims of forced migration in the United States. Along with examining the statutory, administrative, and judicial proceedings that govern this process, we

will also be examining the theories and policies that underlie the existing regulatory structure. Special attention will be paid to how these regulations intersect with international law and institutions, and how refugee and asylum policies fit into our nation's broader positions on immigration. Completion of Immigration Law is recommended but not required.

**L-890 ETHICS & LEGISLATIVE COMPROMISE**- Anthony O'Rourke

**SEMINAR- 3 credits**

With public approval of Congress at a historical low, it is worth asking whether legislative failures arise from the moral failings of individual legislators, or instead because legislators stick too rigidly to defensible moral principles. Accordingly, this seminar will consider ways in which the realities of legislative politics have been thought to be discontinuous with legislative and ethical theory. We will consider a diverse array of claims to this effect, and explore whether the nature of legislative compromise requires us to approach the issue of legislative principle in a somewhat different way than moral philosophy might suggest.

**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, such as the structure and nature of argument, 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, and the Registrar therefore recommends that interested students register for a full class-load until such time.

**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.