

SUNY BUFFALO LAW SCHOOL
SPRING 2015
COURSE DESCRIPTIONS

***** PLEASE NOTE THAT ALL EXTERNSHIPS, CLINICS AND PRACTICA HAVE SEPARATE COURSE DESCRIPTION PACKETS AND ONLINE APPLICATIONS

L-501 CIVIL PROCEDURE – Susan Mangold
4 credits

This course introduces students to the rules, principles and practices governing the adjudication of civil disputes in the federal trial courts. The course takes a modern approach. It tracks the progress of a case through the civil litigation process and introduces jurisdiction and other more intricate doctrines only after students understand the pre-trial process (pleadings, motions, discovery, and summary judgment). Value and policy choices implicit in the American civil adversary system and corresponding professional and ethical dilemmas will be emphasized.

L-503 CONTRACTS – Mateo Taussig-Rubbo
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 – Guyora Binder, Michael Boucai
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-507 PROPERTY – Rebecca French Redwood, Jessica Owley, Robert Steinfeld
4 credits

This course examines the legal arrangements with which American society controls valuable resources. It is designed both to provide a critical understanding of important features of modern society and to serve as background for advanced courses dealing with land transactions and financing, environmental regulation, public land development, corporations, intellectual property, wealth transfers, and taxation. Modern institutions are presented in the context of the evolution of property law from the gradual break-up of the feudal system through the development of finance capitalism.

L-511 CONSTITUTIONAL LAW - Martha McCluskey, Matthew Steilen
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-516 LEGAL ANALYSIS, WRITING & RESEARCH II - Johanna Oreskovic, Christine Bartholomew, Patrick Long, Laura Reilly, Stephen Paskey
3 credits

This is the second semester of a full-year required course designed to introduce students to legal analysis, legal research and legal communication (course actually begins during bridge period on 1/13). Students learn to construct legal arguments using the analytical skills acquired during their first semester. They also build on the research skills that they learned in their first semester to independently

research the law needed to support their arguments. They then communicate their arguments by writing a trial level brief for their instructors, and by arguing their cases before legal professionals from the local bar who act as judges. Course runs from 1/13 to 2/5 and then switches to the Spring Schedule on 2/9.

L-517 ADVANCED LEGAL ANALYSIS, WRITING AND RESEARCH (LAWR III): CONTRACTS IN CONTEXT: CONTRACT DRAFTING & BUSINESS COUNSELING - Bernadette Gargano

3 credits

This course is an experiential simulation course, where the students will complete assignments in the same manner as they would in practice. The course focuses 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. **Students who have taken L-818: Contracts in Context are not eligible to take this class.** This course is required in the second year.

L-517 ADVANCED LEGAL ANALYSIS, WRITING AND RESEARCH (LAWR III): – Nan Haynes

3 credits

Students in this section of LAWR3 will practice and develop their legal research, writing, and advocacy skills while learning about lead-paint litigation. This course will reinforce fundamental civil procedure concepts and introduce students to foundational principles in appellate advocacy. Students will learn how to draft pleadings, use discovery tools to obtain evidence to support a claim or defense, and engage in pretrial motion practice. By the end of this course, students will be more adept at conceptualizing and analyzing legal issues, have a more sophisticated understanding of legal elements, rules of law, statutory analysis, and case law synthesis, and will have applied these concepts to complex legal problems in a practical setting. This course is required in the second year.

L-517 ADVANCED LEGAL ANALYSIS, WRITING AND RESEARCH (LAWR III): JUDICIAL WRITING AND DECISION MAKING –Monica Wallace

3 credits

Judicial clerkships provide rich opportunities to develop sophisticated legal analysis, writing, and research skills. Clerkships also provide insight into the judicial decision-making process. In this simulation course, students will engage in experiential learning and perform lawyering tasks comparable to those performed by attorneys employed as judicial clerks. Students will perform research, writing, and legal analysis to address complex substantive and procedural issues raised in real federal cases. We will examine the process and purpose of rendering a well-supported judicial ruling, and students will master the concept of writing for a variety of different audiences. We will review and critique examples of persuasive advocacy to learn best practices. Students will emerge from this course with a deeper understanding of substantive and procedural law and foundational principles in appellate advocacy. We will also discuss the responsibilities and professional obligations of judges, law clerks, and practicing attorneys. For students interested in pursuing a clerkship after law school, this course will leave you well prepared for the challenges and duties of that position. This course is required in the second year.

L- 522 JUDICIAL CLERKSHIP SKILLS COURSE – Monica Wallace –

1 credit

Limited to 10 students; by permission of instructor only. Contact Dawn Skopinski for permission at 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) may be admitted.

This course will help students develop the legal skills necessary to perform as successful student judicial clerks. Assignments will require students to further develop and refine their research, writing, and analytical skills. Students will learn how to prepare bench memoranda, judicial opinions, and other documents typically produced by judicial law clerks. We will examine the function and role of judicial clerks, the relationship between law clerks and judges, and the ethical obligations governing judges and their clerks. Students taking this course will gain a deeper understanding of trial and appellate court practice and become more adept at addressing complex

legal questions. Because students will be simultaneously serving as judicial clerks, ample time will be allotted for questions, discussion, and the exchange of workplace experiences.

L-528 MASS TORTS - S. Todd Brown
3 credits

This course outlines the different forms of mass tort cases, the stages of mass tort litigation, private settlement options, and the practical effect of adjustments to mass tort law and procedure on litigant decision making at each stage of a mass tort's life cycle. We will explore different strategies for managing and achieving finality in mass tort cases, with an emphasis on recent developments in high profile mass tort cases.

L-531 CIVIL RIGHTS- Anjana Malhotra
3 credits

This is a survey course intended to review both the causal and remedial relationship of law to racial and other forms of discrimination. It will begin with framework questions concerning discrimination and other practices that enforce inequality, analyzing equal protection and related bodies of substantive constitutional law; and then surveying federal employment discrimination law, with occasional consideration of related bodies of civil rights legislation. The course examine competing theories of equality in the areas of race, gender, and sexuality; concepts of dignity that connect liberty and equality claims; and special problems associated with regulating public and private actors. To help students explore the roles of attorneys in shaping and applying legal doctrine, this course will also provide an overview of how litigants vindicate federal constitutional rights in the courts and include a realistic law practice simulation.

L-545 ENVIRONMENTAL LAW – NATURAL RESOURCES - Jessica Owley
3 credits

This course provides an overview of the laws aimed at managing and preserving natural resources and biodiversity through a variety of private, regulatory, informational, and public land-management mechanisms. Students will examine statutes, regulations, and other mechanisms governing the management of the federal lands and their resources. Students will consider the historical, political, and ecological influences on the law and management of these resources. This course will introduce the agencies with jurisdiction over the components of the federal estate and environmental regulation. Through this lens, students will strengthen their understanding of administrative law, constitutional law, and statutory interpretation. The course also covers regulation of natural resources—including land, water, and biodiversity—on state, tribal, and private land. **This a required course for the Environmental Law Program. This course satisfies the skills requirement.**

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

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

L-578 LAW AND RELIGION: CASES IN CONTEXT - Rebecca French Redwood
SEMINAR - 3 credits

This is a First Amendment Religion course with an interesting twist: we will have as our central text a book from Aspen entitled: *Law and Religion: Cases in Context*, see http://www.aspenlawschool.com/books/law_religion/. This book provides the backstory to several famous Supreme Court opinions on religion. Each week, we will read one case and its backstory for class. For example, one week we will do the entry on [Wisconsin v. Yoder, 406 US 205 - 1972](#) which describes the history of the Amish in that part of Wisconsin and the testimony of a famous former-Amish anthropologist from the University of Pennsylvania who swung the Supreme Court in favor of this small religious group. A two to three page paper is due in class every week on the case at hand and then we will discuss what you have written and what we think about the decision. Class attendance is obviously important but there is no other work product, no long paper and no exam. This class is always a lot of fun. **This course qualifies for skills and seminar credit.**

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-605 CONFLICT OF LAWS - Stephanie Phillips**3 credits**

Within our nation, there are hundreds of law-generating entities -- national, state, and local. Frequently, two or more governmental bodies have promulgated legal rules that arguably apply to a single transaction or dispute. Often the laws conflict. Which law will govern? How is this to be decided? The course examines doctrinal, practical, and jurisprudential answers to those two questions. While the primary focus of the course is upon resolving conflicts between the laws of sister states, certain problems of conflicts between federal and state laws are also considered.

L-607 TECHNOLOGY & INNOVATION MANAGEMENT – Larry Sanders**3 credits**

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, entrepreneurship, 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.**

Cross-listed with MGT- Starts 1/27.**L-608 FEDERAL INCOME TAXATION I** – Matthew Dimick**3 credits**

This course surveys the basic principles of the federal personal income tax. Topics treated will include the definition of gross income, exclusions and deductions from gross income, and the timing of income and deductions. The course is designed to equip students to handle common personal income tax problems that may arise in general practice. The course emphasizes a critical examination of the provisions of the Internal Revenue Code and the Treasury Regulations so students may become proficient in the use of these basic tax tools. The teaching methods and materials encourage independent thought and critical analysis of the law and policy of federal income taxation. **This course is a pre-requisite for higher level tax courses, such as Estate & Gift Tax and Corporate Taxation.**

L-610 CRIMINAL PROCEDURE I – Irus Braverman**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 – Michael Halberstam**3 credits**

This course introduces students to the rules and laws governing the organization and management of business corporations. Drawing on current events and examples from legal practice, the course covers the special legal, financial, and ownership structures of corporations, and provides students with a first introduction to concepts of agency, risk, business valuation, financial markets, and tax structure. Other business entities (such as partnerships, sole proprietorships, and LLCs) are studied mainly to contrast the benefits and

costs of operating a business as a corporation and to make students aware of the context in which corporations and groups of businesses operate. The fiduciary duties of corporate directors and officers, and their enforcement through private litigation, are an important theme of the course.

L-613 EVIDENCE – John Nucherenno

3 credits

A study of the common law and statutory rules governing the admissibility of evidence at trial, hearings and other adversarial proceedings. The course will also examine the legal principles and policy considerations underlying the rules of evidence. **Prerequisite or co-requisite for Trial Technique and Trial Advocacy.**

L-614 ESTATE PLANNING – Tammie Schultz

3 credits

Planning for the financial security of the family and preservation of wealth. Federal and State laws relevant to dispositions of wealth during lifetime or at death and/or divorce, with New York emphasis: Intestate descent and distribution; the concept, formalities and anatomy of the will with drafting issues; the “trust” concept and use of various types of trusts; will substitutes; life insurance and powers of appointment; the durable power of attorney, health care declaration and the “living will” in New York. Form of transfer concepts, including split interests, joint tenancy, revocable and irrevocable gifts, with emphasis on marshalling our client’s probate and non-probate estate to provide for the contingencies of living and effectively attend to the transitions at death or disability. Comparison of the property rights of the spouse, with analysis regarding marital deduction planning and the surviving spouse’s right of election; considering the “community property” client; equitable distribution under NY’s Domestic Relations Law.

Special planning considerations: Practical planning overview of the 2001 Federal Tax Act’s “phase-out/reanimation” of the federal estate tax, with gift tax, estate tax and generation skipping taxes considered. Business plans to preserve value and family succession to business interests, considering the cross purchase and the stock redemption agreement, red-flag problems in connection with carrying out family business planning. Practical insight regarding the use and structure of charitable gifts; meeting the cost of higher education; Elder law overview; retirement income tax planning; and that ultimate planning issue, VALUATION.

L-616 FAMILY LAW – Michael Boucai

3 credits

This course surveys contemporary American family law. It introduces the legal concepts and rules applicable to a range of situations you might face as family law practitioners, highlighting areas of the law that are particularly unsettled. Topics include access to and entry into marriage; alternatives to marriage and critiques of the institution; laws affecting household economy; divorce; child support and other parental obligations to children; child custody and visitation; adoption; and assisted reproductive technology.

L-617 GRATUITOUS TRANSFERS – Heidi Forman

3 credits

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

L-621 SPORTS LAW 2: THE SPORTS INDUSTRY IN CONTEXT: THE ANATOMY OF A FRANCHISE TRANSACTION -

Helen Drew

3 credits

This course will examine the legal and business issues central to the operation of professional sports leagues and franchises in the context of a major franchise transaction. The many different and frequently conflicting legal and financial concerns of the leagues, teams, prospective investors, and various governmental constituencies will be considered in connection with a host of interrelated transactions. The course will provide significant hands-on experience in application of a variety of legal principles, including fundamental corporate law concepts, broadcast regulation, and trademark and copyright law. Market selection, arena construction and management, concessions, merchandising and licensing, media rights, marketing and public relations will also be incorporated. **NOTE: This course is intended as a sequel to “Sports and the Law”, however the fall course is NOT a prerequisite to this course.**

L-624 INTERNATIONAL FINANCE MARKETS – Phil Halpern
SEMINAR - 4 credits

This course will be taught in New York City as part of the University at Buffalo/New York City Program in International Finance and Law. Students will study several different types of international financial market intermediation and regulation, including, securities, banking, foreign exchange. **Registration by permission of instructor. This course fulfills the professional skills requirement.**

L-625 PRACTICE APPLICATIONS IN LEGAL REASONING & WRITING - Barbara Sherk
3 credits

This course provides a comprehensive reinforcement of strategy and analysis for bar examination preparation using study and review of selected common law core subjects, and statutes and case law specific to New York. Students will develop preparation techniques and skills in critical legal analysis and writing to assist them in various legal writing methods, which may be applied to all state bar examinations. Students will be expected to practice and articulate the legal method, particularly in IRAC form, as it applies to analytical reading and writing skills. Test taking skills and preparation for the Multistate Performance Test, Multistate Bar Examination and New York Multiple Choice Examination will also be discussed. Students will use in-class writing practice and assigned statutes and case law for preparation, interactive course discussion and completion of graded assignments. Regular attendance and participation are required. **This course fulfills the professional skills requirement.**

LAW 625 is limited to students graduating in May 2015, September 2015 or February 2016.

L-626 PROBLEMS IN NEW YORK CIVIL PRACTICE - James Gresens, Jodyann Galvin, Catherine Cooley, and Gary Muldoon
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. **ONLY THIRD YEAR STUDENTS MAY REGISTER FOR THIS COURSE. This course fulfills the professional skills requirement.**

L-629 PUBLIC SECTOR LABOR LAW – Robert Steinfeld
SEMINAR - 3 credits

Public Sector Labor Law Seminar: This seminar covers various models of public sector labor relations laws, including but not limited to the New York Taylor law. It focuses on the differing degrees to which public sector unions in different jurisdictions can bargain, resolve bargaining impasses (through strikes or mediation and arbitration) and enforce contracts with employees. This seminar also deals with issues unique to the public sector, including constitutional rules, civil service statutes and the rights of individual public employees.

L-631 ADMINISTRATIVE LAW– Anya Bernstein
3 credits

Administrative agencies are not mentioned by the Constitution, but today they make more legal rules than legislatures and do more adjudicating than courts. This class explains how agencies are governed as well as how they govern us. We will address the legal regime to which agencies are subject and how President, Congress, courts, and affected parties influence (or dictate) agency action. We will cover the decision-making tools agencies use, such as cost-benefit analysis, risk analysis, and inter-agency review. And we will walk through the steps of creating regulations and adjudicating disputes.

Students will learn to wade through statutes and regulations and understand not just what they mean, but how they were created, what purposes they can serve, how they might be altered, and what legal issues they are likely to raise. Throughout, we will grapple with a question that continues to confound the administrative state: How do we make agencies accountable, yet effective?

L-634 SECURED TRANSACTIONS - John Schlegel
3 credits

This course will cover Article 9 of the Uniform Commercial Code, which governs security interests in commercial and consumer contexts. We will examine the formation, attachment, perfection and enforcement of security interests under state law and the manner in

which federal bankruptcy law incorporates and alters the rights of secured parties. Special emphasis will be given to techniques of statutory analysis and problem solving.

L-637 CORPORATE NEGOTIATIONS - James Newton

2 credits

This course is designed to develop your understanding of corporate contracts and negotiations, give you some tools and concepts to prepare for and conduct negotiations, and enhance your negotiation skills through frequent simulations, reflection and feedback. We will dissect contracts and their provisions, draft and negotiate particular contract terms, and engage in negotiation simulations with a range of corporate documents encountered by both law firm lawyers and in-house counsel. Assigned work is designed in collaboration with a range of corporate practitioners, who will be frequent visitors to the class and participate in interactive lectures and assignment feedback.

L-638 TRIAL TECHNIQUE – Various Instructors

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 activities such as 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. 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-643 WHITE COLLAR CRIME – Marc Gromis

3 credits

What is meant by the term “white collar” crime? Which statutes are used by federal and state prosecutors to pursue white collar criminals? What tools, such as search warrants and grand jury subpoenas, are used to investigate white collar crimes? What strategies are used by defense attorneys to defend white collar criminals before and after charges are filed? Can in-house or private defense counsel ethically represent a corporation and individual employees? What issues arise if a corporation is paying the attorneys for its employees during a criminal investigation? Is the BP disaster in the Gulf a civil and/or a criminal matter? What criminal statutes could be examined? These are the types of issues that will be discussed during this course.

This is a practice-driven class that will focus on how these types of cases are investigated, prosecuted and defended. The course material and lectures will be largely drawn from the instructor’s extensive experience as a judicial law clerk, a federal prosecutor and a criminal defense attorney. Various investigative techniques and strategies used by the prosecution will be highlighted, including the use of the grand jury, search warrants, interviews of witnesses by special agents and the use of informants.

We will examine and discuss white collar crimes committed against individuals, corporations and the government such as mail and wire fraud, tax evasion and bribery. Case law regarding issues in white collar prosecutions, such as evidentiary and other trial issues, will be discussed. Students will be asked to participate extensively in class discussions regarding hypothetical issues and case law.

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.

L-646 LEGISLATION II - Anya Bernstein

SEMINAR – 3 credits

Most American law starts in statutes passed by legislatures. But many statutes only have real effects when other government institutions—courts, agencies—interpret them. This seminar delves into that interpretive process. We cover the rules and approaches that federal courts use to interpret statutes, and compare those with state court strategies (with a focus on New York State). Administrative agencies do even more to interpret and implement statutes than courts do. We accordingly learn how agencies interpret statutes, and compare agency and judicial approaches. And we examine how interpretations of federal statutes can lead to the displacement of state laws. Because understanding and arguing about legislative language is central to contemporary legal practice, we spend time learning to read statutes effectively and utilizing the approaches we study to make legal arguments about them. The seminar will culminate in a substantial writing project on a topic chosen by the student in consultation with the professor.

There is no pre-requisite for this course. Legislation I & Legislation II form a comprehensive package of intellectual inquiry and practical legal skills. The courses are not sequential and students may take the courses in any order. Each course focuses on a different aspect of statutory law-making.

L-647 PRODUCTS LIABILITY – David Engel

3 credits

This course will cover the basic principles of products liability law, beginning with negligence and warranty and the initial emergence of strict liability principles. It will examine the current treatment of manufacturing defects, design defects, and warning defects, as well as limitations on defectiveness arising from user choice (obvious and inherent dangers) and the passage of time (state of the art). It will address the standard defenses of contributory negligence, comparative fault, and assumption of the risk, as well as product misuse. The course will also consider the interaction of tort law and agency regulation. Students will gain familiarity with the treatment of products liability in the highly influential Second Restatement of Torts as well as the more recent Restatement of the Law Third, Torts: Products Liability. There will be a final examination at the conclusion of the course.

L-650 EMPLOYMENT DISCRIMINATION LAW – Lise Gelernter

3 credits

Many people have experienced discrimination on the job, but do you know what legal rights you have? Are you aware of which types of employment discrimination Title VII of the Civil Rights of Act 1964 and other laws prohibit and the laws' limitations? Do you know if you are protected against discrimination on the basis of your gender identity, your race, your age, your friends, your political party? How would you bring a successful discrimination claim? Learn the answers to all these questions, and more, in this course. You will also learn to apply the law you have learned to real scenarios by doing problems in most classes. Guest speakers will include practitioners and enforcement staff.

Students will write one short (5 to 8 pages) non-research paper in lieu of a midterm exam and there will be an in-class, open-book final examination.

L-651 TRIAL ADVOCACY - Hon. Thomas Franczyk

3 credits

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

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

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

In the trial competition, the students will try a case against top student trial lawyers from across the country. Competitions are either invitationals which involve trying both sides of a criminal or civil case at least twice, and up to 5 to 6 times depending on whether the 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. This course counts toward the maximum of 12 credits that a student is permitted to receive from independent studies, externships, and courses in other UB academic units. **This course fulfills the professional skills requirement.**

Practice schedules are Monday and Wednesday evenings and some weekend mornings.

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.

L-655 MASS MEDIA LAW – Samantha Barbas

3 credits

This course examines many of the legal issues faced by the mass media industries. Topics include defamation, privacy, prior restraints, public access to the media, reporters' privileges, media coverage of trials, the regulation of advertising, access to governmental information, obscene and indecent communications, legal controls over broadcasting, and problems posed by online media. A background in First Amendment law is helpful but not necessary.

L-670 THE GLOBAL BUSINESS ENVIRONMENT: CLOSING A DEAL ACROSS THE U.S.-CANADA BORDER – Kathryn Friedman

3 credits

This survey course will serve as a primer on legal and policy aspects of the Canada-US relationship for students interested in practicing in an international setting. By situating the business and trade relationship in a global context (“we make stuff together”), students will be exposed to legal issues in international trade (NAFTA and TPP, supply chain theory and practice, the automotive and agricultural-processing industries, etc.), border security (Beyond the Border Accord and the Regulatory Cooperation Council), infrastructure and transportation, labour mobility, energy, environmental (e.g., mineral resources, water resources), and human rights issues that are integral to the Canada-US relationship and the functioning of business and other interests in the global marketplace. Students will also understand why a focus on Canada and the United States will help in understanding economic transformations and transactions in other parts of the world (e.g., Asia and the Neareast).

L-675 BEING ONLINE: CURRENT TOPICS IN PRIVACY AND SURVEILLANCE – James Milles

SEMINAR – 3 credits

This is an interdisciplinary seminar exploring a variety of current issues surrounding privacy and expression in a world where people make fewer and fewer distinctions between online and real world activities. Topics include: understandings of privacy and whether privacy remains a relevant concept; sociality online; “digital natives” and generational differences; performative aspects of identity; trolling and anti-social activity; gendered harassment; government surveillance and security; corporate data collection; and interpersonal surveillance in the era of smart phones. Readings will draw from scholarly literature across a variety of disciplines including law, sociology, anthropology, and communications, as well as empirical studies and material from blogs and the popular press. The seminar will culminate in a substantial research paper of at least 25 pages on a topic of the student's choosing. Each student will be required to give a 30-minute presentation and discussion on his or her paper topic.

L-676 INTRODUCTION TO HEALTH ECONOMICS- Walter Ludwig

3 credits

The purpose of this course is to provide students with the skills necessary to understand economic analysis in all aspects of health and healthcare. It will examine the supply and demand for health services, and the economic analysis of healthcare systems and current healthcare policies. It will also examine the economic evaluation of healthcare technologies, the impact of HMO's and health insurance policies, and the effects of regulation on both private and public health programs. Where appropriate, discussion will also include local and regional issues as well as current events regarding these topics.

Course is crosslisted with SPM 539 and begins on 1/26.

L-676 THE TORT LAW SYSTEM - David Engel

SEMINAR – 3 credits

This seminar (formerly known as “Injuries”) will address selected issues in the development of modern tort doctrine and it will consider how the tort system actually operates in the lives of injurers, victims, and legal professionals. Beginning with a broad overview of the

flow of injury cases from initial harms to lawyers' offices and into the courts, the seminar will explore such topics as: medical malpractice, tangible and intangible harms, internet injuries, wrongful life and wrongful birth claims, damage awards and settlement practices, punitive damages, race and gender in the tort law system, juries, tort reform, and the impact of popular culture and the media. The readings are interdisciplinary, with occasional comparisons to tort law in other societies.

Each student will carry out a research project addressing any aspect of the tort law system that is of particular interest. Research must be based on student interviews, so the seminar will also provide instruction on how to conduct an interview to establish rapport and obtain needed information. Grades will be based on presentations and a seminar paper. There is no exam.

L-680 TOPICS IN GLOBAL FINANCE – Phil Halpern

4 credits

This course will be taught in New York City as part of the University at Buffalo/ New York City Program in International Finance and Law. Students learn about a number of areas of current global finance practice, including emerging market debt, bankruptcy, structured finance and securitization. **Permission of Instructor. This course fulfills the professional skills requirement.**

L-683 TELLING STORIES: A COURSE FOR ASPIRING CIVIL AND CRIMINAL LITIGATORS – John Schlegel

3 credits

“The legendary Supreme Court litigator John W. Davis once remarked, “A case well stated is a case half won.” By this, Davis meant that cases are more often won or lost on how well lawyers weave the facts into a compelling story than on how well they articulate the law. Thus, former students who are, and faculty who were, trial lawyers regularly remind me about the crucial importance in any litigator of the ability to tell a story.

However, stories do not tell themselves, whether they are seen on the page or on the screen. Stories are shaped by the author, and derivatively by the director. What that shaping accomplishes is the subject of this course. Thus, it is designed to improve your ability to tell a story by examining how master storytellers shape their stories.

During the semester we will read great three novels and a good play, chosen because there exist at least two contrasting movie versions of each. The novels are *Pride and Prejudice*, *Sense and Sensibility* and *Emma*, all by Jane Austen. The play, *Sabrina Fair* by Samuel A. Taylor formed the basis for two movies called *Sabrina*. In order for you to have time to read the first novel we will begin the course with two films -- *Mostly Martha* and *No Reservations* that share a text, though the text is unavailable to me and, in any case, is written in German. In class we will discuss, and thus compare, how each director shapes the implicit story. Thereafter, we will first discuss how the author shapes the story, and then, after seeing the two film versions, discuss how each director shapes/reshapes the pre-existing story. Papers will be due throughout the semester. Initially they will be short analyses of the films and text. About the middle of the semester the papers will lengthen and shift to the job of shaping the kind of stories that lawyers tell.

Two more things ought to be noted. First, there will be no classes the Week of March 23rd when I am teaching in our New York City Program in finance. Second, I am neither a film scholar nor a literary theorist. Indeed, I do not enjoy reading either film scholarship or literary theory. It is as a lawyer/law professor that I have gotten interested in the romantic comedy as an exemplar of the art of storytelling. If you cannot abide the form, you best not take the course.

WARNING: As there will be movies shown you must be available for all hours included in the class schedule (Mondays and Wednesdays, 5:30-8:30, however, the course will not meet for all of those hours every week).

L-684 FINANCIAL ANALYSIS & REPORTING - Jeanette Toth

3 credits- CROSSLISTED WITH ECO504 – Begins 1/26

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 or Children and the Law

Permission of the Instructor; Times to be arranged.

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 or Legal Aid Bureau Attorneys for Children Unit.

This class will examine the representation of children in custody, visitation, delinquency, PINS and abuse/neglect 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 or Legal Aid Bureau Attorneys for Children Unit 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 must take Child Welfare Law or Children and the Law before or at the same time as this externship.** Students who have completed Child Welfare Law or Children and the Law are given preference.

To be considered for placement in this externship, students should email Professor Mangold directly at svm@buffalo.edu and attach a copy of their resume and transcript to the email request for admission.

This course fulfills the professional skills requirement.

This externship fulfills the 50-hour pro bono pre-admission requirement for the New York State Bar.

L- 691 PENSION & EMPLOYEE BENEFIT LAW – James Wooten

3 credits

Pensions, health insurance, and other employee benefit plans are central features of the employment relationship in the United States. The legal regulation of these plans is both an independent area of legal specialization and a subject that overlaps many other fields of law, including corporate, labor, tax, trust, employment discrimination, and domestic relations law. The course will focus primarily on private pension and health plans. The main focus will be on various bodies of regulatory law, especially the Employee Retirement Income Security Act of 1974 (ERISA), as amended, and its case law. After providing an overview of the main types of pension and health plans, the course will look at rules governing coverage, vesting, funding, fiduciary standards, investment distribution, claims administration, and preemption of state law.

L-692 SPECIAL TOPICS: ATTICA - Bruce Jackson

SEMINAR- 3 credits

This seminar is about the Attica prison revolt that started September 9, 1971, and ended four days later, on Monday, September 13, 1971, in a wild fusillade of gunfire that left 9 hostages and 29 convicts dead, and many others wounded. That conclusion of the revolt was immediately followed by systematic torture of the surviving convicts. In the short term, there were felony indictments of some convicts and actual trials of a few of them (62 men were charged in 42 indictments with 1,289 separate felony counts). One of these trials resulted in a conviction, others resulted in guilty pleas in exchange for time served, or acquittals. The prosecutions stopped when the grand jury wanted to indict a State Trooper for homicide: the governor of New York shut the whole thing down.

But that didn't end it. There was an investigation commission, which issued a report. A portion of that report has been made public; New York's attorney general last year moved to have the rest of it made public. He has been blocked from releasing it by, among others, attorneys for the New York State Police.

There was a civil rights case filed by the convicts not long after the shootings and tortures. It didn't come to trial until 1991; it wasn't resolved until 2000. It was the longest-running, and perhaps one of the most muddled and bungled civil rights cases in U.S. legal history.

But Attica wasn't just a prison massacre or legal case. It was an iconic event in American culture. When Al Pacino's character in Sidney Lumet's *Dog Day Afternoon* (1975) stepped into the street, lifted his hand, and yelled, "Attica, Attica, Attica." The film crowd in the street cheered; the audiences for the film needed no explanation for what was going on.

There are several books about Attica, some of them good; some of them awful. There also at least five films, some of them good; some of them awful. There is a huge amount of music connected to that convict revolt and that Monday slaughter: John Lennon's "Attica State," Tom Paxton's "The Hostage," Gill Scott-Heron's "We Beg Your Pardon," Paul Simon's "Virgil," Archie Shepp's "Attica Blues," Charles Mingus's "Remember Rockefeller at Attica," and more.

The press played the fool in Attica: for a while, the two Buffalo daily papers (there were two, then) and even the New York Times did stenography for prison officials. All, for example, dutifully reported, on page one, that all nine dead hostages died because convicts had slit their throats. It wasn't until the coroner's report two days later that they had to backtrack and report that all dead hostages had been killed by police bullets. (That coroner eventually left the state: he got a ticket almost every time he went anywhere on the NY Thruway.)

There is more: Attica was very much an event of its time. 1971 was a year of great political turmoil in the U.S. Young people outside were protesting the Vietnam War and engaging in the Civil Rights struggle. Most of the convicts in Attica were the same age as those people engaging in protest outside. Attica happened only 16 months after the killings at Kent State, not long after hundreds of police officers occupied and tear gassed the UB Campus, and only a few weeks after the death of George Jackson in the San Quentin yard. Attica was very much an event of its time; so was the way the media and the government dealt with it.

In this seminar, which I hope will have participants from several departments, we'll look at Attica as the cultural iconic event it was, as an event that set in motion a series of complex legal actions that continue to this day, and that occasioned several books and films of interest. We'll look at artistic representations of that event, legal documentation and processes having to do with that event, and we'll include in our discussions some of the few survivors of that event, including one of the attorneys in the first round of felony trials and one of the hostages.

Crosslisted. Begins 1/26.

L-694 CRIMINAL PROCEDURE II – Anthony 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-697 INTERNATIONAL HUMAN RIGHTS - Tara Melish
3 credits

This course critically examines the norms, actors and institutions that play a role in the protection of human rights. The course includes discussion of the conceptual and historical foundations of human rights; controversial topics in comparative human rights law, such as the death penalty, hate speech, the rights to health and education, and responses to terrorism; international, regional, and national mechanisms for the interpretation, implementation, and enforcement of human rights (particularly within the United Nations and regional systems of rights protection, including international complaints procedures, periodic reporting processes, monitoring and inquiry procedures, naming and shaming tactics, indicator and benchmarking methodologies, and other incentive-based tools designed to modify state and non-state actor behavior); and specialized doctrines of human rights interpretation and balancing where rights conflict. The course includes a moot court argument before the Inter-American Court of Human Rights.

L-705 FEDERAL INCOME TAXATION: PART II – Heidi Forman
3 credits

This course builds on and moves beyond the issues addressed in the basic course in federal income taxation with a particular focus on property transactions and issues relating to the timing and character (capital versus ordinary) of income and deductions. Among other topics, we will cover the cash and accrual methods of accounting, depreciation, like-kind exchanges, original issue discount, installment sales, property transactions involving debt financing, and sales and leasebacks. Grades will be based on a final examination.

Prerequisite: Federal Income Tax I (Law 608).

L-707 POLITICAL CORRUPTION - Michael Halberstam
SEMINAR-3 credits

Almost 50 percent of likely voters (including both Democrats and Republicans) believe that the federal government is corrupt. Polls show that government corruption is at the top of the list of most important political issues in 2013 – second only to job growth. More private money is flooding into politics than ever before. And over 70 percent of Democrats and Republicans believe that new rules that let corporations, unions and individuals give unlimited money to Super PACs will lead to greater corruption. At the same time, legislative ethics rules and administrative oversight have arguably been stricter than ever before; government anti-corruption efforts and

legislative ethics reforms are underway in many states; and the U.S. Supreme Court has struck down campaign finance restrictions as unconstitutional and unnecessary.

This course asks what political corruption is, whether public perceptions are well-founded, how perceptions matter as such, and what policy makers should do about them. It examines the concepts and legal definitions of political corruption operative in different regulatory contexts, such as lobbying, legislative ethics, and campaign finance. Together we will consider the validity of these concepts and laws, and their consistency with theories of democratic legitimacy, economic efficiency, and the rule of law. Students will be required to produce work that is grounded in theory and engages interpretations and applications of the law within a particular regulatory regime.

L-709 FIGHTING POVERTY IN BUFFALO - Sam Magavern
3 credits

Roughly 14% of the Buffalo region's residents live in poverty; that rate rises to about 30% in the city of Buffalo itself. What are the causes of this poverty, and what are successful ways to address it? In this class, we'll examine local poverty through many lenses. We'll meet with non-profit groups that are fighting poverty and study policy changes at the local and state level to strengthen their efforts. Students will learn public policy research and advocacy skills such as working with media, elected officials, and community groups and writing policy briefs. We will invite the public to our final class, in which we will present findings and recommendations. The class will meet in downtown Buffalo at 237 Main St., Suite 1200. Enrollment is limited to fifteen.

L-714 TOPICS IN CRIMINAL LAW: IMMIGRATION - Anthony O'Rourke
SEMINAR – 3 credits

On paper, immigration law and criminal law are separate subdomains of the U.S. legal system. In practice, however, these fields are deeply intertwined. In federal courts, immigration cases now comprise the majority of federal criminal prosecutions. Meanwhile, immigration authorities now expend vast resources deporting non-citizens because of actual or suspected criminal activity. This seminar will therefore explore the ways in which immigration law and criminal law have converged to transform the American justice system. Topics we will explore include how non-citizens are uniquely affected by criminal procedure and substantive criminal law, and the ways in which federal, state, and local governments use criminal law to police migration. In the process, seminar participants will analyze case law and statutes concerning criminal procedure and immigration, and read cutting-edge legal scholarship exploring the intersections of criminal law and immigration policy.

L-715 HEALTH POLICY IN THE UNITED STATES – Kristina Young
3 credits

This introductory course explores the U.S. public policymaking process and its impacts upon the determinants of the population's health status including environmental, socio-cultural, ethnic, demographic, economic, lifestyle, service access and other factors. The course opens with an historical overview of benchmark developments in U.S. health care, highlighting significant influences that transformed the industry into its current form. With the incremental evolution of U.S. health policy as the context, the course discusses individual and societal values concerning health and the operation of the political system framed in a cyclical process of agenda-setting through policy modification. Each step of the policymaking process highlights the roles of key players in the legislative, judiciary and executive branches of government, and the manner in which they affect the process. The course identifies and characterizes the array of health care system stakeholders ranging from private citizens to powerful industry lobbying organizations and the means and methods used to influence the formulation, implementation and modification of health policy. The course concludes with a discussion of the characteristics and role of political competence in the U.S. policymaking process. **Cross-listed with SPM 542. Class begins on 1/30.**

L-718 CRIMINAL LAW AND SAFETY REGULATION – Martha McCluskey
SEMINAR - 3 credits

Should criminal law be an important tool for regulating business practices that cause serious harm to health, safety and the environment? The class will include readings considering how the U.S. criminal justice system responds to corporate wrongdoing compared to wrongdoing by individuals. The course will particularly focus on linking students with one or more nonprofit

organizations, including the national Center for Progressive Reform, to consider how criminal law might be used to deter worker fatalities. In addition to discussion of readings, classes will include some audiovisual material, guest speakers, and consultation and workshops on student projects. The main focus of the course will be individual or small group projects useful to advocacy group efforts, with students choosing from a list of suggested research topics. Grading will be based on class participation as well as short preliminary assignments for student projects, a project presentation, and a final paper reporting and analyzing the individual research.

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 and 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 an exercise in analyzing a judicial decision (20%), a short (6-8 pages) essay that responds to the readings (30%), class participation (10%), and a final exam (40%).

L-739 ADVANCED CRIMINAL LAW: LEGAL AND PRACTICE STRATEGIES - Charles Patrick Ewing
LECTURE/SEMINAR- 3 credits

This course will examine a number of high profile criminal cases and consider and critique the legal and practice strategies pursued by counsel for the prosecution and defense. There will be a great deal of reading involved and students will be expected to prepare and present numerous written and oral case analyses throughout the semester. Active participation is mandatory and will be graded. **A limited number of students may opt for seminar credit.**

Those who want seminar credit must prepare an additional substantial research paper of at least 25 pages. Three credits. Enrollment limited to 15 students by permission of the instructor. If you are interested please see Professor Ewing’s Faculty Assistant, Susan Martin, in room 622 O’Brian.

Recommended prerequisites: Criminal Law, Criminal Procedure, and Evidence.

L-758 TAX POLICY – Matthew Dimick
SEMINAR - 3 credits

This seminar examines important issues of federal tax policy and theory. We will explore such broad themes as: the basic economic and philosophical debates about taxation, including the relationship between taxation and economic growth, the justice (or injustice) of taxation, and the role of the tax system in the distribution of income. More specific discussion topics may include the role of the tax treatment of the family, tax policy and the environment, corporate tax reform, capital gains taxation, estate and inheritance taxation, the tax treatment of multinational enterprises, taxation of financial instruments and executive compensation, consumption versus income taxation, tax expenditures, budget deficits and budget rules, and transitions in the tax reform process. The first two weeks of the seminar will go through the economic and normative analysis necessary to study these various tax policy issues, so that we can best evaluate tradeoffs between equity and efficiency.

L-759 DUE PROCESS – Matthew Steilen
3 credits

This class is a study of the law of due process. We will examine both procedural due process and substantive due process. Topics to be covered under the heading of procedural due process include notice and hearing, due process in ‘aggregate’ proceedings such as class

actions, legislative due process, and due process in administrative proceedings. Topics to be covered under substantive due process include economic substantive due process (*Lochner*), fundamental rights, and the so-called ‘dignity-based’ jurisprudence of *United States v. Windsor*. There will be no casebook, but students will be required to buy an inexpensive (approximately \$10) book on the history of due process. Grades will be determined by final essay exam.

L-761 JEWISH LAW - Sergey Dolgopolsky
3 credits

Focusing on the question of moral judgment vis-a-vis legal, and political decision in Talmudic and philosophical traditions of thought after Kant, this course will explore and renegotiate the competing constructions of the literary and of its role in understanding of the political, the moral, and of the legal. We will begin from Kant and his interpreters who took his aesthetics as a foundation of political philosophy (critique of political reason) and will continue to where Jewish and Christian responses to Kant went, but did not fully reach -- to taking moral judgement, legal, and political decision beyond the relationship with either the philosophical or the literary. We will address Gilles Deleuze as a thinker breaching into this new area of the political beyond either philosophical or literary-aesthetical and see how the reengagement of the tradition of the Talmud and of its interpretation, legal and otherwise, enriches and complicates that discussion of the political. On the way from Kant to Deleuze we will read such thinkers of the literary as Auerbach, Sartre, Barthes, and Derrida, and such thinkers of the political as Schmitt, Arendt, Rancière, Nancy, as well as the new theorists of the Talmudic thinking. Crosslisted course that begins on 1/29. Cannot receive law seminar credit for this course.

L-762 ADVANCED SOCIO-LEGAL RESEARCH - Errol Meidinger
SEMINAR – 3 credits

This course is a colloquium for advanced graduate and law students who wish to learn about and carry out cutting edge research on law, legal institutions, and social policy. It will build upon ongoing distinguished speaker and workshop series sponsored by the Baldy Center, Law School, and affiliated UB departments. Substantive topics will vary with speakers and student interests, but are likely to range across administrative regulation, criminal law, environmental governance, human rights, international trade, legal profession, race, and a variety of other subjects. Students will read the papers, attend and participate in the presentations, and meet with the speakers in a small group setting following the public presentations. They will be able to discuss both the speakers’ and their own research in a multi-disciplinary environment and build important new relationships with visiting speakers, UB faculty members, and fellow students. The seminar will meet each Friday from 12:15 to 3:15, usually with lunch available at 12:00. Students enrolling in the seminar will have the option of writing one substantial research paper or three short critical analyses of papers presented by speakers. Enrollment is with permission of the instructor.

L-763 PROBLEMS IN INTERNATIONAL FINANCE –Philip Halpern
SEMINAR – 4 credits

This course will be taught in New York City as part of the University at Buffalo/ New York City Program in International Finance and Law. Students will work on a semester-long project relating to an area of financial practice. Examples in the past have included analysis of mergers, commission structures and financing opportunities in Europe and Asia. **Permission of Instructor - Limited to students in the NYC program. This course fulfills the professional skills requirement.**

L-767 COMPARATIVE CONSTITUTIONAL LAW - James Gardner
3 credits

In an increasingly interconnected and interdependent world, some acquaintance with the legal systems of other nations has become indispensable. This course provides an introduction to the world’s major constitutional systems. It will focus principally on the structural elements of constitutional regimes for the purpose of examining how human beings in other parts of the world have chosen to govern themselves. Coverage will include social and political understandings of constitutions and constitutionalism, constitutional foundings, arrangements of the major institutions of governance such as the legislative and executive branches, federalism and decentralization, judicial review, and the constitutionalization of democracy. A recurring theme of the course will be the protection of ethnic and linguistic minorities through structural features and constitutional courts. The course concludes with a survey of major developments in Canadian constitutional law.

L- 795 ADVANCED TOPICS IN LAW AND TECHNOLOGY – Mark Bartholomew
SEMINAR – 3 credits

More and more of our everyday lives, from shopping to education to our relationships with others, now take place online. In the offline world, law routinely regulates these activities, but should the rules of the game change in more virtual settings? This seminar will tackle this broad question from a variety of perspectives, combining readings in psychology, communications, and marketing with study of legal texts. This semester the seminar will pay particular attention to how privacy law, intellectual property law, and contract law have responded (or failed to respond) to the challenges of new technologies. For example, should the government restrict what kind of data advertisers can collect and use from our online activities? Should it make a difference when a website's terms of service state that the user forfeits any rights to personal information disclosed online? What is the appropriate governmental response to the problem of online "trolls" and "cyberbullying"? Should a child's expression in social media made off school grounds potentially subject her to in-school punishment? Grades will be determined on the basis of class participation and the completion of a substantial research paper. In the paper, students will be encouraged to investigate a new technology, its potential social effects, and discuss what legal response (if any) is appropriate.

L-799 INDEPENDENT STUDY - Various Faculty

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

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

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

L-804 CURRENT TOPICS IN ENVIRONMENTAL LAW – Jessica Owley

1 credit- Block 5

This short course is a combination of examining current issues in environmental law and practicing oral argument and public speaking. We will use either currently pending Supreme Court cases or other hot topics in environmental law to gain a deeper understanding of an environmental issue currently in the news--looking at the law at issue, popular and academic commentary, and court briefs. This course goes beyond a seminar format to incorporate elements of public speaking and mock oral arguments. Students will have the opportunity to argue different sides and issues and will serve as counsel and court in classroom proceedings. The class will meet for four three-hour sessions. Grading will be based on in-class activities as well as one short paper due before Spring break. Spring 2014's course examined climate change and the Clean Water Act. The topic has not yet been selected for Spring 2015 but will likely center on water law. This course may be repeated for credit. There may be an opportunity to expand this one-credit course into a three-credit seminar for those students interested in doing so.

L-807 20TH CENTURY AMERICAN LEGAL HISTORY - Samantha Barbás

SEMINAR- 3 credits

This seminar offers a broad survey of major themes in US legal history in the twentieth century, focusing on the relationship between the legal system and American society. Particular areas of focus include legal and social debates surrounding freedom of speech, religious freedom, race relations, family law, reproductive rights, immigration and citizenship, workers' rights, privacy, and the regulation of new technologies.

L-817 CRIMINAL LAW PRACTICUM - Robert Convissar

4 Credits

Students enrolled in this course will actively participate in the defense of criminal cases handled by local attorneys under the Erie County Assigned Counsel Program, which provides legal assistance to indigent defendants. Students will be required to perform

approximately 10 hours per week of fieldwork in this course. Depending upon case needs, students will assist assigned counsel in investigating and preparing cases for trial (including researching relevant legal and evidentiary issues, writing trial memoranda, evaluating the strengths and weaknesses of the case, preparing witnesses and attending the trial) as well as evaluating plea offers and sentence commitments. Students will also produce a brief applied research paper on a topic of choice related to their fieldwork. These papers may be published online. In addition to working directly with assigned counsel, students will attend evening classroom sessions to review the law and policy, prepare for their fieldwork and discuss related issues. **This course fulfills the professional skills requirement. Apply online at www.law.buffalo.edu/registrar.**

Prerequisite: Criminal Procedure, New York Criminal Law or equivalent

L - 817 INTERNATIONAL COMMERCIAL ARBITRATION - Meredith Lewis

3 credits

This course will introduce students to a broad range of issues relating to international commercial arbitration – the dispute resolution mechanism of choice for many companies engaged in international business activities. Topics will include the merits of choosing arbitration versus litigation to resolve international business disputes; the legal framework relevant to international arbitration; the arbitration agreement; arbitrability; arbitrator selection and responsibilities; the arbitral proceedings; applicable procedural and substantive laws; interplay with domestic courts; and the setting aside, recognition and enforcement of awards.

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

SEMINAR - 3 credits

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-838 FINANCE COLLOQUIUM: FINANCE AND BANKING – Lauren Breen

SEMINAR- 3 credits

This seminar will explore banking structure and operation, with an initial focus upon banking history and the changing nature of how banks finance themselves. The course will feature a series of practicing bank lawyers as guest speakers, who will address a range of emerging bank compliance issues resulting from the Dodd-Frank Act. Students will examine timely issues such as the effect of the Volcker Rule on capital markets and bank collateralized loan obligations; capital markets and derivatives trading; and bank data protection and privacy.

The seminar is designed to educate students about the range of careers in banking for law school graduates through interaction with practicing professionals in this field. Students will produce a substantial research paper relating to the subject area; there is no final exam.

L-844 MERGERS & ACQUISITIONS – John Dunbar

3 credits

Examines the development of the private equity and venture capital industries over the past 20 years. Students will learn the various aspects of identifying, analyzing, structuring and financing acquisitions. Crosslisted. **Class begins 1/30/14. This course fulfills the professional skills requirement.**

L-849 INTERNATIONAL LAW COLLOQUIUM (con't) – Makau Mutua

SEMINAR – 1.5 credits

The International Law Colloquium is a year-long, 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. **Students will be automatically registered for the spring section if enrolled in the previous fall.**

L-861 LABOR AND EMPLOYMENT LAW COLLOQUIUM - Lise Gelernter
SEMINAR- 3 credits

Each week, we will explore advanced topics in labor and employment law in an in-depth way. Some of the topics that will be covered are: 1) labor history; 2) the limits on the First Amendment rights of public employees; and 3) the coverage of labor protection laws (for example, the minimum wage laws) for non-traditional employees, such as interns or NFL cheerleaders. Other possible topics include low-wage workers in the global economy, or the new National Labor Relations Board union election rules.

Students will read and discuss primary and secondary sources about the assigned topics, view relevant movies, and hear from one or two guest speakers. In addition, **this course satisfies the Law School's seminar requirement** because students will undertake original research on a topic in labor or employment law of their choice, write 25-30 page research papers, and present their work to the class.

Permission of the instructor is required. To be able to register, submit an unofficial transcript to Professor Lise Gelernter, gelernt@buffalo.edu, by November 11, 2014.

L-864 JD/MSW FIELD SERVICE COLLOQUIUM - Melinda R. Saran and Jorien Brock (School of Social Work)
1 credit

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 upper-class 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**.

L-866 ADVANCED ADVOCACY IN MEDIATION - Steve Sugarman
1 credit

This course allows students to sharpen their negotiation skills and effectiveness in representing clients engaged in mediation. In addition to client interviewing and mediation session planning skills, students will practice the delicate balance between a lawyer's duty of zealous advocacy and successfully settling cases in mediation. Advanced attorney ethical issues in such negotiations, such as a proposed duty to negotiate in good faith and the misuse of mediation as a discovery device, are also explored. As a vehicle for learning course concepts, the students are required to prepare for and participate in the ABA Dispute Resolution Section's Regional Law School Mediation Advocacy Competition. The course is limited to enrollment by the 4 students comprising the first and second place teams in the law school's intramural Mediation Advocacy Competition.

L-875 IMMIGRATION LAW PRACTICE – Mark Popiel
3 credits

The continued expansion of international enterprises and increased mobility of people, goods, and services between international lines has made Immigration Law essential to citizens and businesses in the global community. The Immigration Law Practice Course will provide students with a simulation-based (practical) training. As part of the course offering, students will examine the laws, agency memoranda, and statutory requirements and thereafter prepare various applications/petitions used in the processing of temporary and permanent residency filings with government agencies, including the U.S. Citizenship and Immigration Services, the U.S. Department of Labor, as well as the U.S. Department of State.

The key of the Immigration Law Practice is to provide students with hands-on experience in the context of an Immigration Law practice. Accordingly, we will prepare documentation in connection with employment-based filings, including H-1B (Specialty Occupation) Petitions, PERM Labor Certifications, Outstanding Professor/Researcher Petitions, NAFTA TN Petitions, E-2 Investor Petitions, L-1 Intracompany Transferee Petitions, as well as a host of other business based filings. Focus will also be made on family based filings, including K-1 Fiancé(e) Petitions, as well as permanent residency through family sponsorship.

Prerequisite: Immigration Law Course. The class will meet on Fridays from 9:00 - 12:00.

This course fulfills the professional skills requirement.

L-883 INTRODUCTION TO PATENT PRACTICE – Robert P. Simpson**3 credits**

This is a course on patent law and practice. Students will learn patent law by studying statutes, cases, patents and related materials; and will learn how practitioners apply and practice the law by studying pertinent sections of Title 35 of the United States Code (U.S.C.), Title 37 of the Code of Federal Regulations (C.F.R.), the Manual of Patenting Examination Procedures (M.P.E.P.), and by practical projects including: understanding and analyzing inventions, evaluating an invention for patentability, drafting a patentability opinion, claim drafting, and writing and prosecuting a patent application. Science or engineering background is not necessary. This course will be helpful to students who intend to practice patent law, and to those who eventually practice corporate law, IP litigation, or are privileged to serve clients with patent-related issues.

L-885 ANIMALS AND THE LAW - Irus Braverman**SEMINAR - 3 credits**

So far, scholars have relegated the legal investigation of nonhuman life, and of animals in particular, to liberal discourse of animal rights. Within this discourse, legal rights extend to certain nonhuman animals through the same framework that has afforded human rights before it. This interdisciplinary seminar will problematize such approaches and will propose a new topic of inquiry: animals and the law. It will urge students from a variety of disciplinary orientations to explore existing law's relation to the question of the animal and to envision what legal frameworks that move beyond the humanist perspective might look like. The seminar will open up neglected questions that speak to the definition of what, in legal terms, it means to be classified as human or animal, and what are the ethical and political concerns that emerge in the project of governing not only human but also animal life. We will draw on posthumanist scholarship—and especially on science and technology studies, biopolitics, animal geographies, and multispecies ethnography—to consider the role of law in living with animals, and the role of animals in living with law. The seminar will be structured around discussions of particular laws, court cases, and regulations practiced in the context of the zoo, the lab, the farm, hunting sites, the wild, and the bioart exhibit.

L-900 RAISING MONEY, A RANDOM WALK THROUGH CORPORATE AND SECURITIES LAW - Jonathan Gardner**2 credits**

This course will start with a venture capital financing transaction as a way of introducing common issues from the perspective of a company seeking financing as well as from the point of view of investors. We will also look at the exit strategies of investors, including a public offering. Securities lawyers prepare the disclosure and transaction documents that are used in offerings, but we also help companies put together the pieces of their corporate picture that may be missing or inadequate as part of the process of getting them ready for investors and, in the case of public offerings, regulators. That process includes putting in place or sharpening fundamental agreements that are critical to the business, examining and implementing internal controls, corporate governance procedures, addressing open liabilities and a summary review of certain securities regulations that apply to management and the board of directors.

L-900 PRO BONO SCHOLARS SEMINAR – Kim Diana Connolly, Lisa Bauer**SEMINAR - 3 credits**

This seminar is designed to educate Pro Bono Scholars about legal skills and practice, as well as poverty and justice law. It includes required classes weekly that will meet for three hours on campus. It will also entail several reflective assignments, and one brief paper to be completed at the end of the course. Only students already admitted to the Pro Bono Scholars Program may enroll.

L-913 HISTORIC PRESERVATION LAW – Richard Lippes**1 credit- Block 5**

This course will provide students with an understanding of the values that Historic Preservation attempts to achieve, with significant emphasis on the legal techniques available to save historic properties. The Course will provide a survey of the legislative and administrative requirements as they relate to preserving or altering a historic property. Finally, the Course will analyze current problems and issues in Historic Preservation law. **Block 5.**

L-943 TRANSACTIONAL ENTERTAINMENT LAW/THE RECORDING INDUSTRY – Donald L. Kaplan**1 credit - Block 5**

This course will examine the role of the transactional attorney in the entertainment industry, with particular emphasis on the recording industry. We will explore the legal, business and practical issues involved in transactions common to the recording industry primarily

through the examination of a recording agreement, and, as time allows, other typical agreements such as music publishing and management agreements.

Block 5 -Class is held on 2 Saturdays (2/14 AND 2/28) from 9:30-3:30.

L-977 PRO SE CIVIL LITIGATION PRACTICUM – Bernadette Gargano

4 credits

More than twenty-five million Americans are denied legal assistance each year due to lack of resources. This crisis impacts individuals and families that are part of our most vulnerable populations, including communities of color, poor and low-income families, and people with disabilities.

In this service learning practicum, students will interview clients at the courthouse and assist practicing attorneys in advising clients through the ECBA Volunteer Lawyer's Project (VLP). Working with Professor Bernadette Gargano, Bridget O'Connell, Esq., and VLP, students will also perform legal research, develop legal resources for unrepresented litigants, and provide litigants with assistance in navigating legal documents and the court system. Students will staff either the Help Desk in Erie County Family Court or the Pro Se Assistance Program in the U.S. District Court for the Western District of New York. Students will also engage in skills training and classroom study with Professor Gargano and adjunct Professor O'Connell, the Mediation Manager for the Erie County Family Court Custody and Visitation Program under the Eighth Judicial District, Martin P. Violante ADR Program. As part of their fieldwork, students will write and present a white paper (a brief research paper) on a social justice/access to justice topic of the student's choosing. These papers will be published on the law school website.

Applicants must: (1) be available to work in court for at least two days per week; and (2) provide a copy of their Spring class and work schedules with their application. The Family Court Help Desk is staffed from 11:15 a.m. to 2:30 p.m. on Monday, Tuesday, Thursday, And Friday. The Federal Court Pro Se Assistance Program is staffed from 10:30 a.m. to 2:15 p.m. on Wednesdays and Fridays. This course satisfies the skills requirement and provides the 50-hours of pro bono service required for admission to the NYS Bar. Apply online by 10/31. [_____](#)

This course qualifies for skilll credit.