

**SUNY BUFFALO LAW SCHOOL**  
**FALL 2012**  
**COURSE DESCRIPTIONS**

---

**L500 INTRODUCTION TO THE LEGAL PROFESSION & ETHICS**– 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**– Michael Halberstam, Nils Olsen, Susan Mangold

**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** - 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-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.

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

Lawyers write briefs when they represent clients in litigation. Lawyers also draft legislation to help clients when a problem requires legislative change. In this course we will work on the skills you need to write both briefs and legislation to solve the problem of the use of excessive force at our local lock-up.

Many inmates at the Erie County Holding Center have claimed that they were the victims of excessive force by Erie County Sheriff's Deputies. Exercise your legal analysis, writing, and research skills by writing a brief in opposition to a motion for summary judgment dismissing one inmate's claim that the County violated his right to due process when sheriff's deputies subjected him to excessive force. Then learn how to draft legislation in your role as the fictitious advisor to the Erie County Legislator assigned to draft legislation designed to reduce the incidence of excessive force in the Erie County Holding Center.

**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, Elaine Hammond  
**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 ethics and seminar requirements.**

**L- 564 LEGAL ETHICS AND DECISIONMAKING** – James Milles  
**3 credits**

This course examines the ethical standards and legal obligations of lawyers and the social, psychological, and economic factors which lead to ethical failures. We will discuss real life problems using the ABA Model Rules of Professional Conduct 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. Most ethical violations are instances of good (or at least typical) lawyers making bad decisions about their own responsibilities and motivations. Cognitive biases limit our ability to make rational, objective decisions in difficult or ambiguous situations. Cognitive dissonance leads to a vicious circle of self-justification where lawyers gradually become blind to their errors and proceed down paths that can end in devastating violations of professional and legal obligations. This does not excuse lawyer misconduct. Rather, self-critical awareness of these problems should help the lawyer to recognize pitfalls before they become serious and to give students the analytical tools they need to make good decisions. This is an interdisciplinary course, but a practical one: we will study disciplinary rules, ethics opinions, and case law, but equal weight will be given to understanding relevant social psychology and behavioral economics literature to gain a better understanding of decision-making and the motivations and influences that can lead good lawyers into unethical and illegal actions. The grade will be based on a mid-semester analytical paper and a final exam. **The course fulfills the ethics and professional skills requirements.**

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

3 credits

Fridays, 9 am to 12 pm

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.**

**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-575 ADVANCED FEDERAL CRIMINAL TRIAL PRACTICE I** – Hon. Hugh Scott

**3 credits- LLM Students Only**

This course will address in depth the various elements of trial practice from voir dire techniques through opening statements and closing arguments. Particular focus will be upon the exploration of pretrial preparation and strategies including motions, witness preparation, identifying and making objections and preparing omnibus motions.

**L- 576 ENVIRONMENTAL ADVOCACY** - Kim Diana Connolly

**SEMINAR - 3 credits**

This seminar will help you explore and develop practical advocacy skills in the area of environmental representation. You should leave this course with a basic understanding of what it means to be an advocate on environmental issues in the administrative, mass media, legislative, litigation and other arenas. Skills you will acquire include written and oral advocacy abilities in a variety of different arenas, reflective capacities, research and communication aptitude, and research paper presentation. Note that this is not a substantive environmental law course, though you will indirectly learn some substantive environmental law. **This course qualifies for skills credit.**

**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 CARE 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 MANAGEMENT AND E-BUSINESS** – Larry Sanders

**3 credits- Cross-listed with MGT607. BEGINS 8/28.**

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, Sagit Leviner

**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** – 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** – 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** -David Westbrook

**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-612 CONSTITUTIONAL LAW II – FREE SPEECH** - George Kannar

**3 credits**

This course will examine the constitutional principles surrounding the rights of individual expression and association. Topics will include: protest and the limitations upon protest; obscenity, pornography, and sexually explicit speech; libel and defamation; coerced expression or association; freedom of the press and other media; speech and association rights of public employees; speech in public schools; and commercial speech. If time permits, campaign finance and regulation may also be discussed.

**L-613 EVIDENCE** – John Nucheren

**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 (9/5-11/2)

An intensive introductory exploration of contemporary US family law issues. Topics include: state regulation and legitimization 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.

**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-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-642 THE STATE AS ENVIRONMENTAL ADVOCATE** - Jane Cameron  
**3 credits**

In its role as public advocate for the citizens of New York State, the State Attorney General's office has brought environmental lawsuits and administrative petitions against the federal government and the corporate sector, often in conjunction with other State Attorneys General. This course will examine recent litigation and administrative petitions relating to global warming, mercury regulation, aquatic invasive species regulation, and energy efficiency, and will closely examine the legal mechanisms used by the State(s) including Citizen Suits, Federal Administrative Procedures Act (APA) actions, and most recently federal common law public nuisance claims. We will discuss the role of state governments as environmental advocates. The course will include examination of the actual litigation papers and feature guest lecturers. Students will be expected to actively participate in class, draft an affirmative litigation

complaint on behalf of the State, and write several short essays on course topics. **This course fulfills the professional skills requirement.**

**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-665 TOPICS IN REGIONAL ECONOMIC DEVELOPMENT: INDUSTRY** – John Schlegel

**SEMINAR - 3 credits**

The comparative 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, but there has not been similar work directed toward understanding what makes private economic development initiatives successful and identifying the extent to which less grand public economic development activities contribute to that success.

The aspects of the study of economic development are multifarious, extending beyond the traditional three areas of commercial, industrial and residential into identifiable sub-divisions of each, as well as questions about governmental structures, planning mechanisms and zoning policy. Thus, this seminar will change or maintain topic as circumstances dictate. For information beyond the bare title indicated above, please see the instructor.

**This seminar satisfies the colloquium requirement for students in the JD/MUP dual degree program. Students seeking colloquium credit need only enroll for one semester, but are welcome to enroll for both.**

**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 8/28.**

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  
 (Replaced L802 Law Guardian Practice) **3 credits**  
**Prerequisite or Co-requisite:** Child Welfare Law

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 must be available for Tuesday 8:00- 9:00am staff meetings at Children's Legal Center. Other days and times to be arranged. **This course fulfills the professional skills requirement. Permission of the Instructor; Times to be arranged.**

**L-688 INTRO TO SECURITIES REGULATION** - Phil Halpern

**3 credits**

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

**L-689 IMMIGRATION LAW** – Teresa Miller**3 credits**

This course explores the American immigration system from constitutional, statutory, historical and policy perspectives. Immigration plays a central role in contemporary American life and raises in acute form some of the most basic problems that the legal system must address. Topics considered include source and scope of Congressional power to regulate immigration; procedures for entry, exclusion, and deportation; special emphasis on the refugee issue and political asylum; business visas; and current immigration law reforms advancing the War on Drugs and the War on Terrorism.

**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 actively participate in negotiation, mediation, and arbitration-related exercises. For example, students will develop mediation advocacy skills that will have broad application to law practice. Finally, students will benefit from the insights of experienced ADR professionals, including judges, lawyers, and other persons who have experience in the field of ADR. **This course fulfills the professional skills requirement.**

**L-693 LABOR LAW** – Robert Steinfeld**3 credits**

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

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

**L-695 CONTEMPORARY ISSUES IN LAND USE PLANNING** – William M. Murray**3 credits**

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

**L-696 INTELLECTUAL PROPERTY INTRODUCTION** – 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-698 THE COMMON LAW**- Matthew Steilen  
**SEMINAR- 3 credits**

This class will focus on the evolution of the common law, with special attention to constitutional common law and the common-law method. It will begin with a study of the origins of the common law in 12th century England, and then examine what could be called the "Golden Age" of the common law in England, the 17th century, associated mostly closely with the works and opinions of Sir Edward Coke and Sir Matthew Hale. The course will then turn to the reception of the English common law in America, with attention to the role of Blackstone's commentaries and the legal reforms of the 1780s. The course will conclude with an examination of the transformation of the common law during the 19th century, culminating in the ideas of Justices Holmes and Cardozo. The course will conclude by examining modern accounts of the common law method and its role in constitutional law.

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

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

**L-701 HOUSING FINANCE AND DEVELOPMENT** - George Hezel  
**3 credits**

This course addresses the legal, business and regulatory issues involved in representing the various players involved in housing finance and development, including developers, lenders and investors. It incorporates the interpersonal, political and business dynamics of deal making by using detailed case studies and transactional documents, which are studied against the background of complex regulatory schemes and the financial markets. The process of financing and developing housing involves multiple layers of public and private financing and presents a fascinating interplay among law, business and politics. In addition to covering the basics of real estate investment, financial analysis and development, the course examines the use of the low-income housing tax credit, historic rehabilitation and preservation, and tax exempt bond financing. **This course fulfills the professional skills requirement.**

**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. **This course fulfills the professional skills requirement. Corequisite or prerequisite for Family Violence Clinic. Student requirement: engage in class exercises and a final exam paper.**

**L-704 PRISONER LAW - Teri Miller**  
**SEMINAR- 3 credits**

This course could easily be entitled, "Applied Constitutional Law" or "The Constitution Goes to Prison". It examines the judicial application of the Bill of Rights in the institutional context of correctional facilities (prisons and jails). The scope of inquiry extends to the First, Fourth, Fifth, Eighth, Thirteenth and Fourteenth Amendments. In addition to understanding the constitutional doctrine, students explore the racial, gendered, class-based and regional underpinnings of contemporary corrections. Site visits to Buffalo area correctional facilities and guest speakers will supplement lectures.

While this course incorporates some state law claims and procedures, its primary focus is on the constitutional dimensions of the prison. Its scope does not extend to post-conviction remedies, Article 78, Article 440 or habeas corpus. Students who are interested in studying penalty, or who wish to expand their knowledge of constitutional law through a rigorous study of the Bill of Rights in the institutional context of prison are encouraged to take this course.

Academic evaluation is based upon a variety of demonstrated competencies including a mid-term examination, class participation, prison visits and a final exam.

**L-706 THEORY AND PRACTICE OF NEGOTIATIONS - Brian Becker**  
**3 credits- Crosslisted with MGG 640 and BEGINS 8/28.**

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. 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 system and the evolving mandates for change.

**L-721 CRIMINAL LAW THEORY – Guyora Binder**  
**SEMINAR - 3 credits**

This seminar examines fundamental questions about criminal law, such as: What differentiates criminal from civil law? What purposes justify punishment? What kinds of behavior should be subject to punishment? Should punishment depend on harmful results, or just bad intentions? Should punishment depend only on actors' choices, or also on their ends and motives? How should we assign criminal responsibility for collective action? Students will read scholarly articles addressing such issues. Each student will write a research paper on a criminal law topic of his or her choice and give an oral presentation explaining the topic.

**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-726 LAW, CULTURE, AND SOCIETY** - David M. Engel**SEMINAR – 3 credits**

Legal issues and disputes do not arise in a vacuum. The ways in which people think about the law and the ways in which they respond when legal problems arise are conditioned by the social and cultural contexts in which they live. Sometimes the law explicitly defers to particular social and cultural norms (customs among merchants under the Uniform Commercial Code; community norms concerning the “reasonable person” in tort law) and sometimes it explicitly rejects them (polygamous marriage in the United States; wearing head scarves in French schools). Often, however, the relationship of law, culture, and society is more subtle and complex in shaping the values and assumptions of legal professionals and ordinary people. The concept of “culture” itself is elusive and sometimes controversial, as in criminal cases in which the defendant asserts a “cultural defense” in relation to harm inflicted on women and children. Nevertheless, most lawyers and judges would agree that it is essential in certain circumstances to take “law, culture, and society” into account if they are to understand how legal interventions will affect the individuals and the ideals they hope to serve. Many legal and policy debates - in this country and transnationally - can be illuminated by considering these connections between law and its social environment: the use of law as an instrument of social change, the tensions between religion and state law, the constructive and destructive role law can play in articulating the rights of minority groups defined by race or disability, the handling of claims asserted by indigenous peoples, and the controversy over “translating” legal concepts and ideas about rights across cultural and national boundaries.

This seminar examines such issues through discussion of a diverse set of readings that are deliberately comparative, drawing on studies of the United States and other – primarily nonwestern – societies. A term paper is required. Students will be encouraged to conduct research for this paper outside the library, drawing on their own social observations and/or interviews. No prior knowledge of or experience with such research is expected.

**L-733 PROFESSIONAL SPORTS DRUG TESTING RESEARCH PROJECT** – Helen Drew**1 credit- Block 2- (10/4-11/2).**

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-736 ANTHROPOLOGY OF LAW** - Mateo Taussig-Rubbo**SEMINAR - 3 credits**

This seminar introduces fundamental concerns in the anthropological study of law. Topics include: the relationship between 'law' and 'culture' as concepts of social order; the diversity of forms that legal phenomena have assumed in different societies; the constitution of legal order in modern colonial and postcolonial settings; and the fascinating challenges that arise from efforts to make the law responsive to cultural difference in contemporary contexts. Readings are both ethnographic and theoretical.

**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-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-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. Students will be evaluated based on a mid-term exam, group based assignment, and a final take-home exam. **Pre-requisite: Tax 1.**

**L-764 SEXUAL HARASSMENT LAW** – Dianne Avery

**SEMINAR - 3 credits**

This seminar will explore the development and application of federal antidiscrimination laws prohibiting harassment of employees and students “because of sex.” The primary emphasis of the seminar will be on Title VII of the Civil Rights Act of 1964, as amended, but materials on Title IX and alternative theories of liability and remedies for sexual harassment under the common law, state antidiscrimination statutes, and collective bargaining agreements will be covered. Readings will trace the evolution of sexual harassment theories from the feminist scholarship of the 1970s to current competing views on the meanings of sex, gender, and sexual orientation drawn from a variety of perspectives, including feminist legal theory, critical race theory, and law and economics. Topics will include employer liability for sexual harassment, evidentiary and discovery issues in sexual harassment cases, the role of class action lawsuits, and the rights of alleged harassers. A seminar paper is required.

**L-777 INTEGRATED ENVIRONMENTAL MANAGEMENT** - Barry Boyer/Christian Renschler

**3 credits-** Cross-listed with Geo 470/570. Class begins 8/28 and is located in 355 Filmore.

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-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- 801 ADVANCED FINANCE: SOCIAL CAPITALISM-** David Westbrook

**SEMINAR- 3 credits**

This seminar explores banking and monetary policy, especially as it relates to sovereign debt. This course is highly responsive to current events, but we might begin with fiat money, the federal reserve system and the need for a lender of last resort, and work our way to quantitative easing and the crisis of the Euro, and see what we learn about the relationship between money (or perhaps confidence more

broadly), and economic development in both mature and emerging economies. Particular attention will be paid to the successes and failures of central bank policy in the US and Europe leading up to, and since, the financial crisis. Some time will be devoted to the history of central banking, and the development of a philosophy of central banking since the late 19th century. There are no formal prerequisites, but any knowledge of finance, corporation law, transactions, or even microeconomics that you can bring to the table would be helpful. Knowledge of macroeconomics and especially economic history would be very helpful. Evaluation by paper and quality of class participation. Note: this seminar will be both impossible (the answer to many of these questions is not known), and not nearly as hard as this abstract has made it sound. These are central issues of our time, and reading, thinking, and talking about them should be fun.

**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).**

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-806 INTERNATIONAL ENVIRONMENTAL LAW – Errol Meidinger**  
**3 credits**

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

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

**\*Course is scheduled for 4 hours per week (vs. 3) to ensure appropriate amount of meeting time (some classes maybe be cancelled due to international engagements of professor).**

**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. **This course fulfills the professional skills requirement.**

**L 814 PHILOSOPHY OF LAW- Kenneth Ehrenberg**

**SEMINAR - 3 credits- Cross-listed with PHI 539. Begins 8/29.**

This course will survey complete key texts in modern Anglo-American general jurisprudence, acquainting students with the status of debates regarding the nature of law; legal validity, legitimacy & authority; the relation of law to morality & the duty to obey the law; and the nature of legal interpretation. We will read most or all of the following authors: H.L.A. Hart, Lon Fuller, Ronald Dworkin, John Finnis, and Joseph Raz..

**L-818 MELVILLE AND THE LAW - Alfred Konefsky****SEMINAR - 3 credits**

This seminar will explore Herman Melville's views on law, lawyers, and legal systems as developed in three of his works of fiction: Benito Cereno, Bartleby, and Billy Budd. Melville's ideas about slavery, free labor, and the nature of justice will be explored through (1) an examination of the historical and legal historical events that may have influenced Melville's fictional narratives,(2) a discussion of the story themselves, and (3) an analysis of some of the literary criticism focusing on the relationship between law and Melville's work.

**L 822 SEXUALITY AND THE LAW – Michael Boucai****SEMINAR- 3 credits**

Denial or control have been dominant modes of dealing with issues of sexuality in U.S. jurisprudence. This seminar will explore this historical and legal legacy and connect it to contemporary jurisprudence and law in the US to legal development in other countries, and to international human rights doctrines.

**L-833 WOMEN'S INTERNATIONAL HUMAN RIGHTS – Isabel Marcus****3 credits – SEMINAR- Blocks 1 & 2 (9/5-11/2)**

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-844 SPECIAL TOPICS: MERGER & ACQUISITION STRATEGY AND FINANCING – John Dunbar****3 credits- Cross-listed with MGF 658. Class begins 8/31.**

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. This will provide an in-depth study of the business concepts reflected in the legal documents analyzed in the existing course MGF 656/LAW 856 Acquisition Transactions. **Cannot be taken for Law School seminar credit. This course fulfills the professional skills requirement.**

**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 or mandate social change? We will examine the role of lawyers and interest groups in selecting litigation rather than alternative political processes for change, and consider the attributes of courts (both trial and appellate) that make them appropriate yet limited targets for advocates of change. Readings will be drawn from political science, sociology, and law, using case studies from American politics in areas such as civil rights, comparable worth, death penalty, prison reform, school financing, right to life, and tobacco control. Students will write a substantial research paper and present drafts of their work to the seminar.

**L-849 INTERNATIONAL LAW COLLOQUIUM – Makau Mutua****1.5 credits in fall and spring - SEMINAR**

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.

**L-856 ACQUISITION TRANSACTIONS** - Thomas Disare, 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-866 LAW AND NATURE** – Irus Bravernan  
**SEMINAR – 3 credits**

This seminar is not about animal or tree rights or even about the right to nature. It is also not a seminar on global warming or about how law must come to grips with environmental concerns. It is, instead, a series of reflections on what we mean when we say the word “nature” and an exploration of law’s relationships to such nature(s). It is also about the place of urban life in our understandings of nature; on animal/human relations in contemporary societies; and on how interpretations of nature are facilitated through particular sites such as the zoo and national parks. But more than anything else, this seminar is about power. Specifically, it is about how nature is used to obscure ideological stances. The seminar, in other words, is a critical evaluation of nature and of its powerful workings in contemporary American (and a few other) societies.

**L-877 LEGISLATIVE PROCESS-** Anthony O'Rourke  
**SEMINAR- 3 credits**

While most traditional law school courses focus on case law, the vast majority of American law is statutory. This seminar will accordingly examine legislatures, particularly Congress, and the legislative process. We will address the structure and procedures of

legislatures, and how these influence the legitimacy, deliberativeness, and representativeness of legislative action. The issues we cover will include Congress's role within the structure of the modern administrative state, the incentives that influence the behavior of various actors in the statutory lawmaking process, and the rules that help structure the relationships between Congress, agencies, and courts.

### **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 UB Law Library. Students who are selected 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”). 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 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 and presentation, and 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 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.**

### **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. See externship packet for details. **Fulfills the skills requirement.**

**L- 899 RESTORATIVE JUSTICE: ALTERNATIVES TO INCARCERATION PRACTICUM-** Athena D. Mutua  
**4 credits**

Like all practicums, this course requires both field and course work. Students will actively work with Buffalo City Court Judges and personnel, primarily on Article 216 cases. This Article provides an alternative to incarceration and seeks to deliver assistance and treatment for some of the underlying problems of alcohol and drug abuse associated with many of the defendants' cases. Most students will work in the Treatment Court, though some may be placed with juveniles in the Family Court. Working in teams of two, students will be assigned to an accused felony offender who requests placement in the program, and work closely on the case over the course of the semester.

Associated course work will provide skills training essential for success with the court, including interviewing/writing skills and successful interdisciplinary work. It then will attempt to put the student's field work experience into a larger social justice context by reviewing other alternative to incarceration programs and cases, with a particular focus on NYS and an array of laws that both structure and hinder the programs, including the changes to the Rockefeller laws. One of the class' primary inquiries will be why, though presumably helpful, these programs have failed to make any dent in the mass incarceration of Americans, pondering the types of legal, structural and other changes that may be necessary to effectuate this goal. At the same time, the class will study the roots, promises and shortcomings of therapeutic justice, and study and assess these programs against the more expansive restorative justice models in place in some locales and proposed for many years.

Direct work on data available through the court will provide additional context-based study. Students will be required to keep a weekly journal and to engage in a research project of their choice that will be published on the law school website. **This course counts for skills credit.**

Please complete the online application found at [www.law.buffalo.edu/registrar](http://www.law.buffalo.edu/registrar) if you are interested in applying for the Restorative Justice Practicum.

**L-905 INTERNATIONAL BUSINESS TRANSACTIONS FROM AN IN-HOUSE COUNSEL'S PERSPECTIVE** – Ernest J. Norman

**1 credit- Block 2 (10/4-11/2)**

This course will explore the dynamics of putting an international business transaction together from a business and legal perspective. Actual international business transactions will be analyzed. They will include a Japanese/U.S. manufacturing joint venture and a technology purchase from a South African inventor. **Students who have completed L-905 or L-911 with Brian Martin may not register for this course.**

**L-911 THE UNIQUE ASPECTS OF IN-HOUSE COUNSEL** – Brian Martin

**1 credit**

This course will examine the unique challenges of serving as corporate in-house counsel. Bound by the ethical and professional obligations of the legal profession, in-house counsel involves distinct demands and unique challenges due to the fact that the attorney's single client is also the attorney's employer. This status generates further issues of how to balance expectations of loyalty and teamwork with the need to provide impartial and competent advice in the best interest of the client. In the high-tech industry, these challenges are complicated by dynamic technologies and constantly changing business models.

In this course, we will examine special situations that arise in connection with the attorney-client relationship, confidentiality of client information, conflicts of interest, exercise of professional independence, and representing client organizations. Case studies, including the Ford Pinto case, will introduce students to the role of corporate counsel. The instructor, Brian Martin, currently serves as in-house corporate counsel in the high technology industry. **The course will meet for four hours beginning at 8:00 am on each of three Friday mornings: September 14, October 19, and November 16. Students MUST attend all classes. Student grades will be based upon their participation in class. This course fulfills the professional skills requirement.**

**PREREQUISITES:** Corporations and Evidence

**L-948 BUYING AND SELLING BUSINESSES** - Robert Fine  
**1 credit- Block 1 (9/5-10/3).**

This course will examine negotiating the deal, including the role of the lawyer as a draftsman, counselor, and business advisor; valuation of the business entity -- how to do it, including tax considerations; asset and stock transactions will be compared including discussions of the contracts themselves, representations and warranties, employment contracts and covenants not to compete; strategies and approaches of negotiation. **This course fulfills the professional skills requirement.**

**L-951 SEX, DISEASE, AND THE LAW** - Bernadette Hoppe  
**1 credit- Block 2 (10/4-11/2).**

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-960 THE PATH OF A CRIMINAL CASE – A PRACTICAL GUIDE TO CRIMINAL DEFENSE WORK** - Andrew LoTempio  
**1 credit- Block 2 (10/4-11/2).**

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.