

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

L-501 CIVIL PROCEDURE– Susan Mangold

4 credits

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

L-503 CONTRACTS – John Schlegel, Mateo Taussig-Rubbo

4 credits

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

L-505 CRIMINAL LAW – Guyora Binder

4 credits

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

L-507 PROPERTY – Rebecca French, Jessica Owley, Robert Steinfeld

4 credits

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

L-511 CONSTITUTIONAL LAW - Martha McCluskey, Matthew Steilen

4 credits

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

L-516 LEGAL ANALYSIS, WRITING & RESEARCH II - Johanna Oreskovic, Christine Bartholomew, Patrick Long, Laura Reilly, Stephen Paskey, Chris Pashler

3 credits

This is the second semester of a full-year required course designed to introduce students to legal analysis, legal research and legal communication (course actually begins during bridge period on 1/10). Students learn to construct legal arguments using the analytical skills acquired during their first semester. They also build on the research skills that they learned in their first semester to independently research the law needed to support their arguments. They then communicate their arguments by writing a trial level brief for their instructors, and by arguing their cases before legal professionals from the local bar who act as judges.

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

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

L-517 ADVANCED LEGAL ANALYSIS. WRITING & RESEARCH – Nan Haynes

Students in this section of Law 517 will exercise their legal analysis, writing, and research skills while learning about childhood lead-paint litigation. They will follow a hypothetical case from the initial interview with the mother of a child injured as a result of exposure to lead-based paint to an appeal. Along the way they will draft a complaint, a brief in support of or in opposition to a motion, and an appellate brief.

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

Judicial clerkships have long been viewed as a vehicle for providing new attorneys with outstanding legal training. Employers recognize that clerkships provide new attorneys with the opportunity to conduct complex legal research and analysis in addressing novel legal questions. This course will provide students with the same opportunity to develop and refine their critical thinking, legal analysis, research, and writing skills in the context of a simulated judicial clerkship. Students will perform research and writing assignments similar to those performed by federal judicial law clerks. We will examine the role and function of judges and law clerks, different judicial philosophies, and the strategic decisions made by judges throughout the case. We will also discuss the extent to which judicial decisions may be influenced by external factors, such as the level of appellate review, the amount of judicial discretion, and case management pressures. Students taking this course will gain a deeper understanding of trial and appellate court procedural rules. By the end of this course, students will have a more sophisticated understanding of the role of judges, be more adept at conceptualizing and analyzing legal issues, and have a greater understanding of legal elements, rules of law, statutory analysis, and case law synthesis.

L- 522 JUDICIAL CLERKSHIP SKILLS COURSE - Andrew Moeller**1 credit**

Limited to 15 students; by permission of instructor only. Contact Dawn Skopinski for permission at Skopinski@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. **Meets every other week.**

L-527 FASHION AND THE LAW – Rebecca French**3 credits- SEMINAR**

Oscar Wilde said that only shallow people do not judge by appearances. The fashion industry is one of the largest and most interesting businesses in the United States today. This seminar will address the implications of fashion regulation from a variety of perspectives, including intellectual property protection for fashion design, financial and cultural studies of the clothing industry, and, if there is time, varying labor standards and other results of globalization. The class format is quite simple: you read the assigned chapter of a book, and a case or statute each week and then write two to three pages on your reading to be handed in by class time. In class, we discuss the readings and your thoughts. I will edit and grade every paper and hand it back to you the next week, allowing for revisions to improve your grade. Class attendance is obviously important but there is no other work product, no long paper and no exam. Most students really like this format and the material is fascinating.

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

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

L-531 CIVIL RIGHTS- Anjana Malhotra**3 credits**

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

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

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

L-561 COMPUTER CRIME AND CRIMINAL PROCEDURE - James Milles**3 credits**

This course approaches the term “computer crime” from two directions. The first part of the course deals with *substantive* computer crimes, or the law governing use of a computer to commit a crime. This includes both computer misuse crimes such as hacking offenses, virus crimes, and denial-of-service attacks, as well as traditional crimes facilitated by computers, such as Internet fraud, online threats, identity theft, and distribution of child pornography. The second part of the course addresses *procedural* computer crime law, including Fourth Amendment search and seizure as well as statutory regulation such as the Electronic Communications Privacy Act. The grade will be based on a final exam consisting of multiple short essay questions.

L-562 STATUTORY INTERPRETATION - Lynn Mather & Anya Bernstein**3 credits**

Although first year law courses focus on the common law and constitutional law, the primary source of American law today is statutory law. Consequently, a central challenge for lawyers and judges in state and federal courts is how to interpret statutes – a task that is not as easy as it first appears. This course will explore theories and current debates in statutory interpretation, including canons of statutory construction; plain meaning and textual analysis; political, economic, linguistic, and critical theories of interpretation; and the role of legislative intent and history. We will focus especially on how these debates over interpretation emerge and are resolved in statutory cases before the current U.S. Supreme Court and in cases of legislation before state courts, especially New York.

The course will not have a final exam. Instead, students will write two short papers and have an in-class exercise the last day of class interpreting a case of statutory conflict.

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

This course examines the ethical standards and legal obligations of lawyers and the contextual factors which lead to ethical failures. We will discuss real life problems using the ABA Model Rules of Professional Conduct and the Restatement (Third) of the Law Governing Lawyers, as well as New York rules, statutes, and case law which govern lawyer behavior and the lawyer's duties to the client, third parties, the courts and the public. This course will focus not just on learning the rules, but understanding and recognizing the circumstances in which lawyers break the rules. An understanding of the rules accompanied by critical self-awareness helps the lawyer recognize pitfalls before they become serious and gives students the analytical tools they need to make good decisions. The grade will be based on a multiple-choice final exam. **The course fulfills the 3-credit ethics requirement mandated for students who were admitted to SUNY Buffalo Law School after July 2012.** It is required in the second year and seats will not be guaranteed for 3Ls who do not complete this course in the second year.

L-578 LAW AND RELIGION: CASES IN CONTEXT - Rebecca French**3 credits - Seminar**

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

L-580 DEVELOPMENTS IN NY FAMILY LAW - Susan Mangold**SEMINAR - 3 credits**

This course will provide theoretical and practical information on current issues and developments in New York State family law. Students will be responsible for weekly assigned materials on matrimonial, dependency, delinquency, adoption and status offense issues currently before the courts and legislature of the state. Assigned materials will provide necessary theoretical and historical background as well as current statutes, regulations, case law and practitioner-oriented updates. This seminar is open to all students but preference will be given to students enrolled in the Program in Family Law. Students must verify with either Prof. Tomkins or Prof. Mangold that they have met the other requirements for the Program in Family Law. All students seeking to graduate in the Program in Family Law must present their final paper for this seminar in a public forum at the end of the semester.

L-585 LAW AND ECONOMICS – Rick Su**3 credits**

From environmental regulation to criminal law, economic analysis now plays a significant role in the development and enforcement of legal rules. This course introduces and critically examines the rise of "Law and Economics" in American law. The goals of this course are threefold: (1) to develop an understanding of how economic concepts affect policy making and the development of legal doctrines, (2) to assess how effectively economic concepts describe behaviors in the fields in which they are used, and (3) to consider the benefits and consequences of economic analysis from a normative perspective. Materials from a wide range of legal topics will be considered. This is an introductory survey course for lawyers; background knowledge in economics is not required.

L-585 IP FUTURES, RIGHTS, AND REMEDIES - Bob Reis**SEMINAR – 3 credits- Block 6&7**

The seminar will focus on the current creation and use of copyright (and patents). These will be studied in the context of changing technologies, patterns of use and infringement, international regulation of "competition" and EU market structures.

L-601 ELDER LAW – Anthony Szczygiel**3 credits**

The aging of the U.S. population is raising a host of issues for the law and lawyers to deal with. We will study a range of issues within this context, including age discrimination in employment, Social Security and other income maintenance programs, Medicare and other health care, housing, guardianship and health care decision making.

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

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

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

The focus of this course will be on technology management and developing an Internet-based business or extension to an existing business. The course will integrate concepts from economics, organizational strategy, 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.**

Cross-listed with MGT- Starts 1/28.**L-608 FEDERAL INCOME TAXATION I** – Matthew Dimick**3 credits**

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

L-610 CRIMINAL PROCEDURE I – John Nuchereneno**3 credits**

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

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

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

L-613 EVIDENCE – Luis Chiesa**3 credits**

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

L-614 ESTATE PLANNING – Tammie Schultz

3 credits

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

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

L-616 FAMILY LAW – Michael Boucai

3 credits

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

L-617 GRATUITOUS TRANSFERS – Heidi Forman

3 credits

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

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

Helen Drew

3 credits

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

L-624 INTERNATIONAL FINANCE MARKETS – Phil Halpern

SEMINAR - 4 credits

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

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

3 credits

This course provides a comprehensive reinforcement of strategy and analysis for bar examination preparation using study and review of selected common law core subjects, and statutes and case law specific to New York. Students will develop preparation techniques and skills in critical legal analysis and writing to assist them in various legal writing methods, which may be applied to all state bar examinations. Students will be expected to practice and articulate the legal method, particularly in IRAC form, as it applies to analytical reading and writing skills. Test taking skills and preparation for the Multistate Performance Test, Multistate Bar Examination and New

York Multiple Choice Examination will also be discussed. Students will use in-class writing practice and assigned statutes and case law for preparation, interactive course discussion and completion of graded assignments. Regular attendance and participation are required.

This course fulfills the professional skills requirement.

LAW 625 is limited to students graduating in May 2014, September 2014 or February 2015.

L-626 PROBLEMS IN NEW YORK CIVIL PRACTICE - James Gresens, Jodyann Galvin, Catherine Cooley, and Gary Muldoon
3 credits

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

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

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

L-631 ADMINISTRATIVE LAW– Anya Bernstein
3 credits

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

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

L-635 TECHNOLOGY IN THE COURTROOM - Patrick Curran
3 credits

This course will provide practical, hands-on instruction regarding creative approaches to visual presentation of evidence at trial. The evidentiary foundation for admissibility of such displays will be examined. Students will become familiar with various computer software and presentation devices, and will prepare trial exhibits, demonstrations and re-enactments. The course will consist of interactive lectures, guest speakers, as well as students conducting each phase of a trial incorporating computer-generated exhibits. Some class sessions will be conducted in downtown courtrooms and offices. **This course satisfies the skills requirement.**

Criteria for admission to the course include familiarity with computer graphics and all forms of visual aids; creativity; and passion for becoming a trial lawyer.

Prerequisite or corequisite: Evidence and Trial Technique. Students must have access to a laptop computer.

L-637 CORPORATE NEGOTIATIONS - James Newton
2 credits

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

practitioners, who will be frequent visitors to the class and participate in interactive lectures and assignment feedback. **This course qualifies for skills credit.**

L-638 TRIAL TECHNIQUE – Various Instructors
3 credits

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

L-643 WHITE COLLAR CRIME – Marc Gromis
3 credits

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

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

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

L-650 EMPLOYMENT DISCRIMINATION LAW – Dianne Avery
3 credits

This course explores the legal protections against discrimination in employment on the basis of race, sex, religion, national origin, and age. The major emphasis of the course will be on Title VII of the Civil Rights Act of 1964, as amended. Other laws include the Equal Pay Act, the Age Discrimination in Employment Act, and 42 U.S.C. § 1981. Subjects include theories of liability, defenses, and proof schemes; pregnancy discrimination; discriminatory harassment; affirmative action; and remedies for unlawful discrimination. There will be an in-class, open-book final examination.

L-651 TRIAL ADVOCACY - Hon. Thomas Franczyk
3 credits

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

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

The students will organize and analyze a complicated fact pattern by focusing on the elements of proof, defenses and by developing a theme of the case. In each session, students will, under the guidance of the instructor, guest judges and trial lawyers, work on a different aspect of a selected case. In the process they will sharpen their skills in the mechanics of trial lawyering: how to ask proper

questions on direct and cross examination, impeachment with a prior inconsistent statement, introduction and use of objections. The student performances in each aspect of the trial will be critiqued on the spot so that they can identify their weak points and improve upon them for the next session.

In the trial competition, the students will try a case against top student trial lawyers from across the country. Competitions are either invitationals which involve trying both sides of a criminal or civil case at least twice, and up to 5 to 6 times depending on whether the team advances past the preliminary rounds. The competitions usually take 3 to 4 days. With the National Trial Competition and ATLA Competition, if the team wins the Regional, they advance to the Nationals and repeat the process. Actual trial judges and trial lawyers serve as judges and evaluators. Course schedule varies from semester to semester and ordinarily consists of frequent meetings during a 6-week period. The time commitment is generally 3 nights a week and Saturday or Sunday mornings with all sessions running about three hours. This course counts toward the maximum of 12 credits that a student is permitted to receive from independent studies, externships, and courses in other UB academic units. **This course fulfills the professional skills requirement. Practice schedules are Monday and Wednesday evenings and some weekend mornings.**

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

L-655 MASS MEDIA LAW – Samantha Barbas

3 credits

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

L-656 NEW YORK LEGAL RESEARCH - Theo Belniak

1 credit

As students go off to summer internships and graduates go off to their first jobs, many stay within the borders of New York State. Unlike the more general focus of other advanced legal research courses offered at UB Law, this course will address a need for focused instruction in New York legal research.

The course will reinforce the 'basics,' such as case law and statutory research, and will provide in-depth guidance for lesser-used resources, such as secondary and administrative law sources. In addition, it will focus on the efficient vetting and use of online resources, including Westlaw, Lexis, Loislaw, and freely available web-based sources. These assignments will come in multiple forms: some will reflect a real-life research problem that a student might encounter at a law firm, and others will reflect a 'step-by-step' approach to learning the source. As the semester progresses, the assignments will incorporate multiple aspects and topics of research already covered, ensuring reinforcement of previous class sessions.

L-657 ELECTION LAW- James Gardner

3 credits

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

L-660 LEGISLATION - Anthony O'Rourke

3 credits

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

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

L-662 ADVANCED CIVIL PROCEDURE: MULTIPARTY LITIGATION – Matthew Steilen

3 credits

This course focuses on multiparty litigation in the federal courts. There will be a detailed examination of rules of joinder, issue and claim preclusion, class actions, and multidistrict litigation ("MDL"). The class will include group writing assignments in addition to exams.

L-667 ADVANCED LEGAL RESEARCH – Joseph L. Gerken

3 Credits

This course is intended to enable students to become more sophisticated researchers. Its objectives are to help students to think strategically about research projects, critically evaluate sources, and refine their research methodology. To this end, each student will pursue one sustained research project, making use of the sources discussed in class. The course will focus on Federal law sources, with some discussion of New York law. Covered sources will include case law, statutes, legislative history, regulations, agency rulings, presidential documents, and sources in related disciplines (social sciences, health sciences and business). Advanced search techniques on Westlaw, Lexis and other on-line databases will also be covered. **Permission of the instructor is required. This course fulfills the professional skills requirement.**

L-668 NEW YORK CRIMINAL LAW – John Nucheren

3 credits

This course examines the process of New York State criminal litigation beginning with the filing of charges and continuing through the post-conviction stage. Topics covered may include: the exercise of prosecutorial discretion in the charging function, the preliminary hearing and grand jury proceedings, bail, joinder and severance of defendants and charges, the right to a speedy trial, discovery, trial issues, the right of confrontation, the presentation of evidence, jury instructions and sentencing issues.

L-676 INTRODUCTION TO HEALTH ECONOMICS- Walter Ludwig

3 credits

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

Course is crosslisted with SPM 539 and begins on 1/27.

L-680 TOPICS IN GLOBAL FINANCE – Phil Halpern

4 credits

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

L-684 FINANCIAL ANALYSIS & REPORTING- Jeannette Toth

3 credits

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.

CROSSLISTED WITH ECO504 and begins 1/28.

L- 691 PENSION & EMPLOYEE BENEFIT LAW – James Wooten

3 credits

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

L-692 SPECIAL TOPICS: BREAKING DOWN “BREAKING BAD”- Bruce Jackson

3 credits

“Breaking Bad” was one of the most spectacular narrative achievements in television. Its five seasons comprised some 65 hours of a single narrative arc, something no film or television program (cable or commercial) has ever accomplished. The original version of Erich von Stroheim’s Greed was a mere 8 hours; read aloud, The Iliad takes about 12 hours and War and Peace 24 hours “Breaking Bad” is one of the great epics. The acting, writing, cinematography, editing, scoring and settings were all masterful (the show won major awards in all categories). It was a story made for television, not the big screen; some of the work would have been handled differently had it been done for a theater audience. It has already had a continuing cultural influence: the New York City based One World Symphony, for example, is developing an opera based on the “Ozymandias” episode in the final season.

In this seminar, we’ll take a close look at all the components of the series; we’ll talk about what was done, how it was done, why it worked. There is one prerequisite: that members of the seminar have seen the series before the seminar’s first meeting. We’re going to be studying it, not greeting it. We’ll look at some segments during the semester, but only so we can deconstruct the work. I’ll expect participants to do class presentations on different aspects of the epic, and a term paper on a topic of their choice.

My own qualifications for, and interest in, the story of Walter White are threefold: I’ve made films, I’ve written extensively about narrative, and I was senior consultant on the field segment of the drug report for the President’s Commission on Law Enforcement and Administration of Justice (usually called “The President’s Crime Commission”), which gave me the opportunity to spend a lot of time on the ground with people on both sides of the kind of action depicted in “Breaking Bad.” **This seminar will not fulfill the law school seminar requirement. Crosslisted- begins on 1/27.**

L- 701 HOUSING FINANCE & 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.

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

3 credits

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

Prerequisite: Federal Income Tax I (Law 608).

L-707 POLITICAL CORRUPTION - Michael Halberstam

SEMINAR-3 credits

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

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

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

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

Roughly 14% of the Buffalo region's residents live in poverty; that rate rises to about 30% in the city of Buffalo itself. What are the causes of this poverty, and what are successful ways to address it? In this class, we'll examine local poverty through many lenses, including low-wage work, disability, race, and education. We'll meet with non-profit groups that are fighting poverty and study policy changes at the local and state level to strengthen their efforts. Each student will write a fact sheet and policy brief recommending changes. We will invite the public to our final class, in which we will present our proposals. The class will meet in downtown Buffalo at 237 Main St., Suite 1200. Enrollment is limited to fifteen.

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

This introductory course explores the U.S. public policymaking process and its impacts upon the determinants of the population's health status including environmental, socio-cultural, ethnic, demographic, economic, lifestyle, service access and other factors. The course opens with an historical overview of benchmark developments in U.S. health care, highlighting significant influences that transformed the industry into its current form. With the incremental evolution of U.S. health policy as the context, the course discusses individual and societal values concerning health and the operation of the political system framed in a cyclical process of agenda-setting through policy modification. Each step of the policymaking process highlights the roles of key players in the legislative, judiciary and executive branches of government, and the manner in which they affect the process. The course identifies and characterizes the array of health care system stakeholders ranging from private citizens to powerful industry lobbying organizations and the means and methods used to influence the formulation, implementation and modification of health policy. The course concludes with a discussion of the characteristics and role of political competence in the U.S. policymaking process. **Cross-listed with SPM 542. Class begins on 1/31.**

L-717 REMEDIES – Isabel Marcus
3 credits- Block 5&6

Remedies give meaning to obligations imposed by the rest of substantive law. The law of remedies (ranging from compensatory damages, punitive remedies, to preventing harm through injunctive relief) falls somewhere in between procedure and primary substantive rights. This survey course explores the general principles of public law and private law remedies cutting across substantive fields. There will be a final exam for this course.

L-719 PARTNERSHIP TAX - Stuart Lazar
3 credits

This course covers the tax treatment of partnerships (including limited liability companies that are treated as partnerships for tax purposes). Topics covered will include transfers of property to a partnership, allocations of operating income and loss of a partnership among the partners, distributions of partnership property, consequences of providing equity compensation in a partnership, transactions between partners and the partnership, transfers of interests in a partnership, and termination of partnerships. Partnership 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. In addition, we will analyze certain tax provisions commonly found in partnership agreements.

Pre-requisite: Federal Tax I

L-730 ADVANCED BANKRUPTCY - Todd Brown
3 credits

Advanced Bankruptcy provides a detailed examination of the history of bankruptcy law in the United States, the events and debates that shaped the modern Bankruptcy Code, critical cases that have shaped bankruptcy practice under the Code, and the ongoing academic and policy debates concerning the future of the Code. **Students must have completed Bankruptcy (L602) to enroll in this course.** Other

advanced bankruptcy classes (Consumer Bankruptcy, Business Bankruptcy and Reorganizations, etc.) are recommended but not required.

L-731 INTERNATIONAL TRADE AND SUSTAINABLE DEVELOPMENT - Errol Meidinger

3 credits

This course provides an in-depth examination of international trade law and its relationship to the goal of sustainable development. International trade law, as embodied in the World Trade Organization, GATT, and NAFTA, promotes the free movement of goods, capital, and services. The primary argument for free trade is that it makes citizens of all countries better off by rewarding them for doing what they do best, thus spurring economic development even in the most impoverished countries. Sustainable development holds that economic development must be pursued in tandem with environmental protection and social welfare – that there cannot be meaningful economic development without environmental and social protection. Some advocates of sustainable development argue that free trade in fact often undermines environmental protection and social welfare. This course covers:

- Key concepts and principles of free trade and sustainable development
- The workings of the World Trade Organization, including its dispute settlement and rulemaking processes and emerging legal culture
- Discrete problem areas of international trade law, including tariffs, quotas, export restrictions, and process and production method (PPM) regulations
- Regional multilateral trade arrangements, including the North American Free Trade Agreement and the European Union
- Key disputes, including Shrimp/Turtle, Tuna/Dolphin, the EU ban on meat products containing growth hormones, disputes over genetically modified foods, and NAFTA investment disputes

No prior familiarity with either trade law or environmental law is necessary.

Evaluation: Students have two options for evaluation. The first is a comprehensive final exam. The second is a combination of a substantial research paper (70%) and a summary final exam (30%) aimed at ensuring study of course material not covered by the paper. Students who write papers may receive seminar credit if they wish. Those planning to write papers should have an approved paper topic by early March. All students are expected to complete all of the readings for the course, and to do so in advance of the class session for which they are assigned.

L-734 ISSUES IN IMMIGRATION LAW - Rick Su

1 credits

This course is required for students enrolled in the 5-credit externships and clerkships at: 1) the U.S. Immigration and Customs Enforcement office (ICE); 2) the U.S. Executive Office for Immigration Review (Immigration Court); 3) Volunteer Lawyers Project (VLP) B Immigration; and 4) Journey=s End.

The class will meet once each week for one hour except for the weeks that the professor will hold individual meetings with each student to discuss the student=s research project and externship or clerkship. Students will read about and discuss topics in immigration law and will also be able to discuss issues arising from their externships and clerkships. In addition, each student will research an immigration law issue and present it to the class and will write one medium-length paper (10-15 pages) on the topic of the student=s class presentation. Topics will be chosen in consultation with the professor.

L-735 EFFECT OF RELIGION AND CULTURE ON FAMILY LAWS IN EASTERN COUNTRIES - Nadia Shahram

3 credits

State law governs family and matrimonial laws in the United States, but religion and culture play a major role in the personal codes which influences the behavior of citizens. The Quran offers a religious textual body of laws for students to study in comparison to US state laws, and to examine it as a controlling influence over the lives of American Moslems. The body of Islamic Law, or Shari's, is central to the understanding of Moslems living in Western society.

This course will provide students with an opportunity to examine the legal status of women before and after marriage, as daughters, wives and mothers in Muslim and Hindu societies in Iran, India, as well as other Eastern countries. The personal codes and family laws that deal with marriage, polygamy, divorce, inheritance, and the custody of children are issues that are at the core of Islamic traditional life and influence Muslims in every society.

L-747 LABOR ARBITRATION – Lise Gelernter

3 credits

In this course, students will learn the substantive legal issues affecting, enabling and limiting the use of arbitration as an alternative dispute mechanism to resolve workplace disputes. In addition, students will apply their knowledge in a series of simulation exercises geared towards teaching the skills necessary to represent clients in arbitration, and, by extension, other types of hearings. The simulations will culminate in the representation of a client at a simulated arbitration hearing. Several written exercises will be required, including a closing brief to be submitted after the simulated arbitration hearing. There is no examination for this course.

L754-HOT TOPICS IN CONSUMER LAW- Lauren Breen
SEMINAR- 3 credits

Payday loans, debt settlement companies, foreclosure rescue scams and many other consumer law issues loom large in the media these days due to unprecedented scrutiny of consumer products through the Consumer Financial Protection Bureau. What is the role of the CFPB as compared to the Federal Trade Commission? How are financial justice organizations working with the NYS Department of Financial Services and other regulators on behalf of low income New York residents? We will address these issues and more during this timely seminar, which will be led by law students researching these important and controversial topics.

L 761- JEWISH LAW POST-KANT- Sergey Dolgopolski
3 credits

At stake in the seminar will be the question: What in the modern times make Rabbinic tradition qualify as "Jewish" and "Law." To address this question, the seminar explores construction, appropriation, and critique of Jewish Law post-Kant. Tracing the understandings of the development of Jewish law from late antiquity to modernity we will read selections from rabbinic texts, Kant, Herman Cohen, Solovetichik, Derrida, Levinas, and legal theorists of the nineteenth and twenties century to trace the hermeneutical foundations of "rabbinics" as an academic discipline studying the corpus of the "legal" texts of Jewish tradition.

Crosslisted- Begins 1/27.

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

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

L-772 HEALTHY HOMES LEGAL PRACTICUM- Kim Diana Connolly, Nan Haynes, Grace Andriette
4 credits

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

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

*** Students are required to attend a mandatory boot-camp class session held the weekend before classes begin.**

L-807 20TH CENTURY AMERICAN LEGAL HISTORY- Samantha Barbas
SEMINAR- 3 credits

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

L-808 COMPARATIVE CORPORATE GOVERNANCE - Matthew Dimick
SEMINAR – 3 credits

The purpose of this seminar is to compare the corporate laws of the advanced industrial economies: the United States, Japan, and the countries of Europe. The seminar will cover several broad topics. We will learn how the basic corporate governance structure differs across countries and understand competing proposals for why this variation exists. Are these patterns a consequence of the country's legal tradition (e.g., civil law versus common law), its politics, or the way that corporate law "complements" other areas of economic regulation, such as that governing the employment relationship? We will also ask whether these different patterns of corporate governance will continue to persist or are converging on a single corporate model. Different countries' approaches to the objectives of corporate law will also be considered. Should the corporation exclusively maximize shareholder value or should the interests of other stakeholders—such as employees, creditors, suppliers, or consumers—be accounted for in corporate law? Through our comparative approach, we will also examine the ways countries address specific corporate concerns, such as insider trading and related-party transactions, the protection of debt and equity investors, mergers and acquisitions, and takeovers and control transactions. Finally, several contemporary policy proposals and debates will be investigated. Should shareholders take a more activist role in corporate governance, and should the law be amended to facilitate such participation? Should changes in corporate law and governance be made to better monitor and mitigate systemic risk in the financial system?

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. We will meet for twelve hours over the course of the semester (approximately every other week for two hours) at times mutually agreed upon by the participants. The course will discuss tax research and/or tax policy issues. While a portion of this course will be conducted on the lecture/discussion formation, a portion of the course will require students to research tax issues and write or present on their research. Since this course is offered in conjunction with the IRS externship, those students in the IRS program may wish to discuss topics that they are working on in their externship (observing any confidentiality requirements) 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. Guest speakers may be invited to present to the group.

L-809 INJURIES – David Engel
SEMINAR – 3 credits

This seminar examines selected topics in tort law, but it is not only a study of tort doctrine. In addition, it will present readings that view legal responses to injuries from a social and cross-cultural perspective. Studies of injuries in American society will be compared to studies set in other societies, including those in Asia and Africa.

A few key concepts will be emphasized in our study of legal responses to injuries. We will ask, for example, how the concept of injury itself is defined, as well as the assumptions about who, if anyone, should be held responsible. We will consider damages and how they are actually awarded. We will ask how juries perform their functions in the tort law system and whether the popular criticisms of jury decision making are warranted. We will also consider such topics as risk, remedies, causation, and responsibility, and we will ask how the everyday practices of lawyers and insurers shape our understandings of injuries and remedies. We will discuss the role of gender and race in the tort law system, and we will conclude with a discussion of the globalization of tort law involving litigation in American courts directed against foreign nationals or governments for injuries outside the United States.

A major, fieldwork-based research paper is required. There is no exam.

L-816 ADVANCED APPELLATE ADVOCACY – Lucinda Finley
SEMINAR - 3 credits

Appellate Advocacy II: National Moot Court Team. This course involves participating in national external moot court competitions. The competitions and teams for each competition will be selected by the professor. Participation in these competitions will involve writing a brief, preparing for oral arguments, and going to the competition and presenting oral arguments both on brief and off brief. Each team will be coached. All travel and competition registration expenses will be paid by the law school. The competition dates will be between late February and late March, and briefs will be due between late January and mid-February, depending on the competition.

This course will satisfy an elective requirement for the Civil Litigation concentration, and it will also earn students seminar credit because of the writing component. **This course fulfills the professional skills requirement.**

Enrollment is by permission of the instructor.

L-817 CRIMINAL LAW PRACTICUM - Robert Convissar

4 Credits

Students enrolled in this course will actively participate in the defense of criminal cases handled by local attorneys under the Erie County Assigned Counsel Program, which provides legal assistance to indigent defendants. Students will be required to perform approximately 10 hours per week of fieldwork in this course. Depending upon case needs, students will assist assigned counsel in investigating and preparing cases for trial (including researching relevant legal and evidentiary issues, writing trial memoranda, evaluating the strengths and weaknesses of the case, preparing witnesses and attending the trial) as well as evaluating plea offers and sentence commitments. Students will also produce a brief applied research paper on a topic of choice related to their fieldwork. These papers may be published online. In addition to working directly with assigned counsel, students will attend evening classroom sessions to review the law and policy, prepare for their fieldwork and discuss related issues. **This course fulfills the professional skills requirement.**

Prerequisite: Criminal Procedure, New York Criminal Law or equivalent

L-818 MELVILLE AND THE LAW - Fred 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 LAW AND SEXUALITY – Michael Boucai

3 credits

Focusing on the contemporary United States, this course explores how law constructs and regulates sexuality, critically examining important yet problematic distinctions such as law/morality, public/private, consent/coercion, conduct/status, identity/expression, as well as male/female, masculine/feminine, and heterosexual/homosexual. Key topics include: rape; sex work; contraception and abortion; pornography and other speech about sex; restrictions on interracial intimacy, extra-marital sex, and sodomy; and discriminations based on sexual orientation, gender identity, and gender expression.

L-825 ENVIRONMENTAL APPELLATE ADVOCACY - Jessica Owley

1 credit-Block 5

This short course, which meets only in February, is designed to introduce students to fundamental principles of oral argument and provide opportunities to practice giving, planning for, and presenting oral arguments. We will examine the role of oral argument, develop techniques for preparing for oral argument, and practice oral argument with students having the opportunity to serve as both attorneys and judges. This course is open to all upper-level students, is highly recommended for students interested in moot court competitions, and is required for the members of the national environmental law moot court team. Although we will be using an environmental law problem, previous environmental law experience or coursework is not required.

L-826 ADVERTISING AND THE LAW - Mark Bartholomew

SEMINAR – 3 credits

This seminar will address the legal protections for advertising and their public policy ramifications. Is advertising a useful source of information or an intrusion on our privacy? Should the law protect consumers from misleading advertising? How do we perceive advertising? Ideally, students should have had some prior exposure to trademark law, but this is not a class requirement. Each student will write a substantial research paper on a topic selected by the student in consultation with the faculty member. Grades will be determined on the basis of class participation and the research paper.

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

4 credits

Each year over 650,000 ex-offenders are released from state and federal custody with dreams of successfully reestablishing themselves back into their communities. Upon release, these individuals and their families face legal and social obstacles to successful reentry, including challenges finding employment, housing, and social assistance. These obstacles interfere with successful community

reintegration and increase the likelihood of recidivism. In this Post-Incarceration Reentry Practicum, we will discuss barriers to reentry and explore potential solutions. Students enrolled in this Practicum will actively contribute to the civil representation of individuals participating in the Western District of New York's Federal Reentry Court. The Federal Reentry Court provides intensive probation oversight as well as holistic legal services to each voluntary participant. Students will have the opportunity to gain direct, hands-on experience in identifying and resolving the legal and social barriers faced by persons with criminal records attempting to reestablish themselves in the community.

Working with a full-time SUNY Buffalo professor and a full-time Legal Aid attorney, students will engage in classroom study and intense service learning. Legal Aid will serve as the host site for office hours, client contact, and internal case review. Students will be assigned to work with a staff attorney at Legal Aid and will interview program participants and assist in the identification of barriers to housing, employment, education, and family reunification. Students will research legal issues and participate in the drafting of memoranda and motions. In addition to weekly classes, students will be expected to attend and participate in the bi-weekly Federal Reentry Court sessions including case review with Judge Hugh Scott, probation, and court staff. A final research paper will be required of each student. **This course fulfills the professional skills requirement.**

L-838 FINANCE TRANSACTIONS COLLOQUIUM – John Henry Schlegel and David Westbrook
SEMINAR - 3 credits

This colloquium will discuss current financial and business issues facing the global economic order and attempt to prepare students in the concentration to make the transition between law school and practice in this area. First preference will be given to students who are completing the Finance Transactions Program. Second preference will be given to other students who have taken Acquisition Transactions **and** Corporations. Third preference will be given to students who have taken either Acquisition Transactions **or** Corporations. Written work will be required appropriate to the various topics discussed.

The students enrolled in this colloquium may work on issues being raised in the UB in NYC program being run simultaneously in New York. Prior participants in that program are encouraged to enroll.

THIS COURSE IS ONLY OPEN TO THIRD YEAR STUDENTS. PERMISSION OF THE INSTRUCTORS WILL BE GIVEN IN ACCORDANCE WITH THE ABOVE STATED PREFERENCES.

L-847 APPELLATE LITIGATION THEORY & PRACTICE - Anjana Malhotra
SEMINAR – 3 credits

This seminar aims to provide a theoretical, strategic, and practical framework for students for effective appellate advocacy, with a focus on law reform and civil rights litigation. In addition to providing an introduction to appellate practice and procedure, the seminar will consider actual law reform cases as a means of analyzing how cases are developed, the legal and strategic judgments that inform appellate advocacy and impact litigation, methods of effectively structuring, framing and responding to legal arguments, and contemporary impact litigation approaches. The seminar will also provide students with the opportunity to learn and apply advanced appellate advocacy skills by working on a live appeal before the U.S. Court of Appeals for the Ninth Circuit on a case challenging the constitutionality of an Arizona state law banning ethnic studies, and its enforcement to eliminate the highly acclaimed Mexican American Studies classes in the Tucson Unified School District in 2011. Students will work with the litigation team representing the student-appellants to devise an appellate strategy and develop and draft legal arguments for the Response-Reply brief. **This seminar will fulfill the seminar and skills requirements.**

L-849 INTERNATIONAL LAW COLLOQUIUM (con't) – Makau Mutua
SEMINAR – 1.5 credits

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

L-861 LABOR AND EMPLOYMENT LAW COLLOQUIUM - Dianne Avery
SEMINAR- 3 credits

Students who are registered in the Labor and Employment Law Concentration are required to complete three (3) credits in the Labor and Employment Law Colloquium during their third year in Law School. The Colloquium is a small course that will be team-taught in a

seminar format, in the Fall Semester. Students will discuss assigned readings, undertake original research, and write and present papers on current topics in labor and employment law.

Permission of the instructor is required. Students who have successfully completed (or are in the process of completing) all other requirements for the Labor and Employment Law Concentration are eligible to enroll in the Colloquium. To register, submit an unofficial transcript to the Concentration Coordinator, Professor Dianne Avery, lawavery@buffalo.edu, before the first day of 3L pre-registration (November 15).

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

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

Students wishing to enroll in this course should see Camille Catalano in Room 507 O'Brian for a force registration slip.

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

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

L-875 IMMIGRATION LAW PRACTICE – Mark Popiel
3 credits

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

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

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

This course fulfills the professional skills requirement.

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

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

L-887 ADVANCED TOPICS IN CONTRACT LAW – PRIVATE MILITARY CONTRACTING - Mateo Taussig-Rubbo

SEMINAR – 3 credits

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

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

**L-891 COPYRIGHT – Mark Bartholomew
3 credits**

The goal of this course is to introduce students to the basics of US copyright law. Along the way, we will examine issues in the specific context of new technology like peer-to-peer file sharing. Topics to be covered include the subject matter of copyrights, copyright ownership, the scope of copyright protection, the nature of the copyright infringement inquiry, and fair use and other defenses. No prerequisites. Grades will be based on a final examination and class participation.

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

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

**L-911 THE IN-HOUSE COUNSEL – Brian Martin
1 credit**

This course will examine the unique challenges of serving as corporate in-house counsel. This class is not just for those students who aspire to be an in-house counsel; it is also for future law firm lawyers who wish to better understand the pressures faced by their in-house counterparts. The class is designed to introduce the student to an in-house lawyer's unique ethical and counseling challenges. In-house counsel are expected to facilitate the company's business objectives while providing impartial advice in the best interest of the client, the company. We will discuss the intricate issues that arise when the interests of the company and its employees diverge. We will also consider how the role of the in-house counsel has changed since the actions of corporate counsel are being closely scrutinized by the government.

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 organizations. We will also consider the role of whistleblowers on in-house counsel practice. Case studies and role-playing will illustrate this complicated practice. The instructor, Brian Martin, is the General Counsel of KLA-Tencor, Corp. and was recently named the S.F. Bay Area's Best General Counsel. **The course will meet for four hours beginning at 8:00 am on each of three Friday mornings: 2/21, 3/14 and 4/11.** Student grades will be based upon class participation and a final examination (given on the last day of class).

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

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

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

This course will examine the role of the transactional attorney in the entertainment industry, with particular emphasis on the recording industry. We will explore the legal, business and practical issues involved in transactions common to the recording industry primarily through the examination of a recording agreement, and, as time allows, other typical agreements such as music publishing and management agreements. **Students who take this course may NOT take Professor Jones' course in the bridge.**

Block 5 -Class is held on 2 Saturdays (2/8 and 2/22) from 9:30-3:30.

L-977 PRO SE CIVIL LITIGATION PRACTICUM – Bernadette Gargano
4 credits

More than twenty-five million Americans are denied legal assistance each year due to lack of resources. The failure to provide legal assistance to our country's most vulnerable populations has been recognized as a "crisis" by both state and federal actors. This crisis impacts individuals that are already most at risk, including communities of color, poor and low-income families, and people with disabilities. Without the funds to retain counsel and with the pool of free legal services shrinking due to funding cuts, millions of litigants in both state and federal courts are unrepresented and lack access to even the most basic legal resources.

In this service learning practicum, students will support practicing attorneys working with the Erie County Bar Association Volunteer Lawyers Project. Students will engage in experiential learning and develop "profession-ready" legal skills by assisting lawyers in supporting "pro se" litigants in Erie County Family Court and the U.S. District Court for the Western District of New York, including staffing a newly-developed legal resource center at the federal courthouse. Working with full-time SUNY Buffalo Law School professor and civil litigator Bernadette Gargano and a family law practitioner, students will also participate in classroom study. Students will meet with pro se litigants, perform legal research, write legal memoranda and white papers, develop legal resources for unrepresented litigants, develop community learning opportunities, and provide assistance in navigating legal documents and the court system. Students will also write a brief research paper on a related topic that will be published on the law school website. **This course satisfies the skills requirement.** An on-line application is due by November 8th and is located at <http://www.law.buffalo.edu/current/registrar/formPracticumApplication.html>.

L-979 INTERNATIONAL ECONOMIC LAW: A TRANSACTIONAL APPROACH – David Westbrook
COURSE/SEMINAR- - 3 credits

Business and finance take place in global markets, and this class will teach you the practice skills you need to represent clients engaged in the many types of transactions that cross borders. The class will focus on the regulatory requirements for such transactions, as well as the negotiation and execution of the transaction documents themselves. More general topics such as allocation of risk, the merits of foreign investment, anti-corruption, and corporate social responsibility will also be covered. Students will complete a number of in-class practice skills and drafting exercises, and there will be a final exam. There is no prerequisite: it is open to students who have taken International Business Transactions, but International Business Transactions is not necessary to take the class.

Class: 3 Credits. NOTE: This course may also be taken to fulfill the seminar requirement by the addition of a paper but this is not required.

L-991 LAW FIRM AS A BUSINESS - Steven Weiss
3 credits

This course is designed to provide law students with some of the practical business skills needed to succeed in the private practice of law. It will help them better understand and learn about the basic economics of law firms and gain exposure to topics such as leverage, profit potential, and realization. We will also discuss concepts such as geographic arbitrage as well as ways to create a successful niche practice in today's competitive and growing market.