

BC Law 1L Elective Courses

Spring 2024

LAWS4400 Feminist Legal Theory

Katherine Young

W & Th, 3:00-4:25pm

- *Counts towards Perspectives requirement*
- *Does not count towards the required experiential credits*

This seminar provides a critical introduction to key theorists and contemporary issues in the field of feminist legal theory. This seminar is intended to encourage a set of wide-ranging reflections and conversations about gender and the law. We will consider: the background debates which mark the U.S. feminist legal theory canon; the historical origins of the social movements and political coalitions which have produced legal transformations, including the #MeToo movement, in the U.S. and internationally; and contemporary puzzles for feminism and the law, including controversies behind sex equality; pay equity and minimum wage; gender and legal education; sexual harassment; violence against women; access to reproductive health care, including abortion; same-sex marriage; work and the family; political representation; and gender identity and gender variance.

LAWS8701 Introduction to Administrative Practice

Geoffrey Why

Tu & Th, 4:00-5:25pm

This course focuses upon the skills needed to practice law in front of administrative agencies. Much of law school focuses upon statutory interpretation and courtroom practice. But state and federal agencies make far more rules each year than legislatures, and adjudicate far more cases than the judiciary. Agencies develop much of the law that governs our daily life, including many high-profile issues such as immigration, financial reform, and environmental protection. In this course, you will learn about agency rulemaking and adjudication through simulated proceedings, which will culminate in each student filing comments in a live proceeding before a federal or state agency.

LAWS8553 Introduction to Appellate Judging

Hon. Andrew Grainger

W & F, 4:00-5:25pm

This course will provide students with a "view from the bench" by providing the opportunity to assume the role of an appellate judge in oral argument. At each class, on a rotating basis, two students will present oral argument on opposing sides of a legal issue, seeking affirmance or

reversal of decisions rendered in recent state and federal cases. The legal issues will generally be taken from first year/first semester required course subjects or involve principles of statutory construction. Students not scheduled for an argument on a particular day will perform the role of an appeals court panel, probe the strengths and weaknesses of each presenting attorney, and deliver a ruling.

LAWS8702 Introduction to Government Oversight

Glenn Cunha

Tu & W, 5:15 – 6:40pm

Government oversight is essential to holding public officials and government employees accountable. This course introduces students to the role of inspectors general who conduct oversight of publicly funded agencies and entities. Typically created by statute, inspectors general are charged with preventing and detecting fraud, waste and abuse in the expenditure of public funds. By any measure, this is a broad mandate. With a case study as a guide, students will learn and practice issue spotting exercises, witness interview techniques, and how to draft letters and present recommendations to government officials. Understanding the principles of government oversight will expand the knowledge base for first year law students particularly those who have an interest in criminal law, regulatory and compliance practice, and in-house counsel work.

LAWS4432 Introduction to Human Rights, Refugee, and Humanitarian Law

Daniel Kanstroom

W & F, 3:00 – 4:25pm

- *Counts towards Perspectives requirement*
- *Does not count towards the required experiential credits*

This class will examine legal understandings of—and responses to—some of the most compelling human rights challenges of our times. We will explore torture, forced migration, religious freedom, refugee and humanitarian protections, the human rights of migrants, human trafficking, and criminal prosecutions of alleged war criminals and those who commit “crimes against humanity.” We will engage critically with ideas of gender, culture, ethnicity, legal status, and race. There will be guest speakers, engagement with the [BC Center for Human Rights and International Justice](#), and (if possible) field trips to observe human rights “in action.”

We will consider:

- Western ideas of human rights and how those ideas differ from other conceptions;
- The international law, treaties, instruments, “customary” norms, etc. that create and protect human rights, including economic and social rights, rights against racial, ethnic, religious, and gender discrimination, rights to self-determination, and the rights of children;

--The institutions that monitor and enforce human rights law, including regional systems such as those of Europe and the Inter-American system.

Grading will be based on class participation (including in-class simulations and presentations), and a guided research paper of approximately 15 pages on a topic chosen by each student in consultation with Prof. Kanstroom.

LAWS8899 Introduction to Landlord-Tenant Law

Hon. Neil Sherring

Tu & W, 5:00-6:25pm

This course is a one semester course combining substantive law surrounding the relationship between residential real estate owners and/or lessors and their lessees with practical applications including a wide range of lawyering skills such as how to prepare for and conduct an initial client meeting, client communications, court hearings with an emphasis on ethical issues, research and investigations, strategic counseling, and courtroom performance. Students will examine strategic approaches to: (1) eviction bench trials with defenses and counterclaims including discrimination, retaliation, breach of warranty, breach of contract, and violations of the Massachusetts Consumer Protection Law (Chapter 93A), (2) injunctions seeking to void the tenancy based upon criminal conduct, and (3) temporary restraining orders seeking to compel landlords to remedy health code violations or stop a move out. This class will provide students with the practical skills needed for engaging in mediation and alternative dispute resolution, preparing for an eviction bench trial, evidentiary hearings and motions. We will examine the development of Housing Law during the current pandemic and legislative moratorium on certain evictions, virtual hearings/trials, access to justice, pro se litigants, and the legalization of marijuana in the areas of reasonable accommodation and federally subsidized housing.

LAWS8007 Introduction to M & A Practice

Stuart Min

M & W, 4:00 – 5:25pm

This course will provide an introduction to M&A practice from the perspective of a lawyer working on an M&A transaction. After acquainting students with the basics of M&A such as the different types of M&A transactions, the course will follow the actual life cycle of an M&A deal, starting with important preliminaries such as conflicts clearance, progressing through due diligence and drafting and negotiating a transaction agreement, and concluding with the obstacles that could arise to successful closing of a deal. There will be several opportunities for practical and interactive exercises, as students will be divided into teams representing either the acquirer or the target company, and will then go through the actual steps where lawyers interact with one another during the course of a deal.

LAWS8833 Introduction to Negotiation

Carol Kamm

W, 3:15 – 6:00pm

The goal of this course is to teach you to think about negotiation as an opportunity to solve a problem that exists, or create new value where there is none, or try to make a bad situation a bit better. I hope to enhance your ability to think creatively and synthetically as well as analytically. You will also learn that planning is essential and can sometimes make up for your status as a new legal negotiator. The skills you will learn include analysis, persuasion, creativity, listening, interviewing, counseling, question framing, and the use of law and legal principle. We will also explore the moral and ethical issues implicated in negotiation--honesty, integrity, character, reputation and personal identity.

LAWS8055 Introduction to Practice in the Criminal Justice System

Stuart Hurowitz and Robert Bloom

M & W, 5:15 – 6:40pm

In this class, students will engage in various aspects of a simulated criminal trial, which will give students the opportunity to develop some of the lawyering skills inherent in criminal practice, including how to interview clients, argue motions, engage in plea negotiations, break down a statute, fact investigation, & plan for a trial. Students will also be confronted with the important ethical issues that face counsel in criminal cases. The course will begin with an overview of the Criminal Justice System, including perspectives from various system mechanisms - police, court system, prisons, defense attorneys & prosecutors. As this is an introductory course, it is necessary to introduce a variety of law school courses including professional responsibility, criminal law & criminal procedure. The goal is to have students become familiar with the criminal justice system, gain experience through simulations & think critically while performing tasks within the practice of criminal law.

LAWS8017 Introduction to Transactional Law

James Jones

M & W, 4:00-5:25pm

This course is designed to acquaint students with some of the legal issues associated with starting up and operating a business or venture, examining the role of a transactional lawyer and learning basic practice skills. The objective is to give first year students an introduction to legal issues that lawyers are likely to encounter in an entrepreneurial setting, how the process works, decisions that need to be made and all of the various legal issues during the life cycle of a start-up. These issues include choice of entity, selection of a company name and trademark, protecting the intellectual property of a new company or venture, financing arrangements,

operating issues including employment and general business agreements and exit strategies. The course will use simulation and role-plays to explore the legal issues relevant to transactional lawyering.

LAWS8403 Introduction to Work Law

Hiba Hafiz

Th & F, 3:00-4:25pm

This course introduces students to the principal statutes and common-law doctrines governing the workplace and the employment relationship. Workplace violations and disputes typically give rise to multiple claims arising under different sources of law, so commanding knowledge of a variety of statutes and doctrines is crucial for legal practice. This survey course will introduce the history of workplace regulation and the evolution of modern employment practices. It will familiarize students with: common law doctrines including employment-at-will and its contract- and tort-based exceptions; the law governing employee mobility, including non-compete agreements and employers' rights in trade secrets; employees' speech and privacy rights; labor law; wage and hour laws; workplace safety; and, time permitting, employment discrimination and sexual harassment law. The course will also address procedural matters that emerge in work law practice, including class action litigation and mandatory arbitration.

The course will involve theoretical and experiential components, coupling rigorous analysis of and thought about workplace regulation while also learning core aspects of legal practice in representing workers and employers. To this end, in addition to assigned cases, statutes, and secondary materials, students will be given a number of practice assignments for drafting legal work product applying what they have learned from the reading materials.

LAWS9151 Restorative Justice: Transforming the Law from Within

Melissa Bartholomew and Karen Lischinsky

F, 3:30-6:15pm

- *Counts towards Perspectives requirement*
- *Does not count towards the required experiential credits*

This course is designed to train students in implementing restorative justice principles & practices in legal practice. Students will learn how to facilitate restorative justice circles & how to incorporate restorative justice into their daily lives through an interdisciplinary framework combining the head & heart with the aim of cultivating compassionate lawyers committed to transforming themselves & the justice system. We will identify practices which nurture & strengthen the inner life & the connection between the inner life & well-being of lawyers & the quality of legal practice. To transform the justice system through restorative justice, future lawyers must be committed to transforming themselves & their way of being in the world. We

will explore the roots of restorative justice, contemporary examples of its application in post-conflict settings in the US & the world, & examine its utility in addressing the pressing mass incarceration crisis, the current penal system & mode of punishment in the US. We will practice & apply Critical Race & Systems Theories to sharpen the students' ability to assess themselves, & their future clients, through a systems lens & to examine the impact of racism, sexism, gender discrimination & other systems of oppression on behavior & on the justice system. We anticipate holding at least one class session off-campus at a correctional facility. The grade will be based upon attendance, participation, written assignments, & facilitation skills.