

J-Term & Spring 2023

LAW520 Course Descriptions & Additional Course Information

(updated 12/01/2022)

J-Term 2023

LAW546D: HAWAII FEDERAL TRIAL ACADEMY (HFTA)

The Hawaii Chapter of the Federal Bar Association, in partnership with the United States District Court for the District of Hawaii, announces the annual Hawaii Federal Trial Academy on January 11-13, 2023. This comprehensive, three-day program to be held at the Federal Courthouse, is designed to help newer attorneys—and this year, invited law students—develop trial skills and experience in federal court. The program will begin on Wednesday morning with an introduction and presentation by Chief Judge J. Michael Seabright. On Wednesday and Thursday mornings, the program will feature a series of lectures, panel discussions and live presentations by the federal judiciary and some of the most experienced and dynamic trial lawyers in the district. On Friday, the program will culminate in a half-day mock trial in federal court. The HFTA will be open to twelve participants who are practicing attorneys and, this year as part of J-Term at the law school, the HFTA is also available to **eight currently enrolled law students**. Our expectation is that each applicant will dedicate sufficient time in reviewing and analyzing the case file prior to the program. Attendance at each part of the trial academy is mandatory. Thus, we ask that each applicant commit that they are available from January 11 through 13 (including evenings) to focus exclusively on our program with no other obligations. Evidence is a prerequisite.

Students will be invited to register for this course. Interested students should complete a Google Form: <http://go.hawaii.edu/SQ2>. Students will be contacted at a later time if they are selected for the class.”

LAW546E: RACE, CRIME, AND THE LAW

This course will examine the role of race in the US. criminal legal system. Possible topics include racial profiling, mass incarceration, prison abolition, intersectionality, and the movement for Black lives.

LAW546F: RACE, LAW AND SOCIAL JUSTICE IN EUROPE

How does law contribute to social justice in Europe, especially in relation to racial discrimination? How do such laws appear and to what extent do they work? In this short course we will consider these questions through examination of anti-racial discrimination law and policy in the European Union, as well as in selected member states such as the UK and Germany.

LAW546J: THE EQUITABLE, FULFILLING WORKPLACE

“The work-life dichotomy was always misleading. We need to move beyond the notion that ‘work’ is simply the thing we do for a paycheck, and ‘life’ merely the momentary reprieves between showing up at the office. Work, when it engages us, is life-affirming.”

—Chris DeSantis

Entrenched mediocrity breeds silent resignations; symptoms of a world of work that needs to listen, transform, and foster safe spaces to open up and share. A culture that fosters transparency, vulnerability, and difficult conversations is a culture that values its employees and supports its workforce in the face of crises. Join us for a week of intriguing conversations from thought leaders in entrepreneurship, education, law and how the workforce of tomorrow lives its mission and values.

LAW546H: REPRODUCTIVE TECHNOLOGIES AND GENETICS: LEGAL AND ETHICAL ISSUES

Should we permit human germline gene editing? Under what circumstances should parents or romantic partners be allowed to harvest sperm or eggs from the recently deceased to reproduce? Should we allow anonymous sperm and egg donation? Are uterus transplants something the state should permit or pay for? Is it wrong to select embryos for implantation on the basis of sex or disability? Is human enhancement problematic? Should surrogacy contracts be legally enforceable? This course, taught seminar style (some cases but mostly articles from law, bioethics, medicine, and philosophy), will examine questions like these.

[LAW 520 Courses](#)

LAW520B: SECURED TRANSACTIONS TOOL KIT

The Bar Exam Toolkit – Secured Transactions, Mortgages, and Titles – will help students prepare for bar preparation through explicit instruction in secured transactions and real property as tested on the bar and through practical exercises where students will learn how to write MEE essays, answer MBE questions, and be better self-regulated learners during bar study.

Students will leave the course with an understanding of the black-letter law necessary to pass Secured Transactions MEE essays, Real Property Mortgages and Titles MEE essays, and Real Property Mortgages and Titles MBE multiple-choice questions.

The course will also provide students with an introduction to the content, test strategies, study skills, and learning tools necessary to succeed on the MEE and MBE. In the course, students will complete and review MEE essays and MBE multiple-choice questions. The course will inculcate successful learning strategies for bar exam preparation and teach students to apply the concepts of metacognition, spaced repetition, and retrieval practice to effectively use written feedback and model answers to improve MEE and MBE scores, customize their use of bar vendor resources, maximize material retention over time, and enhance their learning in the course, in law school, and during bar preparation.

LAW520C: SUPREME COURT SEMINAR

The current U.S. Supreme Court docket is certain to be consequential. Not only is there a new activist majority, but major cases awaiting decision already range from core affirmative action and voting rights disputes to a clash between religious beliefs and a state's antidiscrimination laws, as well as basic federalism matters that include child welfare issues and animal rights. In addition, the Court is poised to determine the reach of the potentially monumental "independent state legislature" doctrine.

Students will choose which current cases are of the most interest to them. The course will include limited role-playing and short writing assignments; an additional one-credit option will be available.

LAW520D: BEYOND GUILT CLINIC

This clinic will give students the opportunity to provide pro bono services to clients who deserve a second chance. Students in the clinic will assist clients with clemency petitions, parole hearings, compassionate release (kūpuna, domestic violence, and sexual assault survivors, and clearing criminal records through the expungement and record sealing process. Students will also learn legislative policy reform, utilizing their cases to petition the legislature and the courts to reform sentencing, parole, and other similar laws to address the overcrowding in Hawai'i's jails and prisons. This clinic will be four credits and offered asynchronously in the Spring to accommodate interested full or part time students. There are no prerequisites required to enroll in this clinic.

LAW520H: CODING FOR LAWYERS

Coding for lawyers will introduce law students to the fundamentals of computer programming. Understanding how software is built will allow students to interact more confidently with clients in the technology field, start legal tech startups, and find creative new ways to grow a law firm. Throughout the semester students will build software to automate the law, collect information, and analyze large datasets.

This class is for complete beginners who have no prior coding knowledge. Students will gain hands-on experience learning the programming language Python. Students will be expected to complete coding-related homework assignments and small projects throughout the semester.

LAW520K: HEALTH LAW & POLICY

Central to the Native Hawaiian understanding of health is the concept of lokahi (balance/harmony). That concept is the reason why health care in Hawaii has always been at the forefront of innovating the industry, with the landmark Hawaii Prepaid Health Care Act of 1974 requiring Hawaii employers to provide health care coverage, through implementation of the Affordable Care Act, and now the Inflation Reduction Act.

This course surveys legal issues and policy considerations aimed at providing a conceptual framework and perspective of the rapid transformation needed to effectively navigate and

address legal and policy challenges at the intersection of health policy and law. This interdisciplinary class introduces students to policymaking, health economics, and public health law and provides a unique opportunity featuring guest lectures from leading industry experts who have a contemporary perspective of the healthcare environment.

Students completing this course will gain a firm grasp of the fundamentals of social, political, economic, and legal dynamics of health policy to critically assess the challenges facing health care in Hawaii.

LAW520M: INTRO TO ERISA LAW

The protections afforded by ERISA, or the Employee Retirement Income Security Act of 1974, to participants and beneficiaries of employer-sponsored pension and health and welfare plans affect most working individuals. This is largely due to ERISA's non-discrimination requirements and corresponding Internal Revenue Code provisions. This course will provide an introductory framework for understanding the origins, purposes, and operation of ERISA.

LAW520N(01): EXTENDED BAR REVIEW II LIVE!

This **in-person** course is designed to provide a review of substantive law in three areas that are heavily tested on the bar exam (Contracts, Evidence, and Torts) and to develop the skills necessary to apply the substantive law to answer bar exam multiple choice and essay questions. This course will also introduce students to the Multistate Performance Test.

The course is intended to assist students in: (1) Developing a strategy for answering multiple choice questions as tested on the bar exam; (2) Critically reading and writing essays and the multistate performance test; and (3) Reviewing the substantive law that many students have not studied since their first year of law school. To achieve the objective of not only passing this class but also passing the bar exam (your ultimate goal to practicing as a lawyer), you must commit yourself to completing the course assignments in a timely and satisfactory manner and participating in class.

To measure your success, and your ability to pass the bar exam, you will have assignments each week consisting of pre-class Modules and/or reading, learning checks, multiple choice questions, essays, and performance tests.

You will also have a midterm and final exam each comprised of multiple choice and bar essay questions. The Midterm and Final Exams are delivered live and in person at the Law School.

LAW520N(02): EXTENDED BAR REVIEW II

This **hybrid course** is designed to provide a review of substantive law in three areas that are heavily tested on the bar exam (Contracts, Evidence, and Torts) and to develop the skills necessary to apply the substantive law to answer bar exam multiple choice and essay questions. This course will also introduce students to the Multistate Performance Test.

The course is intended to assist students in: (1) Developing a strategy for answering multiple choice questions as tested on the bar exam; (2) Critically reading and writing essays and the multistate performance test; and (3) Reviewing the substantive law that many students have not studied since their first year of law school. To achieve the objective of not only passing this class but also passing the bar exam (your ultimate goal to practicing as a lawyer), you must commit yourself to completing the course assignments in a timely and satisfactory manner and participating in class. To measure your success, and your ability to pass the bar exam, you will have assignments each week consisting of Modules that include reading, learning checks, multiple choice questions, essays, and performance tests. **This course is asynchronous** (except for exams as stated below), so while there is no set date for the class, you must complete the Modules in the week they are assigned.

You will also have a midterm and final exam each comprised of multiple choice and bar essay questions. The Midterm and Final Exams are delivered live and in person at the Law School.

LAW 520P: CLERKSHIP PREP SEMINAR

Ever wondered how to learn to apply all your law school coursework and education to use in “real-life” after graduation?

A judicial clerkship provides new attorneys with an opportunity not only to hone additional research, writing, and litigation skills, but also gives a front-row seat for real-life insight into the thought process of the court when analyzing a case. The reality is that any legal issue you’re handling could end up in court—for a judge to decide. So, understanding the skills needed for a clerkship—and engaging in real-life practice of those skills—will enable a future clerk (and, to be frank, any future lawyer) to excel in their new career from Day One.

This seminar will teach you the practical skills needed as a judicial clerk— not just legal research and writing, but also how to analyze legal issues objectively from a judicial perspective— and will put those skills to use in a practical setting. Together we will focus on some of the most common types of motions seen by a court, and you will draft portions of judicial opinions on those motions—just as a clerk would. Students will also have the opportunity to hear from guest speakers, including judges and former clerks, and get a firsthand perspective on the benefits of clerking.

Whether you intend to pursue a clerkship after graduation or just want to be better prepared with the practical skills necessary for any new lawyer, this seminar will give you the tools to help you excel. Note: If you are unsure whether to elect 1 or 2 credits for this course, please email the instructor (trista.speer@gmail.com) and learn more about the syllabus.

LAW520Q: WHITE COLLAR & CYBER CRIME IN PRACTICE

Students in this course will study white collar theft, cybercrimes, and how those two intertwine. With this substantive law as a basis, students will use fact patterns inspired by real incidents to learn how to identify the elements of a crime and how to identify and present the evidence needed to charge those crimes. Students will present their case, with witnesses and evidence, to a grand jury composed of their peers. Students will also use a fact pattern inspired by a real incident to draft a motion or a memo. Students will argue the

motion in front of a criminal law practitioner or judge. Planned guest speakers include Honolulu Police Department detectives who investigate white collar and cybercrime cases.

LAW 520R: ADVANCED LEGAL ANALYSIS

Advanced Legal Analysis is designed to help students enhance their legal writing and analysis skills as law students, bar examinees, and legal professionals. Using Multistate Performance Tests from the bar exam, students will draft, revise, and receive feedback on several simulated legal tasks. In addition, students will relearn and reinforce key topics in Contracts and Torts. The course employs a flipped classroom model for substantive law instruction; students will view recorded lectures to prepare for regular Multistate Bar Exam (multiple choice) quizzes. Finally, the course will inculcate successful learning strategies for academic success and teach students to apply the concepts of metacognition, self-assessment, spaced repetition, and retrieval practice to enhance their learning in law school and during bar preparation. Students will create a portfolio documenting their own learning and development in the course. (Professor permission only)

LAW520S: STAGECRAFT FOR LAWYERS

The objective of this course is to train and empower students to be active listeners (who don't simply wait for their turn to speak), effective communicators (who embody their physical and vocal presence), and inclusive team players (who can collaborate across backgrounds and hierarchies) as they embark on a career in the law.

The course will bridge the gap between academic preparation and its successful application in practice. It will combine workshops from the theatre — tailored specifically to address challenges that young lawyers face — with seminar-style discussions to help align the intellectual rigor of legal education with the communication skills necessary to succeed as a practicing attorney. The curriculum will span five aspects of communication: "Listen"; "Process"; "Include"; "(Story)Tell"; and "Collaborate." Every few lessons, we will invite a prominent lawyer to participate in our class and share personal learnings from their careers.

The assignments for this course will include journal entries, readings, and preparation for workshops, including developing a theme and telling the story of two assigned cases (one criminal and one IP).

LAW520T: TRANSITIONAL JUSTICE

This course explores the challenges of addressing mass atrocity crimes, such as genocide, and past legacies of human rights abuse. Students who participate actively will: (1) acquire substantive knowledge about transitional justice theory and mechanisms, including use of international criminal courts and truth commissions; and (2) gain practical insight into the realities of striving for justice in complex social and political situations, such as when countries are emerging from conflict or authoritarianism. This course utilizes a wide range of experiential and participatory learning methods, including group exercises, simulations, presentations, and role plays. It will examine political transitions and conflicts around the world and have a substantial focus on Asia.

LAW520W/PH673: HEALTH, ETHICS, LAW AND POLICY

This course will review theories and case studies concerning health care ethics, law and politics. Topics include health care quality, key health care policymakers, and the intersecting issues of policy and law with medicine, public health, and ethics. Focus is on Indigenous health policies using a case study format. Students will learn basic principles of public health, including social determinants of health and policy determinants of health. Students will engage in real-world application of materials through drafting and submitting legislative testimony and regulatory comments with a particular focus on developing strong legal and policy arguments informed by an understanding of the policy process.

[Additional Course Information for Other Courses](#)

LAW539: EQUITABLE REMEDIES

Remedies is the study of the various forms of relief to which a plaintiff may be entitled upon prevailing in a lawsuit. We will begin by reviewing and expanding upon what you learned about damages in the first year. We will then turn to equitable remedies, including temporary restraining orders, preliminary and permanent injunctions, and specific performance, before concluding with a basic overview of restitution and unjust enrichment. Future litigators especially will benefit from a better understanding of remedial options so that they can advise clients and develop case strategies with the end goal in mind. The course should also be helpful early bar preparation, especially for Contracts and Torts, and there will be multiple opportunities for practice exercises and feedback.

LAW571: FEDERAL COURTS

This course addresses the role of the federal courts in the U.S. system of federalism and separation of powers, as well as their role in the development of substantive federal law and constitutional rights. These roles are defined by both constitutional and statutory directives and limitations. Many of them implicate central themes of judicial supremacy and judicial review. The subjects likely to be covered include congressional control of the jurisdiction of the Supreme Court of the United States, lower federal courts, and state courts; the justiciability doctrines of standing, ripeness, and mootness; the nature of constitutional and statutory federal question jurisdiction; sovereign immunity; the abstention doctrines; and habeas corpus. The course is strongly recommended for students interested in pursuing a federal judicial clerkship and/or a career in litigation

LAW580: LAND USE MANAGEMENT AND CONTROL

This is a survey course in public control of private use of land: how do state, local, and federal agencies regulate the land development process? Special emphasis is on constitutional issues (exclusionary zoning, regulations and exactions that may be "takings" of property under the federal Constitution), growth management, and innovative techniques such as impact fees, development agreements, and planned unit development. We will also cover zoning, subdivision and housing codes, state and regional land control statutes, together with those aspects of eminent domain, environmental, and public land management law affecting the use of private land.