

# Law (for Non-Law School Students) (LW)

**LW 1200. How Lawyers Think: An Introduction to American Legal Thought. 4 Hours.**

Introduces students to legal analysis by exploring the history of American legal thought. Perhaps more than any other, American society is governed by lawyers. Explores how innovations in legal theory both emerged from and helped shape policy responses to some of America's biggest governance challenges, including economic concentration and corporate power, the New Deal and the rise of the welfare state, the replacement of Jim Crow with civil rights guarantees, and the emergence of identity politics. As is true for many academic fields—such as economics, political science, or literary studies—expertise in law is gained through mastery of the discipline's analytic techniques, which, in turn, shape how lawyers imagine possibilities, make policy, and engage in professional practice. Presumes no prior legal study.

**LW 6400. Law, Policy and Legal Argument. 4 Hours.**

This course explores the legal levers that drive policy change. Advocates often intend to alter public policy in support of an organization or a cause. But influencing policy requires understanding who sets policy in the first instance. Is the issue governed by federal, state or local law? Are key decision makers elected or appointed? Who is it most important to persuade and what sorts of arguments are likely to convince the key audience? This course will introduce students to the mechanisms of government that drive key policy debates across a wide range of issues, which may include health care, market regulation, environmental policy, housing, education, the internet, privacy, and social policy. Emphasis will be placed on tailoring arguments to different constituencies.

**LW 6962. Elective. 1-4 Hours.**

Offers elective credit for courses taken at other academic institutions. May be repeated without limit.

**LW 7323. Corporations. 4 Hours.**

This course relates to the formation, financial structure, and governance of business enterprises, especially incorporated businesses. Partnerships, limited partnerships, limited liability companies and limited liability partnerships are also explored, principally as they compare to the corporate form. The topics studied include: rights of creditors to hold principals of the enterprise liable; distribution of control within the corporation; fiduciary duties of directors and officers; key aspects of the federal securities laws (including the regulation of insider trading and proxies); organic changes (such as mergers); shifts in control (such as takeovers and freeze-outs); and legal implications of the roles of corporations in society. The course introduces some of the specialized concepts explored in detail in courses on Securities Regulation and Corporate Finance.

**LW 7329. Environmental Law. 3 Hours.**

This course focuses on federal and state environmental laws. Topics include pollution control, waste management, and cleanup of contaminated land and water. The course explores legislative policy and regulatory decisions as well as enforcement issues. We will give attention to questions of environmental justice and to the strategic use of legal tools in working to ensure safe and healthy surroundings for diverse groups of people.

**LW 7333. Family Law. 3 Hours.**

This is a basic course in family law and family policy. The first half of the course explores state regulation of intimate relationships, asking what purposes marriage serves, and looking at the law of incest, polygamy and same sex marriage. The second half of the course examines practical problems in family law: cohabitants' rights; common law marriage; and the many issues relating to divorce, with a particular focus on money and children.

**LW 7335. Health Law. 3 Hours.**

This course examines the legal regulation of the provision of healthcare services. Much of the focus is on the relationship between law and healthcare policy. Topics include access to health insurance and healthcare, healthcare financing, malpractice liability, the organization and responsibility of healthcare institutions, especially hospitals, the regulation of the quality of care and the formulation of health policy. This course is highly recommended for all students enrolled in the JD/MPH dual degree program, but is open to others as well.

**LW 7338. International Law. 3 Hours.**

This course introduces students to fundamental concepts and unresolved problems in international law. We discuss historical and contemporary theoretical debates about the roles and utility of international law. Students are introduced to the sources of international law and to methods of international dispute resolution in domestic and international fora. This course explores the part that international law has played (or failed to play) in the prevention or conduct of war, the promotion of human rights and international economic development.

**LW 7394. Land Use. 3 Hours.**

A survey of legal doctrines, techniques and institutions relating to regulation of the use of real property. Topics covered include constitutional questions of takings by public agencies, the scope of the police power as it affects land use and the basic techniques of zoning and subdivision control. Students study, among other issues, recent cases on exclusion of low income housing, current techniques to encourage housing development (inclusionary or "linkage" regulations) and First Amendment questions arising from land use controls.

**LW 7488. Sexuality, Gender and the Law. 3 Hours.**

This course uses case law and theory to address doctrinal problems and justice concerns associated with gender and sexuality. The syllabus is organized around notions such as privacy, identity and consent, all of which are conceptual pillars upon which arguments in the domain of sexuality and gender typically rely. Doctrinal topics include same-sex marriage, sodomy, sexual harassment, discrimination, among others, but the course is not a doctrinal survey; it is a critical inquiry into key concepts that cut across doctrinal areas. Students should expect to write a paper and share some of what they have learned with the class.

**LW 7491. International Human Rights and the Global Economy. 3 Hours.**

Can recognizing “the right to housing” make the demands of homeless persons for adequate housing more effective? Does the right to maintain cultural or religious traditions conflict with the right to be free from gender discrimination? This course highlights the growing influence of the international economic, social, and cultural rights framework as well as the implications of globalization for all international human rights. We will begin by examining the history and theoretical origins of socioeconomic and cultural rights such as rights to food, housing, health, education, and cultural expression. We then engage the legal framework under major international and regional human rights treaties and leading interpretations of them by international, regional, and domestic courts and other actors. Finally, we grapple with the tensions among collective rights, cultural imperatives, and traditional human rights. There is no prerequisite for this course.

**LW 7597. Civil Rights and Restorative Justice Clinic. 1-6 Hours.**

The CRRJ (Civil Rights and Restorative Justice) Clinic engages students in legal research, litigation and legislative initiatives relating to anti-civil rights violence in the United States. CRRJ clinic students assist law enforcement agencies considering criminal investigation and pursue civil litigation against government entities. One of CRRJ’s projects, Reconstructing Cases of Racial Violence, involves researching cases where criminal prosecution may not be an option. Students reconstruct legal proceedings and conduct factual investigations. The project focuses on practical legal research skills and helps students integrate the law of torts, civil procedure, federal courts, criminal law, and constitutional law. Faculty will provide individual supervision of each student.

**LW 7648. Access to Justice by Design. 2 Hours.**

One of the biggest challenges facing the legal system is how many people are trying to navigate it without a lawyer; particularly for problems like divorce, child custody, personal debt, housing, and small claims. This class proposes that a user-centered design approach, mixed with an agile development approach, can increase the amount of procedural justice for self-represented litigants in the courts. Students will be exposed to how to practice agile user-centered design by creating new interventions for courts to help people without a lawyer to understand their legal options, create a strategy, and pursue a legal process. The class will involve fieldwork at the courts; identifying key fail points and frustrations of stakeholders by observing and conducting interviews, and brainstorming and testing new solutions.

**LW 7654. Race, Justice, and Reform. 3 Hours.**

This seminar will focus on: how the criminal justice system impacts community members; how laws, policies and practices disparately impact communities of color and perpetuate structural economic inequality; and how Massachusetts and other states struggle to reform our criminal justice systems. Class sessions will examine specific topics and discuss class readings on those topics. Each student will choose one topic to investigate and explore. Students will write papers identifying and analyzing the issues germane to their topic. In addition, they will investigate and develop narratives describing the community impact of particular criminal laws and policies. Finally, they will create podcasts and op-eds to educate the public about this particular topic and what reforms are needed to address the problems illuminated by their research and narratives.

**LW 7655. Advancing Economic and Social Equity through Municipal Policy and Law. 2 Hours.**

Strong-market cities fuel the American Economy. They are experiencing employment and population growth, private sector investment and new, wealthier demographics attracted to urban living. But the benefits of urban prosperity are not shared equitably across races or incomes. Federal disinvestment and state/federal roadblocks have spurred municipal innovation to address income inequality and to defend or advance inclusion for communities like immigrants and LGBT individuals. This course will examine trends in equitable city policy through case studies on civil rights, wages, worker protections, safety net funding like affordable housing and more. It will also explore legal-policy intersections like home rule, pre-emption, the limits of federal coercion and constitutional considerations. Taught by a municipal elected official, policy discussions will be grounded within real-world civic and political contexts.

**LW 7667. Law and Ethics of Advocacy. 3 Hours.**

What limits are there on actions aimed at influencing public officials or public opinion? What limits should there be? Clearly, it is unlawful to offer a bribe to a public official to produce a desirable outcome. But what constitutes a bribe? Can a lobbyist send a wedding gift to a favorite legislator? Are the rules different when advocacy efforts reach beyond United States borders? Are there limits on what an advocate can say to promote a product or service? Where is the line between conduct that is legally permissible and conduct that is not? To what extent are legal boundaries and ethical boundaries aligned? This course will explore the ethical and legal issues that arise in connection with advocacy.