



## BOARD OF REGENTS

### SUMMARY OF ITEM FOR ACTION, INFORMATION OR DISCUSSION

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**TOPIC:** University of Maryland, Baltimore: Master of Science in Law

**COMMITTEE:** Education Policy and Student Life

**DATE OF COMMITTEE MEETING:** January 14, 2014

**SUMMARY:** In the spring semester of 2013, the Dean of the University of Maryland Francis King Carey School of Law (UM Carey Law) appointed a committee to investigate opportunities for creating or expanding collaborations with UMCP with the support of the MPowering the State initiative. One result is the Master of Science in Law Program, a degree designed for non-lawyer professionals who desire to enhance their careers by developing a competency in the law. If approved, the new degree will be offered by UM Carey Law at the UMCP campus.

The proposed Master of Science in Law program is unique to the state of Maryland and the region as a whole. While over thirty law schools across the country have somewhat similar programs, this program would be the first in the D.C. area. The proposed program's goal is to enable working professionals with an undergraduate degree to gain fluency with legal structures, principles, concepts, and modes of analysis to complement and augment their existing specialized professional expertise. It is designed for highly qualified students with work experience, who do not wish to pursue a J.D. degree in order to be allowed to practice law, but nonetheless desire a more focused and detailed engagement with the law than is available in other master's degree programs. Those pursuing the degree will be required to specialize in one of four substantive areas: (1) health law, (2) environmental law, (3) crisis and emergency management, or (4) government law and the regulatory process.

LMD, a strategic marketing and communications company, conducted an intensive study over five months to determine the viability of the Master of Science in Law Program, focusing especially on the Washington, D.C. metro-area market. The purpose of the study was to assist in making a market-driven decision on the launch of the new degree program, using primary and secondary research to identify the nature of interest in the marketplace and the feasibility of launching the program. A complete report including recommendations, findings, methodology, research resources and instruments is available for review upon request.

**ALTERNATIVE(S):** The Regents may not approve the program or may request further information.

**FISCAL IMPACT:** The *MPowering the State* Initiative has made a commitment to provide funding to support the first two years of the program.

**CHANCELLOR'S RECOMMENDATION:** That the Committee on Education Policy and Student Life recommends that the Board of Regents approve the proposal from the University of Maryland, Baltimore to offer the Master of Science in Law.

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COMMITTEE RECOMMENDATION: Approval

DATE: January 14, 2014

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BOARD ACTION:

DATE:

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SUBMITTED BY: Joann Boughman 301-445-1992

[jboughman@usmd.edu](mailto:jboughman@usmd.edu)

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**The University of Maryland Francis King Carey School of Law**  
**Proposal for a New Instructional Program**  
**Master of Science in Law**

**A. Centrality to institutional mission statement and planning priorities**

Charged by the legislature and approved by the University System of Maryland (USM) Regents in March, 2012, the *MPowering the State* initiative is an effort by University of Maryland College Park (UMCP) and University of Maryland Baltimore (UMB) to establish a new working relationship designed to promote innovation, support new programs, and enhance collaboration between the two institutions. In the spring semester of 2013, the Dean of the University of Maryland Francis King Carey School of Law (UM Carey Law) appointed a committee to investigate opportunities for creating or expanding collaborations with UMCP with the support of the *MPowering the State* initiative. One result is the Master of Science in Law Program, a master's degree designed for non-lawyer professionals who desire to enhance their careers by developing a competency in the law. The new degree will be offered by UM Carey Law at the UMCP campus.

The program's goal is to enable working professionals with an undergraduate degree to gain fluency with legal structures, principles, concepts and modes of analysis to complement and augment their existing specialized professional expertise. It is designed for highly qualified students with work experience, who do not wish to pursue a J.D. degree in order to be allowed to practice law, but nonetheless desire a more focused and detailed engagement with the law than is available in other master's degree programs. Those pursuing the degree will be required to specialize in one of four substantive areas: (1) health law, (2) environmental law, (3) crisis and emergency management, or (4) government law and the regulatory process.

This is a part-time, two-year evening program of thirty credits, structured to permit professionals to integrate their course of study into their work lives. The courses will be taught by a mixture of nationally known full-time faculty members of UM Carey Law (principally for the foundational courses), members of the UMCP faculty in various departments, and other substantive experts from the judiciary, governmental organizations, and the practicing bar.

The Master of Science in Law program is part of a larger continuum of *MPowering the State* collaborations between UM Carey Law and UMCP that include a new College Park Scholars "living and learning" program in Justice & Legal Thought for freshmen and sophomores, and a new Law & Society minor for juniors and seniors. Both programs will include special undergraduate courses taught by UM Carey Law faculty. Together these programs help students and working professionals develop the knowledge and skills to be engaged citizens and competent professionals working and solving problems in our increasingly regulated society.

The Master of Science in Law – and all the *MPowering the State* programs – are fully consistent with the mission of UM Carey Law, to promote a more just society by advancing understanding of law and legal institutions, and by enhancing access to justice. In the last few years, some thirty law schools around the country have created a master's degree in law for non-lawyers in response to the changing dynamics of the marketplace for legal knowledge and services. The legal world is quickly changing and this high-quality master's degree in law will advance the strategic goals of UM Carey Law by preparing professionals with an increased knowledge of the law where that knowledge is both needed and missing.

## **B. Adequacy of curriculum design and delivery to related learning outcomes**

The Master of Science in Law is designed for experienced, non-lawyer professionals who desire to enhance their careers by developing an understanding of and a competency in the law. It will provide students with an ability to understand the legal context for effectuating policy and program development, to recognize what rules, statutes, and regulations might apply when legal issues emerge, and to be more sophisticated directors and consumers of legal services. The program and marketing material will clearly convey to applicants and students that it is not a substitute for a J.D. and that successful completion will not permit graduates to practice law or otherwise undertake the legal representation of others.

The Master of Science in Law is structured to ensure that students achieve core learning outcomes:

- (1) An ability to recognize and understand the legal regimes and structures that regulate or otherwise affect their professional roles, including the complementary and sometimes conflicting rules of federal, state, and local law as well as the allocation of jurisdiction among federal and state courts and administrative agencies;
- (2) A capacity to read and understand legal documents, including contracts, judicial opinions, statutes, regulations, executive orders, legislative commentaries, and legal opinion letters;
- (3) A familiarity with the major substantive and procedural issues of both public and private law, including the core principles of constitutional law, the procedures governing civil and criminal litigation, and the legal rules that apply to contracts for goods and services, business transactions, and the organization and operation of for-profit and non-profit corporate entities;
- (4) An ability to identify the legal context for effectuating policy, and thus to recognize and better appreciate the legal risks that may affect decision-making in public and private organizations;
- (5) An understanding of major modes of dispute avoidance and resolution, including negotiation, private settlement, mediation, arbitration, and litigation;
- (6) The ability to conduct basic legal research and draft basic documents for internal use;
- (7) The ability to assess more effectively when legal issues require or justify the engagement of legal professionals and then to communicate more effectively with those professionals in identifying and evaluating the range of options appropriate to specific circumstances.

The program will be offered on a part-time basis in the evenings at UMCP over the course of two years. Students will be required to earn thirty credits spread out over four semesters. The program will begin with a day-long orientation workshop that will include logistical information as well as a basic introduction to the structure of government, reading and briefing cases, sources of law, and the roles of various legal actors. The orientation will also give students the opportunity to get to know one another and do some preliminary thinking and planning about their courses of study.

Students will begin their courses of study with key foundational courses that provide an overview of public and private law regimes in the United States. In the first Fall semester, students will have an introduction to the U.S. legal system through a survey of fundamental areas of private law (torts, contracts, property). They will take a basic legal research course taught online by a law librarian.

Finally, in their legal methods course, they will study modes of legal analysis and argument, and complete substantial written work and oral presentations. In the Spring semester, students will take a foundational course in public law focusing on constitutional law and procedure as well as on key areas in administrative law and important statutory schema.

Beginning in the Spring Semester of the first year, each student will be required to specialize in one of four areas: (1) health law, (2) environmental law, (3) crisis and emergency management law, or (4) government law and the regulatory process. In their chosen specialty area students will be required to take a total of fourteen credits: (a) one three-credit survey course providing an overview of the subject area in their first Spring semester, (b) two three-credit special topic courses providing more in-depth study in their specialty area in Fall of the second year, and (c) five-credits of faculty-supervised capstone courses that involve research, writing, and presentation on a legal problem in their specialty area spanning the entire second year.

In addition to the foundational and specialty courses, students will be required to take a course in ethics and may elect to take a course in negotiation and dispute resolution, or an additional specialty course in their areas of interest.

An overview chart of the curriculum is found below.

<b>Master of Science in Law Curriculum Overview</b>			
<b>First Year</b>		<b>Second Year</b>	
<b>Fall</b>	<b>Cr.</b>	<b>Fall</b>	<b>Cr.</b>
US Law and Legal System	4	Course or Seminar in Specialty 1	3
Legal Methods	3	Course or Seminar in Specialty 2	3
Legal Research	1	Capstone Workshop	1
		Optional Electives: Dispute Resolution & Negotiation or another specialty course or course at UMCP	2
<b>Spring</b>	<b>Cr.</b>	<b>Spring</b>	<b>Cr.</b>
Public Law & the Regulatory Process	4	Ethics in Law & Public Policy	2
Survey Course in Specialty	3	Capstone Project	3
		Capstone Colloquium	1
<b>Total Credits</b>	<b>15</b>	<b>Total Credits</b>	<b>15</b>

Please see Appendix A for more detailed course descriptions of the required courses. Seminars and specialty courses in specific areas may vary by semester, based on student demand, teaching loads, and a variety of other factors. Appendix A additionally includes seminars and specialty courses currently offered by UM Carey Law which reflect the content and quality of potential specialty area seminars.

### **C. Critical and compelling regional or Statewide need as identified in the State Plan**

This degree program is completely aligned with the 2013 draft State Plan for Postsecondary Education, *Maryland Ready*, providing an affordable and highly relevant education to working professionals. The program most closely tracks with the Plan Goal #5 to stimulate economic growth and innovation by supporting the knowledge-based economy.

Ours is an increasingly regulated society. As a public university system in close proximity to state and federal legislatures, USM has a special role to play in preparing graduates for careers in legislative, regulatory, and public program development. Developing the capacity of workers to navigate the complex legal and regulatory schema that affect Maryland's economy is critical to future growth in key sectors – especially health care, environmental “green economy” sectors, and emergent areas like emergency and crisis management. Professionals who acquire a solid understanding of the legal and regulatory frameworks in these areas fulfill a very unique and unmet need within the state and the region as a whole. Combining this specialized training with their professional experience creates an opportunity for mid-career professionals to develop a new credential to enhance their skills and abilities. Moreover, the degree is being planned in cooperation and with significant input from industry to help ensure it meets the needs of potential employers.

#### **D. Quantifiable & reliable evidence and documentation of market supply & demand in the region and State**

LMD, a strategic marketing and communications company, conducted an intensive study over five months to determine the viability of the Master of Science in Law Program, focusing especially on the Washington, D.C. metro-area market. The purpose of the study was to assist in making a market-driven decision on the launch of the new degree program, using primary and secondary research to identify the nature of interest in the marketplace and the feasibility of launching the program. A complete report including recommendations, findings, methodology, research resources and instruments is available for review upon request.

LMD conducted both primary and secondary research. For its secondary research, LMD gathered data from over 100 sources, including articles, white papers, op-ed, competitor websites, blogs, and a variety of databases. It focused on two distinct data points: need and supply. The need analysis examined national and local employment trends, graduate education trends (including the need for graduate degrees and for legal knowledge in current and emerging professions), trends in tuition reimbursement, and any potential regulatory threats. The supply analysis took an intensive look at competitive regional and national Master of Science in Law (or similar) programs. For its primary research, LMD also conducted (a) six, two-hour focus groups with working professionals, (b) two, two-hour focus groups with rising seniors and recent college graduates, and (c) thirty, 25-minute interviews with senior level executives at potential employers. Through this process, approximately 105 individuals were interviewed about the potential program. The comprehensive research report contains the complete list of secondary resources, as well as interview guides and other materials related to the focus groups.

On the basis of its primary and second research into market conditions, LMD recommended that UM Carey Law proceed with a master's program in law and that a strong market existed in the D.C. area.

LMD based its “go” recommendation on a range of research findings identified through both the primary and secondary research. These findings included:

- (a) *DC Job Market Remains Strong:* Washington, DC is expected to remain one of the strongest job markets in the coming years. Government employment is expected to remain stable or shrink slightly, with expansion in government contracting and related fields expected to offset any decline. Health care, information technology and management, and business are expected to be areas with the largest growth.
- (b) *Master's Degrees Becoming a Required Credential:* Master's degrees are quickly becoming the new bachelor's degree, as more and more of today's jobs in the “knowledge economy” require the advanced skills and specialized expertise. This is especially true in Washington,

DC which has a very highly educated workforce. Competing effectively to advance in this workforce often requires individuals to acquire high quality credentials.

- (c) *Graduate Enrollment Expanding:* Enrollments in graduate programs in specific industry sectors are rising – especially in education, information management, business, and healthcare. The graduate education market is seeing an influx of “non-traditional” students who are older, working and may have families.
- (d) *Specialized Knowledge Highly Valued:* Employers reported that specialized knowledge is increasingly valuable to them. This factor, combined with the sluggish economy, has meant returning students are often looking to build upon existing work experience and enhance expertise in their given fields, rather than change careers. Developing curricula that build on older students’ existing expertise will strengthen the likelihood of a successful program.
- (e) *Employers and Potential Students See Value in the Master of Law Degree:* Both employers and potential students readily see the value of a graduate degree in law, linked to specialization. These people interact with the law in many aspects of their work on a daily basis and are interested in knowing and understanding more about it. Employers and professionals working in policy development and program implementation in fields like health care, environmental management, information technology and emergency management reacted very positively to the program description. Supplementing their existing domain specialties with a focused legal education would greatly benefit them.
- (f) *Tuition Assistance Availability Remains Strong:* The steady availability of tuition assistance (such as the Department of Homeland Security fellowship program) suggests that funding assistance would be available to those seeking valuable specialization in a field related to law.
- (g) *Lack of other Programs in the Market:* With regard to competition, the LMD report emphasized that the Master of Science in Law offered by UM Carey Law would be the first in the D.C. metro area market

LMD’s overall recommendation was a clear “go”, stating that “the research did not uncover any constraints or red flags that would indicate the program should not be pursued.” The most significant risk LMD associated with the launch of the program was that the Master of Science in Law is a new degree and its value has not yet been determined by the marketplace. While it noted that more than 30 law schools across the country have launched such degrees, most have only been in place a couple of years. To address the risks, LMD emphasized that UM Carey Law should (1) launch the program with sustained, personal outreach to employers to recruit students, (2) invest in significant marketing in the D.C. metro region to build awareness, (c) design a program especially tailored to working professionals, and (d) design a program with strong substantive concentrations in UM Carey Law’s nationally recognized areas of expertise.

Both the primary research through the focus groups and the secondary research on employment trends also provided insight into the importance of having a degree with a clear specialty area focus. Secondary research confirmed that health care and environmental protection remain areas with anticipated significant job growth. In the primary research, participants indicated that the ability to specialize within the Master of Science in Law was a major strength of the program. Both *Health Law* and *Environmental Law* tested extremely well, with participants citing the dynamic nature of regulation in these fields and the lack of legal education provided in alternative master’s programs (such as Master in Environmental Policy or Master in Public Health). Administrative Law also tested well as many potential students in the Washington, D.C. area are involved in reading, writing and understanding legislation. The research

nonetheless indicated that clarification was needed on the exact nature of the specialty area. Building on that initial insight, a specialty in *Government Law and the Regulatory Process* is included to address this interest identified in the focus groups. Participants in the focus group also recognized the relevancy of Homeland Security as a specialty, but again needed clarification on the exact nature of the specialty area, with suggestions that it focus in a specific area such as cybersecurity or emergency management. Building on our existing program strengths, we focused a specialty in *Crisis and Emergency Management*.

UM Carey Law is one of the leading law schools in the country. The specialty areas of the Master of Science in Law program will draw upon the school's nationally recognized strengths. The School's existing *Law & Health Care Program* and *Environmental Law Program* are currently ranked 3<sup>rd</sup> in the country and 6<sup>th</sup> in the country by *US News and World Reports*. The University of Maryland Center for Health and Homeland Security is nationally – and indeed internationally – recognized as a leader in providing training and technical assistance in crisis and emergency management. These resources, combined with the collaborative opportunities presented by working with UMCP, make UM Carey Law well positioned to launch this new degree program.

#### **E. Reasonableness of program duplication**

The Master of Science in Law program is unique to the state of Maryland and the region as a whole. While over thirty law schools across the country have somewhat similar programs, this program would be the first in the D.C. area.

University of Baltimore Yale Gordon College of Arts and Sciences offers a Master of Arts in Legal and Ethical Studies. The UB program offers two paths of study for students, either studying law from a broad, humanistic perspective or studying law as preparation for eventual entrance into a J.D. program. The Master of Science in Law program does not duplicate that Master of Arts program for several reasons. First, this program is offered by law school faculty and trains students using pedagogical methods traditional to law teaching. It focuses on modes of analysis, research and reasoning used in law teaching. Most importantly, it offers deep specialization (14 credits) in areas that are distinctive strengths of UM Carey Law – health law, environmental law, crisis and emergency management, and government law and the regulatory process.

This program does not compete with non-law school-based master's programs in the area either (such as Master in Environmental Policy or Master in Public Health) as extensive research shows that none of those programs offer substantial coursework in law or legal issues.

#### **F. Relevance to Historically Black Institutions (HBIs)**

There are no HBIs in Maryland or anywhere in the nation that offers a degree similar to that of the Master of Science in Law program. Thus, the degree program has no negative impact on HBIs.

#### **G. Distance education program**

Currently, one course will be offered in an online format, Legal Research, for 1-credit. Legal Research at UM Carey Law is currently taught in an online format by law librarians holding both J.D. and library science degrees. This course will comply with the Principles of Good Practice for Distance Education as set out in COMAR 13B.02.03.22C.



## **H. Adequacy of faculty resources**

The courses will be taught by a mixture of full-time faculty members of UM Carey Law and other substantive experts from UMCP, government agencies, the judiciary, and the practicing bar. The required specialty areas play to the expertise and strengths of the Law School community, emphasizing the nationally recognized programs and faculty in Health Law, Environmental Law, and Homeland Security Law. See Appendix B for the summary list of current faculty members.

## **I. Adequacy of library resources**

Students will have access to UM Carey Law's Thurgood Marshall Law Library in Baltimore as well as all eight libraries on the College Park Campus. As is the policy of the University System of Maryland and Affiliated Institutions, a 16-member consortium, the Master of Science in Law Program will benefit from the strong tradition of resource-sharing and the common library software system used to manage collections and transactions. A member of UM Carey Law's library team will be assigned to teach the online introduction to legal research course and the team will be available to Master's students for all research needs, including for the intensive Capstone project. The Master of Science in Law students will be easily accommodated by the existing library resources.

## **J. Adequacy of physical facilities, infrastructure and instructional equipment**

The Master of Science in Law program will be housed at the UMCP campus as part of the collaboration of the *MPowering the State* Initiative. The UMCP campus houses a multitude of undergraduate and graduate degrees and the relatively small Master of Science in Law program cohort will be easily accommodated with the existing physical facilities, infrastructure and instructional equipment. The faculty for the program will be current UM Carey Law professors and adjunct faculty so existing office space at the Law School will be adequate and no new office space will be required.

## **K. Adequacy of financial resources with documentation**

To support the launch of the Master of Science in Law Program, the *MPowering the State* Initiative has guaranteed "seed funding" during the first several years of the program. Currently, the *MPowering the State* Initiative will provide additional funds to help market the program, supporting vigorous recruitment and outreach to potential students and employers in Annapolis and in Washington and the surrounding counties. Once students are enrolled, the program will provide funds to help cover instructional costs as the program builds to its anticipated enrollment of at least 80 students per year (40 per cohort). A copy of the letter committing these funds to the program is attached as Appendix C.

## **L.**

## Resources and Expenditures

TABLE 1: RESOURCES					
Resources Categories	(Year 1)	(Year 2)	(Year 3)	(Year 4)	(Year 5)
1. Reallocated Funds <sup>1</sup>	0	0	0	0	0
2. Tuition/Fee Revenue <sup>2</sup> (c+g below)	0	0	0	0	0
a. #F.T Students					
b. Annual Tuition/Fee Rate					
c. Annual Full Time Revenue (a x b)					
d. # Part Time Students	20	40	50	70	80
e. Credit Hour Rate	\$1100	\$1133	\$1167	\$1202	\$1238
f. Annual Credit Hours	15	15	15	15	15
g. Total Part Time Revenue (d x e x f)	330,000	667,800	875,250	1,262,100	1,485,600
3. Grants, Contracts, & Other External Sources <sup>3</sup>	\$1,093,750 (less any tuition received)	\$1,295,000 (less any tuition received)	\$1,295,000 (less any tuition received)	TBD	TBD
4. Other Sources					
TOTAL (Add 1 - 4)	\$1,093,750	\$1,295,000	\$1,295,000	\$1,262,100	\$1,485,600

<sup>1</sup> Whenever reallocated funds are included among the resources available to new programs, the following information must be provided in a footnote: origin(s) of reallocated funds, impact of the reallocation on the existing academic program(s), and manner in which the reallocation is consistent with the institution's strategic plan.

<sup>2</sup> This figure should be a realistic percentage of tuition and fees which will be used to support the new program. Factors such as indirect costs linked to new students and the impact of enrolling continuing students in the new program should be considered when determining the percentage.

<sup>3</sup> Whenever external funds are included among the resources, the following information must be provided in a footnote: source of the funding and alternative methods of funding the program after the cessation of external funding.

<b>TABLE 2: EXPENDITURES</b>					
Expenditure Categories	(Year 1)	(Year 2)	(Year 3)	(Year 4)	(Year 5)
1. Total Faculty Expenses (b + c below)	472,500	486,335	500,935	506,950	531,441
a. # FTE (Carey Law Faculty)	2.25	2.25	2.25	2.25	2.25
b. Total Salary	378,000	389,000	400,680	403,687	425,081
c. Total Benefits	94,500	97,335	100,255	103,263	106,360
2. Total Administrative Staff Expenses (b + c below)	303,150	312,244	321,611	331,259	341,196
a. # FTE	2	2	2	2	2
b. Total Salary	215,000	221,450	228,093	234,935	241,983
c. Total Benefits	88,150	90,795	93,518	96,324	99,213
3. Total Support Staff Expenses (b + c below)	56,250	56,250	56,250	56,250	56,250
a. # FTE	1	1	1	1	1
b. Total Salary	45,000	45,000	45,000	45,000	45,000
c. Total Benefits	11,250	11,250	11,250	11,250	11,250
4. Equipment	15,000	5,000	5,000	5,000	5,000
5. Library	20,000	20,000	20,000	20,000	20,000
6. New or Renovated Space	0	0	0	0	0
7. Other Expenses (a –d below)	122,500	290,000	290,000	290,000	290,000
a, UMCP Faculty (3 @ \$15k ea)	0	45,000	45,000	45,000	45,000
b. Adjunct Faculty (10 @ \$10k ea)	0	100,000	100,000	100,000	100,000
c. Teaching Fellows	22,500	45,000	45,000	45,000	45,000
d. Marketing and Outreach	100,000	100,000	100,000	100,000	100,000
TOTAL (Add 1 - 7)	989,400	1,169,829	1,193,796	1,208,509	1,243,887

#### **M. Adequacy of provisions for evaluation of program**

As part of the resolution approving the launch of the Master of Science in Law Program, the UM Carey Law faculty required that the faculty undertake a thorough review of the program after the admission of the second cohort of students. The faculty required that the review be guided by objective benchmarks and other factors developed by the UM Carey Law Faculty Council. The review is to assess the overall quality of the Program in operation; the number and quality of the students admitted to the Program; the employment status of participants in the Program; whether sufficient funding exists—from the *MPowering the State* initiative, the university, and tuition revenues—to support the Program in the future; how the teaching commitments in the Program have affected faculty capacities and faculty cohesion; the quality of adjuncts who have taught in the Program; the overall effect on the J.D. program; and the growth potential of the program. A formal faculty committee, comprised of faculty teaching in the program, faculty not involved in the program, and any necessary external reviewers, will conduct the review. Following that review, the program will be reviewed every seven years in keeping with UM Carey Law's accreditation cycle.

#### **N. Consistency with the State's minority student achievement goals**

The new Master of Science in Law Program will remain consistent with UM Carey Law's dedication to minority goals and achievement. For the legal system to function effectively, the profession must reflect the intellectual and cultural diversity that characterizes this nation. It is UM Carey Law's institutional conviction that diversity of perspectives - shaped by economic or cultural background, by race, by gender, by sexual orientation, by disability and by philosophical outlook -- is an essential ingredient of the educational process. If the ideals of justice and the rule of law are to retain their power, then legal education must attract students as well as faculty who can challenge each other's ideas and perceptions and who can draw upon each other's strengths in resolving disputes and building consensus from a plurality of perspectives.

#### **O. Relationship to low productivity programs identified by the Commission**

Not applicable

## **APPENDIX A: Master of Science in Law Course Descriptions**

### **FOUNDATIONAL AND REQUIRED COURSES**

#### **Survey U.S. Law and the U.S. Legal System (4)**

This course will survey the fundamental legal principles of American law in the areas of torts, contracts, and property. The development of the law will be explored from common law roots to more recent legislation and judicial decisions, culminating with discussion of current legal topics in each area and their implications for the workplace and society at large. This course will also introduce students to sources of law including Constitutions, statutes, case law, common law and regulations, as well as the structure and functions of U.S. courts at both the federal and state levels, the jurisdiction of both federal and state courts, and the role of law in society

#### **Introduction to Legal Research (1)**

This course will introduce students to the process and strategies involved in legal research. Multiple formats, including LexisNexis, Westlaw, print, and Internet sources will be covered. Students will develop an understanding of the sources of legal information and judgment in selecting appropriate sources and formats for specific projects. The goal of this course is to develop familiarity with legal documents and legal research. The course will be taught in a distance education format through Blackboard. Course modules will track the coverage listed above. There will be deadlines throughout the course for completion of the modules, which will include a variety of components including guided exercises, tutorials, and short open-ended research projects. A substantial portion of the grade will consist of performance on a final research project on an assigned topic. The course will be conducted entirely in distance education mode, with no regularly scheduled classroom meetings.

#### **Legal Methods-Analysis and Argument (3)**

Legal Methods-Analysis and Argument will introduce students to the structure of the American legal system and the sources of legal authority. This course will cover the essentials of legal reasoning and require at least one written project and one oral presentation. Students will learn to read and analyze statutes and to understand the relationships among cases, statutes and regulations. The course will teach students to distinguish among and evaluate various types of legal authority, and to use that authority to solve legal problems. The students will then learn to communicate their analysis through written and oral communication. Students will learn techniques for editing and revising their work to make it concise and clear, and produce both persuasive and objective documents.

#### **Introduction to Public Law and the Regulatory Process (4)**

This course will be the required “administrative law gateway” for all of the specializations. This course will survey the fundamental legal principles in the areas of constitutional law, administrative processes and statutory interpretation. This course will examine the roles of administrative agencies in promulgating, administering and enforcing regulations. After considering the relationship of agencies to the judicial and legislative branches of government, students will study the rule-making process, modes of administrative adjudication, and judicial review of agency decisions. This course will also examine the structural framework established by the Constitution, including principles of federalism and the role of the Supreme Court in policing the constitutional order. It will study the doctrine of judicial review, the reach of federal legislative power, limits on the reach of state power, the workings of the Supreme Court, separation of powers, and limits on the exercise of federal judicial power.

#### **Ethics in Law and Public Policy (2)**

This course will focus on issues of practical professional ethics in legal, policy development, and program management contexts. This course will provoke critical thinking on value judgments underlying decision-making and public policy practices. It will introduce the fundamentals of ethics management and of

analytic moral reasoning for politics and policy contexts. It will focus on the responsibilities of policy makers and public officials in the context of competing obligations that guide their actions.

### **Capstone Workshop (1)**

In this course, the students will begin to work on their capstone projects. The students will work together in small groups to develop their capstone topics (which will be significantly related to their professional experiences), conceptualize the project and begin research and literature reviews.

### **Capstone Colloquium (1)**

This course will be the context in which all students in a cohort will come together to discuss and present their capstone projects. This colloquium will culminate with students providing an oral presentation with accompanying written and digital materials in order to receive feedback from peers and to practice oral and written communication skills.

### **Capstone (3)**

This course will involve students working in teams or small groups on an issue relevant to their professional experience and will involve written analysis and an oral presentation. This course will require substantial work outside of the classroom setting. The course will provide students with the opportunity to analyze the practical implications of legal principles and procedures in the context of a specific professional environment.

## **SPECIALTY SURVEY COURSES**

### **Health Care Law and Policy Survey (3)**

This introductory health law course surveys current federal and state regulatory schemes governing the provision of healthcare. The class focuses on three major themes: quality of care, access to care, and cost containment. Students will learn about professional licensure, malpractice, the provider-patient relationship, informed consent, the regulation of healthcare facilities, public and private insurance regulation, bioethics of organ transplantation and end of life care, the Affordable Care Act, and other topics.

### **Environmental Law Survey (3)**

This is the basic survey course that provides a comprehensive introduction to the field of environmental law. After examining why we have environmental law, the course traces the evolution of environmental law from common law doctrines to the rise of the modern regulatory state. The course reviews the principal federal laws that govern regulation of waste management, toxic substances, and air and water pollution. It explores the operation of the federal regulatory process and the role of government agencies and citizen groups in the development and enforcement of environmental regulations. It also introduces laws protecting public resources and the rise of international environmental law.

### **Crisis Management Survey (3)**

This survey course is designed to expose students to the legal implications of government's two critical roles in dealing with mass domestic terrorist incidents: crisis and consequence management. "Crisis management" is predominantly a domestic law enforcement response (sometimes supplemented by the military) to terrorist threats. It includes law enforcement and intelligence measures to prevent threats or acts of terrorism, as well as to apprehend and prosecute the perpetrators of terrorist attacks. "Consequence management" concerns measures to protect public health and safety, including restoring essential government services and providing emergency relief to businesses and individuals affected by the consequences of terrorist incident.

### **Administrative Law and Regulation Survey (3)**

This course is concerned with the nature and function of administrative agencies; procedure before administrative tribunals, including notice, hearings, and enforcement of rules and orders; and judicial control over administrative action.

## **POTENTIAL SPECIALTY COURSES AND OTHER ELECTIVES**

### **Dispute Resolution and Negotiation (2)**

This course will examine methods of dispute resolution other than litigation, focusing on negotiation, mediation and arbitration. It will also explore the use of various hybrid procedures and other mechanisms specifically designed to meet the needs of a particular controversy or categories of controversies. Consideration will be given to use of these alternative mechanisms in the private sector in contrast to their use in court-annexed programs or by government agencies. Simulations will be conducted to develop practice skills and as a basis for exploring the public policy and other issues that arise in this area. The course will also offer a theoretical framework for understanding negotiation practice in a variety of contexts. It will address the fundamental skills of systematic and thorough negotiation preparation, the ongoing management of a negotiation process, and the identification and achievement of optimal agreements. It will also consider legal and ethical constraints of negotiation.

### **Global Administrative Law (3)**

This seminar course explores the contours of the rapidly evolving field of global administrative law. Considering governance in an increasingly interdependent world, it explores both normative and compliance functions of international institutions. Looking beyond traditional notions of sovereign authority, the class will explore case studies of UN agencies, the World Bank, the World Trade Organization, and the regulation of private actors, with an emphasis on environment, human rights, and public finance.

### **Government Contracts (2)**

This course will address the fundamental principles of federal government procurement law, including: basic fiscal and appropriations law; the powers of, and limitations on, government instrumentalities entering into contracts (e.g., sovereign immunity); and the processes of government contract formation and administration. In addition, the course will focus on government contracts related litigation, such as bid protests, and other disputes under the Tucker Act, the Contract Disputes Act, and the False Claims Act. This course does NOT focus on construction contracting.

### **Business Aspects of Health Care Law Seminar (3)**

This seminar will closely examine several different health care business transactions, including acquisitions, joint ventures and other arrangements with physicians from a corporate, tax and regulatory standpoints with an emphasis on transaction structure, regulatory compliance, and understanding the provisions of the transaction documents. The seminar will also cover legal issues that directly relate to the operations and finances of health care entities outside of the transactional context. This seminar is designed as a very hands on, practical seminar based on actual, sophisticated transactions and business concerns involving healthcare providers. Knowledge gained in the course will help students structure and understand health care transactions from both the health care lawyer's and the healthcare business executive's viewpoint. It will also provide instruction in the basics of federal tax exemption applicable to health care providers, teach some basic corporate drafting skills, and provide a basic understanding of health care economics from the provider perspective.

Carl Jean-Baptiste

### **Critical Issues in Health Care (3)**

The course is designed to: (1) provide students with an opportunity to reflect on the legal, ethical and policy issues surrounding a number of health care delivery problems; (2) expose participants to the basic skills necessary to analyze problems from a legal, ethical and policy perspective; and (3) offer participants from different disciplines an opportunity to interact and share information and perspectives about their professions with one another. A variety of teaching techniques, including case studies, simulations, and video clips will be used to explore such topics as medical malpractice, rights of patients to refuse treatment, informed consent and substituted consent in medical decision making, regulation of experimental drugs, and health care reform. The course will be taught by faculty from a variety of disciplines. During the course, students will have an opportunity to work in multidisciplinary teams to analyze a particular health care problem and develop a position paper on a health care policy issue.

### **Health and International Human Rights Seminar (3)**

This course focuses on the dynamic relationship between health and international human rights law. The course begins with an overview of the historical and legal origins of the field of health and human rights, including the atrocities of Nazi human experimentation, the Nuremberg Code, and the evolution of health and human rights law in the United Nations system. The course moves on to critically examine the meaning and significance of the right to health in international law as well as the contemporary relationship between health and human rights, including the impact of health policies and programs on human rights and the health impacts resulting from human rights violations. We will consider the strengths and limitations of the human rights framework by introducing a number of case studies and issues, focusing on vulnerable populations (women, children, persons with HIV/AIDS) and specific population health threats and issues (the right to healthcare, access to life-sustaining pharmaceuticals, female genital mutilation and reproductive and sexual rights, human trafficking, the ethical conduct of biomedical research in developing countries).

### **Health Law Seminar: Hospital Law (3)**

This offering will focus on a large range of health law topics from the perspective of a hospital. Through readings, the review and study of federal and state statutes and regulations, and class discussion (including case studies), this class will address the following topics related to the regulation and practice of hospital law: Licensure and accreditation; Structure; Service lines and their regulation; Operations policies and procedures; Reimbursement; Medical and other staff issues; Physician/hospital relationships and government regulation of such (including fraud and abuse laws); Patient care issues; Medical records and the state and Federal laws affecting them; and Issues affecting academic medical centers. Course materials will include statutory, regulatory and other material posted on Blackboard. Readings developed by the course instructors will include articles from industry publications, case studies, excerpts from Medicare and other health law texts, including the Health Law Practice Guide. P: Health Care Law and Policy

### **Health Law Seminar: Food and Drug Law (3)**

This seminar considers the Food and Drug Administration as a case study of an administrative agency that must combine law and science to regulate activities affecting public health and safety. The class is designed both for students who expect to become involved in food and drug matters and for those who are interested in the interplay of law and science. Topics to be discussed may include: history of the food and drug administration; food law, misbranding, and economic issues; nutritional policy and health claims; regulation of carcinogens, food additives, and color additives; drug regulation; drug approval process; breakthrough drugs and ethics of drug testing; medical device regulation; and regulation of biotechnology. Course requirements include a seminar paper.



### **Health Law Seminar: Fraud and Abuse (3)**

Students in this seminar will study the state and federal laws and regulations defining and addressing fraud and abuse in health care, with a focus on the federal law. Topics to be explored include (i) the roles and responsibilities of professional licensure bodies, state and federal regulatory authorities, and state and federal law enforcement; (ii) federal regulations governing improper referrals and false claims; and (iii) potential conflicts between health care integration and current laws on health care fraud. The course will include guest speakers from state and federal regulatory and law enforcement agencies, practicing attorneys, and health care industry executives.

### **Health Law: Special Topic: Legal and Policy Issues in End-of-life Care (3)**

This seminar will examine the last three decades' legal developments in the law governing decision making about the use of life-sustaining medical treatments. It will encompass the leading cases from Quinlan through Schiavo, examples of statutory approaches, and selected commentary. Class discussion will focus on challenges that continue to confront patients, families, health care providers and policy makers in improving end of life care. Readings will include legal cases and statutes as well as empirical research evaluating the current legal and policy framework for decision making and medical treatment at the end of life.

### **Health, Safety and Environmental Regulation Seminar (3)**

This course considers the status of five "protector" agencies the Consumer Product Safety Commission, the Environmental Protection Agency, the Food and Drug Administration, the National Highway Traffic Safety Administration, and the Occupational Safety and Health Administration. Together, the five are responsible for preventing the sale of hazardous consumer products, minimizing pollution in the air, surface waters, and soil, ensuring the purity of the nation's food and potable water supplies, assuring the safety and efficacy of over-the-counter and prescription drugs, promoting the safety of nine million workplaces, and preventing traffic accidents caused by driver behavior and motor vehicle design defects. This course will examine the root causes of problems within these agencies, as well as their implications for public health, worker safety, and the environment, giving students the basic tools they need to understand dysfunctions in the regulatory system and to identify potential reforms.

### **Law and Policy of Emergency Public Health Response Seminar (3)**

This course will survey federal, state, and local laws directed toward giving extraordinary powers to each level of government to respond to catastrophic public health events whether caused by natural disasters or terror attacks. Among the issues that will be discussed are governmental powers relating to quarantine and isolation, compelled medical treatment, triaging patient care, emergency seizures of medical supplies and facilities, compelled service of medical personnel, intergovernmental emergency compacts, civil liberties concerns and court access, emergency licensing of medical personnel, altered standards of care in emergencies, deployment of military personnel to provide domestic response services, and related federalism issues.

### **Licensing and Disciplining of Health Care Professionals Seminar (2)**

This seminar will explore the law governing the discipline of health care professionals, including the substantive and procedural issues arising out of the disciplinary process. Students will study topics such as unauthorized practice, standard of care and professional incompetence, reciprocal discipline, over-utilization of health care services, illegal prescribing, moral turpitude, and the meaning of the term "in the practice of." The seminar will also cover procedural issues that arise during the investigative and adjudicatory stages of a disciplinary proceeding, such as board investigative authority, the right to counsel, notice, discovery, confidentiality, and sanctioning, including an examination of the issue of disproportionate sanctioning of health care providers based on criteria such as race, national origin, and level of training. The final two weeks of the seminar will be devoted to a mock case resolution conference exercise where students will be provided with a fact pattern and have the opportunity to represent

opposing sides and to preside over a case resolution conference. The course is designed to give students a basic understanding of the process for disciplining health care professionals.

### **Public Health and the Law Seminar (3)**

This seminar will explore a variety of legal and ethical issues that arise when public health initiatives constrain individual rights. It will introduce students to the scientific foundations of public health, the regulatory origins of public health policy, and the ethical and legal tools for thoughtfully examining public health measures. Specific topics for consideration will include the role of federal and state governments in public health regulation; constitutional limitations on state police power; tort law as a public health tool; the just allocation of resources during disasters; and the tension between public health and civil liberties in contexts such as compulsory vaccination programs, the testing/screening/disclosure of disease or drug use, the quarantine/isolation of people with infectious disease, and various responses to bio-terrorism.

### **Constitutional Limitations on Land Use Controls, Environmental Regulations and Governmental Exactions (3)**

The course considers cases selected from American constitutional history which address the clash between public sovereignty, private property, and civil rights. It provides an historical context and an up-to-date focus on many of the constitutional questions that face today's Supreme Court: the "regulatory taking" issue; limits on the commerce powers; eminent domain and the "public use"; the balance between property rights and First Amendment liberties; individual mandates; the "essential nexus" between government prohibition and purpose; and the fine line between taxation and expropriation. Special attention is directed at the Supreme Court's 2012 decision concerning the constitutionality of the Affordable Care Act.

### **Environmental Law Seminar: Business Transactions (3)**

This course will examine the application of environmental laws, including federal laws such as CERCLA and RCRA, to a variety of business transactions from asset and stock sales to credit transactions to SEC disclosures. The course will involve study of case law as applied to transactions coupled with practical exercises in negotiation and drafting environmental provisions in various transactional documents. The course will address basic elements of environmental laws and business transactions, focusing on the impact of environmental laws on those transactions. The course will cover topics that include: due diligence, successor and lender liability, bankruptcy, risk allocation, tax implications, and SEC disclosure requirements.

### **Environmental Law Seminar: Clean Air Act (3)**

This seminar will examine air pollution law and policy under the Clean Air Act. Focusing on leading cases, it will address: EPA's health-based National Ambient Air Quality Standards and state plans to meet those standards; EPA's regulation of hazardous air pollutants; the federal emissions trading program to reduce acid rain; Clean Air Act permitting programs; the regulation of air pollution from cars, trucks, and other mobile sources; efforts to reduce carbon dioxide and other greenhouse gas emissions from stationary and mobile sources; administrative and judicial enforcement mechanisms, including EPA's enforcement initiative targeting power plant emissions and citizen suits; and stratospheric ozone protection. This seminar will highlight differences between regulatory tools (e.g., health- and technology-based standards, market mechanisms, and information disclosure), issues of federalism, regional collaboration to address air pollution, the administrative process, and judicial review of agency decisions. It will cover a number of current developments. Each student will write a paper on a Clean Air Act topic.

### **Environmental Law Seminar: Clean Water Act (3)**

This seminar will examine the critical components of the Clean Water Act: jurisdiction, point source and wetlands permitting, pollution control standards, storm-water, watershed cleanup plans, citizen suits, and

enforcement. The course will examine statute and enabling regulations, as will cases interpreting these laws. Class discussion will focus on various aspects of Clean Water Act litigation and the intersections between the Clean Water Act and other federal statutes such as the National Environmental Policy Act and the Administrative Procedure Act. In addition, the course will cover current developments in Clean Water Act policy and will include opportunities to develop practical skills through role-playing and presenting legal arguments.

### **Environmental Law Seminar: Coastal Resources Law (3)**

This course examines the legal landscape governing the management, utilization, and conservation of coastal resources. Coastal environments have always been in demand. They are a source of energy and food supplies, a hub for shipping and commerce, and a destination for recreation. At the same time, coastal environments also host exceedingly complex and fragile ecosystems. Balancing these competing values and uses is the central challenge of coastal resource law. This course covers the laws, policies, prospects and challenges particular to coastal resources. We will begin by discussing the jurisdictional divisions that frame and divide management of coastal resources. Next we will address the statutory and administrative regimes governing the coastal environment. From there, we will turn to major coastal issues such as development and regulation of energy resources (both fossil fuels and renewables), coastal property rights, coastal pollution, coastal wildlife, and coastal planning.

### **Environmental Law Seminar: Energy Development and Finance (3)**

The course examines how wind and solar photovoltaic projects can be profitably developed and financed within the framework of existing and proposed legal rules. Part of the course work will consist of team exercises using Excel spreadsheet financial tools to determine the profitability of hypothetical projects. The course does not assume prior experience in using spreadsheets or the financial tools. Although policy issues will be discussed briefly, the course will be based on legal rules that are now in effect or are realistic near-term prospects, and it will examine how projects can be developed and financed within the framework of those rules. Topics to be covered: (1) Background on electricity industry and regulation, financial markets and the role of subsidies; (2) development and financing large-scale wind projects; and (3) development and financing solar photovoltaic projects with principal emphasis on residential-scale projects.

### **Environmental Law Seminar: Energy Policy and Climate Change (3)**

This course examines the issue of climate change and its implications for energy policy. An introductory section surveys the science of climate change and an economic perspective on the resources that should be devoted to slowing or stopping the rise in global temperatures. The course then turns to a description and evaluation of policies now being used or proposed for reducing the energy sector's contribution to global warming. These include carbon taxes and cap-and-trade, subsidized deployment of renewable energy technologies, and performance standards for vehicles and electricity generation.

### **Environmental Law Seminar: Federal Commercial Chemical Regulation (3)**

This course examines the concepts, history, cases, statutes and regulatory framework for regulating the production, distribution in commerce, and use of commercial chemicals under TSCA, FIFRA, RCRA and EPCRA. This course will highlight the substantive and administrative law practice governing the application of these laws to potential clients in the public and private sectors, including an emphasis on "green chemistry" programs.

### **Environmental Law Seminar: Federal Land Management (3)**

This seminar covers the principal laws and legal doctrines that govern the management of federal land. It begins with a history of federal land policy, exploring how and why the U.S. government came to own such a large body of lands. The course then focuses on constitutional issues including the relationship between the executive and the legislative branches, judicial review questions, and generic laws that

govern most federal lands decisions (such as the National Environmental Policy Act and the Endangered Species Act). The course also explores the federal land planning process, and laws and policies that govern management of national parks, forests, wildlife refuges, recreation and conservation areas, wild and scenic rivers, and wilderness. Considerable attention will be given to contemporary policy disputes over such lands and resources.

### **Environmental Law Seminar: Food, Farming and Sustainability (3)**

A basic necessity of life, a central feature in social and cultural gatherings, a major use of land and resources, and a big business—food is all of these things and more. This course offers a cross-cutting examination of the various legal regimes affecting our food and its production. It examines the interfaces between government policies and agricultural production, agriculture and environmental impacts, agriculture and labor, and food production and energy and water use. Further, it considers food safety regulation, organic and sustainable food production, land-use implications of food production, and the social impacts of food structures. Throughout the course, we engage the central questions of whether we actually have a cohesive food policy and what may be done to make sure that the legal treatment of food truly reflects our society's values.

### **Environmental Law Seminar: Global Environmental Law (3)**

Globalization is having profound effects on the development of law and legal systems throughout the world. These effects are particularly pronounced in the environmental law field. Countries are borrowing law and regulatory innovations from one another at an unprecedented rate. Nations increasingly are coordinating regulatory policies with each other and nongovernmental organizations are playing creative new roles in influencing both corporate and consumer behavior. These developments are blurring traditional distinctions between domestic and international law and public and private law. The result has been the emergence of what has been described as “global environmental law,” the focus of this seminar. The seminar explores how legal systems throughout the world are responding to environmental problems and the legal and political factors that explain similarities and differences in their regulatory policy responses. The seminar compares the different roles played by government agencies, the judiciary, and citizen groups in the development, implementation and enforcement of environmental law. The seminar features guest speakers discussing their work to combat global environmental problems and a small group role-playing exercise. Each student will prepare a research paper on a topic selected in consultation with the professor.

### **Environmental Law Seminar: International Environmental Law (3)**

This course provides an introduction to key pillars of international environmental law and their relationship to sustainable development. It provides a survey of key treaties and other international instruments and mechanisms used to manage and protect natural resources and support sustainable livelihoods. In addition to country-based treaty regimes, the class will examine administrative law of international institutions, including UN agencies, the World Bank, and the World Trade Organization.

### **Environmental Law Seminar: Natural Resources Law (3)**

Broadly speaking, there are two sides to environmental law: pollution control and management of resources. This class is about the latter. Water resources, energy reserves, wildlife, and wetlands are all examples of natural resources subject to management regimes. This course explores the laws, administrative structures, and policies that govern how, how much, and by whom such resources may be used. Moreover, not only will we study the doctrines that apply to these kinds of resources, but we will also rely extensively on interactive case studies that place students in the role of resource users and managers that grapple with these issues.

### **Environmental Law Seminar: Practice of Environmental Markets (3)**

The Environmental Markets class will explore the evolving markets in environmental amenities, using carbon trading as an example. We will study how some of these markets work, and the legal regulatory environment that surrounds them. Particular attention will be paid to the law concerning these environmental markets emerging in US systems. Markets examined include wetlands mitigation, water pollution trading, habitat conservation plan banking, renewable energy credits, and greenhouse gas reduction markets. We will also examine how these markets interact. In this class, the student will learn how current environmental law authorizes environmental markets, how environmental markets work, why they are used, and potential problems.

### **Law and Policy of Emergency Management Seminar (3)**

This course examines how federal, state, and local government laws and policies govern responses to emergencies, whether caused by natural disasters or terrorist attacks. The course allows students to analyze the variety of directives and guidance that shape emergency management policy, including: emergency operations planning, Continuity of Operations (COOP) planning, Continuity of Government (COG) planning, the Incident Command System (ICS), the role of emergency management agencies, mass evacuation and shelter planning, interoperability, planning for pandemics and public health emergency response, port security, Critical Infrastructure Protection (CIP) planning, planning for individuals with special needs and vulnerable populations, and testing, training, and exercises.

### **Law and Policy of Emergency Public Health Response Seminar (3)**

This course will survey federal, state, and local laws directed toward giving extraordinary powers to each level of government to respond to catastrophic public health events whether caused by natural disasters or terror attacks. The course will cover governmental powers relating to quarantine and isolation, compelled medical treatment, triaging patient care, emergency seizures of medical supplies and facilities, compelled service of medical personnel, intergovernmental emergency compacts, civil liberties concerns and court access, emergency licensing of medical personnel, altered standards of care in emergencies, deployment of military personnel to provide domestic response services, and related federalism issues.

### **Law and Policy of Cybersecurity (3)**

This course will explore the legal, regulatory, and policy framework of cybersecurity, cyber terrorism, cyber warfare, and cyber crime. Specifically, this course will examine the laws and policies designed to mitigate cyber threats, address cyber privacy concerns, criminalize cyber offenses, and govern cyber warfare. This course will provide students with a framework for understanding the myriad of federal and state laws and regulations that govern this emerging field. While the focus of the course will be on U.S. cyber law and policy, the course will also address law and policy of foreign countries. Through the analysis of case studies, students will study the intersection of cyber law and policy in the domain of homeland security and learn about cybersecurity's role in the real world.

Ellen Cornelius; Markus Rauschecker

### **Comparative Public Policy and Law Reform (2)**

Law reform the creation of new public policy--can take place in many ways. Although we often think of reform as the work of the government (that is, the Executive, the legislature, or the judiciary) much law reform is done by independent agencies expressly dedicated to that task. A comparative study of those agencies can help us to understand not only the process of legal reform, but also the institutional and governmental constraints that can affect both process and outcome. Students in this course will make such a comparative study. The course will focus on the work of law reform agencies located in the British Commonwealth, although some attention will also be paid to law reform in this country. It will provide students with a background in law reform in foreign countries so that the students may make those comparisons themselves. Students will learn about policy-making at all levels of government and with a

strong international perspective. Grades will be based on class participation, and evaluation of the final paper and paper presentation.

**Legislation (2)**

This class will discuss how a bill becomes a law by examining several pieces of legislation that were considered by the Maryland General Assembly. (Bills before the U.S. Congress may also be included in the syllabus.) Public policy considerations, the politics of the legislative process, statutory interpretation, and the drafting of legislation will be discussed. The principal writing assignment will consist of drafting a bill, presenting written and verbal testimony on it at a mock hearing during class, and preparing a strategy memo on how to secure the bill's passage.

**Funding Commitment of the MPowering the State Initiative  
to Support the Proposed Master of Law Program**

Dear Dean Haddon:

The School of Law is now considering whether it should establish a Master of Law program (the "Program") to be taught primarily at the University of Maryland College Park in connection with the continuing collaboration between our University and UMCP through the MPowering the State initiative. This presents a wonderful opportunity to advance the missions of the MPowering the State initiative, our University, and the School of Law.

We understand that substantial funding will be required to establish the Program. This letter confirms the commitment of the MPowering the State initiative to provide funding to support the first two years of the Program, with the further commitment to cover expenses to ensure that students enrolled in the program in year 2 (FY 16) would be allowed to graduate in the unlikely event that we collectively decide to close the program. In specific, the MPowering the State hereby commits to provide to the School of Law the following funding to support the Program in the next three years (the "Commitments"):

FY15: \$1,093,750 less tuition revenue

FY16: \$1,295,000 less tuition revenue

FY17: \$1,295,000 less tuition revenue (see above)

These funds may be used only to support the establishment and operation of the Program. We nonetheless understand that, because the Program is entirely new, the School of Law will need the flexibility to reposition resources and allocate expenses within the overall budget it has submitted to us, provided always that the funds from the Commitments above are used only to support expenses associated with the Program. We also are aware that the budget for the Program assumes that UMCP will not charge for use of its facilities (classrooms, etc.) or other administrative expenses required to operate the Program at UMCP.

The Program also will generate tuition revenue, all of which will offset the expense support provided. We have agreed that in year one you will expect to enroll at least 30 total students with no less than seven in any one concentration. Finally, we anticipate that the MPowering the State initiative will be the sole source of the funds reflected in the Commitments. The Commitments are not conditioned, however, on the fact or amount of State of Maryland funding of the MPowering the State initiative. As is the case with all financial commitments, they are dependent on the financial condition of the University of Maryland, Baltimore and the University of Maryland, College Park.

Sincerely,



Peter N. Gilbert

Senior Vice President and Chief Operating Officer

On behalf of the MPowering the State Steering Committee