



Touro College  
Jacob D. Fuchsberg  
Law Center

# **SUMMER SESSION**

# **2009**

225 EASTVIEW DRIVE  
CENTRAL ISLIP, NY 11722  
(631) 761-7000  
Fax: (631) 761-7049  
<http://www.tourolaw.edu>

(5/20/09)

## **SUMMER SESSION 2009**

### **REGISTRATION INFORMATION**

Students may register in person at the Registrar's Office, Room 305, or by mail, through Friday, May 1, 2009. Registrations received after May 1, 2009 but prior to the end of first week of classes, Thursday, May 21, 2009, will be accepted, but are subject to a \$25.00 late registration fee. All applicable tuition and fees must be paid before registration.

#### **ELIGIBILITY: LAW CENTER STUDENTS**

Touro Law Center students who began their studies in Fall 2007 and after with cumulative GPAs of at least 2.333 through Fall 2008, and Touro Law Center students who began before Fall 2007 with cumulative GPAs of at least 2.0 through Fall Semester 2008 may register for up to six (6) credits. A student who becomes subject to dismissal as a result of Spring 2009 grades (even though the grades are not recorded or computed prior to the start of Summer Session classes) may be dismissed from the Law Center during or after Summer Session. In the event of such dismissal, the student will not be eligible for any refund of Summer 2009 tuition or fees.

Grades received in Summer Session courses will be computed in a student's cumulative GPA with the grades received in the following Fall semester.

#### **ELIGIBILITY: OTHER STUDENTS**

Students in good academic standing at other ABA-accredited law schools may register at the Law Center. Such students must submit a letter with their registration materials, from the Office of the Dean at their school, confirming that they are in good academic standing, that they may register for the specific courses(s) at the Law Center, and that the credits are transferable.

#### **CREDIT LOAD/RESIDENCE REQUIREMENTS**

Students may register for and take a maximum of six (6) credits.

Part-time students who take and pass at least four (4) credits, and full-time students who take and pass at least five (5) credits, earn 7½ weeks of residence toward the total required by the New York Court of Appeals in order to qualify to graduate and sit for the New York Bar Exam. Compliance with residence requirements is of particular concern to students who plan to accelerate graduation or who plan to transfer between full-time and part-time divisions. For more information on residence requirements, see the Student Handbook or ask the Registrar.

**SUMMER 2009**

**TUITION AND FEES**

Tuition . . . . .	\$ 1,200.00	per credit
Administrative Fee . . . . .	\$ 100.00	(non-refundable)
Late Registration Fee . . . . .	\$ 25.00	(for registrations received after May 3; non-refundable)

NOTE: Any Law Center student with an outstanding balance from a prior semester or semesters will not be permitted to register without prior clearance from the Bursar.

Dean's Fellows must have Linda Baurle, Assistant Dean for Budget and Planning (x7004, Room 402), verify their status on the Registration Form.

**WITHDRAWAL PROCEDURE**

Students wishing to withdraw from a course must file a Drop/Add form with the Office of the Registrar, Room 305. Courses dropped during the Drop/Add period (the end of the first week of classes) will not appear on a student's transcript.

The tuition refund policy for withdrawal from courses is as follows:

Before the first day of classes . . . . .	100%
During the first week of classes . . . . .	60%
During the second week of classes . . . . .	20%
After Thursday, June 4 . . . . .	No Refund

Summer semester refund requests must be made in writing to the Bursar at the time of withdrawal. In the absence of a timely written request, any applicable refund will be credited to the following semester's tuition.

Registration fees and late registration fees are not refundable.

Students attending summer semester will not be entitled to any refund of tuition or fees if they become subject to academic dismissal after computation of spring semester grades.

Last day of Drop/Add Period	-	Monday, June 1, 2009
Last day to withdraw from a course	-	Friday, June 5, 2009

**SUMMER 2009**

**ACADEMIC CALENDAR**

BY FRIDAY, MAY 1	REGISTRATION (In person or by mail)
THURSDAY, MAY 21	FIRST DAY OF CLASSES
MONDAY, MAY 25	NO CLASSES – MEMORIAL DAY –BUILDING CLOSED
THURSDAY, MAY 28	NO CLASSES – SHAVUOT – BUILDING CLOSES AT 3:00 P.M.
MONDAY, JUNE 1	LAST DAY OF DROP/ADD
FRIDAY, JUNE 5	LAST DAY TO WITHDRAW FROM A COURSE
MONDAY, JULY 13	LAST DAY OF NON-CLINICAL CLASSES
MON. – THURS., JULY 20 – 23	FINAL EXAMINATIONS
TUESDAY, JULY 28	LAST DAY OF CLINICAL CLASSES

\*\*\*\*\*

**CLASS DATES**

MONDAYS	6/1, 6/8, 6/15, 6/22, 6/29, 7/6, 7/13
TUESDAYS	5/26, 6/2, 6/9, 6/16, 6/23, 6/30, 7/7 Clinic continues 7/14, 7/21, 7/28
WEDNESDAYS	5/27, 6/3, 6/10, 6/17, 6/24, 7/1, 7/8
THURSDAYS	5/21, 6/4, 6/11, 6/18, 6/25, 7/2, 7/9

**SUMMER 2009**

**EXAMINATION SCHEDULE**

Monday      July 20, 2009    (6:30 pm).....Selected Topics Criminal Procedure (Cohen)

Family Law (Silverman)

\*Business Organizations I (Miller)

Tuesday     July 21, 2009    (6:30 pm)..... Professional Responsibility (Zablotsky)

Trusts & Estates (I. Cooper)

Wednesday   July 22, 2009    (6:30 pm)..... Products Liability (Zablotsky)

Thursday     July 23, 2009    (6:30 pm) .....Rights of Children (Silverman)

\*At Touro College Graduate School of Business, 65 Broadway, Manhattan.

**SUMMER 2009**  
**COURSE OFFERINGS**

<u>Course</u>	<u>Course Title</u>	<u>Credits</u>	<u>Professor</u>	<u>Days/Hours</u>	<u>Pre/Co-Requisites</u>
<b><u>DAY</u></b>					
LAW744A	Advanced Persuasive Writing	2	McGaugh	M,W 4:30-6:10 pm	
LAW967A	Rights of Children	2	Silverman	T, Th 4:30-6:10 pm	
<b><u>EVENING</u></b>					
LAW770U	Business Organizations I	3	Miller	M, W 6:30-9:10 pm	**
LAW897U	Civil Practice Clinic	5	Bird	T 6:30 -9:50 pm	Professional Resp. suggested
LAW666U	Family Law	3	Silverman	M, W 6:30-9:10 pm	
LAW667PU	Family Law Practice Module	2	Joseph-Cherry	T, Th 6:30-8:10 pm	Pre/co-requisite: Family Law
LAW882	Independent Research	1			
LAW884		2			
LAW709U	Pre-trial Litigation	3	Kwestel	M, W 6:30-9:10 pm	
LAW915U	Products Liability	2	Zablotsky	T, Th 8:20-10:00 pm	Torts I & II
LAW650U	Professional Responsibility	2	Zablotsky	T, Th 6:30-8:10 pm	
LAW921U	Selected Topics in Criminal Procedure - NY Criminal Practice	2	Cohen	M, W 6:30-8:10 pm	Criminal Law I
LAW706U	Trial Practice	3	Carter	T, Th 6:30-9:10 pm	Evidence
LAW680U	Trusts & Estates	3	I. Cooper	T, Th 6:30-9:10 pm	Property I

**\*\*At Touro College Graduate School of Business, 65 Broadway, Manhattan.**

**Every effort will be made to offer these courses, but the Law Center reserves the right to cancel any course in the event of insufficient enrollment.**

**SUMMER 2009**

**CLASS SCHEDULE**

(As of 5/20/09)

<b>TIME</b>	<b>MONDAY</b>	<b>TUESDAY</b>	<b>WEDNESDAY</b>	<b>THURSDAY</b>	<b>FRIDAY</b>
4:30-6:10 pm	Advanced Persuasive Writing (McGaugh) 307	Rights of Children (Silverman) 307	Advanced Persuasive Writing (McGaugh) 307	Rights of Children (Silverman) 307	
6:30-8:10 p.m.	Selected Topics in Criminal Procedure (Cohen) 409	Family Law Practice Module (Joseph-Cherry) 408  Professional Responsibility (Zablotsky) 310	Selected Topics in Criminal Procedure (Cohen) 409	Family Law Practice Module (Joseph-Cherry) 408  Professional Responsibility (Zablotsky) 310	
6:30-9:10 p.m.*	** Business Organizations I (Miller)  Family Law (Silverman) 204  Pre-trial Litigation (Kwestel) 408	Trial Practice (Carter) 409  Trust & Estates (I. Cooper) 308	** Business Organizations I (Miller)  Family Law (Silverman) 204  Pre-trial Litigation (Kwestel) 408	Trial Practice (Carter) 409  Trust & Estates (I. Cooper) 308	
6:30-9:50 p.m.		Civil Externship Clinic (Bird) 204			
8:20-10:00 p.m.		Products Liability (Zablotsky) 310		Products Liability (Zablotsky) 310	

\*With 10 minute break

\*\* At Touro College Graduate School of Business, 65 Broadway, Manhattan.

SUMMER 2009  
COURSE OFFERINGS

**DAY**

**Advanced Persuasive Writing - (2) - (McGaugh)**

**Law 744A**

This course will provide legal writers with specific techniques for improving the persuasive impact of their written and oral arguments, and introduce students to the hidden world of powerful forces underlying effective persuasion. The techniques presented are based on theoretical principles of human nature that have been identified in other disciplines such as classical rhetoric, psychology, and literary theory. *(No prerequisite)*

**Rights of Children - (2) - (Silverman)**

**Law 967A**

Central to this course are the relationships among children and their parents/guardians and various state agencies. In addition to the core constitutional issues, general topics include the juvenile justice system; child abuse, parental neglect, and foster care; severely deformed newborns; and medical treatment of and experimentation on children. *(No prerequisite)*

**EVENING**

**Business Organizations I - (3) - (Miller)**

**Law 770U**

This required course introduces students to the law of agency, partnership, limited partnership, joint ventures, limited liability companies, limited liability partnerships, and other forms of business enterprise. It also provides an introduction to the formation and financing of the corporation and a close examination of the New York Business Corporation Law. Emphasis is placed on the choice of business form; capital structure and sale of stock under the relevant federal and state law; management; the role of enterprise in society; and issues concerning the closely held corporation. *(Floating Required)*

**Civil Practice Clinic - (5) - (Bird)**

**Law 897U**

This clinic emphasizes practice skills in a format that combines a field placement with a weekly seminar. For the fieldwork component, students work approximately 12 to 15 hours per week in private law firms, corporate law departments, government legal offices, or non-profit/public interest legal groups. Students' responsibilities include attending court; administrative proceedings and business transactions, interviewing, negotiating, and counseling; and researching and drafting pleadings and memoranda. Students are required to submit a weekly journal to the clinic director. The weekly 3 hour seminar focuses on skills training in interviewing, negotiating, and counseling, but it also provides a forum for students to discuss issues arising in their field placements. *(Suggested prerequisite: Professional Responsibility)*

**Family Law - (3) - (Silverman)**

**Law 666U**

This course provides an introduction to Family Law with an examination of the legal relationship between persons who are married to each other and those who live together as a family unit without being married; obligations each married partner owes to the other; grounds for the dissolution of a marriage and economic obligations imposed by separation and divorce; and the legal relationship between parents and their children including an analysis of custody, support, and visitation rights. *(No prerequisite)*

**Family Law Practice Module - (2) - (Joseph-Cherry)**

**Law 667PU**

The practice module employs the principles and methodology of experiential learning to help students develop practice skills. Through simulations of real-world practice situations, students meet with hypothetical clients and assist them in selecting, negotiating and drafting documents appropriate to achieve their ends, including retainer agreements, family offense petitions, orders of protection, custody and visitation petitions and agreements, guardianship, petitions for support and financial disclosures. *(Pre or co-requisite, Family Law)*

**Pre-trial Litigation - (3) - (Kwestel)**

**Law 709U**

All pre-trial steps in litigation including strategy, development of theories, and preparation for trial are reviewed and studied in a context which simulates actual litigations situations. Students develop litigation strategies for factual situations that they will be required to analyze, and in so doing, they will have the opportunity to apply the substantive and procedural law they have learned. Students will draft pleadings, discovery requests, motion papers, and other litigation documents to carry out their litigation strategies. In addition, the students will practice taking and defending depositions which will help to develop direct examination and cross-examination skills. Emphasis is also placed upon various rules of evidence and the key role such rules play in the pre-trial stage. *(No prerequisite)*

**Products Liability - (2) - (Zablotsky)**

**Law 915U**

This course examines development of the concept of products liability; industry's responsibilities and protections; and consumers' remedies. Topics covered include the risks and benefits posed by various products; civil actions for harm resulting from defective and dangerous products, with reference to parties and proof in negligence, warranty, nuisance, misrepresentation, and strict liability; and current legislation dealing with injuries and remedies in specific product areas. *(Prerequisites: Torts I & II)*

**Professional Responsibility - (2) - (Zablotsky)**

**Law 650U**

This course offers an analysis of the organization and operation of the legal profession and the obligations of attorneys under the Code of Professional Responsibility. The course focuses on the obligations of the lawyer to the profession and to the client. *(No prerequisite)*

**Selected Topics in Criminal Procedure - NY Criminal Practice - (2) - (Cohen)**

**Law 921U**

This course will examine New York State criminal practice under New York Criminal Procedure Law and the State Constitution. The course will provide both a substantive and practical exposure to state criminal process. *(Prerequisite: Criminal Law I)*

**Trial Practice - (3) - (Carter)**

**Law 706U**

Students practice each stage of a trial in class. They deliver opening arguments, prepare expert testimony, conduct direct and cross examination, and deliver closing arguments. Videotaping of student performances enable the student and professor to carefully analyze the student's trial skills. At the end of the semester, each student conducts an entire trial in front of a jury, representing either the plaintiff or defendant in a civil case or the District Attorney or defendant in a criminal trial. *(Prerequisite or Co-requisite: Evidence)*

**Trusts & Estates - (3) - (I. Cooper)**

**Law 680U**

An introduction to the law of gratuitous transfers and decedents estates. Topics studied are: intestate succession, elective share wills, gifts and trusts. Primary emphasis is on those aspects which are considered important to the planning of family property arrangements. Throughout the course, the relevant portions of the Uniform Probate Code and the New York Estates, Powers and Trusts Law are studied. *(Prerequisite: Property I)*

## SUMMER 2009 – FACULTY

**WILLIAM BIRD, III (Civil Practice Clinic)** is an associate at T. Kevin Murtha and Associates in Westbury, NY, where he handles litigation and research of legal issues pertaining to Not-for-Profit organizations, including formation, tax issues and contract disputes for local government, community service organizations, health care and education institutions. He received his BA from York College of Pennsylvania and his M.S. (Tax) and J.D. from Hofstra.

**JERALD S. CARTER (Trial Practice)** is a Nassau County Court Judge, currently serving as an acting Justice of the New York State Supreme Court, in Nassau County, NY. He previously served as a Nassau County District Court Judge and as a Hempstead Village Justice. Before his appointment to the bench, he was a Nassau County Assistant District Attorney, and was in private practice as a litigator, labor negotiator, and sports agent. He is a *cum laude* graduate of Fisk University in Nashville, TN, and received his J.D. from Howard University School of Law in Washington, DC.

**MARK COHEN (Selected Topics in Criminal Procedure - NY Criminal Practice)** is a Judge of the New York Court of Claims, sitting by designation as a Justice of the New York State Supreme Court, Suffolk County. From 2002 until his appointment to the bench in 2006, he served as Chief Counsel and Deputy Director of the New York State Office of Homeland Security. Previously, he was the Chief Assistant District Attorney of Suffolk County. During a long career in the District Attorney's Office, he served in most of the major bureaus, including eight years as Chief of the Appeals Bureau. He lectures widely on criminal law for bar groups and law enforcement agencies. He received his B.A. from Columbia University and his J.D. from Hofstra University School of Law.

**ILENE SHERWYN COOPER (Trusts & Estates)** is of counsel to the prominent Long Island firm Farrell, Fritz P.C. Before joining Farrell, Fritz, she served for ten years as the Chief Law Assistant of the Suffolk County Surrogates Court. Her responsibilities there included preparing judicial opinions on complex and novel issues; acting as the Trial Assistant to the Surrogate, preparing pretrial memoranda, jury charges, evidentiary rulings and post-trial decisions; and administering the daily operation of the Law Department, supervising staff attorneys, advising department heads and developing court policy. She is a graduate of Cornell University and Hofstra Law School.

**CHERYL JOSEPH-CHERRY (Family Law Practice Module)** is a Support Magistrate in the Suffolk County Family Court. In that capacity she presides over formal hearings to determine child support, paternity, spousal support and the violation of support orders. Before coming to Suffolk County, she served in a similar capacity in Bronx County, NY. Previously, she was the supervising court attorney in Queens County Family Court, the statewide domestic violence coordinator for the Center for Court Innovation, a nonprofit judicial think tank, and an Assistant District Attorney in the New York County DA's Office. She received her B.A. *magna cum laude*, *Phi Beta Kappa* from New York University, and her J.D. from New York University School of Law.

**SIDNEY KWESTEL (Pre-trial Litigation)** is a Professor of Law at Touro Law Center. B.A., *magna cum laude*, 1958, Yeshiva University; J.D., 1961, New York University School of Law, Order of the Coif, Benjamin F. Butler Memorial Prize. Admitted to the bar of New York, Professor Kwestel began his career as law clerk to the Honorable John F. Dooling Jr., U.S. District Court for the Eastern District of New York. He joined the New York City firm Kaye, Scholer, Fierman, Hays & Handler in 1963 and was a partner there for over twelve years, before joining the Touro Law Center faculty, to which he brought considerable experience in all aspects of commercial litigation.

**TRACY McGAUGH (Advanced Persuasive Writing)** is one of the best-known legal writing teachers in the nation. She has taught Legal Research and Writing at South Texas College of Law and at Texas Tech University School of Law, where she also served as Associate Director of the Legal Practice Program. She is the co-author of two of the standard resources in legal writing programs, *Interactive Citation Workbook: Bluebook Edition* and *Interactive Citation Workbook: ALWD Edition*, and has written and lectured widely at regional, national and international conferences on legal writing and law teaching.

**MEREDITH R. MILLER (Business Organizations I))** joined the Touro Law Center faculty in Fall 2006 after serving for two years as an Honorable Abraham L. Freedman Fellow and Lecturer in Law at Temple University School of Law in Philadelphia, Pennsylvania. While at Temple, she taught courses in contracts, business associations, civil procedure, legal research & writing and electronic commerce. At Touro, Professor Miller teaches Contracts I, Contracts II, Business Organizations I and Business Organizations II. Prior to teaching at Temple, Professor Miller served as a law clerk to the New York Court of Appeals and as a litigation associate at Proskauer Rose LLP in New York City. Professor Miller received her J.D., *cum laude*, from Brooklyn Law School, where she was an Executive Articles and Research Editor of the Brooklyn Law Review, and earned an LL.M. in Legal Education from Temple University Law School.

**LEWIS SILVERMAN (Family Law, Rights of Children)** is Associate Professor of Clinical Law and Director of the Family Law Clinic at Touro Law Center. B.A., 1973, New York University; J.D., 1976, Boston University School of Law. Admitted to the bar of New York, Professor Silverman was formerly an assistant Suffolk County Attorney, where his posts included head of the Child Abuse/Neglect Unit and deputy bureau chief of the Family Court Bureau. From 1985 until joining the Touro Law Center faculty, he was a hearing examiner in Suffolk County Family Court, presiding at hearings to determine child support and spousal maintenance obligations. Professor Silverman is a past president of the New York State Hearing Examiners Association and a former chair of the New York State Bar Association's Committee on Social Services. He served on the Law Guardian Panel for Suffolk County and was until recently a village justice for the Incorporated Village of Lake Grove in Suffolk County.

**PETER A. ZABLOTSKY (Professional Responsibility, Products Liability)** is a Professor of Law at Touro Law Center. B.A., *summa cum laude*, 1977, The Pennsylvania State University, *Phi Beta Kappa*; J.D., 1980, Columbia University School of Law. Harlan Fiske Stone Scholar. Admitted to the bars of New York, Pennsylvania, and the U.S. District Courts for the Southern and Eastern Districts of New York. Professor Zablotzky practiced privately in the areas of entertainment law, torts, and products liability law, before entering full-time teaching to serve as coordinator of the Legal Writing and Research Program at New York Law School. He has published in the areas of products liability, torts, civil rights, criminal procedure, and domestic relations. Professor Zablotzky is a member of Volunteer Lawyers for the Arts. His plays, *H. Finn, Esq.* and *Off the Meter*, were produced off-Broadway during the 1997-98 and the 2000-01 theater seasons, respectively.

