



# ST. THOMAS LAW NEWS

VOLUME 2, ISSUE 26 APRIL 12, 2012

## ST. THOMAS LAW INTERNATIONAL MOOT COURT TEAM SEMIFINALIST IN THE 2012 MANFRED LACHS INTERNATIONAL MOOT COURT SPACE LAW COMPETITION

Congratulations to the St. Thomas Law students who participated in this year's 2012 Manfred Lachs International Moot Court Space Law Competition in Washington, D.C., held on March 30 and 31, 2012.

The competition involved an exciting fact pattern surrounding a collision of satellites and space-related damage on the surface of the Earth and was judged by eminent experts in the field ranging from NASA lawyers to space law faculty to U.S. Supreme Court clerks. From a field of fifteen teams, St. Thomas Law students made it to the Semifinal Round. Judges and members of other teams expressed their compliments regarding the extraordinary knowledge of international law and the original arguments our team presented, leading to offers of interviews with a specialized law firm and a governmental agency. Our two outstanding oralists, Lanessa Owens and Clayton Lingg, were called upon to present both sides of the argument. Also deserving our applause are team members Ashley Juchawski and student coach Adam Yormack as well as Professor Marvin Klein, the faculty coach of the International Moot Court Board. Professors Robert Mensel, Ira Nathenson, Roza Pati, and Todd Sullivan, and student advisors Victor White, Jessica Klein, and Sean Ford were invaluable in helping to prepare the team. Outside space law experts Diane Howard (McGill) and IISL member Sylvia Ospina were of critical assistance on the subject matter. We congratulate them all.

## GUIDANCE FOR SUMMER AND FALL 2012 REGISTRATION

Registration for the Summer and Fall 2012 terms will begin the week of April 16. Here are some guidelines you should keep in mind when you begin to register for classes. Except for students in one of the joint degree programs or students in their last semester, all students are required to take at least 12 J.D. credits (and can take no more than 9 credits in the summer and 18 credits in the fall). Students in the joint degree programs can take no more than a total of 12 credits in the summer and 21 credits in the fall (including both J.D. classes and Master classes).

Except for students admitted into one of the joint degree programs, all Fall 2011 entrants are required to take Appellate Advocacy, Constitutional Law I, Criminal Law, and Professional Responsibility in the Fall 2012 term (unless they take one or more of those courses in the summer term). All Fall 2011 entrants are required to take at least 14 total credits in the Fall 2012 term.

Students in one of the joint degree programs must take both Appellate Advocacy and Constitutional

Law I in the Fall 2012 (unless they take one of these courses in the summer). Joint degree students should be aware that Professional Responsibility and Criminal Law are offered only in the summer and fall terms. A joint degree student who does **not** take Professional Responsibility or Criminal Law in the summer or fall term following his or her first year, will have to do so in the summer or fall term following his or her second year. These classes are **not** offered in the spring term.

Students register online by logging on to "My Bobcat" and then going to "Web Advisor." Students must register during their assigned time or otherwise wait until the open registration session that follows the designated registration times.

Any student with an outstanding balance of \$1,000 or more is blocked from registration and cannot register until he or she reduces his or her balance below \$1,000. Students with outstanding balances should be working now with B.A.S.I.C. and the Business Office to make sure they will be cleared for Registration.

Some classes will reach capacity during the regular registration session. No overrides or exceptions are provided during the regular registration session. Students needing to take a particular class should attempt to register for another section of the class (even if the time is less convenient). If a student needs a particular class to graduate and that class is full then the student will have to seek an override from the professor of the class and Dean Dykas during the Drop/Add period. Any student registering for an "Independent Research Project" to satisfy the senior writing requirement must use an "add" form and have the professor sign off on the form and add the one credit of independent research. Remember that schedules can be modified or changed anytime up until the end of the Drop/Add period.

The faculty recently modified the required courses in recognition of the fact that Commercial Paper may be tested on the Florida Bar beginning with the February 2013 administration. The first year curriculum remains unchanged. All students must take the following courses: Appellate Advocacy, Constitutional Law I and II, Criminal Law, Professional Responsibility, Business Associates, Evidence, Wills and Trust, and one of the following courses: Criminal Procedure I, Commercial Law Survey, Payment Systems, Secured Transactions, or Florida Constitutional Law.

Students may wish to take a Commercial Paper class, Criminal Procedure I, and Florida Constitutional Law to help prepare for the bar examination. Other bar tested subjects that should be considered are Florida Civil Practice, Florida Criminal Procedure, Sales, and Remedies.

Students needing academic advisement or assistance should contact Assistant Dean Hernandez or Assistant Dean Singer, and schedule an appointment.

## **NEW COURSES BEING OFFERED IN FALL 2012**

Course descriptions for all courses are found in the Law School Catalog. However, the law school faculty approved several new courses not found in the 2011-2012 Catalog. Four new courses are being offered in the fall term. Below you will find the descriptions for those courses. Courses with the word "seminar" in their name can be used to satisfy the Senior Writing Requirement. The Florida Criminal Practice Course can be used to satisfy the Skills Requirement. All the courses otherwise qualify as "elective" hours. If you have any questions about these courses, please see Assistant Dean Hernandez.

### **Disability Rights: Law and Practice (2 credits)**

This course will provide the student with both an overview of the history of the struggle for disability rights in the United States as well as a general understanding of what those rights are today. The

struggle for disability rights is a complex story of shifts in consciousness and shifts in policy, of changing focuses on particular disabilities such as blindness, deafness, polio, quadriplegia, psychiatric and developmental disabilities, chronic conditions (for example, cancer and heart disease), AIDS, and of activism and policymaking across disabilities. This course examines the legal and practical implications of federal and state laws prohibiting discrimination on the basis of disability and how to effectively advocate for clients with disabilities in enforcing these laws. Laws addressed include the Americans with Disabilities Act of 1990 (as amended), the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act, the Fair Housing Act, and Florida's disabilities civil rights statutes.

#### **Florida Criminal Practice (3 credits)**

This skills-based class will introduce students to the practice of Florida criminal law, taking a criminal case from arrest, bail, and arraignment to trial, sentencing, and beyond. This three-credit course will use actual case files to give students hands-on experience in virtually all aspects of a Florida criminal case from the investigatory stage through prosecution. Over the semester, students will interview prospective clients and witnesses, explore how charging decisions are made, draft and argue motions to suppress and to compel discovery, negotiate plea deals, depose witnesses, voir dire juries, examine witnesses, and make opening and closing statements. This course is open to all students who have completed their first year of law school. Students must have taken or be taking Criminal Law. It is recommended they have taken or be taking Evidence and Criminal Procedure.

#### **Natural Law Seminar (2 credits)**

This seminar will examine natural law as a source for judicial decision making. The first half of the seminar will examine a selection of readings to determine what is the nature of natural law. The second half of the seminar will examine judicial opinions to determine how courts have applied natural law to resolve conflicts. While we will examine several different theories of natural law, this seminar focuses on the ideas of Thomas Aquinas as explained by such commentators as Martin Rhonheimer, Jean Porter, and John Finnis. The requirements for this seminar include preparation before each class, participation in the class discussions, and a thirty-page double-spaced paper satisfying the Senior Writing Requirement as defined in the Student Handbook.

#### **Poverty Law and Economic Justice Seminar (2 credits)**

Focusing on the United States through critical readings and class discussions, this course will explore how the law creates, mediates, and sometimes alleviates poverty. After learning about the histories, theories, measures, and conditions that constitute poverty today, we will examine the jurisprudence of poverty and theories about "economic justice," a multidimensional concept that implicates liberty, equality, and community, and includes Catholic social thought.

### **FINANCIAL AID FOR THOSE STUDENTS ATTENDING SUMMER SCHOOL AT ANOTHER LAW SCHOOL OR PARTICIPATING IN ANOTHER SCHOOL'S STUDY ABROAD PROGRAM**

Students planning to attending another institution as a visiting student and to apply for student loans will need to first receive approval from the Assistant Dean Hernandez in the St. Thomas Law Office of Student Affairs. Shortly after being granted approval, you will receive an e-mail from Financial Aid and Student Affairs Advisor, Andy Marrero, requesting you complete and submit a signed consortium agreement. A consortium agreement is a contract between two universities, the "Home School" (STU)

and the "Host School" (visiting school), that allows the Home School to process financial aid for a visiting student at a Host School. In addition to the consortium agreement, you will need to submit your loan request forms for the summer semester. The loan request forms are available online at [www.stu.edu/faforms](http://www.stu.edu/faforms).

Although your student loans for the Summer will be processed by St. Thomas University, they will be processed based on guidance provided by the Host School on the Consortium Agreement. Your loans cannot be processed until the consortium agreement has been received from the Host Institution and you have submitted your loan request forms for the summer. Some schools take longer than others to complete and return Consortium Agreements, so it is strongly recommended that you submit your Consortium Agreement at least four weeks in advance of your Summer program to ensure there is ample time to get the consortium agreement back from the Host School and your loans processed in time for the Summer.

If you have any questions about attending another school's program, please see Assistant Dean Hernandez. If you have questions regarding Financial Aid, please see Mr. Marrero.

## THIRD DISTRICT COURT OF APPEAL

The Florida Third District Court of Appeal heard four cases on the campus of St. Thomas University School of Law on Wednesday, April 11, 2012. Presiding over the proceedings were the Hon. Linda Ann Wells, Chief Judge; the Hon. Kevin Emas; and the Hon. Alan R. Schwarz, Senior Judge. In one of the cases, a third year law student, Shannon Healy, appeared before the Court in a criminal appeal, *Florida v. Williams*, Case No. 3D11-466. On behalf of the Appellee, she urged the Court to affirm the trial court's ruling that police officers' warrantless search of the home of the Appellee (the defendant), was a violation of his Constitutional rights and, therefore, any evidence seized had to be suppressed. Ms. Healy, a member of the Appellate Litigation Clinic, supervised by Professor Howard Blumberg, appeared in her status as a Certified Legal Intern against opposing counsel, the State of Florida as the prosecution, represented by a member of the Florida Attorney General's office.

## TOWARD A MERCIFUL JOURNEY

**Saturday, April 14, from 8:30 a.m. to 1:00 p.m. in the University's Chapel**, St. Thomas University is hosting, with co-hosts Mercy Hospital, and Sister Emmanuel Hospital, a program entitled "**Toward a Merciful Journey.**" Speakers include **Sr. Helen Prejean, author of *Dead Man Walking***, and Professor Bill Quigley, Janet Mary Riley Distinguished Professor of Law at Loyola University in New Orleans and director of Loyola's Law Clinic and the Gillis Long Poverty Law Center.

Four (4) CLE credits have been approved by The Florida Bar. If you have not previously had the chance to hear Sr. Helen Prejean speak before, this a great opportunity.

This half-day conference is open to the public, and especially intended for lawyers, physicians, nurses, mental health counselors, respiratory therapists, pharmacists, occupational therapists, dietetics, and chaplains. The cost of the event is \$20 and all proceeds will be donated to St. Thomas Law's Human Rights Institute.