

CIVIL RIGHTS (CIGL)

CIGL 0204. Diversity and Inclusion in Law Practice. (1 Credit)

Diversity is empowering. Studies show that more diverse and inclusive environments lead to greater creativity and productivity. Yet, the legal profession remains one of the least diverse professions in the United States. Why is embracing diversity such a challenge for the legal profession? Through the readings and class discussions this course will explore the topics of diversity, inclusion, cultural competence, and U.S. workplace practice. We will then examine some of the barriers faced by the legal profession such as "covering" and "unconscious bias". Finally, we will examine the challenges law firms and their clients face with diversity and inclusion and innovative ways law firms and clients are advancing diversity and inclusion.

Attributes: INLJ, LLM.

CIGL 0229. Children and Immigration Law. (2 Credits)

This seminar on Children and Immigration Law uses an interdisciplinary approach to explore emerging law, policy, research, and practice related to migrant children and their families. Following a human rights-based approach, classes will survey the key international and federal legal frameworks impacting children and their families in the context of migration. Students will be exposed to the complexity of legal issues that affect migrant children and youth as immigration law intersects with many other systems, including child welfare, juvenile and criminal justice, education, health, and employment, and will apply the law to individual case study scenarios as well as complex policy questions. Comparisons will be drawn to laws and policies in other countries. Guest speakers will be invited to present and participate in classes, emphasizing innovative strategies for promoting children's rights in practice.

Attribute: INLJ.

CIGL 0230. Critical Race Theory. (2 or 3 Credits)

In the mid-1980s, a new scholarly movement developed in legal academe, Critical Race Theory ("CRT"). Early advocates of CRT including Derrick Bell, Mari Matsuda, Charles Lawrence, Richard Delgado, Kimberle Crenshaw, and Patricia Williams challenged both the substance and style of conventional legal scholarship. Contrary to the traditional notion that racial subordination represents a deviation from the liberal legal ideal, this body of work recasts the role of law as historically central to and complicit in upholding racial hierarchy as well as other hierarchies of gender, class and sexual orientation. The goal of this seminar is to examine the genesis of CRT and, in light of its theoretical commitments, to explore CRT's possibilities and limitations with a close examination of the jurisprudence and application of its approaches with experiential learning classroom exercises and student discussion. The Final Grade calculation will be based on class room participation in the class discussions (quality, frequency, and attendance), a short Op-Ed drafting assignment, and a Take Home Examination Paper. Students may submit a Research Paper in lieu of the Take Home Examination Paper, only after having the paper topic certified with the Professor. The Research Paper can also be considered for Upper Class Writing Requirement certification only by those students meeting the additional submission requirements for WR credit. If the course becomes oversubscribed, students who are closed out but interested in being placed on a Waitlist for this class of 20 should email Professor Hernandez at THernandez@law.fordham.edu directly with a one paragraph statement of interest explaining why you would like to enroll in the course.

Attributes: INLJ, JD, LLM, LWR, PIF.

CIGL 0231. Critical Race Theory Experiential Learning. (1 Credit)

Critical Race Theory Experiential Learning is a one credit additional component to the Critical Race Theory two credit seminar. Students must co-register for the two credit "Critical Race Theory" seminar (CRN 33660). The organizing principle for the experiential add on to the Critical Race Theory (CRT) course is to hone each student's capacity for cultural competency in their work as lawyers. Cultural competency is something that the American Bar Association and a growing number of state bar admission requirements highlight as a crucial professional skill. However, the CRT Experiential Learning component purposely avoids duplicating exercises already available to students in the clinic context and traditional simulation courses. Instead, CRT's in-depth focus on cultural competency is designed to engage the students in learning how to anticipate and address professional issues of bias and cultural misunderstanding.

Attributes: EXP, LLM, PIF.

Prerequisite: CIGL 0230 (may be taken concurrently).

Corequisite: CIGL 0230.

CIGL 0298. Writing/Righting Race in the Public Sphere Experiential. (1 Credit)

When it comes to matters of Race Law (the body of anti-discrimination laws, regulations, remedies, policies and cases) legal stakeholders (judges, juries, legislators etc.) are often very influenced by how issues of race and racism are discussed public discourse. As a result, lawyers working within the domain of racial equality jurisprudence must be proficient Public Intellectuals in addition to their roles as litigators, lobbyists and strategists. Short form expository writing in accessible language is critical to making effective contributions to the public debates on racial justice issues, and will be the focus of this course. The aim of the course is to hone the skill of writing about race and contributing to the production of knowledge that can aid the creation, implementation and enforcement of effective Race Law. <p> The course is organized to first explore the particular challenges of writing about racial issues in a productive manner. This will be done by reading and analyzing collections of OpEds by influential racial discrimination scholars. When possible, the scholars will visit the classroom to engage students in conversation about their own perspectives doing the work of Race Law Public Intellectuals. In addition, a select number of class sessions will be devoted to the workshopping of a rotation of class participant Op-Ed submissions. <p>Please note, that this course serves as a complement to the introductory Critical Race Theory seminar course and can in many respects be viewed as an Advanced Critical Race Theory II course. However, there are no prerequisites for the course, and a brief review of Critical Race Theory jurisprudential precepts will be provided. Critical Race Theory ("CRT") is a response to the inadequacy of the traditional legal interrogation of race and racism that has been limited to formal equality and resistant to addressing structural and systemic inequality. It seeks to reveal and transform the relationship among race, racism, and power in the pursuit of meaningful substantive racial equality with an anti-subordination approach.<p> An optional 3rd course credit for WRW credit (Upper Class Writing Requirement) can also be pursued with the additional submission of a 25-page research paper, after the paper topic is authorized by the Professor. Course Learning Outcomes:
 1) Identify and apply Critical Race Theory methodologies and approaches to Race Law issues to be racially-literate and culturally competent for navigating complex issues of racial inequality
 2) Engage in sound legal analysis with critical evaluation of what contributions Critical Race Theory brings to law and social justice
 3) Develop strong writing skills that contribute to the lawyer's role as Public Intellectual .

Attribute: LLM.

Prerequisite: CIGL 0299 (may be taken concurrently).

CIGL 0299. Writing/Righting Race in the Public Sphere. (1 Credit)

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Attributes: INLJ, LLM, PIE.

Prerequisite: CIGL 0298 (may be taken concurrently).

CIGL 0521. Race and the Law. (3 Credits)

This course provides an overview of race in the American legal system. Moving from topics such as slavery and the early treatment of Native Americans to the modern era, the course traces the evolution and development of current legal doctrine pertaining to race and racial discrimination. Students will gain an understanding of the foundations of modern antidiscrimination law, as well as an appreciation of the predominant critiques of the U.S. Supreme Court's jurisprudence in race cases. In addition, students will be encouraged to assess current and proposed approaches to race and racial discrimination by looking at the operation of race in a number of contexts, including the criminal legal system, employment, education, medicine, recent cases of everyday discrimination (BBQ Becky, etc.), and intersectional discrimination. Classes will include discussion of case law as well as academic and popular press articles, supplemented by multimedia sources, and presentations by academics and practicing attorneys engaged in racial justice litigation.

Attributes: INLJ, JD, PIF.

CIGL 0551. Poverty Law. (2 or 3 Credits)

This seminar will examine poverty, including how it is measured, its root causes, and the legal response. Our examination will include the historical development of social welfare policy, the role of systemic and individual discrimination on the basis of race, gender, and disability, and will provide a window onto contemporary poverty law practice, including housing and homelessness, health, anti-hunger, and re-entry work. In addition to class participation and three short advocacy proposals, students will be graded on a take-home exam or longer paper option.

Attributes: JD, LLM, PIE.