

REMEDIES LAW (RMGL)

RMGL 0204. REMEDIES. (3 Credits)

Students are expected to master the basic concepts of the equity and law traditions. We study of legal and equitable civil remedies for tort, contractual, employment law, and constitutional claims. Equitable remedies such as injunctions, specific performance, restitution, reformation, and rescission are a focus. particular attention is given to structural injunctions, centering on the history of public school integration litigation engendered by Brown II. Attention is given to compensatory and punitive damages, both in actions in tort and for breach of contract under the Uniform Commercial Code. Particular attention is given to mass tort remedies for economic loss, as in the BP Gulf Oil spill, and structured settlements in mass tort cases such as the J&J Hip Implant cases. Also covered are statutory remedies such as declaratory judgments and attorneys fees as damages in intellectual property and civil rights cases. Students have the option of completing, a take-home essay exam, term paper or upper level writing requirement.

Attributes: LDF, LIDR, LMCO.

RMGL 0402. REPARATION & COMPENSATION FOR MASS WRONGS. (2 Credits)

The course will review how the United States and other countries have addressed the issue of broad remedies for mass wrongs that affect a group in society. It will look at the legal, philosophical, and ethical underpinnings of different approaches that have been taken as well as the difficulties of creating and implementing such remedies from both a moral and a practical perspective. Students will be exposed to a broad array of legal thinking, both historically and geographically, and will learn about the challenges of translating philosophical ideas into reality; an important skill set that has general relevance for those interested in the application in society of human rights and other legal principles.

The types of core issues that that the course will seek to address are:

1. What constitutes reparations?
2. For what wrongs should reparations be made?
3. Who should be responsible to make reparations?
4. Who should be entitled to reparations?
5. How should funds be distributed?
6. What should be the venue to decide on reparations?
7. Who speaks for the victims?
8. What is the impact of reparations?

The course will include review of reparations and compensation related to the Holocaust. It will also look at how the subject has arisen in the context of slavery, the treatment of Native Americans and the internment of Japanese-Americans. Furthermore, national and international litigation, negotiations and agreements will be discussed. Paper Required.

Attributes: INLJ, LLM.