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**COLLEGE OF LAW**

**Summer 2023**

**JD**

**FIRST WEEK ASSIGNMENTS**

**LAW 6520 - Administrative Law
Professor Coffey
First Week Assignment:**

Florida International University School of Law Administrative Law – Summer 2023

Syllabus 5-23-2023 to 7-25-2023 Room RDB-2006

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The Administrative Law course will examine the laws controlling executive branch agencies of government. Major topics include rule-making and adjudication, judicial review and deference, delegation of power to agencies, modes of agency action, legislative control of agencies, constitutional constraints on agency power, appointment and removal of officers, and public access and influence.

TEXT: FUNK, SHAPIRO AND WEAVER, ADMINISTRATIVE PROCEDURE AND

PRACTICE: Problems and Cases (6th ed.)

Class Schedule: Tuesday and Thursday, 5:00 pm to 7:00 pm RDB 2006

Assignments may be supplemented with other required cases and readings as announced. Unless specifically indicted otherwise, hypos and problems in the text need not be reviewed.

SCHEDULE

1. 5/23/2023 Introduction to Course; Overview of Agency Action and the Administrative Procedures Act
	* Alliance for Hippocratic Medicine v. U.S. Food and Drug Administration, 2023 WL 2825871 (N.D Texas 2023) (Read pp. 32-61 starting with “Zone of Interests” discussion)
2. 5/25/2023 Florida Public Records Act/Government in the Sunshine
	* News and Sun-Sentinel Company v. Schwab, Twitty & Hanser Architectural Group, Inc., 596 So.2d 2019 (Fla. 1992)
	* Times Publishing Co., Inc. v. City of St. Petersburg, 558 So.2d 487 (Fla.2d DCA 1990)
	* National Collegiate Athletic Association v. Associated Press, 18 So.3d 1201 (Fla. 1st DCA 2009)
	* Town of Palm Beach v. Gradison, 296 So.2d 473 (Fla. 1974)
	* Sarasota Citizens for Responsible Government v. City of Sarasota, 48 So.3d 755 (Fla 2010)

**LAW 7308 - Complex Litigation
Professor Mullins
First Week Assignment:**

* Textbook: SULLIVAN, FREER, & CLARY, COMPLEX LITIGATION (3d ed. 2019).
* Class 1: Read: pp. 88-106 (supplemental jurisdiction); 335-342; 730-734 (party joinder)
* Class 2: Read: pp. 158-172 (transfer and consolidation); 231-245 (choice of law)

**LAW Criminal Procedure Adjudication
Professor Fingerhut
First Week Assignment:**

WELCOME to Criminal Procedure: Adjudication, an experience like none other you will have in law school.

This class begins on Monday, May 22, 2023, and meets in-person, on Monday and Wednesday evenings, from 715p-920p, in RDB 1009 (the small courtroom).

Because of the varied course materials we will address this semester, and because you should *always* have access to *all* course materials each and every class, you are permitted to use your laptops *in* class, but *only* for *our* class.

Please contact me with any questions you may have before we begin.  Reach me at *fingerhut@fiu.edu*.

Monday, May 22, 2023

For our first meeting together, please:

Read in our main course text, *Criminal Procedure Adjudication* (Chemerinsky and Levenson, Fourth Edition, Wolters Kluwer), Chapter 1, pp. 1-18; and Chapter 8, pp. 348-352;

Read United States Supreme Court Associate Justice Anthony Kennedy’s speech at the August 2003 Annual Meeting of the American Bar Association, found [here](https://www.supremecourt.gov/publicinfo/speeches/viewspeech/sp_08-09-03);

Read the May 25, 2020, press release of the Minneapolis Police Department regarding the death of George Floyd, found [here](https://www.minnpost.com/wp-content/uploads/2020/05/Screen-Shot-2020-05-28-at-9.51.56-AM.png);

Review carefully this Criminal Justice System Flowchart, found [here](https://www.bjs.gov/content/largechart.cfm); and

Read, from the Annie E. Casey Foundation blogpost, *Equity vs. Equality and Other Racial Justice Definitions*, found [here](https://www.aecf.org/blog/racial-justice-definitions/).

Wednesday, May 24, 2023

For our second meeting, please:

Read in our main course text, Chapter 1, pp. 18-30;

Read, cover-to-cover, our secondary course text, *The U.S. Constitution and Fascinating Facts About It* (Jordan, Eighth Edition, Oak Hill Publishing), available for purchase [here](https://www.constitutionfacts.com/us-pocket-constitution/);

Read from the Florida Constitution, the Preamble and Article I, found [here](http://www.leg.state.fl.us/Statutes/index.cfm?Mode=Constitution&Submenu=3&Tab=statutes&CFID=135493424&CFTOKEN=a879394919c25e5d-EB18E550-9D4E-07F8-F4346D4B004072EB#A1);

Read these *select pages* in *United States v. Wade*, 388 U.S. 218, 256-258 (1967); and

Read and/or listen to this August 4, 2020, NPR FRESH AIR interview, *"It's More Than Racism: Isabel Wilkerson Explains America's 'Caste' System,"* found [here](https://www.npr.org/transcripts/898574852).

**LAW 7503 - Florida Constitutional Law
Professor Armstrong Coffey
First Week Assignment:**

1. 5/23/23 Introduction to Course and the Florida Constitution; State Constitutions as a Limit on Inherent Power
* Fla. Constitution: Article I section 1
* Text: pp. 1-11
1. 5/25/23 Aids in Interpreting the Florida Constitution; Amending the Constitution
* Fla. Constitution: Article I section 1; Article XI
* *Bush v. Holmes*, 919 So.2d 392 (Fla. 2006)
* *In re Advisory Opinion to Att’y Gen. re Limiting Cruel and Inhumane Confinement of Pigs During Pregnancy,* 815 So.2d 597 (Fla. 2002)

**LAW 7268 - International Environmental Law
Professor Santana
First Week Assignment:**

* The first week's goals is to get familiarized in canvas. Students will record a 1 minute introductory video using a VoiceThread link inside the course. Please sign up for an online meeting with Professor Santana via canvas.

**LAW 6750 - Professional Responsibility
Professors Correoso & Lozada
First Week Assignment:**

**Class 1**

Lerman et al., *Ethical Problems in the Practice of Law* (2023) ("Textbook")

* pp. 1-62
* Problem 1-1 (Adderall)

Lerman et al, *Ethical Problems in the Practice of Law: Model Rules, State Variations and Practice Questions* (2023 and 2024 ed.) ("Rules")

* Preamble
* Scope note
* Rules 8.1 and 8.4(g)

**Class 2**

Textbook

* pp. 63-82; 84-118
* Problems 2-1 (The Dying Mother) and 2-3 (The Little Hearing)

Rules

* 1.0(d), 1.2(d), 5.1-5.3, and 8.3-8.5

**LAW 6750 - Special Topics-Vaccine Law: Regulation, Access, Mandates, and Responses
Professor Abramson
First Week Assignment:**

#### ****Week 1: May 22****

**Objectives:**

* Explain what vaccines are and how they are legally defined, how they are intended to work, and why that matters to the law.
* Explain how clinical trials for vaccines differ from those for other pharmaceutical products, and how the FDA evaluates the evidence to determine whether vaccines are safe and effective to use.
* Articulate the standards for allowing a vaccine to be used under an Emergency Use Authorization, and under normal FDA licensure.
* Describe how the FDA polices the quality of products once licensed, and prosecutes efforts to distribute unlicensed or counterfeit products.
* Identify the limitations on individuals seeking to oppose FDA determinations.

**Readings:**

**PLEASE NOTE: there is a lot of reading for this class; do not be intimidated by this.**

**The instructor does not expect that every student will pore over every word.**

**The idea is to get an overall sense of what is going on in the readings and in the cases.**

* VVILChapter I: Introduction  (read lightly)
* VVILChapter II: Vaccine Regulation, Part I and Part II, Section A (read lightly)
* Rempfer v. Von Eschenbach, 535 F. Supp. 2d 99 (D.D.C. 2008)
* Coalition for Mercury-Free Drugs v. Sebelius, 671 F.3d 1275 (D.C. Cir. 2012)
* DOJ Announcement, [Doctor, Clinic Owner and Staff Charged with Falsifying Clinical Trial Data](https://www.justice.gov/opa/pr/doctor-clinic-owner-and-staff-charged-falsifying-clinical-trial-data) (March 8, 2020)
* DOJ Announcement, Department of Justice Enforcement Actions Related to COVID-19, available at <https://en.wikisource.org/wiki/Department_of_Justice_Enforcement_Actions_Related_to_COVID-19>(March 24, 2020)
* Fla. Stat. 817.504: [Offering or advertising a vaccine with intent to defraud](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0800-0899/0817/Sections/0817.504.html)
* DOJ Announcement, Department of Justice Files Its First Enforcement Action Against COVID-19 Fraud, available at <https://www.justice.gov/opa/pr/justice-department-files-its-first-enforcement-action-against-covid-19-fraud> (March 22, 2020)