Course: Remedies
Law 720, Section 512

Instructor: Daria J. Zane
Email: dariazane@gmail.com
Cell/text: 202-607-0689

Days/Time: Mondays & Wednesdays, 6:15-7:30 pm

Location: ROOM 407

Course Description: Remedies are crucial to the lawyer’s practice. They are what a client seeks when retaining a lawyer’s services. The course will review and discuss the remedies in the context of core legal subjects, especially contracts, torts and property. Topics will include types of damages, e.g., compensatory and punitive; limits on damage awards; injunctions, e.g., preventive and mandatory; interlocutory injunctions; equitable defenses; declaratory judgments; restitution and unjust enrichment; contempt; attorneys’ fees; and enforcing and collecting judgments, pointing out specific principles distinguishing general law and Maryland law. The problem method will be used similar to that used on the bar so that you will understand and learn the range of remedies available in specific types of cases to enable you to shape your client’s substantive claims and defenses.

Course Materials:

Handouts--There will be occasional handouts, including problems and cases other than in the text, which will be posted on Westlaw’s TWEN site. You must enroll in TWEN for this course.

Optional reading--Weaver & Kelly, Remedies (Black Letter Outline), 1st Ed., 2005
Course Objectives and Outcomes:
- Understand applicable remedies available to various causes of actions
- Refresh knowledge of substantive areas of laws and understand remedies available in those areas
- Learn specific applicable Maryland laws governing certain remedies
- Demonstrate understanding of remedies through presenting effective oral argument advocating on client’s behalf
- Draft motion applying principles relating to remedies to be used as writing sample
- Gain understanding of methods applied to enforce remedies

Grades:
Your grade will be based on:
- Midterm Exam (open book) – 20%
- Written Motion Assignment – 20%
- Class Presentation – 10%
- Final Exam (open book) – 40%
- Class Participation – 10%

Assignments/Participation:
You are expected to complete all reading assignments and to participate in class discussion to demonstrate that you have read and reflected on the issues raised in the assignment. Reading assignments will usually be approximately 20 pages. It is important to bring your casebook to class. If there is some compelling reason you are unable to prepare, prior to class, please discuss matter with Prof. Zane before class.

Attendance:
Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student who exceeds the maximum allowed absences (generally 20% of class sessions). For this class, which is a 3 credit course meeting 2 times a week, the maximum number of absences permitted is 5. A student may be compelled to withdraw from the course, or may be barred from sitting for the final exam. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

Course Web Page:
This course will have a TWEN webpage that links to this syllabus, announcements, the class assignments, helpful treatises, overheads, and other class materials. You are responsible for self-enrolling in the web course and you should check the web course regularly.

Computers:
Students may use laptop computers for class related purposes except where there is a guest speaker.
Class Cancellation
If Prof. Zane must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web page or call the University's Snow Closing Line at (410) 837-4201. If the University is not closed, students should presume that classes are running on the normal schedule.

Academic Integrity
Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another’s book or study materials without consent; unapproved multiple submissions; material misrepresentation of one’s academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. [Reference to School of Law Honor Code, https://law.ubalt.edu/academics/policiesandprocedures/honor_code/index.cfm]

Disability Policy
If you are a student with a documented disability who requires an academic accommodation, please contact Karyn Schulz, Director of Center for Educational Access at 410-837-4141 or via email at kschulz@ubalt.edu.

FIRST WEEK - ASSIGNMENTS

January 11: INTRODUCTION—Casebook, Chapter 1: p 2-13. Focus on the following problems: The Waste Lagoon, p. 6; The Student Protestor, p. 10, the Lottery Winner, p. 11; and the Lemon, p. 11

January 13: LEGAL & EQUITABLE REMEDIES--Chapter 2, p. 13-20 (Orloff & Cowin cases); p. 39-42 (Pollard case)