

Law 271.5
Environmental Law Writing Seminar
(Fall 2005)

Units: 2
CCN (2Ls/3Ls): 49769
Instructor: Daniel Farber
Email: dfarber@law.berkeley.edu
Location: 123 Boalt
Time: Mondays 3:20-5:00

Course requirements:

1. Be an active member of Ecology Law Quarterly
2. Complete a series of research and writing assignments (ON TIME), culminating in preparation of a polished case or development comment (approx. 20 pages double-spaced) no later than December 22, 2005
3. Present your paper to your break-out group, and provide constructive commentary on other student papers
4. Submit your completed paper to Ecology Law Quarterly for consideration for publication in the Annual Review issue

Submitting Assignments:

Submit assignments to my assistant, Mary Elliott. You can give her hard copy in the ELP office, 362 Boalt.

Texts:

1. Eugene Volokh, *Academic Legal Writing: Law Review Articles, Student Notes, and Seminar Papers* (2003)

Syllabus

Class 1 – August 22

Introduction; Discuss Annual Review of Environmental Law; Discuss what makes a good student note or comment for this issue; Review topics list and discuss topic choice

Assignment for this class:

1. Review topics list
2. Review Ecology Law Quarterly, vol. 30, no. 3 (2003 Annual Review of Environmental and Natural Resources Law)
3. Find at least one student note or comment you admire, and be prepared to explain why
4. Read Volokh pp. 9-30

Assignment following class: Fill out topic preference form. **no later than Thursday, Aug. 25, at 4 p.m.**

Class 2 – August 29

Overview of Administrative and Environmental Law; Describe Background Paper and Pathfinder Assignments

Reading for class:

1. Michael Blumm, A Primer on Environmental Law, 11 Va. Env'tl. L.J. 381 (1992) (A concise overview of the field of environmental law.)
2. Philip P. Frickey, Legislative Processes and Products, 46 J. Legal Ed. 469 (1996)
3. Richard B. Stewart, Administrative Law in the Twenty-First Century, 78 NYU L. Rev. 437 (2003)

Assignment following class: Preliminary Research on Topic; Reporting of case / topic (3 - 5 pages). **Due no later than Thursday, Sept. 2, 4 p.m.**

Class 3 – September 12	Research in Environmental Law and Natural Resource Law; Use of Sources <i>Reading for class:</i> <ol style="list-style-type: none"> 1. Volokh 95-131 2. Nancy Perkins Spyke, Making Sense Out of Secondary Sources in Environmental Law: A Research Primer, 25 <i>Envtl. L.</i> 93 (1995). <i>Assignment following class:</i> Create a basic Pathfinder for your topic. Due Monday, 9/20, no later than 4 p.m.
Class 4 – September 19	Breakout sessions – meet with advisor, module, and Professor Farber
Class 5 – September 26	Organizing the paper; analytical perspectives <i>Reading for class:</i> <ol style="list-style-type: none"> 1. Volokh, 31-43
Class 6 – October 3	Breakout sessions – meet with advisor <i>Assignment following class:</i> Outline due Thursday, Sept. 30, no later than 4 p.m.
Class 7 – October 10	Breakout sessions
No Class – October 17	Fall Break
Class 8 - October 24	Bluebooking; style manual Cite-checking party
Class 9 – October 31	Breakout sessions – meet with advisor, module, and Professor Farber <i>Assignment following class:</i> First draft due by Thursday, 11/3, no later than 4 p.m.
Class 10 – November 7	Legal writing; editing and revision <i>Reading for class:</i> <ol style="list-style-type: none"> 1. Volokh, 69-94 2. Try the editing exercise at 94
Class 11 – November 14	Presentations in breakout sessions Second draft due to advisor, module members, and Professor Farber no later than the Friday preceding your scheduled presentation. One other student in your breakout session will be assigned to lead discussion following the presentation, but all module members should plan to spend 3-4 hours marking up the draft and preparing comments.
Class 12 – November 21	Presentations in breakout sessions
Class 13 – November 28	Explanation of ELQ submission and editorial process
Class 14 – December 5	Presentations in breakout sessions
End of term – December 22	Final polished paper due