

LAW AND POVERTY
FALL 2017
TUESDAY / THURSDAY 1:30-2:50 PM
SYLLABUS

Professor Ezra Rosser
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Overview:

This class covers a range of poverty law issues. It begins with coverage of how poverty is measured, the major themes in poverty law, and the most important constitutional law cases. It then covers a number of specific issues: welfare, work, housing, health, education, criminalization, and access to justice. It ends by covering the relationship between market forces and poverty as well as human rights approaches to poverty law.

Expectations:

The expectation is that you will come to class on time, prepared to discuss the readings and prepared to participate actively and respectfully in discussions. You are also expected to check blackboard for course related announcements. You can expect that I will do my best to answer any questions you have during class or in the subsequent class. If any questions do arise but you thought of them outside of class, email me.

In order to ensure an engaged classroom dynamic, you must come to class prepared throughout the semester. I reserve the right to change final grades that are bordering between two grades based on classroom participation and involvement, for example a borderline B+/A- can become an A- for classroom participation and involvement.

A word about classroom respect: this class attracts people of all political backgrounds and beliefs and central to the success of the class is an atmosphere of intellectual and personal honesty. As a professor, I rely upon students to express different perspectives on the issues; what this means is that if you feel the tone of the class is skewing too far in one direction – along conservative or liberal lines or with regard to a particular issue – it is up to you to interject your own perspective. Each year there are people that see the class as too conservative and others who see it as too liberal; yet, the class will be made up of a range of views and I will rely upon you to make sure these views are expressed. Though class discussions may expose you to ideas you find wrong or even distasteful, lack of respect for peers hampers the learning environment. If during the course you become concerned about any issue involving the class, do not hesitate to speak with me.

Learning Outcomes (section required to be included in syllabi by the ABA):

- Students will improve their logical reasoning when faced with alternative fact patterns or rules.
- Students will learn the basic substantive material of Poverty Law so that they can bring that knowledge into practice following law school.
- Students will be able to put themselves into the shoes of different parties, understanding how parties to a dispute will view things from their unique perspectives.

Assignments and Grading:

The readings are primarily taken from my co-authored poverty law textbook but I will also post some supplement materials to MyWCL. There are two ways to get graded for this class. The first option is to write a research paper on a poverty law topic of your choosing. If you choose to write a paper, the topic must be approved by your professor in advance and the paper itself should be between 25-35 pages long, Times, 12 pt. font, double spaced. Use of bluebook formatting in the footnotes is expected. The paper is due by email to your professor before the scheduled start of the exam, as posted on the Registrar's website. The second option is to take a final exam. The final exam in this class will be a closed book exam made up of two essays. Ability to demonstrate comfort with the course materials and ideas will be rewarded in grading the exams. Use of the school's secure exam software is required and you are bound by the honor code to respect the closed book nature of the final. Finally, I reserve the right to bump up or down borderline grades based on in-class participation and preparedness.

Readings

The primary text for this class is:

JULIET BRODIE, CLARE PASTORE, EZRA ROSSER & JEFFREY SELBIN, *POVERTY LAW, POLICY, AND PRACTICE* (Aspen Publishers 2014). The book is available from the school bookstore as well as from online vendors such as Amazon.com.

The textbook is designed to be used for a three credit class with each chapter roughly the length one would expect for two class periods (some weeks are lighter and some weeks are heavier, but overall the reading is in the same range as that found in other 3 credit classes). Additionally, there will be a few sessions that are not tied to the textbook but instead based on: MATTHEW DESMOND, *EVICTED* (2016).

Brodie et al., Ch. 1: Introduction to Poverty

Aug. 22: p. 1-24

Aug. 24: p. 25-57

Brodie et al., Ch. 2: Social Welfare Policy

Aug. 29: p. 59-89

Aug. 31: p. 89-110

Brodie et al., Ch. 3: Poverty and the Constitution

Sep. 5: p. 111-147

Sep. 7: p. 147-183

Brodie et al., Ch. 4: Welfare

Sep. 12: p. 185-207

Sep. 14: p. 207-238

Sep. 19: p. 239-262

Brodie et al., Ch. 5: Work

Sep. 21: p. 263-289

Sep. 26: p. 295-331

Brodie et al., Ch. 6: Housing

Sep. 28: p. 333-364

Oct. 3: p. 364-394

Brodie et al., Ch. 7: Health

Oct. 5: p. 395-430

Oct. 10: p. 430-461

Brodie et al., Ch. 8: Education

Oct. 12: p. 463-497

Oct. 17: p. 497-520

Brodie et al., Ch. 9: Criminalization

Oct. 19: p. 521-567

Oct 24: p. 567-585

Brodie et al., Ch. 10: Access to Justice

Oct. 26: p. 587-623

Oct. 31: p. 623-651

Brodie et al., Ch. 11: Market Strategies

Nov. 2: p. 653-686

Nov. 7: p. 687-710

Brodie et al., Ch. 12: Human Rights

Nov. 9: p. 711-741

Nov. 14: p. 741-773

Nov. 16: Matthew Desmond, *Evicted* (2016) – purchase in advance

Nov. 21: Matthew Desmond, *Evicted* (2016) – purchase in advance

Nov. 28: Catch Up on Syllabus to Make-Up for Poverty Events (with event/date TBD)

Nov. 30: Catch Up on Syllabus to Make-Up for Poverty Events (with event/date TBD)

End of the Semester