

Environmental Law Seminar: A Cross-Disciplinary Look at the BP/Deepwater Horizon Oil Spill

Course Requirements

This seminar will explore the many varied legal issues at play in the BP/Deepwater Horizon Oil Spill. It will consider the science of deep water oil drilling and the ecosystem of the Gulf of Mexico. It will explore the contract issues involved in carrying out a major drilling operation, and the roles of local, state, and federal governments in the permitting and approval processes and in post-disaster response operations. It will investigate the compensation issues and processes for redress of damages. It will consider the economics and politics of the oil drilling industries in the Gulf and the effect of a drilling moratorium on those industries and the population of the region.

Students will be required to participate in the preparation and presentation of a group project on a related issue. Students may, at their election, complete a paper that will satisfy the upper-level writing requirement.

Class Meetings

Class meets on Wednesdays from 4:10 to 5:50 p.m. in room 204. Please consult the course calendar on the TWEN site for any amendments to that regular schedule.

Required Texts

Readings will be available via the TWEN site, or by handout. See your Course Syllabus. All readings are connected by link.

The course TWEN site is accessible via the Law Library's Course Materials web page, or via your Westlaw page.

Recommended Text

Many readings will be from DEEP WATER- THE GULF OIL DISASTER AND THE FUTURE OF OFFSHORE DRILLING, REPORT TO THE PRESIDENT (National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling). You can download this document for free (but it's 382 pages!) at:

<http://www.oilspillcommission.gov/final-report> Or if you'd like to order your copy (which is much nicer and has color pictures), you can do that in several ways. It's available in various forms at various prices from Amazon (Kindle, CD, paperback – range from \$7.99 to 35.95) at http://www.amazon.com/s/ref=ntt_athr_dp_sr_1?_encoding=UTF8&sort=relevancerank&search-alias=books&field-author=National%20Commission%20on%20the%20BP%20Deepwater%20Horizon%20Oil%20Spill%20and%20Offshore%20Drilling, or from the Government Bookstore for \$39 at <http://bookstore.gpo.gov/collections/bp-oilspill.jsp>, or from Barnes & Noble for \$39, at <http://www.barnesandnoble.com/s/deep-water-the-gulf-oil-disaster-and-the-future-of-offshore-drilling?store=book>.

We also recommend that you read *PLAIN ENGLISH FOR LAWYERS*, (3rd. ed.) by Richard C. Wydick (Carolina Academic Press), before you turn in any writing assignment. You are not required to buy this book, but it will help you immeasurably when you are working on written assignments for this course, including the research workshop, and final paper.

Course Expectations

Please come to all class sessions unless it is imperative that you miss a class. We base a sizeable portion of your course grade on class attendance, participation and preparedness for class. So, please come to class prepared to participate. This means that you have read or viewed the assigned material, have thought about it, and are ready to discuss it. **This may mean reading or viewing material more than once.** Please let one of us know before class if you are not prepared on a particular day.

During the semester, each student will participate in a mandatory research workshop. The research workshop will consist of a class session in the law library, during which the students will work with law librarians to research and analyze an oil spill-related legal problem. Students will outline a written response to the problem, and will submit both their research log and written outline. This likely will occur outside of class time.

Please turn in assignments on time, typed, double-spaced, in Times New Roman 12 point font with one-inch margins on all sides. Please put page numbers on the bottom of every page. Always use proper "Bluebook" format for citations. Please keep a copy of everything you submit.

There will be a take-home final examination in the class. In addition, students will complete a final project and in-class presentation. For students who choose to take the course for 3 credits, a paper will be required for which they will earn Upper Level Writing Requirement credit.

Policy on Recording Class

As a general rule, we do not allow students to record class. There are many reasons for this which we'd be happy to discuss with you at any time. That said, if there is an emergency, or other reason for which we should make an individual exception to this policy, we're absolutely willing to do so. Please request permission in advance of the class you hope to record.

Policy on Laptop Computers

You may use laptop computers in my class unless we find that there are too many violations of the following rules:

1. You may not have any internet programs open or active during class time without specific permission to do so. This means, no checking email, IM, Twitter, Facebook, etc. Do not use the internet at all during class time unless we specifically ask you to use it for something directly related to the class discussion. If you feel it would be useful to access the internet to answer a question, you must ask permission before you do so.

2. You may not use any games during class time. The reasons for this are fairly obvious, but the reason that concerns us the most is that it's terribly distracting to the students seated around you. What you do to yourself should be up to you, but it is very unfair to distract others.

3. Do not type everything we say in class into your laptop as if we are dictating to you. You will miss too much of what is going on around you and you will find yourself unable to participate in class in a meaningful way. You may find that you hear and learn more by taking written notes and putting them into your computer later.

Office Hours

Dean Robertson will hold office hours on Tuesdays and Fridays from 9:30 to 10:30 a.m. That said, please stop by any time **except during the hour immediately before class**. I will be busy preparing for class at that time and prefer not to be disturbed. If you'd like to make an appointment with Dean Robertson, please do that by emailing, Ms. Rosa DelVecchio, at rosa.delvecchio@law.csuohio.edu, or by calling the Deans' office at 687-2300.

Professor Brennan is Of Counsel with Baker Hostetler, practicing in the area of environmental law, so it is difficult for her to hold office hours at C|M|LAW, other than after class on Wednesdays. She is happy to talk with you by email or by phone at any time. You may contact her at mbrennan@bakerlaw.com or at (216) 861-7957.

Please send either of us quick questions by email at any time, but be aware that we reserve the right to send your question, and our answer to it, out to the entire class. If it is a question that will require a lengthy explanation, please come to office hours rather than asking the question by email. We will not be able to type out a sufficient answer and it will be better to discuss it in person. In addition, although we will do our best, please do not expect an answer in less than 24 hours.

Assessment

We will calculate your course grade as follows:

2 credit course (no upper level writing credit)

Attendance, participation, and preparedness for class: 20%

Research workshop (research log and outline): 5%

Project/Presentation: 35%

Final exam – take-home exam: 40%

3 credit course (includes final writing project for upper level writing credit)

Attendance, participation, and preparedness for class: 10%

Research workshop (research log and outline): 5%

Project/Presentation: 35%

Final exam – take-home exam: 30%

Paper (will satisfy upper level writing requirement): 20%

