

Poverty Law

University of Florida Levin College of Law
Spring 2025 Syllabus
LAW 6812
3.0 Credit Hours

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Office Hours: Mon. & Wed. (2:00 PM – 3:00 PM)

Meeting Time: Tu. & Th. (3:00 PM to 4:25 PM)
Location: Holland Hall 270

Course Description:

This course introduces the substantive law, policies, and procedures that govern antipoverty efforts in the United States. Organized around key federal programs such as welfare, housing, health, and legal aid, the course explores foundational legal doctrines, significant case law, and the evolution of federal policies addressing poverty. Students will engage with academic debates on the causes of poverty—whether rooted in individual behavior, structural constraints, or a combination of both—and examine how these perspectives shape legal and policy responses.

Throughout the course, we will analyze the trade-offs inherent in different approaches to poverty alleviation and consider the effectiveness of antipoverty programs. Additionally, the course will address theoretical, doctrinal, and practical questions, including the role of federal litigation in holding agencies accountable and the remedies available through the courts. By the end of the course, students will gain a comprehensive understanding of the legal and policy challenges associated with poverty law and practice in the United States.

Student Learning Outcomes:

After completing this course, students should be able to:

- I. Critically analyze and evaluate the legal frameworks governing public welfare programs in the United States, including key policies, statutes, and case law shaping poverty alleviation efforts.
- II. Demonstrate the ability to apply relevant case law and statutory provisions to real-world scenarios through interactive discussions, simulations, and case studies.
- III. Understand and articulate the multifaceted causes of poverty, including individual, structural, and systemic factors, and how they intersect with legal and policy frameworks.
- IV. Evaluate the effectiveness and trade-offs of federal and state approaches to poverty reduction, considering the implications of federalism and funding structures on program outcomes.
- V. Explore and debate persistent controversies in poverty law, such as the design of means tests, behavioral rules, and the accountability of administrative agencies to federal litigation.

Required Course Materials:

POVERTY LAW, POLICY, AND PRACTICE (2021)

ISBN: 978-1543804256

Authors: Brodie et. al (I will refer to the textbook as “Brodie”)

Edition: 2nd

https://www.amazon.com/Poverty-Law-Policy-Practice-Casebook-dp-154380425X/dp/154380425X/ref=dp_ob_title_bk

Note: Please be sure to register for the Canvas course and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments.

Grades:

Students' grades in this course will be primarily based on a 3-hour open-note final exam. Adjustments to the final grade may be made based on attendance and participation throughout the course.

Attendance:

Attendance is mandatory and an essential part of the course. In accordance with ABA guidance, you are allowed a total of two absences from class, for any reason (including for illness, medical appointments, job interviews, school activities, work tasks, family obligations, and the like). For ease of administration and to respect your privacy, I do not differentiate between “excused” or “unexcused” absences. As a result, there is no need to tell me why you will be or were absent from class, so long as you have no more than two absences total. Only observance of a University-recognized religious holiday does not count toward your two absences, but you must notify me in advance of those religious observance-related absences. More than two absences could result in a reduction of your final grade or even failing the course. Please do not arrive late to class, leave early, or leave to take a break during class absent extenuating circumstances. Please turn off your cell phone during class and mute other devices, including your laptop. The law school's policy on attendance can be found [here](#).

Office Hours:

My office hours this semester will be on Mondays and Wednesdays from 2:00 PM to 3:00 PM. While I love talking about poverty law and the law more generally, I am happy to talk about whatever you'd like. You do not need to prepare for office hours.

ABA Out of Class Hours Requirements:

ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. Each weekly class is approximately 1.5 hours in length, requiring at least **6 hours of preparation** outside of class.

Additional Information:

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this [link](#).

Recordings of Class:

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or guest lecturer during a class session. Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor and Student Conduct Code.

Health and Wellness Resources:

Law school can be a daunting experience, especially when life outside the law becomes challenging. UF Law provides numerous resources for your support, and I encourage you to seek help if you have concerns. Any student who has difficulty accessing sufficient food or lacks a safe place to live is encouraged to contact the Office of Student Affairs. If you are comfortable doing so, you may also notify me so that I can direct you to further resources.

- *U Matter, We Care:* If you or someone you know is in crisis, please contact umatter@ufl.edu, (352) 392-1575 (available 24/7), or visit the [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in crisis.
- *Counseling and Wellness Center:* [Visit the Counseling and Wellness Center website](#) or call (352) 392-1575 for information on crisis services as well as non-crisis services.
- *Student Health Care Center:* Call (352) 392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).
- *University Police Department:* [Visit UF Police Department website](#) or call (352) 392- 1111 (or 9-1-1 for emergencies).
- *UF Health Shands Emergency Room / Trauma Center:* For immediate medical care call (352) 733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](#).

COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS

This syllabus is offered as a guide to the direction of the course. Our pace will depend in part on the level of interest and the level of difficulty of each section and is subject to change.

Week 1: Introduction to Poverty Law (Part 1)

Tuesday (1/14) – Course Introduction

- Review: Syllabus

Thursday (1/16) – What is Poverty?

- Read: Brodie p. 1-22

Week 2: Introduction to Poverty (Part 2)

Tuesday (1/21) - Poverty in the United States

- Read: Brodie p. 24-42

Thursday (1/23) - Economic Mobility

- Read: Brodie p. 42-57

Week 3: Social Welfare Policy (Part 1)

Tuesday (1/28) - The Origins of Poverty Relief in the US

- Read: Brodie p. 59-76

Thursday (1/30) - War on Poverty

- Read: Brodie p. 76-90

Week 4: Social Welfare Policy (Part 2)

Tuesday (2/4) - Critique, Retrenchment, and Welfare Reform

- Read: Brodie p. 90-114

Thursday (2/6) - Review Day

- Read: No new reading

Week 5: Poverty and the Constitution (Part 1)

Tuesday (2/11) - New Property and Procedural Due Process

- Read: Brodie p. 117-133

Thursday (2/13) - Equal Protection (Part 1)

- Read: p. 135-150

Week 6: Poverty and the Constitution (Part 2)

Tuesday (2/18) – Equal Protection (Part 2)

- Read: Brodie p. 154-168

Thursday (2/20) – Equal Protection (Part 3)

- Review: Brodie p. 168-180

Week 7: Poverty and the Constitution (Part 3)

Tuesday (2/25) – State Constitutions

- Read: Brodie p. 180-188

Thursday (2/27) – Review Day

- Read: No new reading

Week 8: Welfare (Part 1)

Tuesday (3/04) - Introduction to Welfare

- **Read:** Brodie p. 189-198

Thursday (3/06) - TANF (Part 1)

- **Read:** Brodie p. 198-216

Week 9: Welfare (Part 2)

Tuesday (3/11) – TANF (Part 2)

- Read: Brodie p. 218-240

Thursday (3/13) – SSI and SNAP

- Read: Brodie p. 243-259

Week 10: NO CLASS (Spring Break 3/17 - 3/22)

Week 11: Welfare (Part 3)

Tuesday (3/25) – Review Day

- No new reading

Thursday (3/27) – Universal Basic Income

- Read: p. 267-272

Week 12: Work (Part 1)

Tuesday (4/1) - The Working Poor

- Read: Brodie p. 273-295

Thursday (4/3) - Wage War

- Read: p. 296-321

Week 13: Work (Part 2)

Tuesday (4/8) - Government Responses to Working Poor

- Read: p. 322-345

Thursday (4/10) – Review Day

- Read: no new reading

Week 14: The Future of Poverty Law

Tuesday (4/15) - The Future of Poverty Law

- Read: Jason DeParle, *Monthly Payments to Families With Children to Begin*, N.Y. TIMES
- Read: Aaron Kaufman et al., *Universal Basic Income After COVID-19*, THE REGULATORY REVIEW (May 2, 2020) (also read one scholarly article discussed here)
- Read: CTR. ON BUDGET & POL'Y PRIORITIES, *The Federal Job Guarantee* (Policy Futures Series) (March 9, 2018).

Thursday (4/17) – Exam Review Day (Last Class)

- Read: No required reading