UF UNIVERSITY of FLORIDA

Levin College of Law
Office of the Dean

Merritt McAlister
Interim Dean and Levin, Mabie & Levin Professor of Law

Spessard L. Holland Law Center
PO Box 117620
Gainesville, FL 32611-7620
352-273-0600
www.law.ufl.edu

October 6, 2026

MEMORANDUM

TO: Full-Time Faculty, Levin College of Law
FROM: Merritt McAlister, Interim Dean
RE: Faculty Meeting Agenda, October 13, 2026

Our next Faculty Meeting of the 2026-2027 academic year will take place in the Faculty Lounge on Tuesday, October 13, 2026. The meeting will begin at 12:00 noon and will end no later than 1:00 pm.

The agenda is as follows:

1. Action Item: Approve faculty meeting minutes for August 25, 2026, attached (Dean McAlister)

2. Action Item: AALS Representative selection (Dean McAlister)

3. Action Item: Tenure-Track Appointments Candidate(s) (Appointments Committee) - tentative

4. Information Item: Use of AI in writing courses required for graduation, including Legal Drafting and the Advanced Writing Requirement (Curriculum Committee)

5. Information Item: New courses to be taught in Spring 2027 (Curriculum Committee)

6. Information Item: Update on Simple Syllabus (Ruth McIlhenny)

7. Information Item: UF Campaign for Charities (Lindsay Hanson)

8. Information Item: Site visit update (Dean McAlister)

If you are unable to attend, please contact Jonathan Marshfield, who will discuss available options. Otherwise, I look forward to seeing you.

An Equal Opportunity Institution

UF Levin College of Law
Faculty Meeting Minutes
August 25, 2026 - 12:00 noon

PRESENT: Derek Bambauer, Jane Bambauer, Stacy Biggart, David Bowen, Annie Brett, Nicholas Christopolis, Julian Cook, Duane Daiker, Lisa De Sanctis, Donna Eng, Donna Erez-Navot, Alex Erwin, Barbara Evans, Mark Fenster, Ben Fernandez, Jonathan Green, William Hamilton, Christopher Hampson, Thomas Hawkins, Berta Hernandez-Truyol, Jiaying Jiang, Benjamin Johnson, Lea Johnston, Elizabeth-Ann Katz, Zachary Kaufman, Matthew Kim, Heather Kolinsky, Gary Lawson, Lyrissa Lidsky, Brian Lipshutz, Sabrina Lopez, Lynn LoPucki, Tracey Maclin, Jonathan Marshfield, Merritt McAlister, Timothy McLendon, Silvia Menendez, Thinh Nguyen, Lars Noah, Jane O'Connell, Madeleine Sligh, Joan Stearns Johnsen, , Amy Stein, Stacey Steinberg, John Stinneford, Lee-ford Tritt, Derek Wheeler, Steven Willis, Michael Wolf, Sarah Wolking, Danaya Wright, Andy Yuan, Wentong Zheng

PRESENT ON ZOOM: Karen Burke, Judy Clausen, Cory Evans, Kristen Hardy, David Hasen, Charlene Luke, Grayson McCouch

NOT PRESENT: Rachel Arnow-Richman, Yariv Brauner, Thomas Haley, Mindy Herzfeld, Peter Molk, Robert Rhee

Meeting called to order at 12:00 p.m.

1. Information Item: Welcome New and Visiting Faculty (Dean McAlister)

   Dean McAlister welcomed back faculty and new faculty members introduced themselves.
   Outcome: Information Item only

2. Action Item: Approve faculty meeting minutes for May 5, 2026, attached (Dean McAlister)

   Dean McAlister presented minutes for May 5, 2026.
   Outcome: Minutes approved

3. Action Item: Approve Summer 2026 graduate (Dean McAlister)

   Dean McAlister presented the summer 2026 graduate.
   Outcome: Graduate was approved

4. Action Item: Approve Conforming Changes to Rules & Procedures Manual (Dean McAlister)

   Dean McAlister presented and faculty considered and commented with additional changes.
   Outcome: Update to the Faculty Rules & Procedures Manual approved with discussed revisions.

5. Action Item: Approve revisions to Committee Assignments, attached (Dean McAlister)

   Dean McAlister presented committee assignments due to departures and additions.
   Outcome: approved

6. Information Item: Review Committee Charges, attached (Dean McAlister)

   Dean McAlister presented committee charges.
   Outcome: Information Item only

7. Information Item: Appointments Committee – update on hiring (Annie Brett, Chair)

   Chair Brett presented the Committee's focus on tax and splash hires and requested suggestions from each faculty member.
   Outcome: Information Item only

8. Information Item: Exam Accommodations update (Dean Lopez)

   Dean Lopez presented the 2026 Exam Policy attached.
   Outcome: Information Item only

9. Information Item: Fiscal and Enrollment Update (Dean McAlister)

   Dean McAlister presented the Enrollment and Fiscal Update
   Outcome: Information Item only

Meeting adjourned at 1:20 p.m.

MEMORANDUM

To: UF Law Faculty

From: Curriculum Committee (Donna Erez Navot, Gary Lawson, Andy Yuan, Silvia Menendez, David Hasen and Ruth McIlhenny (ex officio))

Re: Use of Generative AI in Courses Satisfying AWR and Drafting Graduation Requirements

Date: September 15, 2026

The Curriculum Committee is currently considering the appropriate role of generative artificial intelligence in courses that satisfy UF Law's Advanced Writing Requirement (AWR) and Legal Drafting graduation requirements. Two recent course proposals have brought this issue before the Committee, and we are studying whether and under what circumstances substantial use of generative AI is consistent with the educational objectives of these graduation requirements. As part of that process, we would welcome faculty input before the Committee determines whether additional guidance or policies should be recommended.

UF Law requires every J.D. student to complete both Legal Drafting and the AWR in order to graduate. The AWR requires students, "under close faculty supervision," to complete a "major, written product that shows evidence of original scholarship based on individual research." The general standard is one or more papers totaling at least 25 pages of double-spaced text or the equivalent. Legal Drafting is likewise a required upper-level course and is part of UF Law's required experiential curriculum. This course focuses on the principles and practice of drafting enforceable documents, their interpretation, and the reinforcement of professional writing skills.

The proposals presently before the Committee illustrate different applications of AI to these requirements. The first AWR writing course would allow students satisfying the AWR to use AI "at every stage of the writing process," including topic identification, research, formulation of the paper's thesis, outlining, and drafting; students would also be required to subscribe to an AI platform. The proposed Legal Drafting course is built around teaching students to create, train, and refine customized AI models for contract drafting. Students would use those models to draft agreements and complete the final take-home drafting project.

The Committee recognizes that competent lawyers increasingly need to understand how to use, supervise, and critically evaluate AI-assisted work. At the same time, the AWR and Legal Drafting requirements are intended to ensure that every graduate develops and demonstrates writing, research, analytical, and drafting competencies. Faculty perspectives on these questions will inform the Committee's continuing review and deliberations.

DRAFTING CONTRACTS WITH ARTIFICIAL INTELLIGENCE
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
FALL SEMESTER SYLLABUS – LAW _____ – 2 CREDITS
AUGUST ___, 2026

Professor: TBD
Office:
Office Phone:
Email:
Office Hours: _____ and any other time by appointment

MEETING TIME: _____
LOCATION: _____

COURSE DESCRIPTION AND OBJECTIVES:

Drafting Contracts with AI focuses on principles and practice of drafting contracts, including drafting specific contract provisions and organizing contract sections; how AI works, including the strengths and weaknesses of AI in this context; the proper use of AI in connection with contract drafting; strategies for using Navigator custom models to draft contracts; evaluating AI work product and protocols for improving work product quality.

AI Credit

Enable-AI: Support AI through related knowledge and skill development, such as creating a custom AI model to draft contracts. AI course content is 10-49%.

This course accomplishes the AI Designation objective of the subject areas listed above. This course explains the creation, training, use and improving of Navigator custom models. It also explores various AI applications in legal writing and drafting.

AI Student Learning Outcomes (SLOs)

SLO3. Select and/or utilize AI tools and techniques appropriate to a specific context and application.

· Addressed by class lectures and required readings.

· Assessed by quizzes, class participation. Custom AI Model, Agreement drafted with AI and Take Home AI drafting project.

UF ACADEMIC POLICIES AND RESOURCES:

Other information about UF academic policies and resources can be found at this link.

Please use this link for UF Law policies: https://ufl.instructure.com/courses/427635/files?preview=98226140.

STUDENT LEARNING OUTCOMES:

At the end of this course, students should be able to:

1. Learn basic contract concepts and contract organization.

2. Draft contract covenants, prohibitions, rights, conditions and declarations.

3. Draft specific types of contract provisions, including an exordium, recitals, words of agreement, definitions, representations and warranties, subject matter performance, termination, general provisions, testimonium and signature lines.

4. Draft a contract from scratch following the conventions in a textbook.

5. Learn to use Artificial Intelligence to assist with contract drafting.

6. Draft instructions, knowledge bases and notes for Navigator custom models.

7. Draft effective prompts for Navigator custom models.

8. Use follow up questions, memory and instruction modification to improve AI drafted documents.

9. Train, test and refine custom models to and develop strategies for improving quality of output.

REQUIRED READING MATERIALS:

Drafting Contracts: How and Why Lawyers Do What They Do (any edition) by Tina Stark. Note, the first and second edition of the text are far less expensive than the third edition. I will also give everyone a pdf supplement on contract drafting before the first day of class.

Create Your Own ChatGPT: Crafting Custom AI Models Made Simple by Saif Hussaini.

Navigator subscription**.** Necessary for the creation of custom models.

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.

COURSE EXPECTATIONS AND GRADING EVALUATION:

A. Weekly Assignments. The Legal Drafting course requires the completion outside of class of many short and medium-length drafting assignments and the completion of short in-class projects and on-line quizzes.

B. Office Conferences. Office conferences are encouraged. I will be more than happy to meet with you in individual meetings throughout the semester to discuss your work or the course material.

C. Grade Calculation.

This class is graded on the mandatory curve. Students will be evaluated based upon the following:

Homework assignments (drafting contract

sections and training a custom model to draft contract sections), class participation	10% of Grade
Custom Model	20% of Grade
Agreement drafted with AI	20% of Grade
Take Home AI drafting project	50% of Grade

You are expected to participate in class. If you don't participate voluntarily, I will likely "cold call" on you. If you still don't participate, your final grade may be reduced by up to 5% (1% each time that happens).

Homework assignments that are not timely completed before class are also subject to a deduction of up to 5% (1% for each assignment not turned in).

You may use your Navigator custom models for the Take Home AI drafting project. The project will be graded based on how closely the drafted contract conforms to the conventions in the textbook.

CLASS ATTENDANCE AND MAKEUP POLICY:

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed four unexcused absences during the course of the semester. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law school's policy on attendance can be found here.

UF ACADEMIC POLICIES AND RESOURCES:

Other information about UF academic policies and resources can be found at this link.

UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:

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: https://ufl.instructure.com/courses/427635/files?preview=98226140.

Students with disabilities who experience learning barriers and would like to request academic accommodations should connect with the disability Resource Center. It is important for students to share their accommodation letter with their instructor and discuss their access needs, as early as possible in the semester.

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at https://gatorevals.aa.ufl.edu/students/. Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via https://ufl.bluera.com/ufl/. Summaries of course evaluation results are available to students at https://gatorevals.aa.ufl.edu/public-results.

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 2 hours in length, requiring at least **4 hours of preparation**.

ARTIFICIAL INTELLIGENCE: Students will be required to create and train an AI project using openai.com. Students will be graded on the Navigator custom models they create and train, and they will be permitted to use it for assignments and assessments in this class. Students may not violate any copyright in the creation and training of their AI project. All work submitted must be the student's own work drafted with the assistance of a project created and trained solely by the student using openai.com.

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.

Class	Assigned Reading (Due Before Class)	Assigned Writing (Due Before Class)	Class Discussion
8/19	Read Create Your Own ChatGPT, Chapters 1 & 2, Introduction	Subscribe to Navigator	Introduction to Course, Drafting Contracts, Using AI to assist with Drafting
21	Read Create Your Own ChatGPT, Chapters 3 & 4, Basics, Personalizing Your Account	Personalize Your Account	Discuss Account Creation, Basic Features, Personalization
26	Read Create Your Own ChatGPT, Chapter 5, Advanced Features		Discuss Advanced Features
28	Read Create Your Own ChatGPT, Chapter 6, Creating a Custom GPT	Set Up Custom Model Creation	Discuss Creation of Custom Models
9/4	Read OpenAI Articles: GPTs FAQ, Creating a GPT and Key Guidelines for Writing Instructions for Custom GPTs		Discuss Guidelines for Instructions
9	Read Create Your Own ChatGPT, Chapters 6 & 7, Training, Testing and Refining		Discuss Training, Testing and Revising Strategies
11	Read Drafting Contracts, Chapters 3 & 4, Contract Concepts	Identify Contract Concepts for Settlement Agreement, Upload to CANVAS	Translating the Business Deal, The Seven Contract Concepts, **Appendix of Contract Concepts, Summary Chart**

16	Read Drafting Contracts, Chapter 5, Contract Organization	Organize Provisions in Settlement Agreement, Upload to CANVAS	A Contracts Parts
18		Train Custom Model on Contract Concepts and Contract Parts	Go Over Model Training, what worked and what didn't work
23	Read Drafting Contracts, Chapter 6, Beginning Sections	Draft Beginning Sections of Agreement, Upload to CANVAS	Beginning Sections of Agreement, **Guidelines for Recitals**
25		Train Custom Model to Draft Title, Preamble and Background	Go Over Model Training
30	Read Drafting Contracts, Chapters 7 & 9, Definitions, Representations and Warranties 19.2 & 19.5, Subsections, Headings	Draft Definitions, Representations and Warranties for Agreement, Upload to CANVAS	Definitions, **Guidelines for Definitions**, Representations and Warranties
10/2		Train Custom Model to Draft Definitions and Representations and Warranties	Go Over Model Training
7	Read Drafting Contracts, Chapter 8, Action Sections, 22.2, Numbers	Draft Action Sections for Agreement, Upload to CANVAS	Action Sections, **Guidelines for Payment Provisions**
9	Read Drafting Contracts, Chapters 10 & 13, Covenants and Rights, Will and Shall, 21.6.1, 21.6.2, Dates, Time	Draft Covenants for Agreement, Upload to CANVAS	Covenants and Rights, **Drafting Guidelines**, Will and Shall
14		Train Custom Model to Draft Subject Matter Performance and Covenants	Go Over Model Training
16	Read Drafting Contracts, Chapters 11 & 12, Conditions, Discretionary Authority, Declarations, 18.2 Legalese	Draft Conditions, Discretionary Authority and Declarations for Agreement, Upload to CANVAS	Discretionary Authority Declarations, Conditions
21		Train Custom Model to Draft Conditions, Discretionary Authority and Declarations	Go Over Model Training

23	Read Drafting Contracts, Chapter 14 & 15, Contract Concepts Review, Endgame Provisions, 23.1 Gender	Draft Endgame Provisions for Agreement, Upload to CANVAS	**Summary of Contract Concepts,** Endgame Provisions
28		Train Custom Model to Draft Endgame Provisions	Go Over Model Training
30	Read Drafting Contracts, Chapters 16 & 17, General Provisions, Signatures	Draft General Provisions, Signatures for Agreement, Upload to CANVAS for Grade	General Provisions, boilerplate law, Signatures
11/4		Train Custom Model to Draft General Provisions and Signatures	Go Over Model Training
6			In Class Drafting Quiz
13		Attend Transactional Practice Panel on 11/12	**Pass Out Take Home Project,** Go Over Project
18			No Class
20			No Class, **Take Home Project Due**

Corporations as Members of Society Seminar (Spring 2027)

Lynn M. LoPucki

I propose to modify my seminar to provide students with the opportunity to use AI intensively to fulfill the AWR. The purpose of this memo is (1) to alert the administration of my intent to do this, (2) to request the changes below to my course description, and (3) to ask for any suggestion you may have.

1. Changes to the course description:

Corporate Social Responsibility (CSR) is the idea that corporations have a moral responsibility to voluntarily integrate environmental, social, and governance (ESG) improvements into their business operations for the benefit of stakeholders (shareholders, employees, customers, suppliers, creditors, and host communities), the public, and the environment. This seminar will explore corporate social responsibility, corporate purpose, the use of shell corporations in financial crimes, the criminal prosecution of corporations, corporate rights to freedom of speech and religion, CSR reporting, and corporate control through stakeholder markets. Readings will include casebook material, academic articles, CSR reports, and CSR reporting standards. If the student also enrolls for one hour of directed research, this seminar provides an opportunity to satisfy the Advanced Writing Requirement through unrestricted AI use.

2. Explanation of changes:

In a two-credit-hour seminar, students cannot (1) prepare for an attend class each week and (2) fulfil the Advanced Writing Requirement (AWR). I propose to address the problem by requiring students who use the seminar to fulfill the AWR to register for one hour of directed research in the same semester.

Students will be required to subscribe to an AI to fulfill the AWR requirement in this seminar. I will encourage them to use AI at every stage of the writing process. Students must obtain approval of their work at each of these stages:

a. Topic identification. The proposed paper must be one that would make a contribution to the literature.

b. Research. To achieve subject matter expertise and to find the relevant literature.

c. Proposition formulation. A one sentence statement of the proposition for which the paper will argue.

d. A one-half page outline

e. Midterm draft that complies with a checklist

f. Final draft that complies with a checklist

I plan to use AI to assist in my evaluation at each stage.

Sports Law: Media Rights Negotiations
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
SPRING 2027 - COURSE SYLLABUS

Professor Rick Anderson
Office Phone: 904.234.7303
Email: Anderson.r@ufl.edu; arick0466@gmail.com
Office Hours: Immediately following class each week. I encourage you to contact me if you are having difficulties with, or simply want to clarify your understanding of, any of the materials covered in the reading or in class.

MEETING TIMES: Friday 10-12

LOCATION: TBD

COURSE DESCRIPTION AND OBJECTIVES AND STUDENT OUTCOMES:
This course is two credit hours. Please note that ABA Standard 310 requires that students devote 120 minutes (about 2 hours) to out-of-class preparation for every "classroom hour" of in class instruction. It is expected that you will spend two hours preparing for every hour of in-class instruction.

By the end of this course, students will: have a complete understanding of how the media rights process works, how a media rights agreement is negotiated and closed.

REQUIRED READING MATERIALS:

The Oxford Handbook of American Sports Law, edited by Michael McCann, Oxford University Press

Getting to Yes: Negotiating to Agreement Without Giving In, by Roger Fisher and William Ury, edited by Bruce Patton

Sports Law in a Nutshell, Walter Champion

Sports Wagering in America: Policies, Economics and Regulation, by Anthony Cabot and Keith Miller

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.

COURSE EXPECTATIONS AND GRADING EVALUATION:
This class is graded, with 20% based on class participation and 80% based on four in class negotiation exercises (20% each).
The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67

B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

The law school grading policy is available at: https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies

CLASS ATTENDANCE POLICY:

Attendance during all class hours is mandatory. Attendance will be taken at each class meeting. If there is some reason why you must miss class, please contact me in advance via telephone or email and ask for an excused absence. The law school's policy on attendance can be found at: https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies.

UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:

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: https://ufl.instructure.com/courses/427635/files/74674656?wrap=1.

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:	1. ***Class Objectives*** 2. ***Sports Industry and Media Rights Overview*** *Required Reading: McCann, Chapter 17; Pittsburgh Athletic Co. v. KQV Broadcsting Co., 24 F.Supp. 490 (W.D. PA, 1938)*
Week 2:	1. ***Negotiation Principles*** 2. ***Key Media Rights Agreement Provisions:*** • ***Term*** ***First Negotiation/First Right Provisions*** *Required Readings: Getting to Yes (entire book)*
Week 3:	***Negotiation Exercise: Term; First Negotiation/First Right Provisions*** *Required Preparation: Students will prepare their negotiation strategy and submit it prior to the Exercise (Min. 3 hours preparation)*
Weeks 4 and 5:	***Key Media Rights Agreement Provisions:*** • ***Rights Granted and Rights Reserved***

	Required Readings: Champion, Chapters 1 and 4
Week 6:	***Negotiation Exercise: Rights Granted and Rights Reserved*** *Required Preparation: Students will prepare their negotiation strategy and submit it prior to the Exercise (Min. 3 hours preparation)*
Week 7:	***Key Media Rights Agreement Provisions:*** • ***Exclusivity*** • ***Territory and International Distribution*** • ***Advertising and Sponsorship***
Week 8:	***Key Media Rights Agreement Provisions:*** • ***Production*** • ***Scoring/Other Data; Sports Betting; Technology Creation*** *Required Reading: Cabot and Miller, Sports Wagering in America (entire book)*
Week 9:	***Negotiation Exercise: Sports Betting*** *Required Preparation: Students will prepare their negotiation strategy and submit it prior to the Exercise (Min. 3 hours preparation)*
Week 10:	***Key Media Right Agreement Provisions:*** • ***Promotion*** • ***Distribution Obligations*** • ***Other Non-monetary value*** *Required Reading: Cabot and Miller Chapter 25*
Week 11:	***Key Media Rights Agreement Provisions:*** • ***Key Intellectual Property*** • ***Data Sharing Provisions*** *Required Reading: McCann, Chapter 25*
Week 12:	***1. Key Media Rights Agreement Provisions:*** • ***Dispute Resolution*** ***2. Review***
Week 13:	***Negotiation Exercise*** *Required Preparation: Students will prepare their negotiation strategy and submit it prior to the Exercise (Min. 3 hours preparation)*

Law & Public Service

UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW

SPRING 2027 – LAW 6930 – 2 CREDITS

Ben Johnson
Email: johnson@law.ufl.edu
Office Hours: Friday 3:15-5:15

Co-instructors:
TBA

MEETING TIME: Friday 1:15-3:15

LOCATION: HOL 382

COURSE DESCRIPTION AND OBJECTIVES:

This course will introduce students to different pathways to careers in public service. Each class will center around presentations by and conversations with visiting instructors with experience in different branches of governments or other forms of public interest work. Students will learn about different types of public service work and how such careers may be pursued.

STUDENT LEARNING OUTCOMES:

At the end of this course, students should be able to:

- Understand how different institutions affect public policy.
- Identify and analyze different career pathways to public service careers.
- Successfully interact with elected and other leaders.

REQUIRED READING MATERIALS:

Reading materials will be available on Canvas.

COURSE EXPECTATIONS AND GRADING EVALUATION:

Students will be evaluated based upon class participation.

Class Participation: This seminar depends upon your careful reading of the texts and your participation in class discussion. Every week, as you do your reading, I expect you to write down at least 3 or 4 questions or issues you would like to discuss in class. Bring them with you to class to use as a reference, and then turn them in at the end of each class. You will be expected to participate in class discussion. NOTE: Class participation is not a competitive enterprise. If you prepare your questions and participate in discussion each week, you will get full credit. I will not grade based on the perceived quality or quantity of your answers, although I will mark you off if it's clear you are not prepared for class.

Also, we will be hosting several federal judges throughout the semester. Please come prepared to present yourself well in front of a judge.

CLASS ATTENDANCE POLICY:

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed three absences during the course of the semester. Students are

responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law school's policy on attendance can be found here.

COMPLIANCE WITH UF HONOR CODE:
Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located here.

Note on AI tools (Chat GPT, etc.). In my view, generative AI tools are going to become like spellcheckers. I have no objection to you using such tools to help understand the readings, but you should understand the limitations of these technologies. They may be very helpful to you to get started, but if you leave the actual analysis up to the machine, you should anticipate sounding like an idiot when you least expect it.

INFORMATION ON UF LAW GRADING POLICIES:
This course is for credit/no credit

OBSERVANCE OF RELIGIOUS HOLIDAYS:
UF Law respects students' observance of religious holidays.

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

EXAM DELAYS AND ACCOMMODATIONS:
The law school policy on exam delays and accommodations can be found here.

STATEMENT RELATED TO ACCOMODATIONS FOR STUDENTS WITH DISABILITIES
Students requesting accommodations for disabilities must first register with the Disability Resource Center (https://disability.ufl.edu/). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at https://ufl.instructure.com/courses/427635.

MENTAL HEALTH
The law school has collected various resources to help students pursue various forms of wellness. I would like to focus attention on the mental health portion of the page:

- The University of Florida operates a Counseling and Wellness Center that provides services and information regarding mental health. Visit their website for more information.
- The University of Florida's Disability Resource Center's website can connect you with resources if you need special accommodations or services.
- UF's U Matter, We Care program offers health & wellness programs as well as programs for students in distress.
- LawLifeline –Law Lifeline is an online mental health resource designed specifically for law students.

- Lawyers With Depression – Lawyers With Depression is a website that offers information on dealing with depression.
- Substance Abuse and Mental Health Toolkit for Law School Students and Those Who Care About Them – This toolkit from the American Bar Association provides substance abuse and mental health information and resources tailored for law students.

STUDENT COURSE EVALUATIONS

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click here for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via https://ufl.bluera.com/ufl/. Summaries of course evaluation results are available to students here.

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.

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 2 hours in length, requiring at least **4 hours of preparation**.

TENTATIVE 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.

Readings will be available on Canvas	
1/22	Speaker (TBA) Readings available on Canvas
1/29	Speaker (TBA) Readings available on Canvas
2/5	Speaker (TBA) Readings available on Canvas

2/12	Speaker (TBA) Readings available on Canvas
2/19	Speaker (TBA) Readings available on Canvas
2/26	Speaker (TBA) Readings available on Canvas
3/4-5	**Originalism Conference**
3/12	Speaker (TBA) Readings available on Canvas
3/26	Speaker (TBA) Readings available on Canvas
4/2	Speaker (TBA) Readings available on Canvas
4/16	Speaker (TBA) Readings available on Canvas
4/23	Speaker (TBA) Readings available on Canvas

UNIVERSITY OF FLORIDA

Fredric G. Levin College of Law

PATENT PROSECUTION

LAW 6XXX — 2 Credit Hours — Course Syllabus

Course Number: LAW 6XXX (2 credit hours)

Semester: Spring 2027

Class Meeting Time: [Day], 100 minutes per week (e.g., 4:00–5:40 p.m.), 15-week semester*

Classroom: [Room, Holland Hall]

Adjunct Professors: Jack G. Abid & David S. Carus

Affiliation: Shareholders, Allen, Dyer, Doppelt + Gilchrist, PA (www.AllenDyer.com)

Email: jabid@allendyer.com | dcarus@allendyer.com

Firm Office: 255 South Orange Avenue, Suite 1401, Orlando, FL 32801 | (407) 841-2330

Office Hours: By appointment before or after class, or by arrangement at the instructors' Orlando office

Prerequisites: Patent Law (LAW 6573) and patent bar eligibility (or instructor permission)

**This schedule satisfies ABA Standard 310: a 2-credit course requires at least 100 minutes of direct faculty instruction per week for 15 weeks (1,500 minutes / 25 hours total), plus at least 2 hours of out-of-class student work per credit per week (approximately 4 hours/week), for a combined minimum of 85 hours of coursework across the semester. See the Credit Hour Statement at the end of this syllabus.*

About the Instructors

This course is co-taught by two adjunct professors who are practicing patent attorneys and Shareholders at Allen, Dyer, Doppelt + Gilchrist, PA, an Orlando-based intellectual property law firm founded in 1972 (www.AllenDyer.com). Both instructors are UF Law alumni and registered patent attorneys who prosecute patents before the USPTO on a daily basis, and both bring active practice experience directly into the classroom.

Jack G. Abid is a Shareholder and registered patent attorney whose practice focuses on patent prosecution and IP portfolio management, with experience spanning electrical and electronic equipment, telecommunications, laser and optical devices, semiconductors, medical devices, and software. He is a UF Levin College of Law graduate (magna cum laude) and a recognized Best Lawyers honoree in Patent Law.

David S. Carus is a Shareholder and registered patent attorney whose patent prosecution practice includes electrical and electronic equipment and related technologies, with clients ranging from individual inventors to major technology companies. He is also a recognized Best Lawyers honoree in Patent Law.

Course Description

This course teaches the practical skills involved in preparing and prosecuting a patent application before the United States Patent and Trademark Office (USPTO). Students will learn how to interview inventors, conduct a patentability search, render a patentability opinion, draft patent claims, draft a patent specification, electronically file a patent application, and respond to an office action. The course also introduces international patent protection and the relationship between prosecution strategy and infringement risk. Each class session combines a lecture/discussion component with a hands-on workshop component in which students apply that week's skill to a invention of their choosing.

This is a compressed, skills-intensive version of the 3-credit Patent Prosecution course offered at UF Law, restructured to meet in 100-minute weekly sessions across a full 15-week semester consistent with a 2-credit-hour allocation under ABA Standard 310. Students should expect a workshop-heavy format with substantial out-of-class drafting.

Learning Outcomes

By the end of this course, students will be able to:

- Conduct and document a patentability prior art search using USPTO and commercial search tools.
- Analyze an invention for patentability under 35 U.S.C. §§ 101, 102, and 103, and render a written patentability opinion.
- Draft a set of patent claims — independent and dependent — that are clear, properly supported, and strategically scoped.
- Draft a patent specification that satisfies the enablement and written description requirements of 35 U.S.C. § 112(a).
- Prepare and electronically file a patent application, including the required USPTO forms.
- Analyze an office action, identify the legal basis for each rejection, and draft an effective written response.
- Identify the basic mechanics of international patent protection under the Paris Convention and the PCT.
- Apply the USPTO's rules of professional responsibility and duty of candor in prosecution practice.

Required Materials

- Selected provisions of Title 35 of the U.S. Code and Title 37 of the Code of Federal Regulations (available free via the USPTO website; no purchase required).
- Selected excerpts from the Manual of Patent Examining Procedure (MPEP), available free at uspto.gov.
- Course reader of cases, sample office actions, and sample specifications, posted on Canvas.
- A UF Law-issued or personal laptop for in-class USPTO database exercises.

Course Project

Over the course of the semester, each student will develop a complete, fileable non-provisional patent application — specification and claim set — for an invention of the student's choosing (subject to instructor approval by Week 2), and will draft a response to a simulated office action rejecting that application. The project is broken into graded milestones distributed across the semester (see Grading, below, and the Week 7, 9, 11, and 14 sessions in the Course Schedule).

Grading

Component	Weight
Course Project (patent application draft: specification + claim set)	**40%**
Office Action Response Exercise (Week 11)	**15%**
Class Participation & Workshop Exercises	**20%**
Final Project Presentation (Week 14)	**10%**
Professionalism (interview exercise, timeliness, engagement)	**15%**

Grades are assigned on the standard UF Law grading scale, in accordance with UF Law's academic regulations. Late submissions are penalized one-third of a letter grade per day absent prior arrangement with the instructor.

Course Schedule

The schedule below is subject to adjustment; any changes will be announced in class and posted on Canvas. Each session is 100 minutes and generally includes a lecture/discussion segment followed by a workshop segment.

Week	Topic	Lecture & Discussion	Workshop / In-Class Exercise	Assigned Reading
1	**Introduction to Patent Prosecution & the USPTO**	Overview of the patent prosecution lifecycle; role of the patent practitioner; the patent bar and USPTO practice rules (37 C.F.R.); the Manual of Patent Examining Procedure (MPEP); ethical duties of candor and good faith (37 C.F.R. § 1.56).	Navigating USPTO Patent Center and Public/Private PAIR; reviewing a sample file history.	MPEP Ch. 1 (selected sections); 37 C.F.R. §§ 1.1–1.56 (selected).
2	**The Inventor Interview & Invention Disclosure**	Techniques for interviewing inventors; identifying patentable subject matter; invention disclosure forms; issues of inventorship and ownership; timeliness of filings; public disclosures/offers for sale; assignment basics.	Mock inventor interview exercise (role play in pairs).	MPEP § 2137 (inventorship); assigned invention disclosure form.
3	**Patentability Searching**	Prior art landscape; classification systems (CPC); search strategies using USPTO, Google Patents, and commercial databases; documenting a search.	Hands-on prior art search exercise using Patent Public Search and Google Patents.	MPEP § 904; selected search-strategy guide (posted on Canvas).
4	**Rendering a Patentability Opinion**	Statutory Subject Matert (35 U.S.C. § 101); Novelty (35 U.S.C. § 102); and obviousness (35 U.S.C. § 103) analysis; claim scope v. commercial value; structuring a written patentability opinion; managing attorney-client privilege and work product.	Draft a short patentability opinion memo based on the Week 3 search results.	35 U.S.C. §§ 102–103; KSR Int'l Co. v. Teleflex, Inc. (excerpts).
5	**Claim Drafting I — Claim Structure & Types**	Claim anatomy (preamble, transition, body); independent vs. dependent claims; apparatus, method, and system claims; claim differentiation.	Draft independent and dependent claims for a simple mechanical invention.	MPEP § 608.01(m)-(n); Landis on Mechanics of Patent Claim Drafting (excerpt, posted).
6	**Claim Drafting II — Claim Scope & Strategy**	Broad vs. narrow claiming; means-plus-function claims (35 U.S.C. § 112(f)); antecedent basis; multiple dependent claims; claim differentiation strategy.	Peer review and revision of Week 5 claim sets.	35 U.S.C. § 112; Williamson v. Citrix Online, LLC (excerpts).
7	**Drafting the Patent Specification**	Enablement and written description requirements (35 U.S.C. § 112(a)); background, summary, and detailed description sections; drawings and reference numerals; best mode considerations.	Outline a specification for the student's chosen invention (course project, Part 1).	MPEP §§ 2161–2164; selected issued patent as model specification.
8	**Preparing & Filing the Application**	Provisional vs. non-provisional applications; application data sheets; oath/declaration; information disclosure statements (IDS) and the duty of disclosure; electronic filing via USPTO Patent Center.	Assemble a mock provisional application filing packet.	37 C.F.R. §§ 1.51–1.63, 1.97–1.98 (IDS); MPEP § 601.

Week	Topic	Lecture & Discussion	Workshop / In-Class Exercise	Assigned Reading
9	**Course Project Workshop — Full Application Draft**	Guided workshop session; instructor and peer feedback on complete draft specifications and claims.	In-class drafting and revision; individual instructor conferences.	None — bring complete draft specification and claim set (course project, Part 2).
10	**Examination & Office Actions**	The examination process; restriction practice; anatomy of an office action; § 101/§ 102/§ 103 rejections; § 112 rejections; claim objections; drawing objections.	Analyze a sample office action and identify each rejection's legal basis.	MPEP §§ 706–707; sample office action (posted on Canvas).
11	**Responding to Office Actions**	Strategies for amendment vs. argument; claim amendments and new matter (35 U.S.C. § 132); declaration practice; secondary considerations evidence; interviews with examiners; after-final practice; Request for Continued Examination (RCE).	Draft a response to the sample office action from Week 10.	37 C.F.R. §§ 1.111–1.116; MPEP § 714; 37 C.F.R. §1.132, MPEP §716.
12	**Appeals & Post Grant Proceedings**	Appeals to the Patent Trial and Appeal Board (PTAB); IPRs, PGRs, Reissues, and Reexamination; Appeals as a timing strategy.	Issue-spot exercise: choosing among RCE, appeal, and continuation practice; Map a post grant filing strategy to challenge a patent; Map a response strategy for defining a post grant challenge.	35 U.S.C. §§ 134, 141-144, 251-252, 301-307, 311-319, 321-329; MPEP Chapters 1200, 1400, 2200, 2600; § 2286.01; USPTO Trial Practice Guide.
13	**International Patent Protection, Filing Strategies & Post Allowance Practice**	The Paris Convention priority framework; the Patent Cooperation Treaty (PCT) process; national phase entry; brief comparative overview of EPO and other major jurisdictions; terminal disclaimers; notice of allowance; issue fee; patent term adjustment (PTA); continuation, divisional, and continuation-in-part applications	Map a filing strategy (Paris Convention route vs. PCT route) for the course-project invention; Map a filing strategy for a family of applications, both domestic and international, provisional v. utility.	PCT Applicant's Guide (excerpts); 35 U.S.C. §§ 119, 363.
14	**Patent Infringement, Ethics & Practice Management; Course Project Presentations**	Brief overview of infringement analysis and its relevance to prosecution strategy (freedom-to-operate); professional responsibility before the USPTO (37 C.F.R. Part 11); docketing and practice management basics; use of AI in patent practice	Student presentations of final course projects; peer and instructor feedback.	37 C.F.R. §§ 11.18, 11.303; review all assigned MPEP sections.

Course Policies

Attendance

Regular attendance is required consistent with UF Law's attendance policy and ABA Standard 308. Because this is a skills-based workshop course, missed sessions cannot fully be made up through independent reading; students who miss more than two sessions without excuse may be administratively withdrawn or have their final grade reduced.

Classroom Technology

Laptops are permitted and required for in-class USPTO database and drafting exercises, but are to be used only for course-related purposes during class.

Academic Honesty

All students are bound by the UF Law Honor Code. Work product for the course project must be the student's own original drafting; students may consult sample specifications and claims as models but may not copy substantial language from them without attribution and instructor approval.

Accommodations

Students requiring accommodations should contact the UF Disability Resource Center and provide the instructor with the appropriate accommodation letter as early in the semester as possible.

Professional Responsibility Notice

Because this course involves simulated USPTO practice, students are expected to observe the same standards of candor, diligence, and confidentiality expected of registered patent practitioners under 37 C.F.R. Part 11, within the simulated exercises.

Credit Hour Statement (ABA Standard 310)

This 2-credit-hour course is scheduled to provide not less than 100 minutes of classroom or direct faculty instruction per week for 15 weeks (1,500 minutes / 25 hours total of direct instruction), consistent with ABA Interpretation 310-1 (50 minutes = 1 hour of classroom or direct faculty instruction). In addition, students are expected to complete approximately 4 hours of out-of-class work per week (2 hours per credit hour), consisting of assigned reading, prior-art searching, and drafting of the course project, for a combined total of approximately 85 hours of coursework across the semester, consistent with ABA Standard 310(b).

Corporate Tax III
(Short Course)

Professor Mindy Herzfeld

University of Florida Levin College of Law
Graduate Tax Program

Syllabus

Spring Semester 2027

Corporate Tax III
Course # LAW XXXX

Professor Mindy Herzfeld
Office: 374
Phone: 352-273-0932
Office Hours: via zoom or by appointment

A. Summary of the Course

This course is an advanced corporate tax course, focused on corporate tax issues as presented to in-house corporate tax counsel. We will learn from heads of corporate tax from some Fortune 500 companies, covering both substantive tax issues, tax accounting, and considering how in-house tax counsel evaluate risk and questions of tax law from an in-house perspective.

The expectation is that you will come to the meetings having read the assigned material and prepared to engage with the guest speakers. You will be evaluated both on your participation in the meetings during the week and your completion of an exericse as described below.

B. Prerequisites

Corporate Tax I and International Tax I are prerequisites for this course.

C. Objectives

Through this short course, you should:

1. Gain an understanding of the role of the tax provision and how tax law factors into the calculation of the corporate tax provision as calculated under financial accounting rules;
2. Understand the shift to financial accounting principles in such new regimes as the global minimum tax and the U.S. corporate alternative minimum tax;
3. Understand the unique tax reporting and compliance obligations of multinational companies;
4. Appreciate the role evaluation of risk plays in corporate decision making;
5. Understand how tax controversy considerations factor into corporate decision making; and
6. Develop a fluency in evolving case law as pertains to corporate decision making.

D. Class Meetings

This course will meet on **4 Fridays, February 5, 12, 19 and 26, between 10:30-2:30.** Two of the meetings will be in person at Disney campus' in Orlando. Two of the meetings will be virtual, via zoom.

E. Course Materials:

Links to assigned readings are provided below or are posted in canvas.

F. Topics: The topics for class, along with the assigned readings, are described in the pages that follow.

E. Grade:

- 20% of the grade will be based on submissions prior to each class, related to the class readings.
- 40% of the grade will be based on completion of exercise related to review of tax footnote/public disclosures.
- 40% of the grade will be based on reflective essay on topic of your choice (upon consultation with professor) related to assigned readings.

The other 30% of the grade will be based on class attendance and participation.

The law school policy on exam delays and accommodations can be found here.

This course follows the Levin College of Law's grading policies found https://law.ufl.edu/student-life/uf-law-student-handbook-academic-policies/ https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies. The below chart describes the specific letter grade/grade point equivalent in place.

Letter Grade	**Point Equivalent**
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

G. Reading Assignments. You should be prepared to discuss the assigned reading in each class.

The readings are expected to take you approximately 4 hours for each class session.

The class will be a mix of class discussions and lectures from government and ex-government officials.

H. Guest Lecturers. Our learning will be enhanced by presentations from corporate tax counsel and practitioners. You should come prepared with having done the assigned reading.

H. **Office Hours**. Monday 1-3pm. You may request a meeting at an alternative time by contacting me by email at herzfeld@law.ufl.edu.

I. **Class Meetings/Attendance.** This is a short course; attendance at each session is mandatory.

Background Reading (Optional)

West, Accounting for Income Taxes

[xx]

Friday, February 5

10:30-3:00pm at Disney Orlando

Cash Tax v. Income Tax Accounting

- *Accounting for Income Taxes, ASC 740, distinguishing between income v. non-income taxes*
- *The Tax Footnote / Tax provision*
- *The Role of Counsel Opinions*
- *Schedule M3*
- *Fin48 / UTP*

Reading:

1. ASC 740; link https://pro.bloombergtax.com/insights/provision/how-to-calculate-the-asc-740-tax-provision/#what-is-a-tax-provision-
2. Accounting Standards Update (ASU) 2023-09, Income Taxes (Topic 740): Improvements to Income Tax Disclosures.
3. **Joe Fore**, *"A Court Would Likely (60-75%) Find": Defining Verbal Probability Expressions in Predictive Legal Analysis*, 16 Legal Communication & Rhetoric 49–84 (2019)
4. Instructions for Schedule M3: https://www.irs.gov/instructions/i1120sm3
5. FASB Interpretation No. 48, "Accounting for Uncertainty in Income Taxes" (FIN 48); https://www.fasb.org/page/PageContent?pageId=/reference-library/superseded-standards/summary-of-interpretation-no-48.html&bcpath=tff
6. Goldman, Nathan C., Did FASB Interpretation Number 48 (FIN 48) Affect Non-Innovative Corporate Investment? (June 2023). Journal of the American Taxation Association, Available at SSRN: https://ssrn.com/abstract=4521774

7. Mills, Lillian F. and Mills, Lillian F. and Robinson, Leslie and Sansing, Richard C., FIN 48 and Tax Compliance (October 11, 2009). The Accounting Review, Vol. 85, No. 5, pp. 1721-1742, 2010, Available at SSRN: https://ssrn.com/abstract=1050381
8. Herzfeld, *New Tax Disclosures Paint a Murky Picture Whose Impact Remains to Be Seen*, 122 Tax Notes Int'l 719 (May 4, 2026)

Friday, February 12

Online: 10:30am-1pm

Tax Incentives and Anti-Avoidance Regimes

- *FDDEI, Green Energy Incentives*
- *State Tax Incentives*
- *The Corporate Alternative Minimum Tax, BEAT, and Global Minimum Tax*

Readings:

1. OECD, Pillar 2 Model Rules, Chapters 1 and 3 https://www.oecd.org/en/publications/tax-challenges-arising-from-digitalisation-of-the-economy-global-anti-base-erosion-model-rules-pillar-two_782bac33-en.html
2. OECD (2026), Tax Challenges Arising from the Digitalisation of the Economy – Global Anti-Base Erosion Model Rules (Pillar Two), Side-by-Side Package: Inclusive Framework on BEPS, OECD, https://www.oecd.org/content/dam/oecd/en/topics/policysub-issues/global-minimum-tax/side-by-side-package.pdf.

3. CRS, The 15% Corporate Alternative Minimum Tax, R47328 (2023) https://www.congress.gov/crs-product/R47328

4. JCT, JCS-1-23, discussion of Corporate Alternative Minimum Tax beginning p 163. https://www.jct.gov/publications/2023/jcs-1-23/
5. Elena Patel, The corporate AMT: Understanding low tax liabilities as a policy choice, Brookings (2024) https://www.brookings.edu/articles/the-corporate-amt-understanding-low-tax-liabilities-as-a-policy-choice/
6. Alan Cole, Patrick Dunn, The Future of BEAT, Tax Foundation (2025) https://taxfoundation.org/blog/beat-tax-changes-obbba-section-899/

Friday, February 19

Online 10:30am-1pm

Compliance, Reporting, and Tax Operations

- *Country-by-Country Reporting and GIR*
- *EU Public CbC*
- *Exchange of Information*

- *FASB Disclosures*
- *Tax in the Public Image*

Readings:

1. IRS Form 8975, with Instructions. https://www.irs.gov/forms-pubs/about-form-8975
2. Reg. 1.6038-8; T.D. 9773
3. OECD (2025), Tax Challenges Arising from the Digitalisation of the Economy – GloBE Information Return (January 2025): Inclusive Framework on BEPS, OECD/G20 Base Erosion and Profit Shifting Project, https://doi.org/10.1787/a05ec99a-en
4. EU Country-by-Country Reporting Directive. Available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021L2101
5. Australia country-by-country reporting https://www.ato.gov.au/businesses-and-organisations/corporate-tax-measures-and-assurance/large-business/public-country-by-country-reporting
6. Exchange of Information upon Request. Background at https://www.ciat.org/exchange-of-information-on-request-to-enhance-tax-transparency/?lang=en
7. [news articles]

Friday, February 26

10:30-3pm. At Disney campus, Orlando

Cross-Border Tax Controversy

- *The Big Deal about Transfer Pricing*
- *Planning Transactions and Managing risk*
- *Evolving caselaw*
- *Preventing Controversy: Cooperative Compliance, APAs and MAP*

Readings:

1. I.R.C. sec. 482
2. OECD (2015), *Aligning Transfer Pricing Outcomes with Value Creation, Actions 8-10 - 2015 Final Reports*, OECD/G20 Base Erosion and Profit Shifting Project, OECD Publishing, Paris, https://doi.org/10.1787/9789264241244-en.
3. OECD Model Treaty, Art. 7 and 9, 25
4. *Liberty Global Inc. v. United States*, No. 23-1410 (10th Cir. 2026).
5. *Patel v. Commissioner*, 165 T.C. No. 10 (2025).
6. Rev. Proc. 96-53, 1996-2 C.B. 375
7. IRS, Internal Revenue Manual, 4.60.2: Mutual Agreement Procedures and Report Guidelines. Available at: https://www.irs.gov/irm/part4/irm_04-060-002

8. OECD, 2024 MAP Statistics: https://www.oecd.org/en/data/datasets/mutual-agreement-procedure-statistics.html

LEGAL HISTORY COLLOQUIUM
Sandra Day O'Connor College of Law
Arizona State University
Spring 2026

Jonathan A. Green
Room 562
jonathan.a.green@asu.edu

Class Meetings: Mon., 1:35–3:30pm
Room 555

Professor's Office Hours: *by appointment*

OVERVIEW

Welcome to the Legal History Colloquium! In the past few years, arguments from "history and tradition" have played a conspicuous role in the Supreme Court's individual rights cases. And outside the individual-rights context, the Court's originalists generally presume that Constitution's legal meaning is equivalent to the meaning its words bore in the historical context in which they were enacted. As a result, in many recent high-profile cases, claims about the past have been front-and-center. That, in turn, has led the Court's critics to argue that it's misunderstanding or mischaracterizing the historical record, or that it's putting too much weight on it, or that it's asking questions of the past that the past can't answer.

At the same time, it's easy to overstate the novelty of the current moment: history has *always* played an important role in our constitutional law. Conversely, the law of the past has traditionally been a central object of scrutiny for social, cultural, and intellectual historians. Recapturing the ways that previous generations ordered their collective life together, and how they structured their governments, can help us to see just how different the past was from the present.

This seminar is about on the role of history in American law, and the role of law in American history. It's designed to showcase the sometimes-dissonant approaches that historians and legal scholars take towards past law, and to invite discussion over the extent to which legal history and a historicized jurisprudence can (or should!) learn from one another. Every other week, we'll host a visiting scholar—a legal historian, or a historically-minded legal theorist—who will present a work-in-progress for discussion and analysis. Prior to each scholar's visit, we'll read and think through prior caselaw, scholarship, and/or primary sources that provide context for understanding and critiquing the presenter's work. Rather than just talking through the relationship between history and law in the abstract, the aim of this seminar is to expose you to cutting-edge work at the intersection of these fields, and to invite you to jump into the debate yourself.

READINGS

There's no assigned textbook for you to purchase; all the readings will be posted to Canvas in advance of our class meetings. Please bring the assigned materials with you to class each day. (If I were you, I'd print the assigned portions of these supplemental readings, so you can mark them up in class.) I'll do my best to keep the assignments to a manageable length, but please set aside plenty of time. Four hours of preparation per class is a good rule-of-thumb estimate.

As we get further into the semester, ***the assigned readings on this syllabus will change***. (As you'll notice, lots of pre-speaker classes don't have assigned readings yet; that's because I'm still coordinating with our guests about the best background sources to assign.) I promise that any changes to the syllabus will be made at least one week before the affected class, and that the readings will be posted to Canvas one week in advance as well.

CLASS PARTICIPATION

Regular attendance in class is mandatory. If you're feeling sick, you should of course stay home. And I understand that important obligations (e.g. religious holidays) sometimes make it impossible to attend class. *If you can't make it, please email me before the class meeting*. (If that's not possible, post-class notice is appreciated.) Otherwise, you're expected to join us. Per ASU's Statement of Student Policies, excessive absence could lead to failure in the course.[1]

I might do a little lecturing, but the most of our time will be spent discussing the assigned readings and engaging in conversation with our visiting scholars. I won't do any formal cold-calling, but you're each expected to contribute to the conversation.

You're free to use a laptop to take notes in class. If you choose to do so, please limit yourself to note-taking, and refrain from online shopping, texting, emailing, streaming, gaming, etc.

Relatedly, you may not make audio or video recordings of our class meetings. The law school will automatically upload class recordings to Canvas; you're all free to access these recordings on Canvas after class. Please don't distribute them to anyone outside our class.[2]

GRADING

We'll be hosting five visiting scholars over the course of the semester. A few days before each scholar's visit, you'll submit a response paper analyzing and commenting on his or her work-in-progress; 70 percent of your grade in this class will be based on these response papers. In them, you'll be asked to bring the visiting scholar's draft into conversation with the background readings we've previously discussed, and to offer questions, suggestions, or criticisms inspired by the draft. (I'll read your response papers before the scholar's visit, and will use your comments and questions to help structure our in-class conversation.) In grading these response papers, I'll be looking primarily at the quality of your engagement with the

[1] For the relevant language of this policy, see "Attendance," *in* Jonathan Green, *General Class Policies* (Spring 2026) (on Canvas). All the policies referenced in that *General Class Policies* document are hereby incorporated into this syllabus.

[2] *See* "Copyrighted Material," *in General Class Policies*.

author's ideas, as well as the creativity and thoughtfulness of your suggestions and criticisms. Further information about these response papers (length, etc.) will be provided in class.

The remainder of your grade (30 percent) will be based on class participation. If I'm especially impressed by your participation during the semester, I'll raise your participation grade accordingly. By contrast, your participation grade may be lowered for repeated unexcused absences, a conspicuous failure to engage in class discussion, or a clear lack of preparation.

SYLLABUS

1. **Jan. 12**
   Introduction: History and Law, Law and History
   – Quentin Skinner, *Meaning and Understanding in the History of Ideas*, 8 HIST. & THEORY 3 (1969) (*read pp. 3–16 & 39–53*).
   – Hendrik Hartog, *Pigs and Positivism,* 1985 WIS. L. REV. 899 (1985) (*read pp. 899–900 & 919–35*).
   – William Baude & Stephen E. Sachs, *Originalism and the Law of the Past*, 37 LAW & HIST. REV. 809 (2019).
   – Jonathan Gienapp, *Constitutional Originalism and History*, PROCESS: A BLOG FOR AMERICAN HISTORY (Mar. 20, 2017), at https://www.oah.org/process/originalism-history.
   – Jack M. Balkin, *Lawyers and Historians Argue About the Constitution*, 35 CONST. COMMENT. 345 (2020) (*read pp. 345–53, ending at "and their conclusions."*).

[NO CLASS JAN. 19]

2. **Jan. 26**
   Preparation for Prof. Jonathan Green's Presentation
   – United States v. Rahimi, 602 U.S. 680 (2024) (*syllabus, and the separate opinions of Justices Barrett, Kavanaugh, and Jackson*).
   – Jud Campbell, *Natural Rights and the First Amendment*, 127 YALE L.J. 246 (2017) (*only read if your last name beings with A through L*).
   – GERALD J. POSTEMA, BENTHAM AND THE COMMON LAW TRADITION 3–37 (2d ed. 2019) (1986) (*only read if your last name beings with M through Z*).
   – Michael W. McConnell, *Tradition and Constitutionalism before the Constitution*, 1998 U. ILL. L. REV. 173 (*only read if your last name beings with M through Z*).

3. **Feb. 2**
   Jonathan Green, *Some Traditional Questions About "History and Tradition"*

4. **Feb. 9**
   Preparation for Prof. Farah Peterson's Presentation
   – ERIC SLAUTER, THE STATE AS A WORK OF ART 1–14, 87–122, 297–301 (2009).

5. **Feb. 16**

Farah Peterson, *The Limits of Text*

Feb. 18 – optional one-on-one meetings for response paper feedback

6. **Feb. 23**
   Preparation for Prof. Marco Basile's Presentation
   – JONATHAN GIENAPP, AGAINST CONSTITUTIONAL ORIGINALISM 65–116 (2024) (*only read if your last name beings with A through L*).
   – Farah Peterson, *Interpretation as Statecraft: Chancellor Kent and the Collaborative Era of American Statutory Interpretation*, 77 MD. L. REV. 712 (2018) (*only read if your last name beings with M through Z*).

7. **Mar. 2**
   Marco Basile, *Old Textualism, New Juristocracy*

8. **Mar. 4 (*Room 544, 1:30–3:30pm*)**
   Preparation for Prof. Stephen Sachs' Presentation
   – Caleb Nelson, *A Critical Guide to* Erie Railroad Co. v. Tompkins, 54 WM. & MARY L. REV. 921 (2013).

[SPRING BREAK]

9. **Mar. 16 (*Room 250, 2:30–4:30pm*)**
   Stephen Sachs, *Life after Erie*

10. **Mar. 23**
    Preparation for Prof. Elizabeth Katz's Presentation
    – STUART SVONKIN, JEWS AGAINST PREJUDICE: AMERICAN JEWS AND THE FIGHT FOR CIVIL LIBERTIES 79–112 (1997) (*only read if your last name beings with A through L*).
    – Ellen Herman, *The Difference Difference Makes: Justine Wise Polier and Religious Matching in Twentieth-Century Child Adoption*, 10 RELIG. & AM. CULTURE 57 (2000) (*only read if your last name beings with M through Z*).
    – *Massachusetts Reverses Gender-Identity Mandate for Foster Parents*, CHRISTIANITY TODAY (Dec. 18, 2025), www.christianitytoday.com/2025/12/foster-care-religious-freedom-gender-sexuality (*everyone read*).
    – *Tennessee Couple Says Adoption Agency Turned Them Away for Being Jewish*, NEW YORK TIMES (Jan. 22, 2022), www.nytimes.com/2022/01/22/us/tennessee-jewish-couple-adoption.html (*everyone read*).

11. **Mar. 30**
    Elizabeth Katz, *Religion and Adoption*

12. **Apr. 6**
    History in the Courts: A Case Study
    – Trump v. CASA, Inc., 606 U.S. 831 (2024).

13. Apr. 13

The Future(s) of Legal History

– Michael Lobban, *The Varieties of Legal History*, 5 CLIO@THEMIS 1 (2012).

– Valentina Vadi, *International Law and Its Histories: Methodological Risks and Opportunities*, 58 HARV. INT'L L.J. 311 (2017) (*just read pp. 311–24, 333–41, & 348–52*).

– David Ibbetson, *What Is Legal History A History Of?*, 6 LAW & HIST. 33 (2004).

[NO CLASS APR. 20]

HEALTH LAW: BUSINESS AND FINANCING
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
2027 SPRING SYLLABUS – LAW 5700 – 3 CREDITS

Professor Andy Yuan
Office: 318
Email: yuan@law.ufl.edu
Office Hours: XXXXXX

MEETING TIME: XXXXXXXXXX
LOCATION: XXXXXX

COURSE DESCRIPTION AND OBJECTIVES:

Those course covers the business and financing aspect of the U.S. health care system. The health care spending in the United States accounts for 18% of the economy and it is a sector full of employment opportunities. The course explores how hospitals, physician groups, insurers, and other health care entities operate as business organizations within a heavily regulated industry. Topics may include the structure of public and private insurance, Medicare and Medicaid financing, provider reimbursement, managed care, fraud and abuse law, antitrust, nonprofit governance, health care transactions, and the legal rules shaping consolidation and competition in health care markets. The course emphasizes how law mediates the tension between health care as a market enterprise and health care as a social good, with attention to cost, access, quality, and equity.

A background in health care or health care law is not required for this course. There are no course prerequisites.

STUDENT LEARNING OUTCOMES:

At the end of this course, students should be able to:

1. Describe the basic structure of health care financing in the United States, including private insurance, Medicare, and Medicaid.
2. Analyze the legal rules governing the organization and operation of hospitals, physician practices, insurers, and other health care entities.
3. Evaluate major provider payment systems and their effects on cost, access, quality, and provider incentives.
4. Apply fraud and abuse, antitrust, and related legal doctrines to common health care business arrangements.
5. Assess legal and policy problems involving health care markets, financing, and regulation.

REQUIRED READING MATERIALS:

Your required textbook is "The Law of Health Care Organization and Finance," 9th edition, by Brietta R. Clark, Erin C. Fuse Brown, Robert Gatter, Elizabeth McCuskey, and Elizabeth Pendo. It should be available through the bookstore. Please let me know if you have trouble securing it. This course is designed to be self-contained; if you do the reading, attend the classes, and ask questions when something is confusing, you will not need any secondary sources.

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.

COURSE EXPECTATIONS AND GRADING EVALUATION:

Class Discussion. I use a "gentle" version of the Socratic method to propel class discussion. You will be in either the orange or blue team, and only one team will be "on call" in each class period. When you are on call, I may call on you to describe a case and answer a couple questions. If something comes up and you are not prepared to be on call, please just email me before class and I will refrain from calling on you.

Evaluation. Your grade will be based on a final examination. The exam will be a timed in-class open-book test consisting of five short answer questions (one paragraph each) and a long "issue spotting" essay question. I will go over the exam format in more detail and provide examples later in the semester.

In the middle of the semester, I will also administer a practice midterm exam. I will score all exams and go over a grading rubric with the class, and you will have the opportunity to meet with me to get individualized feedback.

CLASS ATTENDANCE POLICY:

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed **3** absences during the course of the semester. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law school's policy on attendance can be found here.

COMPLIANCE WITH UF HONOR CODE:

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located here. The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

INFORMATION ON UF LAW GRADING POLICIES:

The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent	Letter Grade	Point Equivalent
A (Excellent)	4.0	C (Satisfactory)	2.0
A-	3.67	C-	1.67
B+	3.33	D+	1.33
B	3.0	D (Poor)	1.0
B-	2.67	D-	0.67
C+	2.33	E (Failure)	0.0

The law school grading policy is available here.

OBSERVANCE OF RELIGIOUS HOLIDAYS:

UF Law respects students' observance of religious holidays.

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

EXAM DELAYS AND ACCOMMODATIONS:

The law school policy on exam delays and accommodations can be found here.

STATEMENT RELATED TO ACCOMODATIONS FOR STUDENTS WITH DISABILITIES

Students requesting accommodations for disabilities must first register with the Disability Resource Center (https://disability.ufl.edu/). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at https://ufl.instructure.com/courses/427635.

STUDENT COURSE EVALUATIONS

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click here for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via https://ufl.bluera.com/ufl/. Summaries of course evaluation results are available to students here.

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.

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 2 hours in length, requiring at least **4 hours of preparation** or Each weekly class is approximately 3 hours in length, requiring at least **6 hours of preparation** or Each weekly class is approximately 4 hours in length, requiring at least **8 hours of preparation]** outside of class including [reading the assigned materials, writing critical analyses, and developing your final paper].

COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS

Reading assignments are broken down by week and appear below. If I deviate from the order listed in the syllabus for any reason, I will make an announcement in class and post a notice on Canvas**.** The Farnsworth & Grady textbook teaches concepts using key cases and a rich set of

notes and problems. This casebook might have more notes than you will see in your other classes. These notes are integral to the class. Don't skip them!

Week	Topic	Pages
1		
2	**EMTALA**	
3	**ERISA**	
4	**ACA**	
5	**Medicare/Medicaid**	
6	**Medicare/Medicaid**	
7	**Medicare/Medicaid**	
8	**Hospital-physician contracts**	
9	**Business structure**	
10	**Health care enterprise (tax-exempt)**	
11	**Health care enterprise (tax-exempt)**	
12	**Anti-trust**	
13	**Anti-trust**	
14		

Introduction to Japanese Law: Syllabus,
Spring 2027

Prof. C. Alexander Evans
Room TBA
cory.evans@ufl.edu

I. Introduction:

The class will meet in _____, from _____ to _____.

II. Text:

We will primarily use Milhaupt, Ramseyer & West, eds., *The Japanese Legal System, 2d ed.* (Foundation, 2012). As that book is now out of print, I will post the assigned pages on the course website in Canvas. All additional materials are posted on the course website in Canvas as well.

There are several general introductions in English to the Japanese law field. None of these is required, but if interested you are free to consult:

* Ramseyer & Nakazato, *Japanese Law: An Economic Approach* (Univ. Chicago Press, 1999).
* Ramseyer, *Contracting in Japan* (Cambridge Univ. Press, 2023).
* Ramseyer, *Second-Best Justice* (Univ. Chicago Press, 2015).
* Haley, *The Spirit of Japanese Law* (Univ. Georgia Press, 1998).
* Upham, *Law and Social Change in Postwar Japan* (Harvard Univ. Press, 1987).
* Oda, *Japanese Law* (4th ed.) (Oxford Univ. Press, 2021).
* Jones, Ravitch & Higashikawa, *The Japanese Legal System,* 2d ed. (West 2025), or more affordably as a Nutshell (West 2020).

Law is of course a moving target. Legal, institutional, and social change matter more in some sectors than in others. Unfortunately, however, there is less material in English on Japanese law than one might like. As appropriate, we will discuss in class changes not reflected in the reading matter.

III. Evaluation:

Evaluation for this course will be based on class participation and then either a final exam or a final paper.

The final exam will be in-class and in essay format. The prompt will be based on one or more modified fact-patterns provided for the course, all based on real cases or legal matters. My focus in evaluating your answer will be to assess the quality and depth of legal analysis, not whether you reached any specific conclusion. If you choose to take the final examination, it will count for 80% of your final grade, with class participation counting for 20%.

You may choose instead to write a final paper for the course. If you choose to write a final paper, it must demonstrate original scholarship based on your individual research and the final paper should be at least twenty-five pages. There is no fixed topic, but before you begin writing we must meet to discuss what topic you wish to pursue. In addition, students choosing to write a final paper must present their topic and thesis in class at some point during the course. Following submission of the final paper, we must also meet to discuss it. Evaluation for students choosing to write a paper will be based on the final paper itself (50%), your class presentation (15%) and oral discussion of your topic and thesis (15%) and on class participation (20%).

I will provide additional detailed information about both grading options later in the course.

IV. Readings:

A. Police Investigations:

Nick Kostov & Sean McLain, *The Inside Story of Carlos Ghosn's Brazen Escape from Japan*, **Wall St. J**., Aug. 6, 2022.
Rory Jones, *Five Years After He Escaped in a Crate, Fugitive Carlos Ghosn Is Teaching Business Strategy*, **Wall St. J.,** Apr. 25, 2025.
Pardon Lt. Ridge Alkonis, **Wall St. J.,** Dec. 29, 2023.
Seemans, *Japan Reacts Strongly to Release of US Officer Who Killed Two*, **Unseen Japan**, Jan. 23, 2024.
Ramseyer, *The Sayama Case*, in **Soto kara mita Nihon ho [Japanese Law from the Outside]** (Yuhikaku, 2018).

B. The Conviction Rate Puzzle

Watch: *I Just Didn't Do It* (Masayuki Suo, dir., 2006) (available on Langdell reserve)

Chapter 8: CB: 510-15 (John O. Haley).
Daniel H. Foote, *Confessions and the Right to Silence in Japan*, 21 **Ga. J. Int'l & Comp. L**. 415 (1991).
Ramseyer & Rasmusen, *Why Is the Japanese Conviction Rate so High*?, 30 **J. Legal Stud.** 53 (2001).
Kanako Takahara & Himari Semans, *In Rare Retrial, Shizuoka Court Rules ...*, **Japan Times**, Sept. 26, 2024.

C. Constitutional Law & the Organization of the Judiciary:

1. Military force:

Watch: *The Burmese Harp* (Kon Ichikawa, dir., 1956) (available on internet).

Chapter 4: CB: 230-35 (Sunakawa D. Ct.).
Chapter 4: CB: 236-39 (Sunakawa S. Ct.).
Chapter 4: CB: 240-45 (Naganuma D. Ct.).

Chapter 4: CB: 246-47 (Naganuma High Ct.).
Chapter 4: CB: 247-48 (Naganuma S. Ct.).

2. The judiciary:

Chapter 2: CB: 156-65 (Cocom D. Ct.).
Chapter 2: CB: 129-37 (Haley).
Chapter 2: CB: 137-43 (Miyazawa).
Chapter 2: CB 143-55 (Rasmusen-Ramseyer).

3. Sex discrimination:

Chapter 10, CB: 658-667 (Mitsui Shipbuilding).
Chapter 10, CB: 667-75 (Iron & Steel Federation).

D. Juries and the Death Penalty

Watch: *The Third Murder* (Hirokazu Kore-eda, dir. 2017) (available on multiple internet sources).

Takayuki Ii, *Saiban-in Trials*, in Tom Ginsburg & Harry Scheiber, **The Japanese Legal System: An Era of Transition** (Robbins Collection, 2012).
Chapter 8: CB, 555-59 (death penalty case)
Ramseyer, *The Hikari City Case*, in **Soto kara mita Nihon ho [Japanese Law from the Outside]** (Yuhikaku, 2018).
Ramseyer, *Who Hangs Whom for What*? *The Death Penalty in Japan,* **4 J. Legal Anal**. 365 (2012).

E. Public Order & the Mob:

1. Public order:

Casebook: 474-77 (Bayley).
Casebook: 505-10 (West).
John O. Haley, *Apology and Pardon*, 41 **Am. Behav. Sci**. 6 (1998).
Logan Seacrest, *The Hidden Trade-Offs of Japan's Crime-Free Society*, **R Street**, Nov. 26, 2024.

2. Organized crime:

Watch: *Minbo* (Juzo Itami, dir. 1992) (available Criterion, Langdell)

Peter Hill, *The Japanese Yakuza*, in L. Paoli, ed., **The Oxford Handbook of Organized Crime** (2014).
Jake Adelstein, *The Last Yakuza*, **Global Initiative Against Transnational Organized Crime**, Oct. 2, 2024.

F. The Underclass:

1. Some case law:

Chapter 4, CB: 274-78 (Upham).
Chapter 9, CB: 278-88 (Yata D. Ct.).
Chapter 9, CB: 288-91 (Yata High Ct.)
Chapter 9, CB: 291-95 (Yata administrative case).

2. What to make of the phenomenon:

Ramseyer & Rasmusen, *Outcaste Politics and Organized Crime in Japan*, 15 J. **Empirical Legal Stud**. 192 (2018).
Ramseyer, *On the Invention of Identity Politics*, **Rev. L. & Econ**. (2020).

3. Ainu

Watch: *Ainu Mosir* (Takeshi Fukunaga, dir. 2020) (available internet).

John Batchelor, *The Ainu and their Folklore* (1902), 12-31.
ann-elise lewallen, *Ainu Women and Indigenous Modernity in Settler Colonial Japan*, **Asia-Pacific Journal: Japan Focus** (2017).

4. Immigrants

David Green, et al., *The Immigrant-Crime Nexus in Japan*, **Japan Forum** (2025).

G. Torts & the Litigiousness Question

1. Accidents:

C.D.A. Evans & Ramseyer, *Japan v. Shimizu: Negligence and Abuse of Rights in Early 20th Century Japan*, 51 **J. Japanese L.** 313 (2021).
Chapter 3: CB: 176-79 (Kawashima).
Chapter 3: CB 183-87 (Haley).
Chapter 3: CB 188-93 (Ramseyer & Nakazato).

2. Medical malpractice:

Chapter 6: CB 387-96 (Feldman).
Chapter 6: CB 401-16 (Ramseyer).
Ramseyer, *Cosmetic Surgery in Japan*, 52 **J.L. & Econ**. 497 (2009).

H. The Legal Services Industry & Litigiousness Again:

Watch: *Scandal* (Akira Kurosawa, dir., 1950).

1. The structure:

Chapter 2: CB: 43-55 (Haley, Young).
Chapter 2: CB: 72-80 (Feldman).

2. The effects:

Chapter 2: CB: 85-100 (Rasmusen-Ramseyer).
Chapter 2: CB: 117-120 (Bok; n.b.: at the time, Havard President).
Chapter 2: CB: 120-129 (Murphy-Shleifer-Vishny)

I. Property Law & the Equity-Clarity Tradeoff:

1. Property rights:

John O. Haley, **Law's Political Foundations** 98-127 (Edward Elgar, 2016).
Ramseyer, *Water Law in Imperial Japan*, 18 **J. Legal Stud**. 51 (1989).
Jacques E.C. Hymans, *Losing Steam: Why Does Japan Produce So Little Geothermal Power?,* 24 Soc. Sci. Japan J. 45 (2021).

2. Tenancy:

Chapter 7: CB - 466-68 (two cases).
Ramseyer, *Sumitomo* case, in **Soto kara mita Nihon ho [Japanese Law from the Outside]** (Yuhikaku, 2018), 142-54.

J. Employment Termination & Equity-Clarity Again

1. The termination formula:

Chapter 10, CB: 619-21 (Kochi Broadcasting)
Chapter 10, CB: 621-26 (Tokyo Oxygen).
Chapter 10, CB: 626-30 (Sanyo Electric).
Chapter 10, CB: 630-36 (Nippon Stainless).
Chapter 10, CB: 636-41 (Nissan).

2. Retirement:

Watch: *Tokyo Story* (Yasujiro Ozu, dir., 1953).

Ramseyer, *Shuhoku* case, in **Soto kara mita Nihon ho [Japanese Law from the Outside]** (Yuhikaku, 2018), at 262-74.

3. Constitutional constraints:

Ramseyer, *Mitsubishi jushi* case, in **Soto kara mita Nihon ho [Japanese Law from the Outside]** (Yuhikaku, 2018), 15-20.

K: Contracts & Kawashima Again:

1. Some case law:

Chapter 5, CB 323-30 (Kawashima).
Chapter 5, CB 334-35 (Jushoin).
Chapter 5, CB: 335-38 (Nippon gurando).
Chapter 5, CB: 338-41 (Kono).
Ramseyer, *Gakko hojin Nihon daigaku*, in **Soto kara mita Nihon ho [Japanese Law from the Outside]** (Yuhikaku, 2018), 154-69.

2. Informal enforcement:

Chapter 5, CB: 345-49 (Macaulay).
Lisa Bernstein, *Opting Out of the Legal System*, 21 **J. Legal Stud**. 115 (1992).
Chapter 5, CB: 349-54 (Bernstein).
Ramseyer, *Contracting for Terroir*, 46 **L. & Soc. Inquiry** 666 (2021).

L: Selected Family Law Questions

1. Divorce:

Watch: *Dark Water* (Hideo Nakata, dir., 2002) (available on internet).

Chapter 9, CB: 560-67 (Hendry).
Chapter 9, CB: 567-76 (Wiswell).
Chapter 9, CB: 576-87 (Ramseyer).
Chapter 9, CB: 600-03 (Fuess).
Chapter 9, CB: 604 (Stepped on).
Chapter 9, CB: 605-07 (37 yr. separation).
Chapter 9, CB: 607-611 (at fault).

2. Birth control:

Chapter 9, CB: 611-14 (Coleman).
Chapter 9, CB: 614-18 (Fruestueck).

3. Non-marital children:

Chapter 9, CB: 587-92 (1995 case).
Ramseyer, *Non-marital distribution* case, in **Soto kara mita Nihon ho [Japanese Law from the Outside]** (Yuhikaku, 2018), 40-51.

4. Same-sex marriage:

Nobuhisa Ishizuka, *Judicial Action Nudging Japan Towards Marriage Equality*, **E. Asian Forum**, Dec. 11, 2024.

5. Family name:

Case Comment, *Japanese Constitution Law*, 135 **Harv. L. Rev**. 1504 (2022).

Conservation Transaction Law

University of Florida Levin College of Law • 2 Credits

DRAFT • September 3, 2026

Course Information

Item	Draft
Instructor	Joel Benn
Course / section	[To be assigned]
Term / meeting	Spring 2027 • [days and time]
Fees	None anticipated.

Course Description

This experiential course examines land conservation transactions through real estate, finance, tax, and stewardship perspectives. Students interview and counsel hypothetical clients, evaluate transaction structures, negotiate terms, and draft and revise transaction documents. A conservation easement monitoring visit connects transactional choices to long-term land management and enforcement.

Experiential Course Design

Three interconnected, client-centered simulations use evolving and intentionally incomplete facts. Students must reassess advice, negotiation positions, and drafting choices as new information becomes available. The simulations are not tied to one property type or predetermined transaction. The course integrates doctrine, theory, skills, ethics, repeated performance, feedback, self-evaluation, revision, and guided reflection.

Student Learning Objectives

Objective	Students will be able to
1	Interview and counsel clients regarding land conservation objectives, including legal, financial, tax, operational, and practical considerations.
2	Analyze conservation transaction options and recommend an appropriate legal strategy based on client goals, property characteristics, conservation purposes, and program requirements.
3	Draft and revise clear, precise, and client-centered conservation transaction documents.
4	Negotiate transaction terms professionally while balancing client objectives, conservation purposes, legal requirements, and stakeholder interests.
5	Exercise professional judgment and develop practical solutions to risks involving title, due diligence, valuation, financing, taxation, reserved rights, stewardship, and enforcement.
6	Evaluate and improve lawyering performance through self-assessment, peer review, faculty feedback, revision, and reflection.

Required and Recommended Materials

No casebook is required. Assigned excerpts will be posted or linked through the course platform. The schedule identifies when materials are expected. The instructor may substitute updated or comparable authorities while preserving the stated topic and skill objective. Students will be assigned selected portions, not necessarily each document in full.

- Literary excerpts: A Sand County Almanac and A Land Remembered, selections to be identified later.
- Florida Constitution; Fla. Stat. §§ 704.06, 193.461, 193.501; Florida Forever Act; selected Chapter 570 provisions; sovereign submerged lands materials.
- Florida Forever, Alachua County Forever, REPI/Camp Blanding/ACUB, and Rural and Family Lands program materials.
- Selected IRS publications, audit guidance, appraisal and deduction materials, Internal Revenue Code provisions, and Treasury Regulations.
- Seller, landowner, and retained-rights questionnaires; sample LOIs, options, PSAs, conservation easements, title, due-diligence, baseline, monitoring, and stewardship materials.
- Selected Florida real-property material addressing oil, gas, and mineral rights.

Major Simulations and Assessment

Component	Weight	Evidence / Objectives
Simulation 1: Intake and Counseling	20%	Interview plan and performance; strategy memorandum; self-assessment. Objectives 1, 2, 5, 6.
Simulation 2: Negotiation and Term Sheet	20%	Plan and performance; term sheet; self-assessment. Objectives 2, 4, 5, 6.
Simulation 3: Drafting and Revision	35%	Initial drafts; feedback; revised package; reflection. Objectives 3, 5, 6.
Monitoring Visit Reflection	10%	Guided observation and reflection. Objectives 5, 6.
Professional Participation	15%	Preparation, collaboration, communication, ethics. Objectives 1–6.

Field Experience

Students will observe monitoring of a donated conservation easement held by a local land trust on a family-owned recreational property. The visit is separate from the simulation facts. Students will consider how drafting affects permitted uses, conservation values, documentation, landowner relations, stewardship, and enforcement. An approved absence or accommodation will be addressed through a reasonably equivalent assignment.

Performance Rubric

Criterion	Proficient Performance
Interviewing and counseling	Elicits material facts, identifies goals and constraints, and communicates options and advice clearly.
Analysis and strategy	Uses authority and facts, compares alternatives, explains risks, and recommends a defensible approach.
Negotiation	Prepares, advances client interests professionally,

	listens and adapts, identifies tradeoffs, and documents terms accurately.
Drafting	Uses precise, organized language; implements objectives; allocates risk; addresses administration, stewardship, and enforcement.
Professionalism and ethics	Meets deadlines, communicates respectfully, protects simulation confidentiality, and identifies role and conflict concerns.
Reflection and revision	Uses feedback and self-assessment to identify concrete improvements and materially strengthen performance.

Assignment rubrics will use Exemplary, Proficient, Developing, and Beginning. Draft grading basis: Satisfactory/Unsatisfactory, with Satisfactory+ if authorized by UF Law. Final language must conform to the approved grading method.

Weekly Schedule and Reading Sequence

Week	Topic	Materials / Deliverable
1	Why conservation; the lawyer's role	Selected portions of A Sand County Almanac and A Land Remembered [excerpts to be selected later]; introductory conservation materials; skills baseline reflection.
2	Fee acquisition and conservation programs	Practical Glossary of Real Estate Terms; Florida constitutional conservation-funding provisions; Florida Forever Act; Alachua County Forever overview; REPI Overview; Camp Blanding/ACUB case study; transaction-pathway exercise.
3	Conservation easements and program structures	Fla. Stat. § 704.06; selected Chapter 570 provisions; Rural and Family Lands Protection Program overview; 2007 SRWMD Conservation Easement; introductory conservation-easement materials.
4	Federal tax framework	Selected current IRS charitable-contribution publication; IRS Conservation Easement Audit Technique Guide; Tax Benefits and Appraisals; Proper and Improper Deduction for Conservation Easement Donations; selected IRC and Treasury Regulation provisions.
5	State and local taxation	Fla. Stat. §§ 193.461 and 193.501; selected state/local tax materials; short client-advice problem.
6	Title, property rights, and due diligence	Selected sovereign submerged lands materials; Part A Seller's Questionnaire; selected Florida Real Property Complex Transactions § 7.3 material on oil, gas, and minerals; sample title, survey, access, lease,

		environmental, and due-diligence materials.
7	Simulation 1: interview preparation and intake	Conservation Easement Landowner Questionnaire; Part A Seller's Questionnaire; Part B CE Requested Retained Rights; interview plan and simulated interview.
8	Simulation 1: counseling and strategy	Revisit Florida Forever, ACF, REPI/ACUB, RFLPP, tax, and intake materials as relevant to assigned facts; counseling/strategy memorandum and self-assessment.
9	Simulation 2: negotiation planning	Selected negotiation materials; sample LOI and PSA; role instructions; negotiation plan.
10	Simulation 2: negotiation and term sheet	Selected program requirements and retained-rights materials; negotiation performance; term sheet; self-assessment.
11	Simulation 3: acquisition drafting	Sample LOI, option, and PSA; Part A Seller's Questionnaire; selected due-diligence materials; draft acquisition provisions.
12	Simulation 3: easement drafting	Fla. Stat. § 704.06; 2007 SRWMD Conservation Easement; selected contemporary CE form; landowner and retained-rights questionnaires; draft CE provisions.
13	Field experience: easement monitoring	Monitoring protocol and approved easement/baseline excerpts for the visited property; field notes and reflection.
14	Revision, peer review, and synthesis	Student PSA and CE drafts; assigned peer-review and feedback materials; final revised package and revision reflection.

Credit Hours and Workload

This two-credit course is designed for approximately 30 hours of classroom instruction and at least 60 hours of out-of-class work through reading, simulation preparation, interviewing, counseling, negotiation planning, drafting, revision, self-evaluation, and reflection, consistent with ABA Standard 310.

Attendance and Course Policies

Regular and punctual attendance and preparation are essential because the course includes live simulations, collaborative exercises, feedback, and reflection. Attendance and make-up work will be administered consistently with current UF Law and UF policies. Before publication, the current UF Law attendance language must be inserted or verified.

- Accommodations: Students seeking academic accommodations should connect with the Disability Resource Center and share the accommodation letter with the instructor as early as possible.

- Academic integrity: UF and UF Law honor-code requirements apply. Assignment-specific instructions will govern whether and how generative AI may be used.
- Course evaluations: Students are expected to provide professional and respectful feedback through GatorEvals.
- Recordings and confidentiality: UF recording rules apply. Simulation packets, role instructions, client information, peer work, and field-visit materials may not be shared outside the course without authorization.
- Resources and official language: Current required policy text and links should be refreshed in UF Simple Syllabus before publication.

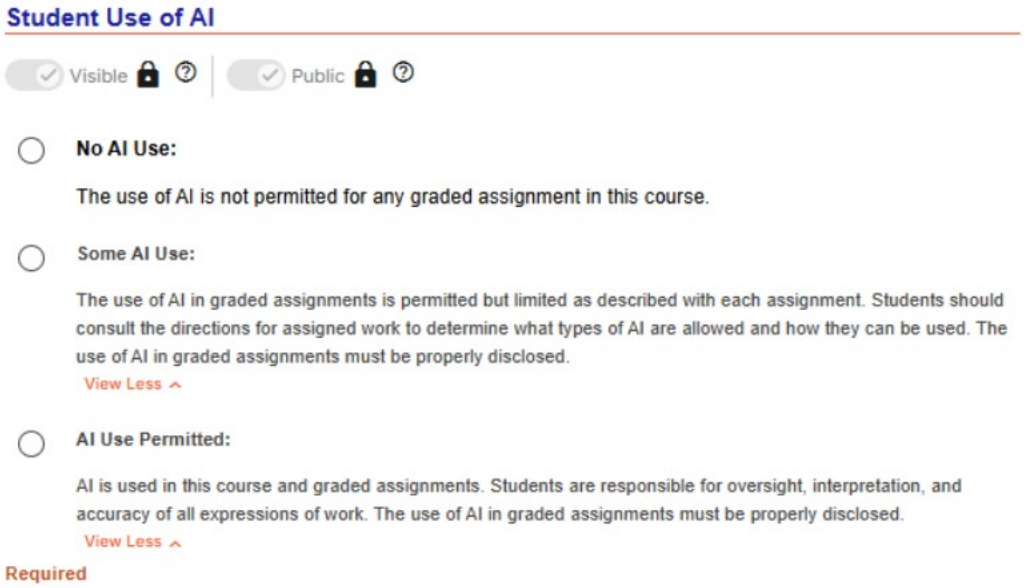
Experiential and Policy Alignment

The course is designed as a simulation course primarily experiential in nature under the framework of ABA Standards 303 and 304. It integrates doctrine, theory, skills, and ethics; provides multiple performances; and includes faculty feedback, student self-evaluation, revision, guided reflection, and direct faculty supervision. The syllabus includes the principal categories required by UF syllabus policy, with administrative placeholders to be completed before publication.

The Board of Governors Artificial Intelligence and Cybersecurity Taskforce proposed on September 2, 2026 an amendment to BOG Regulation 1.001. This proposed amendment, "requires university boards of trustees to establish policies requiring all course syllabi to include a disclosure of faculty use and permitted student use of artificial intelligence."

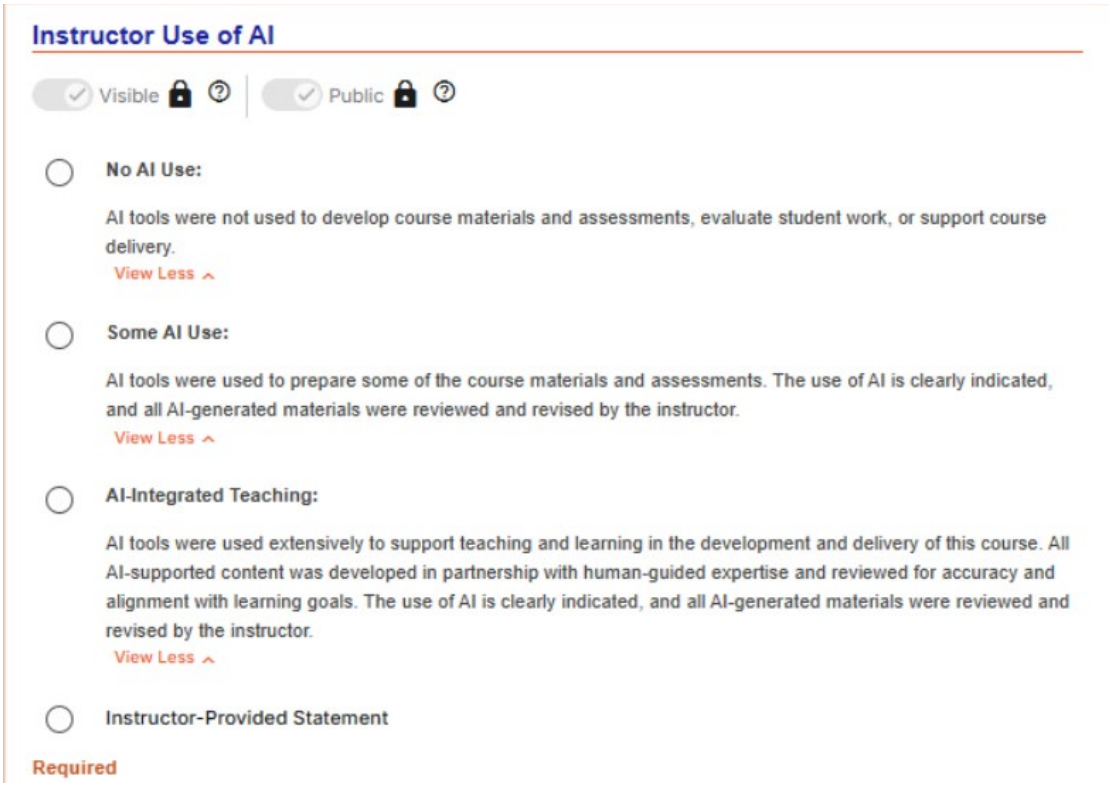
In alignment with its policy 1-006, Responsible Use of Artificial Intelligence, UF revised the Simple Syllabus template to support transparency and accountability regarding the use of AI in courses. The Simple Syllabus template reflects a revised University Policies and Resources component, in addition to four new components associated with the use of AI. These revisions were based on the AI Syllabus Statement. See revised and additional components and the corresponding descriptions below:

- **University Policies and Resources (required, and pre-populated)**
  This section is prepopulated with a link to university policies about grading, support for students with disabilities, the Honor Code, course evaluations, and other course policies and campus resources. The component was revised to also include the UF policy on Responsible use of Artificial Intelligence and key definitions. This section is not editable.
- **Student Use of AI (required, instructor choice)**
  This component reflects student permitted use of AI options, and it is required. Instructors choose which option applies to each course. When appropriate, instructors should include additional information within each assignment. See options below:

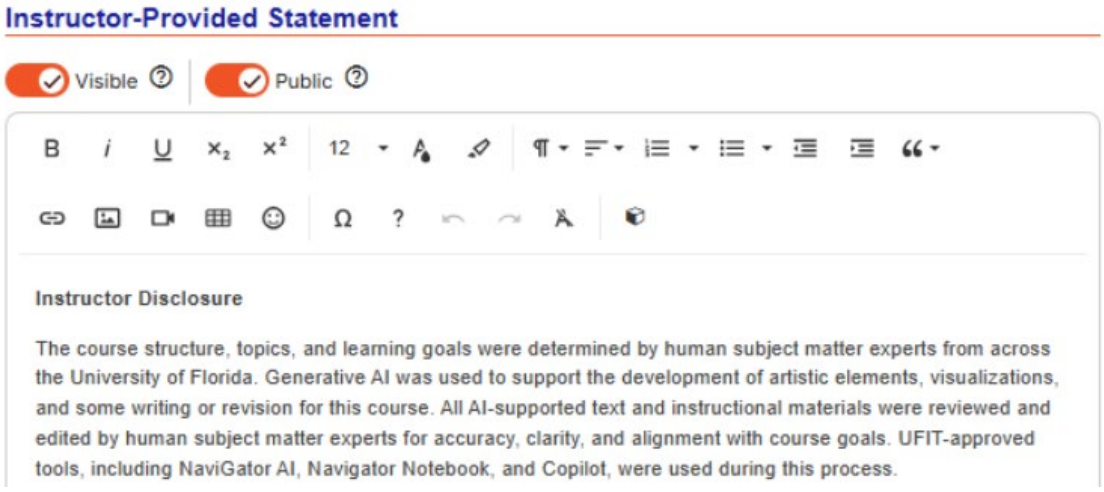
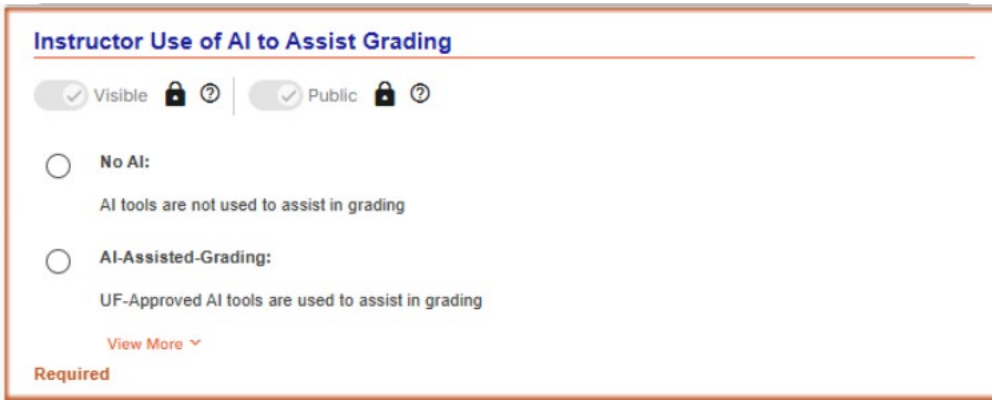


- **Instructor Use of AI (required, instructor choice)**
  This component reflects faculty disclosure of use of AI options, and it is required. Instructors choose which option applies to each course (options 1-3).

Instructors may check the fourth option, which states "Instructor Provided Statement." If this option is marked, instructors must not choose any other option and enter course specific AI statement in subsequent component. See options below:



- **Instructor-Provided Statement (required IF the option "Instructor Provided Statement" above is marked)**
  This component is required if instructors choose the option "Instructor-Provided Statement" here. The component is not required to be completed if any other option is marked above. See example below:



- **Instructor Use of AI to Assist Grading (required, instructor choice)**
  This is a **required** component. It indicates if AI-assisted grading is used in this course or not. Instructors must choose an option. See options below: