Department of Economics, University of Hawai‘i-Mānoa

ECON 476—LAW and ECONOMICS

Oral Intensive Course--Satisfies O Focus Requirement

Draft Syllabus—4 May 2010—Subject to Revision

KUY 305
Fall 2010
TTh 9 – 10:15 am

Professor Sumner La Croix
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Saunders 515A
Office hrs: Tues. 10:30-11:30 am, Thurs 1-2 pm
& by appointment

LEARNING OBJECTIVES

• Understand and apply core principles of property and intellectual property law.
• Learn how to read, analyze, and present federal and state court decisions.
• Understand the factors leading to an expansion in the use and scope of eminent domain (government taking of private property) in the United States since WWII.
• Develop critical perspectives regarding the theories and bodies of evidence used to evaluate how changes in U.S. eminent domain laws have affected welfare.
• Identify factors leading to the passage and repeal of land reforms laws in Hawaii allowing owners of condos and homes on leased land to force a sale of the land.
• Learn how to apply economic theory to analyze property law and property cases.

REQUIRED TEXTS AND READINGS


(3) Selected journal articles from the fields of law, economics, and political science are also assigned. All are available from UH libraries and most will be posted to the laulima.hawaii.edu class web site.

(4) Selected property rights and intellectual property legal cases, most of which are opinions of U.S. federal and state courts. The instructor will provide students with a list of cases and links to the cases on the web.

The instructor reserves the right to change (add/delete) required readings and adjust the classes academic calendar as the semester progresses. Newspaper articles from New York
Times web site will be assigned periodically. Early in the semester, please visit the Times web site and obtain a user name and password. Enrollment is free; go to http://www.nytimes.com.

ECON 476 AND THE LAW AND SOCIETY CERTIFICATE PROGRAM

The UH-Mānoa College of Social Sciences offers an interdisciplinary certificate in the area of Law and Society to qualified undergraduate students who complete 15 hours of designated course work. The Certificate Program allows Econ 476 to be applied to the Certificate’s requirement of 12 elective credits. For more information about the Law and Society certificate, go to http://www2.soc.hawaii.edu.

COURSE PREREQUISITES

Students must have completed Econ 301 prior to the Fall 2010 semester to enroll in Econ 476. Students from the Law and Society Certificate Program may enroll if they have completed Econ 130 or Econ 131 prior to the Fall 2010 semester.

LAW AND ECONOMICS CALENDAR (subject to change)

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
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<tbody>
<tr>
<td>8/24</td>
<td>Introduction, overview</td>
</tr>
<tr>
<td>8/31</td>
<td>Contracts</td>
</tr>
<tr>
<td>9/7</td>
<td>Contracts</td>
</tr>
<tr>
<td>9/14</td>
<td>Property Rights</td>
</tr>
<tr>
<td>9/21</td>
<td>Property Rights</td>
</tr>
<tr>
<td>9/28</td>
<td>Special Guest Lecturer!</td>
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<tr>
<td>10/5</td>
<td>Student Reports on Court Decisions</td>
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<tr>
<td>10/12</td>
<td>Student Reports on Court Decisions</td>
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<tr>
<td>10/19</td>
<td>Eminent Domain</td>
</tr>
<tr>
<td>10/26</td>
<td>Eminent Domain</td>
</tr>
<tr>
<td>11/2</td>
<td>Election Day</td>
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<tr>
<td>11/9</td>
<td>Eminent Domain</td>
</tr>
<tr>
<td>11/16</td>
<td>Eminent Domain</td>
</tr>
<tr>
<td>11/23</td>
<td>Midterm Examination</td>
</tr>
<tr>
<td>11/30</td>
<td>What Have We Learned?</td>
</tr>
<tr>
<td>5/4</td>
<td>Hearings: Inheritance and Property</td>
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<tr>
<td>5/6</td>
<td>Hearings: Eminent Domain</td>
</tr>
<tr>
<td><strong>Final Exam:</strong></td>
<td>Hearings and written legal case report satisfy final exam requirement.</td>
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COURSE REQUIREMENTS

Your course grade is based on the following requirements:

- A Report on a Court Decision 15%
- Mid-term Examination 30%
- Current Event Presentation 10%
- Hearings Testimony 30%
- Classroom Participation & Attendance 15%

Grading of the court decision report and the hearing testimony awards 66 percent of the grade to oral presentation and 34 percent to the written submission. Grading of the presentations will be through written peer evaluation using assessment forms that can be downloaded from the class website. Peer evaluation will be anonymous to fellow students but will be known to the course instructor.

ATTENDANCE REQUIREMENTS

It is expected that students will attend ALL classes; be familiar with assigned readings prior to class; participate in class discussions, hearings, presentations, and peer reviews; will reserved the scheduled class time period to attend class; and will not double-book the time. Students who miss (unexcused for sickness or approved University events/travel) more than 3 classes will have their attendance/participation grade marked down by 1% for each additional class missed. If you are missing more than 3 classes, you are going to have problems attaining a good final grade in this class—period. Please see me to discuss any extended absences.

Students are expected to participate in class discussions of assigned readings. Throughout the semester, the instructor will assign students to prepare presentations for the next class or to serve on panels to discuss the assigned readings and other topics.

SELECTED COURT DECISIONS ON PROPERTY LAW

Each student will select a court decision from a list distributed by the instructor. The objective of the report on the court decision is to convince the class that the issue is important, summarize the dispute and its resolution, and document and critique the court’s reasons for deciding the case. The presentation will consist of no more than 4-6 PowerPoint slides. Each student will present a unique case, i.e., two students cannot write reports on the same case. The report will be prepared in Microsoft PowerPoint and students will make an oral presentation of not more than 9 minutes. A written copy of the PowerPoint presentation must be submitted on the day of the presentation. Students will be graded on both the content of the report and the presentation.
The lecture on that day will be devoted to presentation skills and to preparing a power point presentation. Please familiarize yourself with the PowerPoint Office program prior to the lecture. At the end of each presentation, approximately 4 minutes will be devoted to questions from class members.

TOTALLY CONFUSED BY LEGAL TERMS??!!!! Relax, start with a search of the term on google or the search engine of your choice. OK, now panic.

CURRENT EVENT PRESENTATION

At the beginning of each class after the case law reports, one or two students will make a 3-4 minute presentation on an important property law or intellectual property law topic based on an article in The Economist, the New York Times, the Wall Street Journal, Science, Nature or a similar publication. The student will be allowed to use a power point presentation that consists of a single slide.

CLASS HEARINGS ON THREE PUBLIC POLICY ISSUES

Three sets of hearings will be held at the end of the semester on the following issues:

<table>
<thead>
<tr>
<th>Pro</th>
<th>Con</th>
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<tbody>
<tr>
<td><strong>ESTATE TAXES DISRUPT</strong> social incentives provided by property rights.</td>
<td><strong>ESTATE TAXES DO NOT DISRUPT</strong> social incentives provided by property rights.</td>
</tr>
<tr>
<td>Property rights in land should <strong>CHANGE</strong> over time in response to social, economic, and political changes.</td>
<td>Property rights in land should <strong>NOT CHANGE</strong> over time in response to social, economic, and political changes.</td>
</tr>
<tr>
<td>Development companies <strong>NEED</strong> <strong>EMINENT DOMAIN</strong> eminent domain to carry out big projects in congested, aging cities.</td>
<td>Development companies <strong>DO NOT NEED</strong> <strong>EMINENT DOMAIN</strong> eminent domain to carry out big projects in congested, aging cities.</td>
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</tbody>
</table>

Hearings will be organized in the form of a debate. The pro team will present followed by the con team. Six minutes per presentation will be allowed. Teams will consist of three or four students. Each student will make an individual presentation, but presenters are expected to coordinate closely with other team members to reduce duplication and to achieve a more comprehensive coverage of the issues.

Each student will also serve on a panel of Senators with one student serving as Committee Chair. The panel will receive the testimony, keep time, ask questions of those who are testifying, and call on class members to ask questions. The Patent panel will chair the Copyright debate; the Copyright panel will chair the Property Rights in Land debate; and the Property Rights in Land panel will chair the Patent debate.

The debates will be graded based on the class presentation through peer evaluation (50%) and through instructor evaluation of the written presentation (50%). Each student will
submit a written copy of his or her presentation. The evaluations will emphasize both the effectiveness and the content of the presentation. Presentations must be based on “fact” and economic analysis, with careful documentation of sources of information.

HOW TO FIND THE CLASS WEBSITE:  http://laulima.hawaii.edu

Login with your UH username and password (the ones used to access UH email).

Click on Econ 476 Fall 2010.

Most class readings are in “Resources”.

You can use the “mail tool” to send emails to other students in the class.

The syllabus is posted at this site along with class announcements.

STUDENTS WITH DISABILITIES

Students with disabilities who may need disability-related classroom accommodations are encouraged to make an appointment to see me as soon as possible.