

SYLLABUS  
SOCIAL WELFARE LAW – FALL 2010  
Thursday 6:00-7:50

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**Text:**

- Nice and Trubek, *Poverty Law: Theory and Practice*.

**Grades:**

Grades are determined by a combination of the following

**20% Class Participation and Attendance.** Attend class and participate in the discussions.

**30% Graded Assignments and Quizzes.** The frequency of quizzes depends on whether I am satisfied that students are reading the required materials.

**50% Final Paper.** 20 page double spaced paper on a legal issue facing the poor. Discuss, at a minimum, the law, how the law is applied by the court and/or the agency entrusted to administer the program, whether you believe the law, as applied, meets the program's goals, and provide a thoughtful analysis on how you would improve the letter of the law or how the law is applied. The final paper is due at the beginning of class on December 2, 2010. **No exceptions – no extensions.**

**August 26, 2010: Introduction**

Assignment:

Nice and Trubek, *Poverty Law*, pp. 1-40.

**September 2, 2010: Welfare Reform and its Impact on the Poor**

Assignment:

Nice and Trubek: *Poverty Law*, pp. 577-583; 596-604; 621-628.

Draft two page typewritten opinion paper arguing for or against *Losing Ground: American Social Policy*. Nice and Trubek 577-583. What is Murray's position? What

are the ramifications on the poor if one applies Murray's proposal. In the long run, would it help eliminate or promote poverty? Why?

### **September 9, 2010: Welfare Reform and its Impact on the Poor Continued**

Assignment:

Review Minnesota Statutes chapter 256J and bring statute to class. Electronic version is fine. Come up with three components of MFIP that you agree with or disagree with and prepare to discuss in class. Prepare to defend your position and explain the law's effect on the poor. Think about intended and unintended consequences.

Read *The War on Poverty and Subsequent Federal Programs: What Worked, What Didn't Work, and Why? Lessons for Future Programs*.  
(<http://www.chn.org/pdf/2006/edelman.pdf>)

### **September 16, 2010: Due Process and the Right to be Heard**

Assignment:

Nice and Trubek: Poverty Law, pp. 284-332.

### **September 23, 2010: Social Security Disability**

Assignment:

TBA

### **September 30, 2010: Medical Assistance and other Medical Programs for the Poor**

Assignment:

TBA

### **October 7, 2010: Health Licensing – Out of Poverty Employment**

Assignment:

Skim, *Minnesota's Healthcare Licensing Laws and Their Hidden Impact of the Working Poor*, Jon Geffen and Lindsay Davis, Hamline Journal of Public Law and Policy, Vol. 31, Fall 2009.

### **October 14, 2010: Housing and the Poor**

Assignment:

*Landlords and Tenants: Rights and Responsibilities*, available at [www.ag.state.mn.us/brochures/publandlordtenants.pdf](http://www.ag.state.mn.us/brochures/publandlordtenants.pdf)

Quiz: Be prepared for a quiz on the assigned reading.

**October 21, 2010: No Class**

**October 28, 2010: Working Poor**

Assignment:

Review Minnesota Statutes section 268.095 and prepare to discuss eligibility for state unemployment benefits including the definition of “employment misconduct.” Is the definition easy to understand? Are those who are eligible the deserving or undeserving?

Nice and Trubek, Poverty Law, pp. 805-811.

**November 4, 2010: Consumer Law**

Assignment:

Turn in outline of final paper – Must include complete final point headings with some of the law (statutory or common law) supporting your point headings.

**November 11, 2010: Emerging Areas**

Assignment:

- Review Minn. Stat. ch. 609A (bring copy to class)
- Review Minn. Stat. § 299C.11
- *State v. S.L.H.*, 755 N.W. 2d 271 (Minn. 2008)
- 2 page double-spaced paper on whether individuals should be allowed to seal criminal records. Why, or why not? If yes, which records and what should be the process? If no, what are the ramifications on the poor? What is the current law in Minnesota?

**November 18, 2010: Child Protection**

Assignment:

Nice and Trubek, Poverty Law, pp. 719-745.

**November 25, 2010: No Class**

**November 30, 2010: Access to Legal Services**

Assignment:

Nice and Trubek: Poverty Law, pp. 214-248

**December 2, 2010: Make Up Day**

Assignment:

Final paper due. No excuses.

