

ADMIRALTY PRACTICE

UPAR 412-90

COURSE SYLLABUS

(Updated May 2007)

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Catalog Description: Review of substantive maritime law and its procedural application of federal and state regulations as related to preparation of documents required such as bills of lading, limitations of liability, marine insurance, personal injury rights and liabilities, salvage, ship mortgages, and domestic and foreign towage regulations.

Credits: 3 credit hours

Required Text: "Admiralty and The Law", by Thomas J. Schoenbaum.

Objectives: To provide students with: 1) the principals attendant to admiralty practice; 2) a working understanding of the practical issues related to prosecuting and defending maritime litigation; and 3) the ethical obligations associated with admiralty practice.

Instructional Methods: The study of statutory provisions and leading judicial decisions will be analyzed. These core materials will be supplemented by practical experience involving case preparation and the litigation of maritime matters.

Practical Assignments:

- 1) Analyze discovery in the context of maritime litigation;
- 2) Use of U.S. Coast Guard Accident Investigation forms;
- 3) Review and brief of court decisions related to maritime issues.

Class Attendance: Class attendance is essential. A large proportion of the tested material will be developed through classroom lectures.

Tulane Honor Code: All student work is governed by the Tulane University Honor Code. See <http://www.tulane.edu/~uc/catalog/honor.htm>. Any violations will be reported to the Honor Board for review.

Grading Scale:

93-100	A
89-92	B+
83-88	B
78-82	C+

73-77	C
70-72	D
69-0	F

Final Grade:

Mid-Term Exam	40%
Final Exam	40%
Assignments & Class Participation	20%

Make Up Tests: Make-up tests are discouraged. When necessary for good cause, they must be arranged between the student and the instructor. It is the student's responsibility to make these arrangements.

DATE	CLASS	TEXT	
	1	Overview and Admiralty Jurisdiction Federalism and Admiralty 3 hrs.	Chap.1 §§ 1-1 thru 1-7 Chap. 2 §§ 2-1 thru 2-2
	2	Admiralty and the General Maritime Law The Jones Act 3hrs.	Chap. 3 §§ 3-1, 3-2, 3-5, 3-9, 3-17 and 3-22 Chap. 4 §§ 4-1, 4-8, 4-9, 4-13, 4-14, 4-15, 4-16, 4-18 and 4-20 thru 4-24
	3	Unseaworthiness Maintenance and Cure 3 hrs.	Chap. 4 §§ 4-25 thru 4-27 Chap. 4 §§ 4-28 thru 4-35
	4	Longshore & Harbor Worker's Suits Against Vessels and Other Third Parties 3 hrs.	Chap. 5 §§ 5-1 thru 5-6 Chap. 5 § 5-10 Review text and notes for Mid-Term Review.
	5	Wrongful Death Professionalism and Ethical Issues Mid-Term Review 3 hrs.	--
	6	MID-TERM EXAM 3 hrs.	Chap. 6 §§ 6-1 thru 6-6 Chap. 8 §§ 8-1, 8-3, 8-4, 8-5, 8-8 thru 8-11 (pp. 536-545 only)
	7	COGSA and The Harter Act, Carriage of Charter Parties 3 hrs.	Chap. 8 §§ 8-15, 8-24, 8-25, 8-26, 8-31, 8-36, 8-41
	<u>8</u>	Towage . Pilotage 3 hrs.	Chap. 9 §§ 9-1 thru 9-5; 9-8 thru 9-19 Chap. 10 §§ 10-1, 10-2, 10-4 and 10-6 Chap. 11 §§ 11-1, 11-3, 11-4 and 11-6
	<u>9</u>	Collision Limitation of Liability 3 hrs.	Chap. 12 §§ 12-1 thru 12-6 Chap. 13 §§ 13-1, 13-2, 13-5 and 13-6
	<u>10</u>	Salvage General Adverage 3 hrs.	Chap. 14 §§ 14-1, 14-2, 14-5 thru 14-8 Chap. 15 §§ 15-1 and 15-2
	<u>11</u>	Marine Insurance & C.G. Regulation 3 hrs.	Chap. 17 §§ 17-1 thru 17-5
	<u>12</u>	<u>Discovery Techniques in Admiralty Claims</u> Written Oral 3 hrs.	
	<u>13</u>	Final Exam Review and Ethics	--
	<u>14</u>	FINAL EXAM	--