

European Community Law Seminar

Law 811

University of Baltimore School of Law

Syllabus—August 1, 2013

FALL 2013: Tuesday Thursday 3:00 PM to 4:15 PM
Professor Maxeiner
Office telephone: 410 837-4628

Classroom 607
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Office 528

Office Hours

Tuesdays 1:45 PM to 2:45 PM. You may also schedule time.

Required Course Books

Blackstone's EU Treaties and Legislation 2013-2014 (Nigel Foster, ed., Oxford UP, 2013)
Lorna Woods & Philippa Watson, *Steiner & Woods EU Law* (11th ed., Oxford UP, 2012)

PLEASE NOTE: You can leave the textbook at home, but you **MUST** bring the *EU Treaties and Legislation* to class. (It's under \$30.)

Course Web Page

I will create a TWEN page. To access it, you must register at the WestLaw/TWEN site (<http://www.lawschool.westlaw.com>). The TWEN page will contain a calendar of assignments.

The Course of Study

The class is a seminar. It is important that students attend classes regularly, read assigned materials beforehand, and participate in class discussion.

Grading

Seminar paper 70% (see below for break-down) + two coverage quizzes @ 15%. The coverage quizzes will consist of a combination of short answer and essay questions. If you have been doing the reading, additional preparation should be modest or unnecessary. In addition, class participation may be the basis for increasing or decreasing the grade to one full level.

Seminar Paper Schedule

Sept 3	Tentative focused topic choice	20%
Sept 17	Initial bibliography	
Oct 8	Key points to be made	
Nov 12 to 22	Report (outline) in class; draft paper to professor	50 %
Nov 25	Final paper due (last day of classes)	

We will discuss the content and mechanics of the seminar paper in the August 19 class.

Tentative Course Coverage Schedule

Below is a list of text coverage with approximate dates. Exact assignments will be posted to the TWEN calendar in advance. The specific assignments may direct you to skip pages or read additional materials. These postings will be emailed to students registered at the TWEN page.

Date		Topic	Text	Paper
Aug 20	TU	From EEC to EU: brief history of development of Union	Part I: chap 1	
Aug 22	TH	Institutions of the Union: composition and powers	Chap 2	
Aug 27	TU	Scope of EU Treaty: Laws and lawmaking	Chap 3	
Aug 29	TH	Principle of supremacy of EU law	Chap 4	
Sept 3	TU	Principles of direct applicability and direct effects	Chap 5	Focused Topic
Sept 5	TH	General principles of law	Chap 6	
Sept 10	TU	The European Court of Human Rights	TBA	
Sept 12	TH	COVERAGE QUIZ I		
Sept 17	TU	Framework for enforcement. Remedies in national courts	Part II: ch 7+8	Bibliography
Sept 19	TH	Preliminary rulings procedure	Chap10	
Sept 24	TU	Enforcement actions; Action for failure to act	Chaps 11+13	
Sept 26	TH	Direct action for annulment	Chap 12	
Oct 1	TU	Introduction to the internal market	Part III: ch 15+17	
Oct 3	TH	Harmonization	Chap 16	
Oct 8	TU	Free movement of goods	Chap 18	Key Points
Oct 10	TH	COVERAGE QUIZ II		
Oct 15	TU	Citizenship: Rights of free movement and residence	Chap 21	
Oct 17	TH	Economic rights: Workers, establishment and services	Chap 22	
Oct 22	TU	Free movement: Social rights; Right to receive services	Chaps 23+24	
Oct 24	TH	Free movement of persons: Limitations	Chap 25	
Oct 29	TU	Area of freedom, security and justice: EU home affairs law	Chap 26	
Oct 31	TH	Discrimination	Chap 27	
Nov 5	TU	Introduction to competition policy; Elements (survey)	Chap 28+29	
Nov 7	TH	COVERAGE QUIZ III		
Nov12	TU	PAPER PROGRESS REPORTS		Outline/Draft
Nov 14	TH	PAPER PROGRESS REPORTS		Outline/Draft
Nov 19	TU	PAPER PROGRESS REPORTS		Outline/Draft
Nov 21	TH	PAPER PROGRESS REPORTS		Outline/Draft
Nov 25	MO	LAST DAY OF LAW SCHOOL CLASSES (NO EU CLASS)		Paper DUE
Nov 26	TU	[RESERVED-Make up day for class cancelation]		
Nov 27	WE	[RESERVED-Make up day for class cancelation]		

Seminar Paper

Choose a directive printed in Part II of *Blackstone's EU Treaties and Legislation 2013-2014*. Write a research paper on that directive. Some of the questions you might consider include: What is the origin of the directive, i.e., from which legal systems was it drawn? Compare the solution of the directive to the laws previously in place? What problem does the Directive address. Does it do a good job? Who promoted the directive? Who opposed it. How was it implemented in Member States? (There are twenty-eight Member States; don't try to cover them all!) How does the EU solution compare to the US solution? Note: upon approval, another topic may be chosen.

Appendix

The seminar paper satisfies one of the law school legal writing graduation requirements. The technical aspects of that requirement are on the school Internet site. Relevant portions are below.

Excerpts from the Catalogue

UPPER LEVEL WRITING REQUIREMENT (SCHOLARLY)

The School of Law's upper-level writing requirements may be fulfilled by the completion of two research and writing projects. One project should be written during the second year (second or third year for evening students) and the other during the third year (fourth year for evening students). One writing requirement (scholarly) must be met by submission of an acceptable law review or journal article or by submission of a research paper which meets the definition set forth in the Advanced Legal Research course description (Subject to variation depending upon the faculty member, student, and topic, it is suggested that the paper format be that of a law review comment with footnotes; that it have a length of not less than 25 pages; and that the process of developing it include the scheduling of discussion and review of written scope notes, outlines, and drafts, as well as the final product) and earns a grade of C or higher in a designated course listed below, or in Advanced Legal Research.

LAW 811, European Community Law Seminar, 3 credits

An examination of the development and legal structure of the European community with emphasis on law-making by directives, regulations, and Court of Justice decisions. Topics include the litigation process in the European community; regulating the free movement of goods, services, labor, and capital; internal community policies on harmonization of national laws; business competition law; external trade practices and relations with non-European community nations; and the future direction and aspirations of the member states of the European Community

LAW 701, Advanced Legal Research 2 credits

This course is designed to encourage and offer opportunity for independent research of high calibre by the student. Subject to variation depending upon the faculty member, student, and topic, it is suggested that the paper format be that of a law review comment with footnotes; that it have a length of not less than 25 pages; and that the process of developing it include the scheduling of discussion and review of written scope notes, outlines, and drafts, as well as the final product.