

# CHARLESTON

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SCHOOL OF LAW

ADMIRALTY &  
MARITIME LAW  
LL.M. PROGRAM

2022-2023

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The J.D. program at the Charleston School of Law is fully accredited by the American Bar Association. The Council of the ABA Section of Legal Education and Admissions to the Bar approved the law school's application Aug. 4, 2011, for the J.D. program at its meeting in Toronto, Canada. The American Bar Association acquiesced to the establishment of the LL.M. program in Admiralty and Maritime Law at the Charleston School of Law at its meeting on April 12-14, 2012.

The Section of Legal Education can be contacted at 321 North Clark St., Chicago, IL 60654 or by phone at 312.988.6738.

**DISCLAIMER - THIS CATALOG IS NOT A CONTRACT.** The information in this 2022-2023 Catalog is accurate and current to the best knowledge available as of August 2022. The Charleston School of Law expressly reserves the right to change tuition, fees, programs of study, academic requirements (including those required for degrees), lecturers, teaching staffs, the announced academic calendar, and other matters described in this Catalog with reasonable prior notice, in accordance with established procedures, and when such adjustments are made in response to circumstances beyond the School's control that are necessary to ensure sound operation of the Charleston School of Law. Therefore, information contained herein should not be considered to remain valid throughout an entire program of study; it may be necessary for the School to alter program requirements before the start of any enrollment period. Subsequent changes in this information will be contained in updates to the Catalog made available on the Charleston School of Law website at [www.charlestonlaw.edu](http://www.charlestonlaw.edu). The most recent information contained in this Catalog is considered to have authority over information contained in other publications within the school when discrepancies occur.

The Charleston School of Law is an equal opportunity institution of higher education and conforms to all applicable law prohibiting discrimination and is committed to nondiscrimination on the basis of race, color, religion, national origin, social condition, sex, sexual orientation, age, or disability in the administration of admission policies, educational policies, financial aid, employment, or any other school programs or policies. For further information, contact the Director of Human Resources, Ms. Shera Silvis, at 843.377.4904.

**For More Information:** [www.charlestonlaw.edu](http://www.charlestonlaw.edu)

**This Catalog contains information about the LL.M. DEGREE IN ADMIRALTY AND MARITIME LAW at the Charleston School of Law. For information about the JURIS DOCTOR DEGREE at the Charleston School of Law, please visit the website at [www.charlestonlaw.edu](http://www.charlestonlaw.edu). For the Current Academic Calendar, please visit the website: <http://charlestonlaw.edu/academics/academic-calendar/>.**

Address all correspondence to:  
Charleston School of Law  
P.O. Box 535  
Charleston, SC 29402  
843.329.1000

For additional information on the Law School Admission Test visit [www.LSAC.org](http://www.LSAC.org) or call Law Services at 215.968.1001.

*Cover Picture: The Arthur Ravenel Jr. Bridge, Charleston South Carolina*

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**The Charleston School of Law offers a Master of Laws (LL.M.)  
in Admiralty and Maritime Law**

Charleston, South Carolina is a high-volume, expanding port and a world-class resort city. *Condé Nast Traveler* consistently rates Charleston the number one city for travelers in the U.S. The Charleston School of Law is located in the historic peninsula of the city within view of eighteenth-century church spires and the busy waterfront. By combining both historic preservation and vital maritime commerce, Charleston is the perfect place for this program.

The primary objective of our program is to bring students together with the most experienced practitioners, judges, and professors in a broad range of admiralty law specialties, and with the non-lawyer maritime professionals that make our port such a success.

*Please Note:*

*In an emergency, it may become necessary to adjust the academic calendar, move classes to an online format, or take other measures to ensure educational continuity. Such emergencies may be of a public health nature, such as COVID-19; a weather-related event, such as flooding, that necessitates the closure of the Law School building; or some other condition that makes it unsafe or impractical to hold classes as regularly scheduled on-campus. If adjustments are necessary, Charleston School of Law will make every effort to ensure that students have the ability to interact with professors, student services, and each other, even if through remote means.*

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This Catalog incorporates by reference all policies and procedures of the **Charleston School of Law Academic Catalog and Student Handbook**, located at [www.charlestonlaw.edu](http://www.charlestonlaw.edu).

## **LL.M. Admission**

### **LL.M. Admission Requirements**

The Charleston School of Law begins to review files as they are completed and continues to review files until all seats in the program are filled. The application deadline for the LL.M. program is June 1 for fall admission. An application to the Charleston School of Law LL.M. program requires the following:

1. Bachelor's degree from an accredited college or university.
2. J.D. from an ABA-approved law school, except for international students.
3. International applicants with law degrees from schools outside the United States must obtain the approval of the Associate Dean for Academic Affairs to ensure that the degree-granting school is the equivalent of an ABA-accredited school.
4. Completed and signed application for admission. Applications are available at [www.LSAC.org](http://www.LSAC.org).
5. LSAC LL.M. Credential Assembly Service (LL.M. CAS) Law School Report. Registration for the LL.M. CAS is available at [www.LSAC.org](http://www.LSAC.org).
6. A minimum of two letters of recommendation, at least one from a law faculty member, a lawyer, or a judge. Applicants should use the LSAC Letter of Recommendation (LOR) service.
7. Personal statement.
8. Current resume.
9. Transcripts from all undergraduate, graduate, and professional schools attended. Transcripts from the degree-granting institution(s) must indicate the degree(s) earned and date conferred. All transcripts should be submitted by the school(s) directly to LSAC.

### *TOEFL Score and International Applicants*

Applicants should be aware that competency in English is critical to success in the LL.M. program at the Charleston School of Law, and that demonstrated fluency in English is an important consideration in evaluating applications. International applicants are required to demonstrate proficiency in English by completing the Test of English as a Foreign Language (TOEFL) within two years prior to submitting the application. For information and questions about the TOEFL, please contact Educational Testing Service (ETS). Applicants should arrange to take the TOEFL at the earliest possible date in order to ensure that their application is completed by the deadline. Please request that official scores be sent directly to the Charleston School of Law.

### **Deadlines**

The priority application deadline for all LL.M. applicants can be found on the website, <http://charlestonlaw.edu/prospective-students/admiralty-and-maritime-law/>. All applicants are encouraged to apply as early as possible.

### **Personal Statement**

Personal statements should be uploaded as an attachment with your application to LSAC. The admission committee considers many applicants with strong credentials and makes difficult decisions regarding whom to admit to fill the limited number of seats at the Charleston School of Law. Applicants should provide a candid evaluation of themselves detailing any information that he/she believes will assist the committee in considering their application. Applicants should provide evidence of their abilities and strengths, examples of leadership abilities, maturity, organizational skills and motivation to study law. Applicants may also wish to provide, as an addendum, information regarding any educational and financial obstacles that have been overcome, or disabilities that may have affected academic performance.

### **Letters of Recommendation**

The Charleston School of Law requires the submission of two letters of recommendation. Applicants who have been out of school for some time may provide letters of recommendation from an employer. LL.M applicants should have at least one letter of recommendation from a law faculty member, an attorney or a judge. Recommendations should be uploaded through LSAC's Letter of Recommendation (LOR) service.

### **Personal Interviews**

Formal interviews are not a part of the normal application process; however, applicants are always welcome to visit the school, attend a class, and meet with current students and members of the faculty.

### **Student Conduct**

All LL.M. students are bound by the Academic Catalog and Student Handbook, which may be found at <http://charlestonlaw.edu/academics/academic-catalog/>.

### **American Bar Association**

The J.D. program at the Charleston School of Law is fully accredited by the American Bar Association. The Council of the ABA Section of Legal Education and Admissions to the Bar approved the law school's application Aug. 4, 2011, for the J.D. program at its meeting in Toronto, Canada. The American Bar Association acquiesced to the establishment of the LL.M. program in Admiralty and Maritime Law at the Charleston School of Law at its meeting on April 12-14, 2012.

## **LL.M. PROGRAM REQUIREMENTS**

The Charleston School of Law in Charleston, South Carolina, offers an advanced degree program in Admiralty and Maritime Law. The course of study leading to the award of the LL.M. degree consists of twenty-four (24) credit hours. At least eighteen (18) credit hours must consist of courses from the offerings listed below; Admiralty I and Admiralty II are required courses. The remaining six (6) hours may be chosen from the general curriculum of the Charleston School of Law. This will permit the completion of all degree requirements in one academic year, consisting of two twelve credit hour semesters. Ordinarily this will be a Fall-Spring sequence of courses. No maritime courses are offered during Summer Session.

Completion of course requirements in one academic year is not required, and some students may wish to complete the required 24 hours over a longer period of time. The aim of the program is to provide both variety and depth in the courses offered, covering the field from the general, introductory level to the sub-specialties comprising admiralty and maritime law. Courses will be taught by experienced practitioners, as well as Charleston School of Law faculty. The course offerings will provide each student with the opportunity to advance in any of these various sub-specialties and to tailor their studies beyond the basics to their individual professional interests.

### **Required courses (3 credit hours each):**

- Admiralty I, 710 or 7010 (3 credit hours)  
A study of the distinct body of federal law (both substantive and procedural) governing navigation and shipping. Topics associated with this field of study include: shipping, navigation, waters, commerce, seamen, towage, wharves, piers and docks, insurance, maritime liens, canals, recreation, and piracy.
  
- Admiralty II, 7015 (3 credit hours)  
A survey of select maritime law topics, including maritime insurance, liens and mortgages, general average, piracy and drug smuggling, oil pollution, sovereign immunity, and forums shopping.

*Please note:* If a student has successfully completed either, or both, of the above courses of their equivalent in law school, the requirement(s) may be waived, but the credit hour requirement may not be.

### **Additional course requirements:**

In addition to Admiralty I and Admiralty II, students must complete at least 12 credit hours from these or other maritime designated courses:

- Intermodal/Container Transportation Law 8104 (3 credit hours)  
This course will cover the history and development of the ocean container industry, focusing on relevant case law and legal regimes governing the international carriage of containerized cargo, including both current and prospective statutory regimes. As part of this course,

students will have the unique opportunity to observe first-hand the operational side of the intermodal transport industry, including visits to a working container terminal, and presentations by representatives of major container shipping lines and other involved in the intermodal transport industry.

- Law of the Sea, 711 or 7011 (3 credit hours)  
A survey of the Law of the Sea and national, particularly United States, ocean policies. The Law of the Sea covers a range of highly diverse but related legal disciplines: admiralty and maritime law, international law, international crime (including white collar crime, terrorism, and piracy) on the high seas, environmental law, and commercial trade. Starting with the historical development of the law of the sea, the course will deal with such topics as maritime boundaries, high seas freedoms, terrorism and crime on the high seas, piracy, nationality of vessels, sovereignty over internal waters and ports, territorial seas, management of ocean fisheries, protection of marine species and marine environmental protection, mineral exploitation of the seabed (including, but not limited to, deep sea oil drilling), and, time permitting, shipwrecks and underwater cultural resources. We will also examine the modern law of the sea as reflected in the United Nations Conference on the Law of the Sea. Satisfies the Upper level Writing Requirement when so designated in the registration material for a particular semester. Prerequisites: Satisfactory completion of 27 credit hours.
- Marine Insurance, 8004 (3 credit hours)  
This course covers contracts for insurance covering vessels involved in maritime activities such as carriage of goods or passengers, or in recreational vessel use (hull insurance), insurance on cargo carried by a vessel (cargo insurance), and liability of maritime parties to others (Protection and Indemnity Insurance). Coverage and liability issues and governing law are covered in depth.
- Maritime Personal Injury 9402 (3 credit hours)  
This course is an advanced survey of the substantive law and procedure applicable to maritime injury and death cases, with a focus on claims involving seamen, longshoremen, and other maritime employees.
- Marine Salvage, 7748 (1 credit hour)  
This two-day course will cover the elements of "pure" and "contract" salvage. The difference between the two has enormous financial implications for plaintiffs, defendants, and insurance carriers. Interpreting salvage rights has a significant impact on the maritime lien analysis, the framework for which will be studied as to various parties' rights. We will also examine the methodology of determining awards for pure salvage cases and study the differences between the various interpretations around the country under the general maritime law.
- Survey of International Ship Finance 7749 (1 credit)  
This course will address the issues practitioners routinely confront in international vessel finance transactions. Strategies for developing optimal transaction structures will be examined, in addition to coping with the differences between maritime law and land based commercial law. Conflicts of law issues inherent to an intrinsically cross-border industry will be discussed, as will the peculiar nature of maritime liens and ship mortgages. Finally, the class will explore

the ramifications of recent United States Supreme Court decisions that impact maritime financial transactions. Prerequisites: Contracts I & II, Civil Procedure I & II.

- Exercise of Remedies in Admiralty (Part I) – Mortgage Foreclosure and Marine Attachment, 7746 (1 credit hour)  
This course will focus on the process of vessel arrests and foreclosure sales of vessels and will also cover the use of Rule B of the Supplemental Rules of Civil Procedure as means of enforcing claims of a maritime nature. The core of the course will take students through the mortgage foreclosure process from arrest through the interlocutory sale of vessel and ultimate adjudication of claims.
- Exercise of Remedies in Admiralty (Part II) – Maritime Liens and Vessel Arrest , 7747 (1 credit hour)  
This course focuses on the peculiar admiralty law of maritime liens for purposes of in rem proceedings in federal court. Such liens include personal injury, ship mortgages, salvage, and necessaries. Students will be offered a practical look at drafting pleadings for maritime liens that qualify for in rem actions; how a vessel arrest works in federal court; how to navigate and interact with the various parties involved in making such decisions; and how to negotiate and / or litigate the release of a ship under arrest.

The following courses do not count as “maritime designated courses” but the subject matter is recommended as complementing the admiralty course of studies.

- Arbitration Practice 641 (2 credit hours) Satisfies the JD Skills or Drafting Requirement  
Many disputes are resolved outside of our court system through arbitration. This course will cover arbitrator selection, arbitration proceedings, enforcement, conflicts of interest, ethical concerns, and drafting. Touching on the arbitration of commercial securities, family, and civil disputes, students will learn to evaluate the benefits and pitfalls of alternative dispute resolution forums and learn to advocate thoughtful and effectively in an arbitration setting. Through the interactive and engaging class, students will benefit from knowledgeable speakers, considering arbitration problems, cases and exercises as well as participating in a final mock arbitration as the class culminates.
- Conflict of Laws 760 (3 credit hours)  
A review of legal policies, the rules of law, and the constitutional requirements for resolving disputes which involve multiple states or nations. Included is a consideration of the jurisdiction of courts, enforceability of foreign judgment, and choice of the applicable law to determine the issues in dispute. Particular attention will be given to international law, tort, contract, property, succession, family law, and “Conflicts in Cyberspace” because of e-commerce. Prerequisites: Civil Procedure I & II.

- Immigration and Citizenship Law 637 (2 credit hours)

As our world shrinks, immigration and citizenship laws grow more persuasive and more complex. This course is designed to give students a critical overview of today's immigration and citizenship laws and prepare them to identify potential immigration issues in all aspects of life and law. Specifically, this course will review the historical underpinnings and practical aspects of the current law regulating citizenship, the admission of non-citizens to the United States, removal of non-citizens from the United States, and judicial review of all such decisions.

- International Business Transactions, 642 or 7642 (3 credit hours)

This course addresses U.S. domestic, foreign and international law applicable to private cross-border transactions. These cross-border transactions include the sale of goods, project finance, cross-border distribution and franchising, cross-border technology licensing, formation of foreign branches and subsidiaries, and cross-border joint ventures and acquisitions. This course benefits those who wish to practice business law, since the course introduces students to the range of transactional issues that business lawyers handle. Prerequisites: Contracts I & II, Property I & II.

### **Maritime Designation & Honors Program for J.D. students**

Graduating J.D. students with 12 or more credit hours in maritime designated courses (Admiralty I and II are required for this designation) will earn the Maritime Concentration designation. J.D. students graduating with a grade point average of at least 3.3 in maritime designated courses may receive an honors designation in maritime law.

### **The Maritime Law Bulletin [MALABU]**

MALABU is the Charleston School of Law Maritime Law Bulletin. With the historic port city of Charleston as a backdrop, MALABU brings timely and useful maritime focused articles to practicing attorneys, law professors, students and those in the maritime field. MALABU is run by a board of law students, and faculty advisors with special interests in admiralty, with generous support from the Charleston Maritime Association. LL.M. students are eligible to be members of the MALABU staff.

### **Charleston Maritime Law Institute**

The Charleston Maritime Law Institute (CMLI) was established in 2004 and serves as an advisory council with regular meetings to support the Admiralty and Maritime Law LL.M. program. This group includes senior maritime lawyers from law firms around the country, chief counsels to major maritime industries, as well as senior State Ports Authority officials and industry leaders from Charleston. With the support of these outstanding people, we conduct trips to the various port facilities to permit our students to see the subjects of their studies in action, from port direction and management to the movement of cargo and vessels. The CMLI meets periodically.

### **Francis Drake Admiralty Inn of Court**

The LL.M. program also benefits from the Francis Drake Admiralty American Inn of Court. The charter was awarded by the American Inns of Court on September 20, 2011. The School of Law's Inn of Court is the only one dedicated to the subject of admiralty and maritime law, and it will serve as an important source of mentoring for the students in the LL.M. Program. Maritime lawyers and student make up membership of the Inn. The Inn is currently inactive.

### **Tuition Information**

The degree requires 24 credit hours, which may be completed in one academic year. Tuition for the 2022-2023 academic year is \$30,000. For information about financial aid, please contact the Office of Financial Aid by phone, [843.377.1102](tel:843.377.1102) or email, [financialaid@CharlestonLaw.edu](mailto:financialaid@CharlestonLaw.edu).

### **Cancellation and Refund Policy**

1. During the fall and spring semesters, the Charleston School of Law will provide to students who withdraw from the Law School a pro rata refund consistent with regulation 62-18 of the South Carolina Commission on Higher Education, but in no event less than:

- |   |      |
|---|------|
| • <b>Before fall or spring semester begins-</b> | 100% |
| • On calendar days 1-7 of semester              | 80%  |
| • On calendar days 8-14 of semester             | 60%  |
| • On calendar days 15-21 of semester            | 40%  |
| • On calendar days 22-28 of semester            | 20%  |
| • On and after calendar day 29 of semester      | 0%   |