

HOMELESS RIGHTS ADVOCACY SEMINAR
COURSE SYLLABUS

Course Overview:

How did the modern-day homelessness epidemic develop and grow in California and the United States, and what can attorneys do to help address the crises? The legal challenges that people currently experiencing homelessness face (and those who are at imminent risk of homelessness), while rooted in common areas of substantive law, are unique to them.

This two-unit Seminar explores the contours, causes, and solutions to address homelessness, with a focus on California. The Seminar is designed to examine the key role legal advocacy strategies may play in preventing and ending homelessness.

Course topics and exercises will give students a practical understanding of the role the law has played in creating and shaping the homelessness crises plaguing so many cities across the United States, as well as an examination of the advancing development of laws affecting people who are either currently experiencing homelessness or are at imminent risk of becoming homeless.

The course will examine the current state of homelessness and the systems that have been developed to address it. We will begin by exploring the foundational principles of a person-centered homeless services delivery system, and together we will develop strategies for implementing these principles in a legal practice centered on providing counsel to people who are currently experiencing homelessness.

We will also consider the unique legal challenges people currently experiencing homelessness face in obtaining housing—which is the only thing that ends homelessness. And because homeless prevention is paramount in a system where more people become homeless each year than the homeless services system can house, students in the course will also examine ways to keep people at imminent risk of homelessness from losing their housing.

Finally, to bring all the course concepts together, this semester we will pay attention to the intersectionalities of race and poverty and the role each plays in creating homelessness.

The course may fulfill the Upper Level Writing Requirement (“ULWR”).

Course Objectives:

By the end of this course, you should be able to:

1. Demonstrate knowledge and understanding of the core substantive constitutional, civil, and criminal laws regarding homelessness, particularly as such knowledge relates to providing legal counsel to members of such communities.
2. Describe, understand, and critically assess major legislation and court decisions that address homelessness at the national and local levels.
3. Describe and compare legal strategies for addressing homelessness, including litigation, policy advocacy, and community engagement.
4. Understand legal issues involved in current policy debates on homelessness (such as the criminalization of homelessness) and be able to craft and support arguments to address them.

5. Critically evaluate empirical claims and proposed legislative remedies regarding homelessness in California.

Grading:

There is no final examination in this course. The grade for the course will be based primarily on a Final Paper (as well as a Draft of the Final Paper and a short presentation about the chosen topic and thesis), and overall class attendance and participation in class discussions.

Punctual class attendance and participation are required. Twenty percent (20%) of your final grade is based on in-class participation, attendance, and timely assignment completion. Class attendance is mandatory, and I will take attendance at each class session. If you miss more than three class meetings, you may receive a failing grade for the course.

Participation in class discussions, along with good-faith attempts to answer questions I may pose during class, are valuable components of legal education, and I strongly encourage you to volunteer your thoughts and perspectives. This course is most productive if you have thought about the material in advance and are willing to discuss it. Quality is valued over quantity for volunteer participation, and all views are welcome.

At times, this course may touch on particularly sensitive, triggering, emotionally, and/or intellectually heavy topics. I will do my best to create a space where we can hold these discussions with mutual respect, sensitivity, empathy, and decorum. I ask that all students help ensure those objectives are met.

To the extent possible, I hope to conduct this course as a discussion-style seminar, though I will use lecture and random questioning when appropriate. Participation in class discussions, along with good-faith attempts to answer questions I may pose during class, are valuable components of legal education, and I strongly encourage you to volunteer your thoughts and perspectives. I may call randomly on anyone in any class. I will strive to conduct the class discussion in as relaxed a manner as possible. The purpose is not to “test” you or record your performance in any specific sense, nor to make you feel nervous or “on stage,” but simply to stimulate your own thinking and that of your fellow classmates, and to generally make the class more interesting. I am not concerned with whether you have the “correct” answer to any given question (often there is no such thing), although if you are off-track in understanding the doctrine, I will try to steer you back on track. I mainly want to know that you’ve done the readings and are making a good-faith effort to participate and respond. If you feel you don’t do very well in response to specific questions, I encourage you to pose questions of your own and volunteer your own thoughts.

Neatness, grammar, and formatting count for all written assignments in this course. I do not care what citation style you use; but pick one and consistently stick to it. You will lose points on every written assignment in this course for typographical, spelling, grammatical, and other mechanical errors, and for unexplained variations in citation formatting.

For all assignments, please submit them via TWEN. All the assignments and the due dates for each are provided in the schedule below; you now know all the deadlines. Assignments are due at the beginning of the class session. As a professional, you are responsible for submitting all

assignments on time. The penalty for late work is a 10% reduction, per 24-hour period (or part thereof), of the total points available on each assignment.

The Grade for the course will be based on the following assignments, and weighted as indicated:

Attendance and Participation	20%
Topic/Thesis Presentation	10%
Draft of Final Paper ¹	10%
Final Paper Presentation	20%
Final Paper	40%

Course Elements:

The course material will be presented through two primary sources—reading assignments and class discussions. We will also have a few Guest Speaker presentations, followed by Q&A sessions with the Guest Speakers.

Reading Assignments

Because preparation for and participation in class discussions is critical for an effective classroom experience, all reading assignments must be completed timely. You should read the specific reading assignments listed for each class session prior to that class.

Class Discussions of Reading Assignments

We will use the class sessions to discuss the reading assignments. The purpose of these discussions is to gain a deeper understanding of the readings, to provoke your thinking about the concepts covered in the readings, and to evaluate questions about the readings.

Guest Speaker Presentations

During a few class sessions, students will have the opportunity to meet and hear from Guest Speakers. I will provide information about each Guest Speaker in advance of the Guest Speaker's visit to the class. I expect you to be familiar with the Guest Speakers when they visit, and for you to give the Guest Speakers the respect of your attention during their visits. Moreover, you are encouraged to prepare questions for the Guest Speakers.

Final Paper:

A large portion of the grade for this course is based on a Final Paper, including a Draft of the paper, which will meet the Law School's writing requirement. Please note that I will adhere strictly to the guidelines the Law School has published for such assignments.

Students may choose to write about any homelessness-related issue and may approach the Final Paper from several different perspectives. More information about the Final Paper, including formatting instructions, will be distributed and discussed early in the semester.

The research paper must be the individual work of the student. You may not use generative artificial intelligence (i.e., ChatGPT, etc.) to write your paper. Doing so will result in a (0) for the course.

¹ The Draft of your Final Paper should reflect the best work you can achieve without assistance from me and must be at least one-third of your overall paper length.

You will work on the paper throughout the semester. In a WSCL ULWR course, you must earn a 2.0 or higher to obtain ULWR credit.

Topic/Thesis Presentation:

During the seventh class session, each student will make a short presentation to the class explaining the student's topic selection and preliminary thesis. This presentation comprises 10% of the grade for this course.

At the end of the semester, each student will make an 8-10 minute presentation to the class about their Final Paper. The goal is to educate all of us to as many different topics and research as possible. This presentation comprises 20% of the grade for this course.

Course Materials:

Selected Supplemental Course Materials will be available on TWEN for several class sessions.

Computer Use:

You may use a laptop to take notes in class, but please do not access the Internet or use email during class. Such activity is extremely distracting to those around you. I reserve the right to ask you to leave class for abuse of this policy.

Office Hours:

You may schedule Office Hours appointments by contacting me via email.

Class Attendance:

You are expected to attend class. Please be advised that if you miss a class session, you should consult with another student to review their notes from the class, though someone else's notes certainly cannot substitute for the in-class experience that occurs from shared discussion of the materials.

Class Preparation:

You should anticipate that, on average, preparing for class (including researching for and writing your paper) will take you a minimum of 4 hours each week.

Reasonable Accommodations:

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator: despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore,

students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation.

If you have a concern or complaint in this regard, please notify Senior Asst. Dean Espinoza; or please notify Dean Marisa Cianciarulo at mcianciarulo@wsulaw.edu or 714.459.1168. Complaints will be handled in accordance with the College of Law's "Policy Against Discrimination and Harassment."

Western State College of Law – Programmatic Learning Outcomes

Western State College of Law's curriculum is designed so that every student achieves a level of competency prior to graduation in each of the eight Programmatic Learning Outcomes listed below:

(1) Doctrinal Knowledge

Students will demonstrate knowledge of substantive and procedural law in the core curriculum subjects, including Contracts, Criminal Law, Criminal Procedure, Torts, Real Property, Business Association, Evidence, Civil Procedures, Constitutional Law, Estates, Community Property, Remedies, and Professional Responsibility.

(2) Practice Skills

Students will demonstrate the development of other law practice skills. Each student's chosen outcomes within this category will be varied based on the student's particular interests, coursework and work experiences. They may include, but are not limited to, the following topics: oral presentation and advocacy; interviewing; counseling; client service and business development; negotiations, mediation, arbitration, or other alternate dispute resolution methods; advanced legal research and writing (excluding purely academic papers and the first four units earned in introductory first-year legal research and writing class); applied legal writing such as drafting contracts, pleadings, other legal instruments; law practice management or the use of technology in law practice; cultural competency; collaboration or project management; financial analysis, such as accounting, budgeting project management, and valuation; cost benefit analysis in administrative agencies; use of technology, data analyses, or predictive coding; business strategy and behavior; pre-trial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts; trial practice; professional civility and applied ethics; a law clinic that includes a classroom component; or a legal externship that includes a classroom component.

(3) Legal Analysis

Students will demonstrate the ability to identify the factual and legal issues implicated by a fact pattern and to appropriately use cases (including identifying the salient features of an appropriate precedent case, identifying legally significant similarities or differences between the precedent case and a fact pattern and explaining why those are legally

significant) and rules (including the ability to connect legally significant facts in a fact pattern to the rule) to predict how a court would decide the issue. Students will also demonstrate the ability to identify and evaluate the public policies of a precedent case or rule, and be able to evaluate how public policy can impact the application of a rule to the legal issue.

(4) Legal Research

Students will demonstrate the ability to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to such legal authority.

(5) Communication

Students will demonstrate the ability to communicate both orally and in writing in a manner appropriate to a particular task to effectively convey the author or speaker's ideas. This includes audience sensitivity in written and oral communication (the ability to adopt a tone, style and level of detail appropriate to the needs, knowledge and expertise of the audience); and written communication basic proficiency (the ability to use the conventions of grammar, spelling, punctuation, diction and usage appropriate to the task and sufficient to convey effectively the author's ideas).

(6) Advocacy of Legal Argument

Students will demonstrate the ability, in both oral and written formats, to evaluate the legal, economic and social strengths and weaknesses of a case and use case and statutory authority as well as public policy to persuade others. Making policy-based arguments includes the ability to identify and evaluate the public policies of a precedent case or rule and their implications, and be able to assert such appropriate arguments to support a particular application or distinction of a precedent case to a legal controversy or a particular resolution of the application of a rule to the legal controversy.

(7) Client Sensitivity and Cultural Competency

Students will demonstrate an awareness of clients' needs and goals, including a sensitivity to clients' background and circumstances (including, but not limited to, socio-economic, gender, race, ethnicity, educational, disability and/or religious background(s)), the ability to make decisions that reflect an appropriate focus on those needs and goals, and awareness that cultural issues may affect the relevance of facts and application of the law.

(8) Legal Ethics

Students will demonstrate the ability to identify ethical issues in law practice contexts and make appropriate decisions to resolve such issues.

**This schedule is a draft and may change.
 Additional reading assignments may be added for each week of class.**

Class No. & Date	Class Coverage	Assignment Due/ Readings
1: 6/9/26	<i>Introductions:</i> Introduction to the Course; Professor and Student Introductions	<u>Reading Assignment:</u> 1. Punishing Homelessness, 22 New Crim. L. Rev. 99, Rankin, Sara (2019)
2: 6/11/26	<i>An Overview of the Current Homeless Crises</i> Review LAHSA Homeless Count Presentation <i>The Brain Architecture Game</i>	<u>Reading Assignment:</u> 1. “You Have To Move!”: The Cruel and Ineffective Criminalization of Unhoused People in Los Angeles, Human Rights Watch Report, pp. 94-152
3: 6/16/26	<i>An Overview of the Foundational Principles Underlying the Current Homeless Response System</i> <i>Applying the Foundational Principles to Legal Advocacy in the Homeless Response System</i> ULWR: Picking A Topic	<u>Reading Assignment:</u> 1. CSH Housing First Fact Sheet 2. NAEH Housing First Fact Sheet 3. Principles of Harm Reduction 4. LAHSA Trauma Informed Care 5. LAHSA Low Barrier Access in the Homeless Services System 6. Housing, Not Handcuffs 7. Lawyers As Counselors

<p>4: 6/18/26</p>	<p><i>Discussion re: Integrated Legal Advocacy Strategies: Litigation, Policy Advocacy, Community Engagement, and Media Advocacy</i></p> <p>ULWR: Writing A Thesis Statement</p>	<p><u>Reading Assignment:</u> Public Interest Advocacy Strategies, pp. 201-272</p>
<p>5: 6/23/26</p>	<p><i>The Criminalization of Homelessness (Part 1a): Anti-Homeless Ordinances That Ban Essential Life Activities (Sleeping, Lying, Standing, Sitting, Sleeping in Car)</i></p> <p>ULWR: Components of the Paper and Outlining</p>	<p><u>Reading Assignment:</u> Criminalization of Homelessness Cases: Essential Life Activities</p> <ol style="list-style-type: none"> 1. Papachristou v. City of Jacksonville 2. Pottinger v. City of Miami (Part I) 3. Stone v. Agnos 4. Roulette v. City of Seattle (Part I) 5. Joel v. City of Orlando 6. Fifth Ave. Presbyterian Church v. City of New York
<p>6: 6/25/26</p>	<p><i>The Criminalization of Homelessness (Part 1b): Anti-Homeless Ordinances That Ban Essential Life Activities (Sleeping, Lying, Standing, Sitting, Sleeping in Car)</i></p>	<p><u>Reading Assignment:</u> Criminalization of Homelessness Case: Essential Life Activities (cont.)</p> <ol style="list-style-type: none"> 1. Desertrain v. City of Los Angeles 2. Martin v. City of Boise 3. Aitken v. City of Aberdeen
<p>7: 6/30/26</p>	<p><i>The Criminalization of Homelessness (Part 1c): Anti-Homeless Ordinances That Ban Essential Life Activities (Sleeping, Lying, Standing, Sitting, Sleeping in Car)</i></p> <p><u>Class Presentations re: Proposed Topic and Thesis Statement</u></p>	<p><u>Reading Assignment:</u> Criminalization of Homelessness Cases: Essential Life Activities (cont.)</p> <ol style="list-style-type: none"> 1. McArdle v. City of Ocala 2. City of Grants Pass v. Johnson

<p>8: 7/2/26</p>	<p><i>The Criminalization of Homelessness (Part 2a): Encampment Sweeps, Destruction of Personal Belongings, Warrantless Searches, Warrantless Property Seizure</i></p> <p>ULWR: Roadmaps and Citations</p>	<p><u>Reading Assignment:</u> Criminalization of Homelessness Cases: Encampment Sweeps & Property Searches, Seizures, and Destruction</p> <ol style="list-style-type: none"> 1. U.S. v. Ruckman 2. State v. Mooney 3. Pottinger v. Miami (Part II)
<p>9: 7/7/26</p>	<p><i>The Criminalization of Homelessness (Part 2b): Encampment Sweeps, Destruction of Personal Belongings, Warrantless Searches, Warrantless Property Seizure</i></p> <p>ULWR: The Importance of Proofreading and Editing</p>	<p><u>Reading Assignment:</u> Criminalization of Homelessness Cases: Encampment Sweeps & Property Searches, Seizures, and Destruction (cont.)</p> <ol style="list-style-type: none"> 1. People v. Schafer 2. U.S. v. Sandoval 3. Kincaid v. City of Fresno
<p>10: 7/9/26</p>	<p><i>The Criminalization of Homelessness (Part 2c): Panhandling, Loitering, Food Sharing</i></p> <p><u>First Drafts Due</u></p>	<p><u>Reading Assignment:</u> Criminalization of Homelessness Cases: Encampment Sweeps & Property Searches, Seizures, and Destruction (cont.)</p> <ol style="list-style-type: none"> 1. People v. Nishi 2. Lavan v. City of Los Angeles 3. Sullivan v. City of Berkeley 4. Garcia v. City of Los Angeles 5. Davis v. Bissen

11: 7/14/26	<i>The Criminalization of Homelessness (Part 3): Panhandling, Loitering, Food Sharing</i>	<u>Reading Assignment:</u> Criminalization of Homelessness Cases: Pan Handling/Food Sharing 1. Loper v. New York City Police Dep't 2. Roulette v. City of Seattle (Part II) 3. Stuart Circle Parish v. Board of Zoning Appeals 4. First Vagabonds Church of God v. City of Orlando
12: 7/16/26	<i>Preventing Homelessness</i>	<u>Reading Assignment:</u> A Prevention-Centered Approach to Homelessness Assistance: A Paradigm Shift?
13: 7/21/26	<i>Representing the Unhoused</i> <i>Guest Speaker: TBD</i>	<u>No Reading Assignment This Week</u>
14: 7/23/26	<i>Student Presentations</i>	<u>No Reading Assignment This Week</u>
	<i>Final Paper Due on July 31</i>	