

SYLLABUS FOR LAW AND NEUROSCIENCE

Fall 2018

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This seminar examines a variety of cutting-edge, at times controversial, linkages between law and neuroscience, ranging from social and environmental influences on the brain and behavior to the interpretations of neuroimaging to the prediction of criminality and predispositions towards mental illnesses and addictions. Students will learn how discoveries in neuroscience intersect with societal responses, legal decision-making, the punishment of criminals, and the development of innovative rehabilitation strategies. The seminar's primary format consists of a speakers series comprising some of the leading experts in the country—neuroscientists, psychologists, medical researchers, and lawyers—who will come and discuss their work and research so that the class can interact with them directly by way of questions or commentary. These discussions are aimed at helping students understand the neuroscientific basis for behavioral patterns that often have legal implications.

Each week's reading material will be provided on the seminar's TWEN site (described at the end of this syllabus). There is no casebook or material to purchase.

There are two course requirements for this seminar:

- **Weekly three-page analytical papers (85% of your grade and graded pass/fail).** These papers are based upon your analysis of the reading materials—not a summary but rather your thoughts about how the content pertains to legal implications. I will grade the papers on a five point (1-5) scale with five being the highest score. These papers are due on TWEN by (at the latest) 9:00 am on the Monday preceding the Tuesday class. Instructions for the formatting of your papers and for the posting of your papers on TWEN are on the last page of this syllabus. *I do not accept papers even one minute after the 9:00 am deadline, apart from an emergency circumstance and TWEN will not allow you to post your papers after 9:00 am. If you have a problem, e-mail me before 9:00 with your paper.*
- **Class participation (15% of your grade).** *Attendance for every class is critical. Missing a class without a valid excuse (e.g., illness, death in the family) can affect your grade substantially.* Most of the class is intended to be interactive between the speaker and students by way of questions and discussion. For this reason, I ask that you not use laptops, ipads, or iphones, etc. in class. The weekly readings will provide students with a background for understanding the major issues involved.

CLASSES

- 1 – Jan. 16** **Introduction to the substance and structure of the seminar**
- 2 – Jan. 23** **How to Think About Neuroscience**
- Elissa Aminoff, Ph.D.
Assistant Professor
Department of Psychology
Fordham University School of Law
- 3 – Jan. 30** **How Does Experience Shape the Brain And Body Over the Lifecourse? Does the Plasticity of the Brain Allow for Redirection?**
- Bruce S. McEwen, Ph.D.
Alfred E. Mirsky Professor
Head, Harold and Margaret Milliken Hatch
Laboratory of Neuroendocrinology
The Rockefeller University
- 4 – Feb. 6** **Medical Child Abuse: When the Presenting Patient is not the “Real” Patient**
- Ingrid Walker-Descartes, M.D., MPH, FAAP
Assistant Professor–SUNY Downstate College of Medicine
Program Director–Pediatrics Residency Training Program
Fellowship Director–Child Abuse Fellowship Training Program
Clinical Director of Child Maltreatment Services
- 5 – Feb. 13** **How Neuroscience can Inform Civil Rights and Disability Law for Patients with Severe Brain Injury**
- Joseph J. Fins, M.D., M.A.C.P.
The E. William Davis, Jr., M.D. Professor of Medical Ethics
Chief of the Division of Medical Ethics and Professor of Medicine
Co-Director, Consortium for the Advanced Study of Brain Injury
Weill Cornell Medical College Solomon Center Distinguished Scholar in
Medicine, Bioethics and the Law
Yale Law School

6 – Feb. 27

The Neuroscience of Free Will

Heather A. Berlin, Ph.D., MPH
Assistant Professor, Department of Psychiatry
Icahn School of Medicine at Mount Sinai

Weill Cornell Medicine/NY Presbyterian Hospital
Dept. of Neurological Surgery
Sackler Brain and Spine Institute

7 – March 6

Brain Structure and Function Related to Aggression

Ruben C. Gur, Ph.D.
Professor, Departments of Psychiatry, Radiology & Neurology
Director, Brain Behavior Laboratory and the Center for
Neuroimaging in Psychiatry
Perelman School of Medicine, University of Pennsylvania
and the Philadelphia Veterans Administration Medical Center
Lifespan Brain Institute, Children's Hospital of Philadelphia and Penn
Medicine and the Philadelphia Veterans Administration Medical Center

8 – March 13

Probabilistic Perception: More, and Less, Than Meets the Eye

Ruben Coen Cagli, Ph.D.
Department of Systems and Computational Biology, and
Dominick Purpura Department of Neuroscience
Albert Einstein College of Medicine

9 – March 20

Brave New World: The Growth of AI and Analytics in Legal?

Darby J. Green, Esq.
Commercial Director
Litigation & Bankruptcy
Bloomberg Law

10 – April 3

How to Think Clearly about the Relationship Between Neuroscience and Law

Dennis Patterson, Esq.
Board of Governors Professor of Law and Philosophy
Co-Director, Institute for Law and Philosophy Rutgers University School
of Law

11 – April 10

Concussion: The Legal and Neuroscientific Dynamics

Michael Flomenhaft, Esq.
Principal
The Flomenhaft Law Firm, PLLC

12 – April 17

Measuring and Assessing Neurocognition

Amanda L. Sacks-Zimmerman, Ph.D., ABPP-CN
Assistant Professor of Neuropsychology in
Department of Neurological Surgery
Weill Cornell Medicine

Jessica Spat-Lemus, Ph.D.
Assistant Professor of Neuropsychology in
Department of Neurological Surgery
Weill Cornell Medicine

13 – April 24

Neuroscience and the Law: Don't Rush In

Jed S. Rakoff, Esq.
Judge
United States District Court for the Southern District of New York

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INSTRUCTIONS FOR WRITING YOUR PAPERS

Your three-page papers should be single-spaced, have one-inch margins, and use Times New Roman twelve-inch font. If you happen to use page references for the materials I have assigned please use end notes rather than footnotes. Those endnotes should not constitute part of your three pages but rather will start on page four. In other words, the three pages should not be filled unnecessarily with references but rather they should occupy the fourth page. I do not expect or require outside reference materials and I do not like the use of them. I want you to focus on the assigned reading instead. Analytical papers that address the full content of the reading material will be viewed more favorably than papers that discuss just one or two aspects of it. Be sure to discuss everything I assign if I assign more than one article or paper. One way to analyze a reading is to critique it. How can it be improved? What arguments were weak or strong? I am always available for questions and I will be providing you feedback each week on a scale of 1-5.

INSTRUCTIONS ON USING TWEN

You must enroll in this seminar's TWEN page. All course materials will only be distributed through TWEN. Also, you must submit your weekly paper assignments through this course's TWEN page.

Downloading Course Materials

On the **Seminar for Law and Neuroscience** TWEN page there is a Navigation menu on the left side of the page. Click on “Assignment & Quiz Drop Box” in this menu. This click will take you to a listing of the assignments for the course in order of due date. Click the title of the assignment (e.g., **What Is Neuroscience?**) On the right side of the screen under “Attached Files” you will see a list of the actual pdf files that I have assigned (e.g., **Elissa Aminoff Reading #1**, etc.). Click the .pdf files for that assignment to open up the reading material.

Submitting/Uploading Assignments

In the TWEN Navigation menu on the left side of the course’s TWEN page, click on “Assignment & Quiz Drop Box.” This click will take you to a listing of the assignments for the course in order of due date. For each assignment, there is a large blue button that says “Submit.” Clicking this button will take you to a page with an online text editor. **DO NOT** use the online text editor. Please save your assignment as a .pdf using MS Word or Word Perfect and then submit the .pdf directly. Click the “Browse” button above the “Submit” button beneath the online text editor. This will bring up a window allowing you to locate and choose the file you would like to upload. ***In order to ensure that I be able to read this file, please submit a pdf file.***

Assignments & Quizzes

Grade Book Navigation

Submit Your Assignment

Class 02 Aug 30 - N.Y. Cnty. District Attorney Cyrus Vance, Jr. on Criminal Justice Issues

[View Assignment Details](#)

Due on Monday, August 29, 2016 at 9:00 AM

Version: Final

Message to course administrator(s):

Style: Default Font

Size: 12

DO NOT submit assignment here.

Normal HTML QPreview

Words: 0 Characters: 0

Automatically mark citations in the message text to link to Westlaw

Upload your submission:

Note: The combined attachment(s) may not exceed 10 MB.

Browse

Submit Cancel

Upload .pdf of assignment here.