SYLLABUS—ADMIRALTY, MARITIME COMMERCE

This course will be complementary of the Admiralty, Personal Injury and Wrongful Death course and will address issues of maritime law other than personal injury and wrongful death. We will principally rely on, David J. Sharpe, David B. Sharpe, Peter Winship, CASES AND MATERIALS ON ADMIRALTY, Sixth Edition, West Academic Publishing, 2017, skipping those sections dealing exclusively with personal injury and wrongful death. The subjects we will cover are outlined below.

You should plan on being prepared to cover about 55 pages of the book per week, plus additional recent cases of interest relevant to the subject matter being discussed. Additional cases will be distributed in advance.

I can be reached at 713-646-1304 or by email at jwinton@bakerlaw.com. Students are welcome to submit questions at any time. I will normally copy the entire class on my response so everyone has the benefit of the question and the response.

WEEK 1
Chapter 1. Jurisdiction of Maritime Cases
A. The English Formulation
B. U.S. Formulations to 1972
C. The Executive Jet Formulation

WEEK 2
D. Outcomes of Maritime Cases
E. Uniform Maritime Law

Chapter 2. Practice In Admiralty Cases
A. Arrest

WEEK 3
B. The Action in Personam
C. Attachment and Garnishment
D. Venue
E. Trial by Jury
F. Arbitration
G. Governments as Defendants

WEEK 4
Chapter 3. Loss Allocation
A. Introduction
B. General Average
C. Insurance
D. Limitation of Shipowner Liability

**WEEK 5**

Chapter 4. Maritime Property
   A. Ownership and Use
   B. Maritime Liens
   C. Ship Mortgages and Maritime Liens
   D. Problems with Mortgages and Liens

**WEEK 6**

Chapter 5. Chartering
   A. The Business of Chartering Vessels
   B. “Fixing” the Charterparty
   C. Types of Charterparty
   D. Charterparty Warranties
   E. Exceptions and Frustration
   F. Remedies

**WEEK 7**

Chapter 6. Cargo
   A. Shipping Cargo Under Bills of Lading
   B. Commercial Uses of Bills of Lading
   C. Carrier Liability for Cargo Casualty

**WEEK 8**

D. Disputes in Cargo Cases
E. Multimodal Transport

**WEEK 9**

Chapter 7. Services and Products
   A. Pilotage
   B. Towage
   C. Offshore Services
   D. Products

**WEEK 10**

Chapter 9. Casualties
   A. Liability
B. Compensable Harms and Damage Amounts
C. Damage Judgments
D. Choice of Law

**WEEK 11**

E. International Waters: COLREGS
F. Inland Waters and Rules

Chapter 10. Salvage
A. Pure Salvage

**WEEK 12**

B. Salvage-Like Services

Q & A: At least the last class and in all probability some of the next to last class will be used as a review and open forum for questions and answers about subjects of interest or that are still puzzling the students to help them prepare for the exam.

**FINAL EXAM**

The course grade will be based principally on the final exam but points may be added or subtracted within law center guidelines for class participation. The exam will be conducted in class on the scheduled date for the final exam (subject to any conflict make-ups). The exam will be constructed with the intent that it will take the student three hours to complete.

The final exam will consist of four essay factual patterns. The student will need to analyze the facts and discuss the issues raised. Short topics will be provided to help guide the student in addressing the issues. The first question will raise issues of admiralty jurisdiction and choices of law and must be answered. The student will then be free to choose two from the three questions which follow to address. No more than three essay responses will count. Each question and discussion should consume about one hour of the student’s time.

**CAPS**

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let's Talk” program, a drop-in consultation service at convenient locations and hours around campus. http://www.uh.edu/caps/outreach/lets_talk.html.