

SYLLABUS FOR ADMIRALTY ENVIRONMENTAL AND INSURANCE CLAIMS

January 2020 Intersession

PROFESSOR

Kenneth G. Engerrand (Adjunct Professor)

COURSE OBJECTIVES AND LEARNING OUTCOME

The Deepwater Horizon blowout resulted in more than 500,000 claims and payments of more than \$60 billion, and the waters of the United States are faced with collisions, allisions, injuries, spills, and discharges every day. Admiralty Environmental and Insurance Issues teaches the civil and criminal remedies available for the environmental claims resulting from these incidents as well as the insurance issues applicable when there is a maritime accident. Therefore, the course covers the statutory and common law applicable to pollution of our nation's waters, including the various remedies available, how to pursue the remedies, and the defenses available to them. It also covers the different types of insurance available for marine risks; what is covered and what is not covered in marine policies; limitations on insurance coverage by contract, statute, common law, and public policy; and extra-contractual remedies available against marine insurers.

CLASS MEETING

This class meets Monday through Friday, 9:00 am to 12:00 noon, 1:00 pm to 3:00 pm.

ATTENDANCE

Attendance will be taken during each class. In order to pass this class, you are expected to attend a minimum of 80% of the classes.

PREPARATION AND CLASS PARTICIPATION

This class will be presented in a lecture format without recitation.

REQUIRED TEXT

Assignments will be to Cases and Materials, Admiralty Environmental and Insurance Claims by Kenneth G. Engerrand, available from the Law Center prior to the start of classes.

OFFICE HOURS AND CONTACT INFORMATION

The best contact is by email to kengerrand@brownsims.com. Contact can also be made by phone at the direct line, (713) 351-6270.

EXAMINATION AND GRADING

Your grade will be your score on a closed-book essay final examination administered during the Law Center's scheduled examination period for this class.

USE OF COMPUTERS AND ELECTRONICS IN CLASS

Out of respect for the learning environment and other students, computers may be used in class only to take class notes. Other electronic devices must not be used in class and must be disabled from making noise.

ASSIGNMENTS

Assignments to the casebook will be as follows:

January 6, 2020:

- Chapter 1 Sources of Maritime Law
- Chapter 2 Federal Environmental Common Law
- Chapter 3 General Maritime Law Remedies for Pollution
- Chapter 4 Federal Environmental Legislation: Clean Water Act

January 7, 2020:

- Chapter 5 Federal Environmental Legislation: Oil Pollution Act of 1990
- Chapter 6 Displacement of Federal Common Law
- Chapter 7 Preemption of State Law

January 8, 2020:

- Chapter 8 Marine Insurance Policies
- Chapter 9 General Principles of Marine Insurance
- Chapter 10 Principles for Protection and Indemnity Policies

January 9, 2020:

- Chapter 11 Principles for Hull Policies
- Chapter 12 Principles for Other Policies
- Chapter 13 Limitations on Insurance

January 10, 2020:

- Chapter 14 Indemnity and Insurance
- Chapter 15 Subrogation
- Chapter 16 Arbitration of Insurance Disputes
- Chapter 17 Extra-Contractual Remedies

AMERICANS WITH DISABILITIES ACT

Whenever possible, and in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, the University of Houston will attempt to provide reasonable academic accommodations to students who request and require them. Please contact student services for more information.

COUNSELING AND PSYCHOLOGICAL SERVICES (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