

MC Law class focuses attention on storm's aftermath

By LYNN LOFTON
MBJ Contributing Writer

JACKSON — The Mississippi College School of Law's class on the legal ramifications of Hurricane Katrina may not be the only such class in the nation, but it's surely one of a few. The seminar, the Legal Aftermath of Hurricane Katrina, is focused on post-hurricane legal issues. It's being taught by Professor Sid Moller and is limited to 15 students. All chairs are filled with second- and third-year students who are satisfying an upper class elective and writing requirement.

"I was scheduled to have a seminar class and have flexibility on topics. I saw legal issues from the hurricane in the paper every day," Moller said. "It's a timely topic and a good learning device. It's of interest to the students. I'm grateful the class has the opportunity to address real needs of people. A lot of times we deal with abstract matters."

Students in the Katrina class are writing 20-page research papers and will make presentations to the class. Moller hopes these papers will have value in the state's rebuilding efforts. The information will be available to legislative committees and others involved in the vast work.

"I may be overly optimistic but not unrealistic," he said. "The students are putting a lot of time into these papers."

The class is centered upon the pervasive and profound importance of the law and legal principles in responding to the disaster and rebuilding in its wake. Among the issues discussed are contract disputes such as the impact on obligations under lease agreements,

home mortgages and employment contracts; insurance coverage disputes including the primary question of wind versus flood damage; tort liability such as health-care providers' failure to evacuate or abandonment of patients; and responding to criminal activity such as looting, price gouging and the case for and against imposing martial law.

Topics also include maintaining and restoring the administration of justice such as problems created by lost and destroyed records and documents in courthouses; the impact of the storm on filing deadlines; the tolling of statutes of limitations; problems with obtaining a representative number of jurors in impacted areas and speedy trial issues and property issues such as land use and building codes.

The course may also touch on topics concerning environmental issues, racial discrimination, legal challenges confronting municipalities and casinos and legislative activity.

There is no textbook. Guest speakers are addressing the class. They have included Amanda Jones, president of the Mississippi Bar Association's Young Lawyers Division; Smith Murphy, president-elect of the Mississippi Prosecutors Association; Lee Harrell, deputy state commissioner of insurance; Brian Sanderson of the Governor's Rebuilding Commission; and Dr. William E. Bailey, director of the Hurricane Insurance Information Center that was established in Miami following Hurricane Andrew in 1992.

"I appreciate them giving their time," Professor Moller said. "The speakers are keeping the students engaged. All the speakers and others I've talked to indicate great optimistic for rebuilding the Coast. I'm encouraged by that and the can-do attitude of the people in Mississippi."



Moller

Amanda Jones spoke to the class on lessons learned while she and other members of the Young Lawyers Division provided legal assistance to hurricane victims.

"I shared some of the challenging legal questions we handled in the areas of insurance, landlord/tenant, mortgage, domestic and estate law," she said. "It was my hope that they in turn could find answers to some of those unanswerable or hard to answer questions. While providing disaster legal assistance, we realized that some statutes in place did not fully address the legal problems our fellow Mississippians faced."

She added that many times lawyers are the only ones who can help. She feels the MC class creates an opportunity for students who are keenly interested in these legal issues to devote the time and energy to researching the law, developing new ideas, finding solutions, looking at problems from a new perspective and even proposing new legislation.

Jess New, a third-year law student from Madison, says the class is beneficial to him as a future lawyer in a number of ways, including the knowledge and expertise the speakers have shared. "My paper topic is going to include the various environmental impacts the hurricane has had on the coastal region, covering aspects such as pollution in the air and water to the loss of timber, food and vegetation and the effect on wildlife and the ecosystem as a whole," he said. "I will also touch on the business environment on the Coast and the effect Katrina has had there."

Moller says his students seem to be more interested in the rebuilding side of hurricane issues. "If they work anywhere from Jackson south, they will be involved with this whether they want to be or not," he said. "These issues will be around for a long time."