

2011

## One Approach to Teaching Maritime Law: The Admiralty Classroom as a Stage

Taylor Simpson-Wood

*Barry University Dwayne O. Andreas School of Law*, [tsimpsonwood@mail.barry.edu](mailto:tsimpsonwood@mail.barry.edu)

Follow this and additional works at: <https://scholarship.law.slu.edu/lj>

 Part of the [Law Commons](#)

---

### Recommended Citation

Simpson-Wood, Taylor (2011) "One Approach to Teaching Maritime Law: The Admiralty Classroom as a Stage," *Saint Louis University Law Journal*: Vol. 55 : No. 2 , Article 12.

Available at: <https://scholarship.law.slu.edu/lj/vol55/iss2/12>

This Article is brought to you for free and open access by Scholarship Commons. It has been accepted for inclusion in Saint Louis University Law Journal by an authorized editor of Scholarship Commons. For more information, please contact [erika.cohn@slu.edu](mailto:erika.cohn@slu.edu), [ingah.daviscrawford@slu.edu](mailto:ingah.daviscrawford@slu.edu).

**ONE APPROACH TO TEACHING MARITIME LAW:  
THE ADMIRALTY CLASSROOM AS A STAGE**

TAYLOR SIMPSON-WOOD\*

All the world's a stage  
And all the men and women merely players:  
They have their exits and their entrances;  
And one man in his time plays many parts.

—WILLIAM SHAKESPEARE, AS YOU LIKE IT act 2, sc. 7.

I. THE RUBRIC

The ancient philosopher Plutarch wrote, “[T]he mind is not a vessel that needs filling, but wood that needs igniting.”<sup>1</sup> Concurring with this analogy, I think it is incumbent upon every teacher or professor to be proactive in examining and understanding the pedagogical principles they choose to embrace. Pedagogy is defined as “the art, science, or profession of teaching.”<sup>2</sup> I tend to gravitate toward “the art” aspect of the definition and to view my actions in the classroom as constituting a style of teaching performance, which I hope will light the minds of the students taking a particular doctrinal class from me.<sup>3</sup> For each course I teach, I endeavor to create the role of “the law

---

\* Taylor Simpson-Wood is a Professor of Law at Barry University School of Law, Orlando, Florida. She received her B.F.A. from the Goodman School of Drama/DePaul University and her J.D. (*magna cum laude*) and LL.M. in Admiralty (*with distinction*) from Tulane Law School. She currently teaches in the areas of Civil Procedure, Conflict of Laws, Popular Culture & the Law, and Admiralty & Maritime Law.

1. PLUTARCH, *On Listening*, in ESSAYS 27, 50 (Robin Waterfield trans., Penguin Classics 1992). Plutarch was a Greek biographer, philosopher, and author who was born around 46 A.D. and died sometime after 119 A.D. Frank Cole Babbitt, *Introduction* to 1 PLUTARCH, MORALIA, at ix, ix (Frank Cole Babbitt trans., William Heinemann Ltd. 1927). Best known as the author of PLUTARCH'S LIVES, his remaining works on ethics, religion, politics, and literary topics are gathered together in the MORALIA. Ian Kidd, *Introduction* to PLUTARCH, ESSAYS, *supra*, at 1, 4.

2. MERRIAM-WEBSTER'S COLLEGIATE DICTIONARY 912 (11th ed. 2003).

3. This preference is not surprising in light of my life before the law. Prior to beginning my legal studies, I was a professional actress for a number of years. I trained at the Juilliard School in N.Y.C., the Goodman School of Drama in Chicago (now the Theater School at DePaul University) and the M.F.A. program at the Asolo Conservatory in Sarasota, Florida. I performed in regional theaters across the country as well as in Broadway/National touring companies. I also

professor” who Stanislavski<sup>4</sup> himself would have cast to star in the particular classroom drama which will run throughout the semester.

In the fall of 2011, I will be teaching my admiralty course for only the seventh time. Consequently, I am still very cognizant of the role of “teacher-self”<sup>5</sup> I am creating in order to give the best performance I can as I bring this exciting area of the law to life for my students. By performance, I do not mean putting on a fake self or being phony. Acting with a capital “A” is bad acting to the trained professional and often painful for the audience.<sup>6</sup> As the Academy Award winning actor Al Pacino advised one young performer, “[a]ny time you feel the urge to act coming on, go and lie down until it goes away.”<sup>7</sup> So, when I refer to creating “a teacher-self,” what I am suggesting is that every educator needs to create and master “a role to be played in the classroom-theater,”<sup>8</sup> not become an overly dramatic persona. Developing a teacher-self is what allows a law professor to excel at his or her chosen profession.<sup>9</sup> It is the foundation for the frequent observation that someone “who may be shy, introverted, uninteresting outside the classroom is metamorphosed into an exciting, gripping personality once in it.”<sup>10</sup>

---

accumulated a fair number of T.V. and film credits. I am a long-time member of Actors’ Equity Association, Screen Actors Guild, and the American Federation of Radio and Television Artists.

4. Born in 1863, Constantin (or Konstantin) Stanislavski was an internationally acclaimed Russian actor and director, co-founder of the Moscow Art Theater, and the father of what has become known as “method” acting. JEAN BENEDETTI, *STANISLAVSKI*, at ix, 61 (1988). His unique approach to acting has influenced many fine actors, directors, and drama schools, including Marlon Brando, Lee Strasberg, Gregory Peck, Joshua Logan, the Actor’s Studio, Stella Adler, and Sonja Moore. *See id.* at ix (quoting Lee Strasberg’s autobiography and noting his admiration for Stanislavski); SHARON MARIE CARNICKE, *STANISLAVSKY IN FOCUS: AN ACTING MASTER FOR THE TWENTY-FIRST CENTURY* 52–55 (2d ed. 2009) (discussing the Actor’s Studio, Stanislavski’s influence on it, and the involvement of Marlon Brando, Lee Strasberg, Joshua Logan, and Sonja Moore); Jay Martel, *Can’t Act*, *SPY*, Dec. 1988, at 90, 94.

5. R.W. Hanning, *The Classroom as Theater of Self: Some Observations for Beginning Teachers*, *ADE BULL.*, Spring 1984, at 33.

6. When I was attending drama school, one of my acting teachers told the class a story about an actress who was playing the role of Nina in Anton Chekhov’s play *The Sea-Gull*. Unfortunately, she was giving a far from stellar performance. In Act IV, Nina has a monologue in which she says, “I am a seagull (pause) No, that’s not it. I’m an actress! . . . I am a seagull.” ANTON CHEKHOV, *THE SEA-GULL* act 4. When the actress finished her second “I am a seagull,” which came in the middle of the lengthy monologue, a member of the audience stood up and shouted “You’re a seagull so why don’t you just get on with it.”

7. Peter W. Murphy, “*There’s No Business Like . . . ?*” *Some Thoughts on the Ethics of Acting in the Courtroom*, 44 *S. TEX. L. REV.* 111, 123 (2002) (quoting Al Pacino). Professor Murphy also relates the story in his article about a disastrous performance of *The Diary of Anne Frank* in London. At one point, when a group of German soldiers appeared on stage, an audience member loudly intervened: “She’s in the attic!” *Id.* at 124.

8. Hanning, *supra* note 5, at 33.

9. *See id.* at 37.

10. *Id.* at 33.

When you go to the theater and watch a professional play with trained actors, you will see not just an actor, nor just a character, but the “actor-as-character.”<sup>11</sup> This unique human being resides outside of the normal world. So too does the law professor when teaching. For, like the theater, the classroom is also a special place “not continuous with the ‘outside world.’”<sup>12</sup> Consequently, upon entering the classroom and while teaching, a professor should assume the mantle of his or her teacher-self.

The question may arise as to why a naturally talented professor, who is often brilliant in the classroom, needs to create a teacher-self. This is “one of those questions that can be answered only with other questions: Why does a civilized man need culture? Why does an intelligent child need an education?”<sup>13</sup> A talented actor needs training and a method to rely on in order to be sure he will always give a good performance. Even if he is having an off night and does not feel that he will be able to give an inspired performance,<sup>14</sup> the techniques he has mastered will allow him to play the part correctly, and he will not “flounder helplessly or be compelled to resort to clichés and bad theatrical habits.”<sup>15</sup> So too, a law professor needs a teacher-self to ensure that she will always be able to play her part correctly, resulting in a stimulating, if not always award winning, teaching performance. As Richard Boleslavsky<sup>16</sup> noted in his article *Fundamentals of Acting*,

The actor’s art . . . cannot be taught. He must be born with ability; but the technique, through which his talent can find expression—that can and must be taught. . . . For, after all, technique is something which is perfectly realistic and quite possible to make one’s own.<sup>17</sup>

---

11. MICHAEL GOLDMAN, *THE ACTOR’S FREEDOM: TOWARD A THEORY OF DRAMA* 6 (1975).

12. Hanning, *supra* note 5, at 33.

13. MICHAEL CHEKHOV, *TO THE ACTOR ON THE TECHNIQUE OF ACTING* 171 (Barnes & Noble 1985) (1953).

14. *See id.* at 173 (explaining how the method will always ensure a good performance, even when inspiration is lacking).

15. *Id.*

16. Richard Boleslavsky trained as an actor and studied theater at the Moscow Art Theater, co-founded by Constantin Stanislavski. *See supra* text accompanying note 4; *see* BENEDETTI, *supra* note 4, at 206 (noting that when Stanislavski wanted to recruit candidates from within the Art Theatre for a teaching studio, Boleslavsky was a clear choice). Boleslavsky worked not only as an actor, but also as a director of both plays and films, and a teacher. Edith J.R. Isaacs, *Introduction* to RICHARD BOLES LAVSKY, *ACTING: THE FIRST SIX LESSONS* 7, 7 (23d prt. 1975). As a film director, he directed such well-known stars as Clark Gable, Greta Garbo, Frederic March, and Marlene Dietrich. J.W. ROBERTS, *RICHARD BOLES LAVSKY: HIS LIFE AND WORK IN THE THEATRE* 224–25 (Bernard Beckerman ed., Theater & Dramatic Studies Ser. No. 7, 1981).

17. Isaacs, *supra* note 16, at 9–10 (quoting Richard Boleslavsky, *Fundamentals of Acting*, *THEATRE ARTS MAG.*, Feb. 1927, at 121).

The lesson of Boleslavsky is equally applicable to the law professor. While he or she will certainly have a natural talent for teaching, it is imperative to respond to the classroom setting by using acting techniques to create a teacher-self.

In building just the right character to play as your teacher-self, certain factors must be considered. Class format, the number of students enrolled, and the level of the students taking the course are of primary importance. My admiralty course is taught in a seminar format that meets once a week for two hours. Enrollment is limited to twenty upper-class students who, in contrast to first-year students, have had a year or two to begin to master the mysteries of our calling.<sup>18</sup> Further, my Admiralty Seminar is a “paper” course, which means that, in lieu of a final exam, the students must write a substantial paper of twenty-five to thirty pages<sup>19</sup> and present the paper to their classmates. However, the greatest influence in determining the appropriate teacher-self for a particular class is the subject matter of the course.

Perhaps it is the lure or romance of the sea, which makes the study of Maritime Law so magical. As Longfellow wrote, only those who “brave [the sea’s] dangers [c]omprehend its mystery!”<sup>20</sup> From collisions to salvage operations, to the sinking of the *Titanic*<sup>21</sup> or the *Sultana*,<sup>22</sup> to the tragedy of the *Exxon Valdez*<sup>23</sup> and the ongoing BP oil disaster,<sup>24</sup> this area of the law is rife

---

18. An excellent definition of the legal profession was propounded by the late Roscoe Pound, Dean of Harvard Law School. Pound defined the legal profession as:

a group . . . pursuing a learned art as a common calling in the spirit of a public service—no less a public service because it may incidentally be a means of livelihood. Pursuit of the learned art in the spirit of a public service is the primary purpose.

ROSCOE POUND, *THE LAWYER FROM ANTIQUITY TO MODERN TIMES* 5 (1953).

19. The paper may also satisfy the Barry Law School’s Upper Level Writing Requirement, which all upper level students must complete in order to meet the ABA’s Rigorous Legal Writing Requirement. See AM. BAR ASS’N, *STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS: 2010–2011* § 302(a)(3) (2010).

20. Henry Wadsworth Longfellow, *The Secret of the Sea*, in *THE SEASIDE AND THE FIRESIDE* 32, 34 (1849).

21. On April 14, 1912, the *Titanic*, a luxury liner billed as not only the largest ship afloat, but also the safest, sank on her maiden voyage from Southampton, England to New York City after hitting an iceberg. Only 705 of her 2,200 passengers survived. John B. Hightower, *Introduction* to BEVERLY MCMILLAN & STANLEY LEHRER, *TITANIC: FORTUNE & FATE* 6 (1998).

22. On April 27, 1865, the worst maritime disaster in United States history occurred with the sinking of the *Sultana*. She was a steamboat carrying around 2,300 just-released union prisoners of war, plus civilian passengers and her crew. When the ship went down seven miles north of Memphis, Tennessee, 1,500 lives were lost. Hugh E. Berryman et al., *The Ill-Fated Passenger Steamer Sultana: An Inland Maritime Mass Disaster of Unparalleled Magnitude*, 33 J. FORENSIC SCI. 842, 842, 845 (1988).

23. E.g., William H. Rodgers, Jr. et al., *The Exxon Valdez Reopener: Natural Resources Damage Settlements and Roads Not Taken*, 22 ALASKA L. REV. 135, 136 (2005).

with plot, tension, tragedy, and action. Even maritime jurisdiction,<sup>25</sup> marine insurance,<sup>26</sup> and maritime liens<sup>27</sup> fascinate with their historical and international backgrounds. So, despite Holmes' view that "[o]f course, the law is not the place for the artist or the poet,"<sup>28</sup> the rubric I have found most helpful in successfully teaching my Admiralty Seminar is to draw an analogy between the stage and the classroom, and the successful actor and the effective teacher.

## II. ACTING AS EPISTEMOLOGY

*You don't have a "self" to be when you start out as a teacher; that is, you don't have a teacher-self. You have to develop one, and you do that by acting the part, by performing a role tailored to the needs of the classroom, by responding to the classroom as you would to a theater.*

—R.W. Hanning<sup>29</sup>

The concept of acting and teaching being kindred disciplines is not new. The awareness by educators that the "epistemology of acting"<sup>30</sup> can inform teaching has been recognized at the elementary, secondary, and undergraduate teaching levels.<sup>31</sup> The implication of teachers as actors has even been applied

24. Campbell Robertson, *11 Remain Missing After Oil Rig Explodes Off Louisiana*, N.Y. TIMES, Apr. 22, 2010, at A13.

25. See generally Eberhard P. Deutsch, *Development of the Theory of Admiralty Jurisdiction in the United States*, 35 TUL. L. REV. 117 (1960) (detailing the origins of maritime law).

26. See, e.g., SOLOMON S. HUEBNER, MARINE INSURANCE 186–87 (1920) (discussing the international character of marine insurance).

27. See, e.g., WILLIAM TETLEY, MARITIME LIENS AND CLAIMS (2d ed. 1998).

28. Oliver Wendell Holmes, Jr., *The Profession of the Law: Conclusion of a Lecture Delivered to Undergraduates of Harvard University, on February 17, 1886*, reprinted in COLLECTED LEGAL PAPERS 29, 29 (1920).

29. Hanning, *supra* note 5, at 33.

30. Tom Griggs, *Teaching as Acting: Considering Acting as Epistemology and Its Use in Teaching and Teacher Preparation*, TCHR. EDUC. Q., Spring 2001, at 23, 29 (defining the "epistemology of acting" as "the visceral, multi-sensory means through which actors come to know and experience life, a type of knowing which incorporates and integrates affective, psychomotor, and cognitive domains and perceptions of their worlds").

31. *Id.* at 23–24 (focusing on identifying "mutual conceptual and theoretical frameworks from the fields of acting and teaching" and then linking these to teacher preparation and development); see also ROBERT T. TAUBER & CATHY SARGENT MESTER, ACTING LESSONS FOR TEACHERS: USING PERFORMANCE SKILLS IN THE CLASSROOM, at xii, 4 (2d ed. 2007) (focusing on those who teach at the elementary, secondary, community college, or university level and providing specific acting techniques and skills to assist the teacher in conveying more enthusiasm to enliven his or her teaching); Yuk-lan Phoebe Chan, *In Their Own Words: How Do Students Relate Drama Pedagogy to Their Learning in Curriculum Subjects?*, 14 RIDE: J. OF APPLIED THEATRE & PERFORMANCE 191, 191–92 (2009) (discussing how in the past decade, a number of Hong Kong schools have introduced drama-based approaches to teaching curriculum subjects in primary schools); Kirk Robert Dorion, *Science through Drama: A Multiple Case Exploration of the Characteristics of Drama Activities Used in Secondary Science Lessons*, 31 INT'L J. OF SCI.

to teaching physics.<sup>32</sup> In the arena of law school studies, the relationship between acting techniques and success in legal practice has also been emphasized in the areas of trial advocacy<sup>33</sup> and mediation.<sup>34</sup> That the world of the theater may inform the law is aptly borne out by the well-known cliché among trial lawyers that “good trial work is good theatre.”<sup>35</sup>

In contrast, the significant parallels between acting and teaching of doctrinal law courses are infrequently, if ever, highlighted.<sup>36</sup> I assume that one of the major reasons for such an omission is that the traditional approach to teaching used in substantive law courses is the “Socratic Method.”<sup>37</sup> The

---

EDUC. 2247, 2268 (2009) (discussing a British study which focused on teachers’ own drama activities in five science lessons taught to students, ages twelve to sixteen, and the resulting conclusion that “drama-based approaches” to teaching the sciences is a “potentially rich classroom resource for interactive and imaginative learning.”).

32. See Marina Milner-Bolotin, *Teachers as Actors: The Implications of Acting on Physics Teaching*, 45 PHYSICS TCHR. 459 (2007).

33. See, e.g., Paul Brest & Linda Hamilton Krieger, *Lawyers as Problem Solvers*, 72 TEMP. L. REV. 811, 827–28 (1999) (using the Stanislavski method to problem solve); Dana K. Cole, *Psychodrama and the Training of Trial Lawyers: Finding the Story*, 21 N. ILL. U. L. REV. 1, 5 (2001) (comparing trials and theater and discussing the need in both settings for motivation and effective storytelling); James Parry Eyster, *Lawyer as Artist: Using Significant Moments and Obtuse Objects to Enhance Advocacy*, 14 LEGAL WRITING 87 (2008) (discussing the tools of selection and enhancement used in story telling by visual artists); Jeffrey S. Wolfe, *The Effect of Location in the Courtroom on Jury Perception of Lawyer Performance*, 21 PEPP. L. REV. 731, 737 (1994) (likening the trial court to a stage and suggesting over-acting as a remedy to lackluster performance).

34. See, e.g., Robert D. Benjamin, *Managing the Natural Energy of Conflict: Mediators, Tricksters, and the Constructive Uses of Deception*, in BRINGING PEACE INTO THE ROOM: HOW THE PERSONAL QUALITIES OF THE MEDIATOR IMPACT THE PROCESS OF CONFLICT RESOLUTION 79, 120–23 (Daniel Bowling & David A. Hoffman eds., 2003) (quoting A.A. LEFF, SWINDLING AND SELLING 183 (1976)) (“Successful negotiation . . . ‘involves the creation of a drama and of roles in that drama . . . .’”); John W. Cooley, *Mediation, Improvisation, and All that Jazz*, 2007 J. DISP. RESOL. 325, 329–31 (2007) (relying upon the works of Viola Spolin, the renowned teacher of improvisation skills for actors, to inform the comparison between improvisational performance art abilities and successful mediation).

35. Janeen Kerper, *Stanislavsky in the Courtroom*, LITIG., Summer 1984, at 8, 8.

36. See Kara Abramson, “*Art For A Better Life: A New Image of American Legal Education*,” 2006 BYU EDUC. & L.J. 227, 227–28 (2006) (proposing that image, history, sound, poetry, and story belong in the legal classroom but are at odds the traditional methods of teaching law).

37. The Socratic Method consists of teaching via asking a series of questions which creates a dialogue with students and leads them to examine the validity of an opinion. *Id.* at 231. For an excellent article discussing a number of works with varying views on the use of the Socratic Method in law school, see Joseph A. Dickinson, *Understanding the Socratic Method in Law School Teaching After the Carnegie Foundation’s Educating Lawyers*, 31 W. NEW ENG. L. REV. 97 (2009). See also ANTHONY KRONMAN, *THE LOST LAWYER* 109–21 (1993), *reprinted in* 31 U. TOL. L. REV. 647, 649–50 (2000) (noting that the “case method,” which the author notes includes use of the Socratic Method, benefits law students by compelling them to place themselves in the

mastery of this sometime elusive technique of teaching<sup>38</sup> has been sufficient to be considered a good law teacher. However, even if one has mastered the venerable Socratic Method,<sup>39</sup> it is still my supposition that good classroom teaching at a law school must also be good theater.

### III. SUCCESSFUL TEACHING IS A PERFORMANCE

*The acting or performing dimension of the teaching act is highly relevant to a large portion of the teacher's role. Verve, color, humor, creativity, surprise, and even "hamming" have characterized most great teachers.*

—M. Dale Baughman<sup>40</sup>

As in a theater, the classroom contains a stage of some sort that separates or distinguishes the professor from the student audience. Perhaps it is an actual stage, platform, or podium. It could also simply be a stool or chair. There is also a degree of costuming in each undertaking. Certainly, both teaching and learning should unfold when engaged in either profession.<sup>41</sup> In both scenarios, the character on stage must also hold the attention of the audience. In each, the goal should not be to *emote* but to *evoke*.<sup>42</sup> It is through such engagement that ideas are exchanged and explored. Consequently, it is not surprising that I have found a number of theater skills and techniques to be of great assistance in establishing the desired rapport with my students when teaching my Admiralty Seminar.

---

shoes of the original contestants); Laurel Currie Oates, *Did Harvard Get It Right?*, 59 MERCER L. REV. 675 (2008) (critiquing legal education from the perspective of educational psychologists); Michael Vitiello, *Professor Kingsfield: The Most Misunderstood Character in Literature*, 33 HOFSTRA L. REV. 955 (2005).

38. David H. Elkind & Freddy Sweet, *The Socratic Approach to Character Education*, EDUC. LEADERSHIP, May 1997, at 56, 56 (noting that the Socratic method “derives from the Socratic *Dialogues* of Plato, in which Socrates made people jump through intellectual hoops trying to defend a ‘truth.’” In the process, Socrates asked “a progression of seemingly innocent questions that ultimately led the respondent to a logical conclusion that was incompatible with that person’s originally stated belief.”).

39. The Socratic Method was first introduced by Christopher Columbus Langdell at Harvard in the 1870s. Bruce A. Kimball, *The Langdell Problem: Historicizing the Century of Historiography, 1906–2000s*, 22 LAW & HIST. REV. 277, 279 (2004).

40. M. Dale Baughman, *Teaching with Humor: A Performing Art*, CONTEMP. EDUC., Fall 1979, at 26, 27.

41. According to the Roman philosopher Horace, the purpose of drama, like that of education, was to teach and to please. Marvin T. Herrick, *The New Drama of the Sixteenth Century*, 54 J. ENG. & GERMANIC PHILOLOGY 555, 556 (1955).

42. Griggs, *supra* note 30, at 30.

A. *The Role of Blocking*

*The play's the thing  
Wherein I'll catch the conscience of the King.*

—William Shakespeare<sup>43</sup>

The first theater skill which can be quite useful to a teacher-self is proxemics, better known in the acting world as “blocking.”<sup>44</sup> I employ the concept of blocking in my Admiralty Seminar in the following manner. All of the topics covered during a class period constitute that day’s “Play.” I then divide the play into “Acts.” Next, each maritime case or statute covered during the two-hour class period is viewed as a different “scene” in a particular Act. I then block each scene in terms of who shall play what role, with an eye to highlighting the most important concept to be mastered from the scene. I achieve this division by having the students sign up as experts for the various cases we will be covering each class. I actually pass a sign-up sheet around at the end of the first class covering the entire semester, and I always have at least two students sign up for each case just in case someone is absent on the assigned day.

For example, let’s suppose the assignment for the day is admiralty jurisdiction. When covering this area, we focus on five sub-topics: the “Navigable Waters” issue, the “Vessel” issue, admiralty jurisdiction in tort cases, the Admiralty Extension Act,<sup>45</sup> and admiralty jurisdiction in contract cases. For each sub-topic, I assign two or three cases from the text.

Translating this into my theatrical paradigm, the Play for the day has five Acts, with two to three scenes in each Act. I will usually give an introduction to each Act by providing an overview of the area being covered in terms of history or recent cases and legislation. Then different students will star in the individual scenes as experts for the day on a specific case. I continue to add to the dialogue when needed by asking the experts questions to stimulate class discussion. I will give a solo performance in the epilogue for the day, discussing next week’s assignment.

---

43. WILLIAM SHAKESPEARE, *HAMLET* act 2, sc. 2.

44. TAUBER & MESTER, *supra* note 31, at 56–59. Stanislavski believed “that in order to study the structure of the play and the part it is necessary to divide them into units (bits and sections).” CHEKHOV, *supra* note 13, at 154. *See also*, CONSTANTIN STANISLAVSKI, *AN ACTOR PREPARES* 105–19 (Elizabeth Reynolds Hapgood trans., 36th prtg. 1982) (discussing units and objectives).

45. 46 U.S.C. § 30101 (2006).

B. *The Magic of Props*

*Acting is all about . . . props. All the great actors knew it.  
Olivier knew it, Brando knew it!*

—Harold Ramis<sup>46</sup>

To create transitions between the Acts of the day's Play, I employ different props, such as the white board, the overhead projector, or a PowerPoint presentation.<sup>47</sup> I also use my eyeglasses or the marker for the white board to assist me in potently making a point. In the words of Archimedes, "Give me a lever long enough [a]nd a prop strong enough, I can single-handed move the world."<sup>48</sup> The use of props also becomes quite important to my students when they give the twenty-five to thirty minute presentation of their paper at the end of the semester. Whether it is using a marker and an easel, giving a PowerPoint presentation, or bringing actual artifacts from a sunken vessel, such as those from Mel Fisher's<sup>49</sup> expeditions or the menu from the last dinner served aboard the *Titanic*,<sup>50</sup> the students find that the use of props is of great assistance in holding the attention of their colleagues. I even had one student who dressed as Alexander Hamilton, wig, horn-rimmed glasses and all, when presenting his paper on the history of the United States Navy.

I also use props to bring the time periods and authors of the different opinions in the text to life. In the past, I have brought to class a picture of a portrait of Judge Joseph Story<sup>51</sup> and have read excerpts from a law review article on Judge John Robert Brown.<sup>52</sup> Photos of the various types of vessels involved in the cases for the day or of a dry-dock or of salvage operations can

---

46. This quote by actor Harold Ramis is from the twenty-year *Ghostbusters* reunion commentary on the *Ghostbusters* DVD. *GHOSTBUSTERS* (Sony Pictures Home Entm't 2005).

47. For a discussion of props and technology, see TAUBER & MESTER, *supra* note 31, at 107–16.

48. THE GREAT QUOTATIONS 65 (George Seldes ed., 2d prtg. 1960). Archimedes lived in ancient Greece from about 287–212 B.C. He was a famous mathematician and inventor. E.J. DIJKSTERHUIS, ARCHIMEDES 9–10, 21 (C. Dikshoorn trans., Princeton Univ. Press 1987) (1956).

49. Mel Fischer discovered the *Atocha* and the *Santa Margarita*, Spanish Galleons that sank off the coast of Florida near Key West in 1622. He has recovered many valuable artifacts from the wrecks. R. DUNCAN MATHEWSON III, TREASURE OF THE ATOCHA 10 (1986).

50. RICK ARCHBOLD & DANA MCCAULEY, LAST DINNER ON THE TITANIC 66–67 (1997).

51. During his time on the United States Supreme Court, Justice Story played a significant role in the formation of maritime law by bringing the personification doctrine into American Maritime Jurisprudence. Douglas Lind, *Pragmatism and Anthropomorphism, Reconceiving the Doctrine of the Personality of the Ship*, 22 U.S.F. MAR. L.J. 39, 55 (2009–2010).

52. For a discussion of Judge Brown and his contributions to maritime law, see Gus A. Schill, Jr., *John R. Brown (1910–1993): The Judge Who Charted the Course*, 25 HOUS. J. INT'L L. 241 (2003).

also be quite persuasive as resuscitators. The endowment of props<sup>53</sup> is frequently pivotal to their effectiveness. For example, treating a ship model in a particular way in light of her unique historical significance will aid and abet in bringing this visual aid to life. My goal is for my students to remember that cases are about real vessels and real people. The key is to help them see that a dramatic story is unfolding in each opinion they study.

### C. *The Art of Storytelling*

It is a basic tenet of trial advocacy that “[b]oredom is the enemy of effective communication.”<sup>54</sup> Therefore, it is not unexpected that the principles of storytelling have long been recognized as essential to an effective, persuasive, courtroom presentation.<sup>55</sup> Such principles are equally important in the doctrinal classroom,<sup>56</sup> particularly in a seminar setting, and compelled by the nature and subject matter of maritime case law.<sup>57</sup>

For instance, when focusing on the conflict that can result when a claim falls within a court’s admiralty jurisdiction—there is a difference between the general maritime law and state law—I teach the seminal case *Southern Pacific Co. v. Jensen*.<sup>58</sup> I would find it next to impossible to teach *Jensen* without asking my students to envision Marie, the poor widow of Christen Jensen, and his two, small, now fatherless children ages seven and three,<sup>59</sup> who are left bereft of support when Christen is killed after striking his head on a hatchway and breaking his neck.<sup>60</sup> Due to the conflict between the worker’s

---

53. For a discussion and exercises on the endowment of props, see CHARLES MCGAW, *ACTING IS BELIEVING: A BASIC METHOD* 64–71 (Holt, Rinhart and Winston, 2d ed. 1956) (1955).

54. THOMAS A. MAUET, *TRIAL TECHNIQUES* 19 (7th ed. 2007).

55. Cole, *supra* note 33, at 2. For further discussion of the use of storytelling in law, see *Lawyers as Storytellers & Storytellers as Lawyers: An Interdisciplinary Symposium Exploring the Use of Storytelling in the Practice of Law*, 18 VT. L. REV. 567 (1994); Symposium, *Legal Storytelling*, 87 MICH. L. REV. 2073 (1989); Symposium, *Speeches from the Emperor’s Old Prose: Reexamining the Language of Law*, 77 CORNELL L. REV. 1233 (1992).

56. The idea of legal storytelling as applicable to the classroom and to legal scholarship has been recognized by a number of scholars. *E.g.*, Beryl Blaustone, *Teaching Evidence: Storytelling in the Classroom*, 41 AM. U. L. REV. 453 (1992) (discussing the use of short stories to teach Evidence); Daniel A. Farber & Suzanna Sherry, *Telling Stories Out of School: An Essay on Legal Narratives*, 45 STAN. L. REV. 807 (1993) (providing an overview of the legal storytelling movement); Richard A. Matasar, *Storytelling and Legal Scholarship*, 68 CHI.-KENT L. REV. 353 (1992) (focusing on the role of the narrative in teaching and scholarship); Sandra Craig McKenzie, Essay, *Storytelling: A Different Voice for Legal Education*, 41 U. KAN. L. REV. 251 (1992) (arguing that law schools should teach storytelling as part of the curriculum).

57. *See supra* notes 21–27 and accompanying text.

58. 244 U.S. 205 (1917).

59. *Id.* at 208.

60. *Id.*

compensation law of New York, which would have provided compensation funds to the family, and the applicable general maritime law, which provided no remedy, the family was left to try and fend for themselves.<sup>61</sup> This is truly a “story of [] woe.”<sup>62</sup>

*D. Playing a Supporting Role*

*There are no small roles, only small actors.*

- Constantine Stanislavski<sup>63</sup>

In designing the optimum teacher-self for my Admiralty Seminar, I have also found it beneficial to create a character that is flexible. At times, I play a starring role as I provide an overview of the topic we are covering that day or stimulate class discussion with appropriate questions. While I am in this starring role, I also engage in what I like to call “working the class” through movement. I endeavor to make eye contact with each student and move about the classroom in order to do so. Avoiding the two worst pitfalls, becoming glued to the podium or continually pacing back and forth in a set pattern, is quite important if a successful course is to be charted during the semester. I also employ gestures and am facially animated as I respond to students and ask them questions.<sup>64</sup> For the majority of the class period, however, I have found that playing a supporting, or as I like to think of it “supportive,” role is more efficacious. Cast in a minor role, it is then my objective<sup>65</sup> to support the main characters of the play of the day, the student experts.

Crafting a teacher-self who employs the theater techniques of blocking, props, and storytelling and knows how to play a supporting role helps prevent the two-hour, once a week class meetings from seeming interminable. It also precludes the individual admiralty topics covered during the semester from blurring together. Most importantly, it results in students who are engaged and eager to return to see or to star in the next week’s production.

---

61. *Id.* at 218.

62. WILLIAM SHAKESPEARE, *ROMEO AND JULIET* act 5, sc. 3 (“For never was a story of more woe [t]han this of Juliet and her Romeo.”).

63. CARNICKE, *supra* note 4, at 30, 43 (quoting 1 K.S. STANISLAVSKY, *SOBRANIE SOCHINENII* [COLLECTED WORKS] 250 (1988) (Russ.)).

64. For an excellent discussion of the importance of animation in the body and facial expressions, see TAUBER & MESTER, *supra* note 31, at 35–43.

65. An objective in acting parlance “is what the character (not the actor) wants, wishes, desires; it is [the character’s] goal, aim.” CHEKHOV, *supra* note 13, at 154. A character will have an overall or main objective and also smaller objectives in each scene. *Id.* at 154–55. *See also* UTA HAGEN, *RESPECT FOR ACTING* 174–79 (10th prtg. 1979) (discussing an actor’s objective); STANISLAVSKI, *supra* note 44, at 256–65 (discussing the Super-Objective).

*E. Vocal Animation & Variation*

*It is not enough to know what to say—one must also know how to say it.*

—Aristotle<sup>66</sup>

In addition to the use of props, blocking, and storytelling, I have imported two additional acting tools into my admiralty teaching, which I have found to be invaluable. The first is the ability to use the voice as an instrument. Like a violinist, who can be no better than his instrument, the teacher-self can be no better than her vocal instrument irrespective of her dedication to teaching. Extensive knowledge of maritime law is only valuable in the classroom if it can be properly expressed.

In acting school, voice is taught as a separate subject and it takes at least two to three years, working every day,<sup>67</sup> to master the many facets of vocal expression and flexibility.<sup>68</sup> The key to having a voice that will not only please the speaker, but will also easily reach her audience is breath. “Breathing is the basis of voice, as it is the basis for life.”<sup>69</sup> One basic piece of advice I give my admiralty students before they begin the presentations of their papers is “to remember to breathe.” I also advise them to yawn and stretch their arms. This helps release any muscular tension in the throat and jaw and to relax.<sup>70</sup> It also causes them to breathe from the abdomen, using the diaphragm, where supported breathing begins.<sup>71</sup> It is such support that permits the actor, or the teacher-self, to properly project her voice so that even a whisper can be heard throughout the theater or classroom.<sup>72</sup>

Resonance is also key to the ability to project the voice without strain.<sup>73</sup> The voice needs to be placed not in the nose, which can result in a rather

66. THE RHETORIC OF ARISTOTLE 182 (Lane Cooper trans., 1932) (emphasis in original removed).

67. ROBERT COHEN, ACTING ONE 101 (1984).

68. There are a number of excellent vocal systems and textbooks available for training the voice. *E.g.*, CICELY BARRY, VOICE AND THE ACTOR (1973); EDITH SKINNER, SPEAK WITH DISTINCTION (rev. ed. 1990); ARTHUR LESSAC, THE USE AND TRAINING OF THE HUMAN VOICE: A BIO-DYNAMIC APPROACH TO VOCAL LIFE (3d ed. 1997); KRISTIN LINKLATER, FREEING THE NATURAL VOICE (1976). I personally trained using the Lessac Method and with Edith Skinner while I was at the Juilliard School. There are also some very good beginning breath and voice exercises in COHEN, *supra* note 67, at 101–24.

69. COHEN, *supra* note 67, at 101.

70. *See id.* at 102; LESSAC, *supra* note 68, at 50–51, 141–42 (describing how yawning can relax the facial muscles and the voice).

71. COHEN, *supra* note 67, at 102.

72. SONIA MOORE, THE STANISLAVSKI SYSTEM 66 (rev. ed. 1965) (“When an actor has well-developed respiration, good clear diction, and a trained voice, he will not have to force, but instead will be able to speak naturally and softly, and even his whisper will be heard everywhere in the theater.”).

73. COHEN, *supra* note 67, at 104.

unpleasant nasality, but in the “masque” or the “front of the face, where there are resonators.”<sup>74</sup>

Lastly, having the ability to use the voice as an instrument allows the teacher-self to feel free to change pitch and speech rate, to accentuate certain words, and to employ the all important pause for emphasis as she expresses her understanding and feelings for the material being presented or questions her students.<sup>75</sup> Conceiving that “[s]peech is music”<sup>76</sup> and having a versatile vocal instrument “contributes to the teacher’s perceived credibility and control of the classroom situation, thus enhancing learning in the long term.”<sup>77</sup>

#### F. *Teacher as Host: Understanding Your Audience*

The final acting tool I utilize in my admiralty class is understanding the role of the audience. As a professional actor, you may “tweak” your performance depending on whether you are performing a special matinee for an audience composed of school children, performing a traditional Wednesday matinee, where the majority of the audience is often female and over sixty, or performing on a Saturday evening where the audience is mostly adult and usually has been out wining and dining before the show.<sup>78</sup> Each audience, no matter what its composition, adds energy to your performance with its responses.<sup>79</sup> The same is true for a teacher-self performing before an audience of students. As Viola Spolin, the renowned expert on improvisational theater, wrote:

When there is understanding of the role of the audience, complete release and freedom come to the player. Exhibitionism withers away when the [ ] actor begins to see members of the audience not as judges or censors or even as delighted friends but as a group with whom he is sharing an experience. When the audience is understood to be an organic part of the theater experience, the [performer] is immediately given a host’s sense of responsibility toward them which has in it no nervous tension.<sup>80</sup>

---

74. MOORE, *supra* note 72, at 66. I have found that humming notes up and down the scale while imagining the sound as originating in the abdomen, floating upward on the breath as you exhale and then being released from the forehead, is a great vocal warm-up exercise.

75. *See, e.g.*, CONSTANTIN STANISLAVSKI, BUILDING A CHARACTER 78–166 (Elizabeth Reynolds Hapgood trans., 1964) (describing the importance and techniques of using the voice as an instrument); TAUBER & MESTER, *supra* note 31, at 45–52 (describing the importance and techniques of using the voice as an instrument). I have even employed certain accents I mastered in drama school, such as British, French, Italian, Irish, or Russian, when it was appropriate for the admiralty case being studied.

76. STANISLAVSKI, *supra* note 75, at 88.

77. TAUBER & MESTER, *supra* note 31, at 52.

78. *See* MCGAW, *supra* note 53, at 183 (discussing the importance of flexible timing).

79. COHEN, *supra* note 67, at 87 (discussing how a live audience changes an actor’s energy).

80. VIOLA SPOLIN, IMPROVISATION FOR THE THEATER 13 (10th prt. 1976).

In the seminar setting, where the professor is often playing a supporting role, the key to a well taught class is taking on a “host’s responsibility” toward the class. I do this in my Admiralty Seminar in several ways. First, my teacher-self endeavors to always teach each class as enthusiastically as if it were the first time it was being taught. This ensures that the current students enrolled in my class get their money’s worth. This approach also benefits me. Almost every time I teach a class on a particular subject area, I find something new in the old material. In addition, I supplement previous lectures with new materials. This keeps me growing as a professor and legal scholar. “Artists who do not go forward go backward.”<sup>81</sup>

As a good host, I also prepare grading guides for the initial outline/first draft of the paper, the presentation, and the final paper.<sup>82</sup> I further present the students with list of at least twenty potential paper topics to help them along in selecting the topic of their own paper.<sup>83</sup>

Finally, the members of the student audience enrolled in my Admiralty Seminar also provide the last key ingredient necessary for a performance on which the muses<sup>84</sup> have smiled—the obstacle. For an actor, the obstacle is what the character you are portraying must overcome to achieve her objective.<sup>85</sup> If there was no obstacle and a character could easily achieve her wishes, there would be no drama.<sup>86</sup> For the law professor, the drama is built in. The goal is clearly to educate the students. The obstacle is sparking and keeping their interest in order to do so.<sup>87</sup>

---

81. MOORE, *supra* note 72, at 23 (quoting Stanislavski).

82. For examples of the Grading Guides I have created for my Admiralty Seminar, see *infra* Appendix I.

83. For paper topics I have provided to my students, see *infra* Appendix II. Recently, I have been collecting all of the information on the BP oil spill. I can envision at least three or four papers emanating from this disaster: 1) A comparison of the BP spill with that of the *Exxon Valdez*; 2) A re-examination of whether limitation of liability is still viable where it allows the platform owner (as a vessel owner) to limit its damages, or perhaps revisiting *Stewart v. Dutra Construction Co.*, 543 U.S. 481 (2005): Does the Court’s definition of vessel still hold water?; 3) Damages from the BP Oil spill from an Earth Jurisprudence/Environmental Justice perspective; and 4) A review of the history of Rule B Attachment in the Second Circuit as it relates to Electronic Funds Transfers (EFTs).

84. The nine Muses, the daughters of Zeus and Mnemosyne, preside over the arts and sciences. ADRIAN ROOM, ROOM’S CLASSICAL DICTIONARY 208–09 (1983).

85. COHEN, *supra* note 67, at 11.

86. HAGEN, *supra* note 65, at 180–83.

87. Using the various acting tools and techniques of blocking, props, storytelling, relating to the student audience is also in accord with a Memletic Approach to teaching. See generally SEAN WHITELEY, MEMLETICS ACCELERATED LEARNING MANUAL (2003); *An Overview of the Memletics Accelerated Learning System*, MEMLETICS.COM, <http://www.memletics.com/overview.asp> (last visited Apr. 6, 2011). This approach recognizes that different students may best learn in different ways. Some students learn visually, others verbally. M.H. Sam Jacobson, *A Primer on Learning Styles: Reaching Every Student*, 25 SEATTLE U. L. REV. 139, 151 (2001).

## CONCLUSION

The suggestion has been made that Constantin Stanislavski's Method Acting technique should be used in training teachers as performing artists.<sup>88</sup> I agree. When teaching an upper level law school course, such as Admiralty and, in particular, Admiralty in a seminar format, it is always important to remember that while a boring, unenthusiastic professor may survive for a while, in the end, the student audience votes with its feet. When that happens, it is only a matter of time until that professor goes the way of a bad actor and the show will close.<sup>89</sup>

I conclude this essay with a final maxim from the creator of method acting, Stanislavski.<sup>90</sup> "Love the art in yourself, not yourself in the art."<sup>91</sup> In other words, a teacher-self should love teaching Admiralty Law and lighting the fires that constitute the minds of her students,<sup>92</sup> not being a "learned professor" who personifies the chasm that can unfortunately exist between educators and their classroom audiences.<sup>93</sup>

---

Some prefer a kinesthetic or a physical style of learning, while another student may prefer a logical approach to mastering a subject area. *Id.* Most have a mix of learning styles. See Eric A. DeGroff & Kathleen A. McKee, *Learning Like Lawyers: Addressing the Differences in Law Student Learning Styles*, 2006 BYU EDUC. & L.J. 499, 542 (arguing that the goal in teaching should be not to accommodate all students, but to push students into using learning styles compatible with law). Traditionally, linguistic and logical teaching methods have been the norm. See Jacobson, *supra*, at 159–60. Students who naturally employed these approaches to learning were considered "bright." See *id.* at 147 (noting that traditional measures of intelligence only measures skills the post-industrial society values). Those who learned via a different style, were incorrectly viewed as slower or even "dumb." See *id.* (noting that Howard Gardner, professor of education at Harvard, developed eight measures of intelligence, instead of two because he felt that two did not adequately capture the range of intelligence). Consequently, using the varied learning styles approach resulting from creating a professor-self and viewing the classroom as a stage is beneficial not only to the educator, but to those under his tutelage. See DeGroff & McKee, *supra*, at 540, 542.

88. TAUBER & MESTER, *supra* note 31, at 9 (citing R.M. TRAVERS & J. DILLON, *THE MAKING OF A TEACHER: A PLAN FOR PROFESSIONAL SELF-DEVELOPMENT* (1975)).

89. See Murphy, *supra* note 7, at 125 (arguing that a bad lawyer in the courtroom will have the same fate as a bad actor onstage).

90. MOORE, *supra* note 72, at 3–22 (discussing Stanislavski and his system in detail).

91. Joshua Logan, *Forward* to MOORE, *supra* note 72, at xvi.

92. See *supra* note 1 and accompanying text.

93. See Hanning, *supra* note 5, at 34 (relating the story of a professor who ignored one of the basic the needs of the classroom: the need for communication between professor and student). This particular professor had become so well known that he often missed class because he was fulfilling a speaking engagement commitment. *Id.* When he missed a class, he would send his research assistant to the class with a taped version of the lecture. *Id.* On one occasion when an engagement was cancelled at the last minute, he decided to show up unannounced to conduct class "to see if the students, who numbered in the hundreds, were taking notes assiduously on his authoritative pronouncements." *Id.* But when he arrived at the classroom shortly after class had

## APPENDIX I

## Grading Guides

## Outline: 20% of the final grade (20 points)

Student Name: \_\_\_\_\_

- (1) The outline must be in *paragraph* form and contain at least *one paragraph for each section* of the paper, i.e., Introduction, Part I, Part II, etc., Conclusion: 4 points \_\_\_\_\_
- (2) The paragraph(s) for each section should explain *the purpose* of each section and what that section of the paper will cover: 4 points \_\_\_\_\_
- (3) Each paragraph must *list all legal sources* (cases, books, law review articles, etc.) to be relied upon in that section: 4 points \_\_\_\_\_
- (4) A *brief synopsis of each source* to indicate that the legal research for the paper has been completed must also be included at the end of each section: 4 points \_\_\_\_\_
- (5) The outline must demonstrate that the student is ready to begin writing the final paper. In essence, this is a rough draft of your paper in outline/paragraph form with all sources to be relied upon notated and properly cited: 4 points \_\_\_\_\_

Total Points: \_\_\_\_\_

## Class Presentation: 20% of the final grade (20 points)

- (10 points) *Presentation:* clear, organized, and engaging coverage (physical presence and vocal energy) of the selected aspects of the paper within the 15- to 20-minute time limitation which includes set-up time.
- (5 points) *Visual aids:* use of visual aids (hand-outs, white board, PowerPoint presentation, etc.) to assist the audience in understanding the topic of the paper.
- (5 points) *Fielding Questions:* ability to clearly and concisely answer questions from fellow students regarding the content of the paper covered during the presentation.

---

begun, he found “at each desk, not a student, but a tape recorder set to record the taped lecture emanating from the empty podium. There was no other living creature in the room.” *Id.*

Paper: 60% of the final grade (60 points)

- (10 points) *Format:* compliance with requirements regarding page length, spacing, margins, font; correct spelling, grammar, verb tense, and subject-verb agreement, and punctuation; proofreading; proper citation form and sufficient references to the proper legal authority being relied upon; and avoidance of quotations, unless seminal language from a key authority, particularly block quotes.
- (20 points) *Research:* thoroughness of research relating to the chosen topic.
- (10 points) *Style:* overall effectiveness of organization, clarity of writing (omit surplus words), use of thesis/introductory paragraphs at the beginning of each section and topic sentences for each paragraph (so that each section of the paper is introduced as to its place in the overall scheme of the work and each paragraph of every section of the paper flows into the next), cohesiveness of overall work that at all times relates to the thesis of the paper (result: the underlying purpose of the paper is moved forward with each section, paragraph and sentence of the paper); no personal opinions (I “think” or I “feel”) or gratuitous comments or clichés.
- (20 points) *Content:* proper scope of topic in light of page limitation; depth of legal analysis and synthesis of the chosen area of law; original critique of the chosen area of law supported by decisions and other legal authorities, not personal opinion or mere assertions (i.e., agreement with existing law and why, suggestions for change in the direction of the law and why, prediction of developments in this area of the law and why, etc.). *The paper must be more than just a survey of an area of law — it must include critical analysis and conclusions on the part of the author.*

## APPENDIX II

*Suggested Paper Topics* (Note: Each student is free to choose his or her own topic. All topics must be approved by the professor no later than \_\_\_\_). In addition to the suggested topics below, an excellent source for recent circuit court and Supreme Court decisions in the area of Admiralty Law may be found at admiraltylawguide.com. There are also a number of law reviews and journals that specifically focus on Admiralty Law, i.e., the Tulane Maritime Law Journal, the Journal of Maritime Law and Commerce, and every two years, the Tulane Law Review puts out an edition entirely based on the papers presented at the Admiralty Law Institute, which is held every two years (the last meeting was in March of 2011).

1. Maintenance and Cure – History, availability, relationship to collective bargaining agreements, punitive damages, failure to provide adequate care, maximum cure (AIDS has caused new concerns in this area), disqualifying conduct etc.
2. (Legal History) The importance of Admiralty issues at the Constitutional Convention and the origins of Federal Admiralty Jurisdiction and rules of general maritime law: issues of federalism.
3. Salvage – Focus on cultural heritage preservation and recent international conventions; *The Titanic* salvage litigation (Fourth Circuit) (includes copyright issues). Was the Fourth Circuit correct?; Life Salvage issues.
4. Great Maritime disasters: *The Titanic*, *The Sultan*, etc. Current safety regulations. Are they sufficient?
5. (Maritime Liens and Claims; Bankruptcy) The personification of the vessel theory: history, application in different area, is it still needed?
6. (Marine Insurance) The legacy of *Wilburn Boat*: Was it one of the worst decisions of the Supreme Court? Review of recent decisions: Has uniformity been lost?
7. Lost and Abandoned Shipwrecks: The law of finds and the law of salvage; Treasure salvage and Eleventh Amendment issues (sovereign immunity); the Abandoned Shipwreck Act of 1987.
8. Seaman Status: In light of *Stewart v. Dutra Construction Co.*, has the Supreme Court really devised an effective status test?
9. Marine Pollution: Relevant governmental regulations in the United States (OPA 1990) and other nations. Are they effective? A survey of pollution disasters around the world.

10. Mutiny: What legally constitutes a mutiny, great mutinies of history, historic and current regulations. This topic may also be addressed from a Literature and Law perspective: great mutinies in literature and their impact on society.
11. Piracy: Historical and modern day piracy and the relationship of current problems in this area and terrorism.
12. Cruise Line Industry: Current issues in cruise line litigation and class action suits in the wake of the Class Action Fairness Act.
13. The Coast Guard: The history of U.S. Coast Guard and an evaluation of the new Coast Guard regulations in the wake of September 11th. (The Coast Guard, an administrative agency, is now part of Homeland Security).
14. The Admiralty decisions of Justice Story and his contribution to the development of U.S. Maritime Law.
15. In light of *Stewart v. Dutra's* definition of vessel, has the Limitation of Liability Act outlived its usefulness? An examination of the history and purpose of the Act and its applicability in the Deepwater Horizon Oil Spill. Has the time come for the Act to be jettisoned?
16. The continued viability of *Sea-Land v. Gaudet*.
17. Missing passengers/Cruise ship strict liability as a common carrier. *Doe v. Celebrity Cruises*, 394 F.3d 891 (11th Cir. 2004).
18. History and purpose of the "personification theory." Is it still viable?
19. Himalaya clause and the Supreme Court decision in *Norfolk Southern R.R. v. James N. Kirby, Pty. Ltd.* (2004). What is the current status of the mixed contract doctrine?
20. Punitive Damages and Maritime Law: Was the Court correct in *Exxon Valdez*? What effect will the decision have on the amount of punitive damages available to those injured as a result of the Deepwater Horizon oil spill?
21. Protecting America's Ports after 9/11.
22. The "New" Piracy: IUU fishing (illegal, unreported, and unregulated).
23. The Stowaway Journey: The Risks of Stowing Away.
24. Environmental Repercussions of the Deepwater Horizon Spill: The Effects on Natural Wildlife (animal law) from the oil and use of dispersants.
25. EFTs and Rule B Attachments: Second Circuit Jurisprudence.

26. Electronic Bills of Lading: Use and Acceptance of Electronic Negotiability and Collateral Security and Attempts to move from paper based BOLs to fully electronic systems (i.e., SEADOCS, the CMI Rules, Bolero).