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WHAT'S IN A (COURSE) NAME?

*Robert M. Jarvis**

ABSTRACT

Law professors rarely give much thought to the names of their courses. This is a big mistake, for a course's name can greatly influence a course's enrollment. In this brief essay, the author details how he revived his struggling Admiralty course by changing its name to "Maritime Law."

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My law school opened in September 1974.¹ A few months earlier, we published our first catalog.² Included in the list of planned courses was “Admiralty,” which was described as: “An inquiry into [the] jurisdiction, substantive principles and problems of federalism in the area of maritime activities.”³ In 1975, we hired a faculty member with an interest in the subject.⁴ When he retired in 2004, I picked up the course.⁵

During the next fifteen years, I watched with dismay as the course’s enrollment steadily dwindled.⁶ Given that my law school is in Florida, I found this development to be mystifying.⁷

1. See JULIAN M. PLEASANTS, *THE MAKING OF NOVA SOUTHEASTERN UNIVERSITY: A TRADITION OF INNOVATION, 1964-2014*, at 79-83 (2013) (describing the founding of NSU’s law school).

2. See *THE CENTER FOR THE STUDY OF LAW: 1974-1975/NOVA UNIVERSITY*, FORT LAUDERDALE, FLORIDA 27-34 (n.d.).

3. *Id.* at 27.

4. During his long career (1973-2004), Professor Joseph F. Smith, Jr. also taught Civil Procedure, Conflict of Laws, Contracts, Criminal Law, and seminars on the rights of persons with disabilities. See ASSOCIATION OF AMERICAN LAW SCHOOLS, *THE AALS DIRECTORY OF LAW TEACHERS 2003-2004*, at 1033 (2003). Admiralty, however, was his first love and the course with which he was most closely associated. Indeed, in a piece recalling his time as our acting dean (1985-86), a colleague began her tribute by writing:

In admiralty, Professor Joe Smith teaches about navigating through dangerous waters and the importance of salvage. As Acting Dean, Joe Smith lived it.

Eight years ago, the good ship Nova was adrift, with three acting captains. Recognizing a need for one leader at the helm, Joe volunteered to steer us through the troubled waters. And the waters were turbulent, indeed. Due to university financial problems, the American Bar Association issued what amounted to a show cause order. One of Joe’s first tasks was responding to this order—a prospect which would [have] cause[d] less brave souls to contemplate walking the plank.

Phyllis G. Coleman, *Joseph F. Smith, 1985-86*, 17 NOVA L. REV. xiv, xiv (1993).

5. For a look at how I teach the course, see Robert M. Jarvis, *Teaching Admiralty Popularly*, 55 ST. LOUIS U. L.J. 541 (2011). For a look at how I test the course, see Robert M. Jarvis, *The Law School Admiralty Exam*, 45 J. MAR. L. & COM. 97 (2014).

6. Admiralty always has struggled to find a place in the law school curriculum, and many law schools either do not offer the course or offer it only infrequently. See Michael Sevel, *Admiralty Course Offerings in United States Law Schools*, 41 J. MAR. L. & COM. 499, 499 (2010) (reporting that fewer than half of U.S. law schools have a basic maritime course). As has been pointed out elsewhere, however, Admiralty is the “quintessential cross-cutting course,” covering both first-year subjects (e.g., civil procedure, constitutional law, contracts, and torts) and upper-class subjects (e.g., administrative law, environmental law, insurance law, and labor law). See Joel K. Goldstein, *Reconceptualizing Admiralty: A Pedagogical Approach*, 29 J. MAR. L. & COM. 625, 636 (1998).

7. Florida leads the nation in the number of registered recreational boats. See U.S. COAST GUARD, 2020 RECREATIONAL BOATING STATISTICS 71 (June 29, 2021),

In trying to come up with a reason for the drop-off, I considered numerous possibilities.⁸ Eventually, I began to wonder if the problem was the course's name. "Admiralty," after all, is not a word one hears in everyday conversation.⁹ In contrast, one does hear the word "admiral," which, of course, is a high-ranking naval officer.¹⁰ Therefore, could it be

<https://uscgboating.org/library/accident-statistics/Recreational-Boating-Statistics-2020.pdf>. Florida also leads the nation in the number of annual cruise ship embarkations (16.8 million passengers). See FLORIDA PORTS COUNCIL, FLORIDA SEAPORT FAST FACTS 1 (Jan. 1, 2020), https://flaports.org/wp-content/uploads/01_01_20-Seaports-FastFacts.pdf. Overall, Florida's ports are responsible for 900,000 jobs and contribute \$117.6 billion to the state's economy. *Id.*

8. These included:

- 1) Students being more interested in taking "bar courses" due to the sharp decline in Florida's bar exam pass rate (nearly all the students at my law school take the Florida bar exam). Between 2009 and 2012, the pass rate on Florida's July bar exam averaged 80%. Since then, the pass rate has hovered around 70%. See Florida Supreme Court, *Florida Bar Exam Results Comparisons* (Sept. 2022), <https://www.floridasupremecourt.org/Bar-Scores/Florida-Bar-Exam-Results-Comparisons> [<https://perma.cc/54DX-GE7K>].
- 2) Students focusing on fields that have better job prospects (such as health law, intellectual property law, and internet law). During the past decade, my law school has greatly expanded its offerings in these fields, going so far as to start an LL.M. geared to these specialties. See Nova Southeastern University—Shepard Broad College of Law, *LL.M. Program*, <https://www.law.nova.edu/llm/index.html> [<https://perma.cc/8ZF3-YRZQ>] (last visited Nov. 12, 2022).

I also considered the possibility that I was to blame. However, my other courses were not suffering enrollment drops, and I had not changed anything about my Admiralty course.

9. The word "admiralty" refers to the office or jurisdiction of an admiral. Middle English borrowed the word from the Anglo-Norman word "admiralté." See 1 ANGLO-NORMAN DICTIONARY 48 (William Rothwell ed., 2d ed. 2006).

10. The word "admiral" comes from the Arabic word "amir" (meaning "chieftain"). See EDWARD COKE, THE FOURTH PART OF THE INSTITUTES OF THE LAWS OF ENGLAND: CONCERNING THE JURISDICTION OF COURTS 146 (London, E. and R. Brooke, Bell-Yard 1797) (1644). Medieval Latin borrowed "amir" to form the word "admirallus." *Id.*

In Great Britain, the Lord High Admiral is the ceremonial head of the Royal Navy (a position that has been vacant since the 2021 death of Prince Philip), while the First Lord of the Admiralty was for centuries the political head of the Royal Navy (the position was abolished in 1964 when the country's military forces were combined to form the current Ministry of Defence). See THE OXFORD COMPANION TO SHIPS AND THE SEA 4 (I.C.B. Dear & Peter Kemp eds., 2d ed. 2006). Winston Churchill twice served as the

that when students saw “Admiralty” on the course schedule they quickly moved on, thinking (incorrectly) that the course had something to do with military law or, even worse, having no idea what “admiralty” means?

To test my suspicion, in August 2020 I began the arduous process of getting the name of my course changed from “Admiralty” to “Maritime Law.”¹¹ And lo and behold, the next time I taught the course—in Winter

First Lord of Admiralty (1911-15 and 1939-40). See CHURCHILL 2-3, 5 (Robert Blake & Wm. Roger Louis eds., reprint ed. 2002).

11. At my law school, getting a course’s name changed is no easy feat. When I first raised the idea with my associate dean, she asked me to send her “a short, one page memo, giving the old course name and description, the new course name and any changes to the description and a paragraph or two as to why you think it should change. It goes to [the] curriculum [committee and] then the full faculty.” E-mail from Debra Moss Vollweiler, Associate Dean for Academic Affairs—NSU College of Law, to the author, dated Aug. 29, 2020, at 12:29 p.m. (copy on file with the author). She also told me that it was a good thing that I was starting the process early because “you can’t change a name or course description while [the course] is open for registration[.]” *Id.*

Once I got the faculty’s approval, it took some effort to get the course’s name changed in the law school’s master list of courses. In fact, the course’s name initially was changed from “Admiralty” to “Admiralty Law,” which “made matters worse—not only [was] it still of no help to students, [it] now also [was] conversationally wrong [because] no one says ‘Admiralty Law’—it’s either ‘Admiralty’ or ‘Maritime Law’.” E-mail from the author to Debra Moss Vollweiler, Associate Dean for Academic Affairs—NSU College of Law, dated June 5, 2021, at 1:24 a.m. (copy on file with the author).

A few months later, I received an inquiry from my university’s bookstore asking why I had not yet submitted my book order for Maritime Law. I responded as follows:

I received a notification yesterday indicating that I needed to submit my book order for my Winter 2022 Maritime Law course—see the first attachment to this e-mail. However, I already submitted the book order for this course, which you acknowledged on September 15, 2021—see the second attachment to this e-mail.

This problem is occurring because your system is treating Maritime Law (LAW 0400 E01) and Admiralty Law (LAW 0800 E01) as two separate courses. However, they are both the same course. Admiralty Law is the course’s old name; Maritime Law is the course’s new name (beginning with the Winter 2022 semester). Accordingly, I would be grateful if you would update your records.

E-mail from the author to AIP Support—Barnes & Noble College Services, Sept. 26, 2021, at 2:20 a.m. (copy on file with the author). My e-mail garnered the following response:

2022¹²—I had 20 students, my largest class in years.¹³

This experience has taught me a valuable lesson: course names do matter.¹⁴

Thank you for contacting Bookstore Customer Care. We apologize for any inconvenience you have experienced. In order to help you we need some more information. Please provide the following missing information . . .

E-mail from AIP Support—Barnes & Noble College Services, to the author, dated Sept. 26, 2021, at 2:32 a.m. (copy on file with the author).

When I brought the problem to the attention of my associate dean, she explained: “They ended up creating a whole new course. Unfortunately[,] that means you need to start over. The error here is that they didn’t cancel Admiralty.” E-mail from Debra Moss Vollweiler, Associate Dean for Academic Affairs—NSU College of Law, to the author, dated Sept. 26, 2021, at 8:23 a.m. (copy on file with the author).

Two weeks later, when I tried to use my old online syllabus to build my new online syllabus, I encountered yet another hiccup:

The gift that keeps on giving (i.e., the renaming of Admiralty to Maritime Law) has thrown me yet another curveball. When I went into Course Wizard this evening to create my syllabus, I got an error message—see the attached screen shot. Needless to say, I have no idea how to associate a syllabus template to the course and have been unable to find any information on-line for doing so.

E-mail from the author to Debra Moss Vollweiler, Associate Dean for Academic Affairs—NSU College of Law, dated Oct. 8, 2021, at 7:17 p.m. (copy on file with the author). Luckily, my associate dean had run into this glitch before and knew an easy way to fix it.

12. At my law school, our academic year is divided into Fall/Winter/Summer semesters rather than Fall/Spring/Summer semesters.

13. This is even more remarkable than it sounds. Like other law schools, our student body has shrunk since the Great Recession, dropping from 1,050 in 2012 to 591 in 2021. See ABA Section of Legal Education and Admissions to the Bar, *ABA Required Disclosures—Standard 509 Information Reports*, <https://www.abarequireddisclosures.org/Disclosure509.aspx> [<https://perma.cc/5NQE-GHTC>] (last visited Nov. 12, 2022) (under “Nova Southeastern University”).

14. I must admit that I miss calling my course “Admiralty,” which I think sounds more elegant than “Maritime Law.” Although there is a historical distinction between the two terms, today they are used interchangeably. For a further discussion, see Rod Sullivan, *Punitive Damages and a Century of Maritime Law*, 15 FLA. COASTAL L. REV. 1, 25-26 (2013) (“Maritime law refers to the . . . laws that apply to cases that arise either out of a maritime tort or a maritime contract. Admiralty law is a subcategory of maritime law and applies to suits claimants bring against a vessel or piece of property in rem to enforce a maritime lien. Therefore, while all admiralty cases are maritime cases, not all maritime cases are admiralty cases.”) (footnotes omitted).

