

**Cannabis Law & Regulation: Challenges & Opportunities, LAW 520M  
(Pot Policy in Paradise: Cannabis Law & Policy)**

2 Credits

Visiting Assistant Professor Garrett I. Halydier.

Mon: 7:15 pm – 9:15 pm; Wed: 7:15 pm – 9:15 pm  
Class Dates: Jun 19, 21, 26, 28; Jul 3, 5, 10, 12, 19, 24, 26

CR1

Office Hours by Appointment  
ghalydie@hawaii.edu; or [use my link](#)

**Course Description**

Cannabis is simultaneously regulated as one of the most dangerous substances on the planet and as a growing industry providing health and economic benefits. While still federally illegal, a growing majority of states have joined several international jurisdictions in permitting medical and legal access to cannabis. This course surveys legal issues and policy considerations facing the cannabis industry, exploring cannabis issues in: constitutional law and federalism; criminal law; public health law; business law; intellectual property; taxation, banking, and bankruptcy; employment law; and legal ethics. We will compare policy approaches, resulting regulations, and real-world impacts in Hawai‘i, the U.S., and foreign jurisdictions. Students completing the course will gain a firm grasp of the fundamentals of the cannabis compliance industry and a set of tools for responding to the challenges facing governments, individuals, and businesses engaged in this vibrant new industry.

**Goals of the Course and Student Learning Outcomes**

This is a lecture course covering cannabis law and policy. At the end of the course we hope that students will acquire the following:

- (a) An understanding of the history, legal and policy frameworks, and effects of cannabis regulation federally, in Hawai‘i, and in other jurisdictions;
- (b) Fluency in analyzing differing degrees of cannabis regulation and likely social, economic, and health results based on current, observed results in other jurisdictions;
- (c) A general knowledge and exposure to the general types of work and specific tasks that attorneys regularly perform in the cannabis industry.

**Course Materials**

All materials for the course will be available online, either through a link to the materials in this syllabus or via Laulima.

### **Attendance**

To complete this course successfully, students must regularly prepare for, punctually attend, and actively participate in class. Students achieving ninety percent (90%) attendance coupled with excellent classroom participation will be able to raise their final course grade by a one-half step, i.e., (B to a B+). Depending on class discussions, we reserve the right, on behalf of the class, to limit or augment readings to coincide with the level of class interest on a topic.

All members of the class are expected to follow rules of common courtesy in all email messages, threaded discussions, chats and in class discussions. Please do not disparage or discourage others' views and participations. Any such actions will negatively impact the grading for the 10% of the students' overall participation grade.

### **Course Requirements**

10% of the students' class grade will be based on the above attendance policy and 90% of the class grade will be based on completion of two individual, unique research papers that meet the following requirements:

1. Every student will choose a different U.S. or international jurisdiction to study via a sign-up sheet on the first day of class.
2. (40%) The first paper will be 10 pages long. The paper will briefly overview the history, development, current status, and projected future of a particular jurisdiction's cannabis law and policies and describe any documented social, economic, and health effects related to cannabis policy in that jurisdiction. This paper will serve as the midterm and is due before class (7:15 pm HST) on Jul 10th. Students should be prepared to share their findings with the class.
3. (50%) The second paper will be 10 pages long. In the same jurisdiction as the first paper, the student will choose some aspect of cannabis law and policy – whether a current case, law, administrative rule, or general policy – and advocate for a specific change to that law or policy. The paper should detail the effects of the current law or policy, the specific change the student advocates for, and a projection of the likely social, economic, and health effects, if any, of that change. This paper will serve as the final and is due by 11:55 pm HST on Aug 1.
4. All papers must be in Times New Roman Font, double-spaced, with 1-inch margins on all four sides.
5. A student may submit either and/or both papers at any point before the relevant deadline for comments on how to improve the paper's score.
6. Papers more than one-half page short of the page requirements or not in compliance with the formatting requirements will have substantial points deducted.

7. All assignments must be submitted by email to the professor by the required deadlines.

Students must come prepared to present and discuss the assigned material for each class period as well as the material they have discovered in preparing the required papers. It is expected that students spend approximately 2 hours outside of class in preparation for class or in work on the assigned papers for every 1 hour of classroom instruction.

### **Cellphones and Laptops**

Cellphones are prohibited in class to promote engagement with the lecture. Laptops are permitted during regular instruction and must be closed during presentations from guest speakers to promote engagement with the guest speaker.

## **Readings & Assignments**

### **Suggested General Resources:**

- Marijuana Law, Policy & Reform ([http://lawprofessors.typepad.com/marijuana\\_law/](http://lawprofessors.typepad.com/marijuana_law/)), by Douglas Berman, a professor at Ohio State.
- Canna Law Blog (<http://www.cannalawblog.com/>), by the Canna Law Group, a group of lawyers who represent cannabis clients.
- Marijuana Business Daily (<https://mjbizdaily.com/>), largest industry publication, useful for keeping up on the state of the industry across the country, sign-up for their daily emails

## **Specific Readings for Each Week Will Be Posted to Laulima**

### **Title IX Policy**

Please refer to the Law School Student Handbook for detailed information on the Law School and campus Title IX policies. Here is the contact information for the UHM and Law School Title IX coordinators if you have a concern about sexual discrimination, sexual harassment, or sexual violence involving yourself or other Law School students, faculty, or staff:

(a) Title IX Coordinator for UH Mānoa **Dr. Dee Uwono** Director and Title IX Coordinator Hawai'i Hall 124 2500 Campus Road Honolulu, HI 96821 Phone: 956-2299 Email: [t9uhm@hawaii.edu](mailto:t9uhm@hawaii.edu)

(b) Deputy Title IX Coordinator for UH Manoa:  
**Dr. Dee Uwono**, Director and Title IX Coordinator  
Hawaii Hall 124 2500 Campus Road Honolulu, HI 96822

UNIVERSITY *of* HAWAI'I *at* MĀNOA  
WILLIAM S. RICHARDSON  
SCHOOL OF LAW

Summer 2023

Phone: (808) 956-2299 Email: [t9uhm@hawaii.edu](mailto:t9uhm@hawaii.edu)

The William S. Richardson School of Law recognizes the inherent dignity of all individuals and promotes respect for all people. Sexual misconduct will NOT be tolerated. If you have been the victim of sexual misconduct, we encourage you to report this matter promptly. As a faculty

member, I am interested in promoting a safe and healthy educational environment, and should I learn of any sexual misconduct I must report the matter to the Title IX Coordinator, who oversees the University's centralized review, investigation, and resolution process for reports of sexual misconduct, and also coordinates the University's compliance with Title IX.

If you want **direct services** offered by confidential resources within the University, you are encouraged to contact the following resources:

University Health Services Mānoa   808.956.8965   1710 East-West Road Counseling & Student Development Center   808.956.7927   2600 Campus Road QLCSS 312 Office of Gender Equity   808.956.9977   2600 Campus Road QLCSS 210
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These are only a few of the many resources available. For a more comprehensive list, please see the Student Handbook and the following link: <http://manoa.hawaii.edu/genderequity/resources/>

**Content Warning:** Some of the materials covered in this course might remind you of upsetting experiences that you, or a friend or family member, have gone through. If you would like to talk to someone, please know that there are University resources available to you, such as the Counseling Center.

If you would like to discuss a need for reasonable accommodations, please contact Associate Dean for Student Services Trisha Nakamura.