

Spring 2017 Course Descriptions

12/18/2016

##: indicates courses that satisfy the advanced writing requirement (Academic Regulations 2.1 (2))

**: indicates courses that satisfy the research requirement (Academic Regulations 2.1 (3))

^^: indicates courses that meet the skills requirement (Academic Regulations 2.1 (5))

B517 Advanced Patent Law ## (3) – Janis

Advanced Patent Law is the follow-on course to Patent Law B743. Advanced Patent Law typically builds on Patent Law B743 in three ways. First, it covers topics that are omitted from Patent Law B743. Second, it presents some topics in much greater depth, sometimes by engaging more deeply in the application of patent law to particular technology areas (such as biotechnology and pharmaceuticals), sometimes by more thoroughly exploring the edges of substantive patent law and their interfaces with other areas of law (such as antitrust law, administrative law or civil procedure). Third, it involves intensive study of very recent case decisions, usually those emanating from the Court of Appeals for the Federal Circuit, along with current scholarly writings. Ordinarily, there will be no final examination. Instead, students will produce a series of short, graded research papers throughout the semester, and will periodically organize and lead class discussions.

Patent Law B743 is a prerequisite, but no technical background is required or expected.

Updated 10/16

B526 Tax Policy Colloquium ## (2) – Lederman

This course offers an opportunity for students to read and react to articles in progress on an array of federal tax topics. There generally will be seven presentations during the semester, made by professors from other schools, with five short reaction papers required. For information on the types of topics covered in past years, see the Colloquium website at <http://www.law.indiana.edu/instruction/tax-policy/index.shtml>.

Students will be expected to read each work-in-progress in advance of the presentation, along with background reading, and write a short reaction paper in response to most of the papers; to discuss the article draft and background materials in the class session prior to the presentation; to pose questions to the presenter about the article; and to participate in a synthesis discussion in the class session following the presentation. Interested I.U. faculty members and others will also attend the presentation sessions and participate in those discussions.

Introduction to Income Tax is a prerequisite. This course satisfies the writing requirement for graduation. Please send your resume to Professor Lederman for approval prior to registration in November or prior to the end of Drop/Add in January.

Updated 10/16

B536 Health Privacy Law (2) – Crosley

Health Privacy Law is a fast-growing area of law that has seen significant recent regulatory and enforcement activity at both federal and state levels. This course addresses major federal health information privacy laws and regulations, including the Health Insurance Portability and Accountability Act's Privacy Rule and Security Rule, the Health Information Technology for Economic and Clinical Health Act, and the Genetic Information Nondiscrimination Act of 2008. It will also consider enforcement decisions by the Department of Health and Human Services Office of Civil Rights, the Federal Trade Commission, and U.S. courts; state tort law; significant state statutes and enforcement actions; comparative non-U.S. approaches to protecting the privacy of health data; and efforts to reform U.S. health privacy law. It will be taught from a practitioner's perspective with a strong

emphasis on relevant application of the law in a real world setting and will follow a practitioner's outline of the relevant laws and their application to real world scenarios.

The course is being taught by Stan Crosley, a 1994 graduate of the Law School, and the former first Chief Privacy Officer of Eli Lilly and Company. Based in Indianapolis, Stan is of counsel to the Washington law firm of Drinker Biddle, where he chairs the Data Privacy and Health Information Governance team, and a co-director of IU's Center for Law, Ethics and Applied Research (CLEAR) in Health Information. He co-founded and served as chair of the International Pharmaceutical Privacy Consortium and was a member of the Institutes of Medicine Medical Research and Privacy Committee and the board of the International Association of Privacy Professionals. He currently co-chairs the federal government's Health IT Policy Committee's Privacy & Security Work Group.

Updated 10/16

B536 Health Law ## (2) – Gamage

This course surveys a number of major topics in the law of health care in the United States. Students will be required to complete short weekly reading response papers in addition to three medium-length papers. Students will be graded on the writing assignments and on class participation; there will not be a final exam.

Updated 10/16

B537 Nonprofit Law Clinic ^^ (3) – Prusak

The Indiana University Maurer School of Law's Nonprofit Legal Clinic is a three-credit, one semester, transactional legal clinic, offered to second- and third-year law students.

The clinic allows students to engage in public interest lawyering through business and transactional work for nonprofit organizations. Depending on client needs, students will form new nonprofit entities; counsel clients looking to dissolve existing entities; draft and negotiate contracts; provide basic tax advice; advise on governance, employment, communications, intellectual property, and compliance matters; provide general corporate support; and provide other transactional legal assistance as needed.

Students develop fundamental analytical, editorial, counseling, planning and negotiation skills through live projects and classroom work that make them well suited to serve as in-house or outside counsel to organizations in a wide variety of settings. Real-world client communication and collaboration skills are emphasized throughout the semester.

Class meets for 1.5 hours twice per week during the first six weeks of the semester. The remainder of the semester class meets only once per week. Throughout the semester students also have weekly one-hour individual supervision meetings with Professor Prusak.

Prerequisites:

1. Enrollment preference given to students who have taken Corporations.
2. Prior to registering interested students must submit a short statement of interest to Professor Jennifer Prusak (jsprusak@indiana.edu), the NPLC Director.

Updated 10/16

B539 Lawyering in the Public Interest ^^ (2) – Van Der Cruysse

This course is intended to prepare students for the practice of law in the public interest, i.e. in government and non-profit settings, or, settings otherwise providing legal services to underserved populations. We will explore the following questions: how is "Public Interest Lawyering" defined, what is it that public interest lawyers do, who are the clients of public interest lawyers, what are the legal ethics inherent to practice in the public interest, and do private lawyers have a role in serving the public interest? This is a course that is particularly

well-suited for students who are enrolled in one of the clinics, in a public interest externship program (e.g. B547, B698, ...), or have worked in an externship/internship or have had a paid position working with public interest lawyers in the past. We will discuss what the current challenges are in public interest lawyering on a global scale, and how globalization has influences American Public Interest law.

Course texts: Public Interest Lawyering, A Contemporary Perspective, Alan K. Chen, Scott L. Cummings. Other materials will be posted on CANVAS.

Grade will be based on class participation, an analysis of the public interest served in your externship placement or hypothetical, a client counseling role play and written reflection on the role play, and a final case-study of an agency's accountability to its client(s).

Updated 10/16

B545 Criminal Law Externship ^^ (1-4) – Main

The Criminal Law Externship provides an opportunity for selected second-year and third-year students to receive 1-4 hours of academic credit for their work at various prosecutor and public defender offices in south central Indiana.

The course is graded on a pass/fail basis. In order to "pass", a student must:

- 1) Perform 50 hours of work per credit hour (i.e., 50, 100, 150 or 200 hours for 1, 2, 3 or 4 credits, respectively);
- 2) Maintain a time/activity log tracking hours worked and work activities;
- 3) Submit 1-4 reflective essays (one essay per credit hour) on a periodic basis regarding their externship experience (2-3 pages, double spaced);
- 4) Participate in 2 one-on-one meetings during the semester (one at the beginning and one at the end);
- 5) Submit a sample work-product (with employer's approval); and
- 6) Complete a final self-evaluation form.

Prerequisites: Students must be eligible for certification as a "student legal intern" per Indiana Supreme Court Admission and Discipline Rule 2.1 (requiring completion of one-half of the hours required for law school graduation and enrollment in or completion of "The Legal Profession" course). Information regarding certified legal interns and the application are available at: <http://www.in.gov/judiciary/ble/2334.htm>

Permission to register: Enrollment is limited and participation may be restricted to one semester. Students must obtain permission to register for the class from Prof. David Main. Interested students should submit a resume and schedule an interview with Prof. Main (dmmain@indiana.edu, 855-3028, Room 016B) as part of the approval process.

Participating Offices:

Bartholomew County Prosecutor

Brown County Prosecutor

Hamilton County Prosecutor

Greene County Prosecutor

Johnson County Prosecutor

Lawrence County Prosecutor and Lawrence County Public Defender

Marion County Prosecutor and Marion County Public Defender Agency

Monroe County Prosecutor and Monroe County Public Defender

Morgan County Prosecutor

Owen County Prosecutor

Other prosecutor and public defender offices by request

Note: Students may not both be paid and receive academic credit for the same externship hours.

Updated 10/16

B547 Public Interest Externship Program ^^ (1-3) – Van Der Cruyse

The Public Interest Externship Program encourages students to gain experience in public interest work by permitting students to obtain academic credit, typically 2 credit hours, for unpaid legal work done in public service venues (non-profits, legal services, local/state/federal government settings) within easy driving distance of Bloomington (Indianapolis and South-Central Indiana).

Students are supervised by a faculty member at the law school as well as an attorney at the externship site. Students spend one full day (or in some instances two half-days; 8 hrs.) per week for 13 weeks (a total of 52 hours of work for each credit hour) at the externship site, and work under the supervision of an experienced attorney. Students do legal research and writing, observe and/or participate in client interviews, briefings, depositions, court hearings, etc. Examples of placements are Indiana Legal Services, Student Legal Services, municipal legal counsel's office, IU Health, IU Foundation, etc.). Students gain insight in the day-to-day practice of the attorneys who supervise them. An integral part to the externship is the academic component, which consists of four class meetings per semester (Jan. 11 orientation, February 14, March 21, April 11), reflective essays, and a midterm and final evaluation of the placement. It is designed to encourage students to think reflectively and critically about the practice of law and the ethical issues it poses.

Students seeking to enroll/register for this externship course and for an externship site must schedule an appointment with the Faculty Director of Externships and Judicial Clerkships (Inge Van der Cruysse, ivanderc@indiana.edu). Students may find postings for externship positions on CareerNet, or, they may find a placement through the Faculty Director. Students who want to propose their own externship site need to ensure the externship qualifies for academic credit and is preapproved prior to commitment to the placement.

Notes:

- at this point, students may not both be paid and receive academic credit for the same externship hours.
- on meeting dates, students may choose from 2 alternate meeting times: 8-9 am or noon-1pm

Updated 10/16

B549 International Intellectual Property (3) – Leaffer

The law of intellectual property (patent, trademark, and copyright) has increasingly assumed an international dimension. In today's world of intellectual property law, one must understand how the rights of inventors, brand name owners, and creative artists, and software developers are protected in international and comparative law. Mirroring this reality, this course has two basic objectives. One is to equip students with the methodology necessary to engage in international intellectual property practice in both public and private international law. It will consider topics such as territoriality, national treatment, choice of law, multilateral treaties, and regional agreements that frame the substantive rules and practice of intellectual property law in a transnational setting. As a second objective, this course will consider intellectual property from a comparative law dimension. In this regard, it will focus on the basic differences in the approach to patent, trademark, and copyright law in national and regional systems. Within this theme, this course will examine the cultural and economic differences that have led to divisions between developed and developing countries on the protection of intellectual property.

Updated 10/16

B551 IP Externship ^^ (2-4) – Du Mont

The Intellectual Property Externship program consists of a series of externship opportunities developed and administered by the law school in connection with the Center for Intellectual Property Research. The number and type of externships will vary from semester to semester. Some may be available during the summer. Intellectual Property externship opportunities will be posted at designated times during the fall and spring semesters. Students will ordinarily apply directly to the externship hosts, who will be responsible for selecting externs. Student externs will then enroll in the Intellectual Property Externship course. Prerequisites will vary, depending upon the externship.

Note: Students may not both be paid and receive academic credit for the same externship hours.

Updated 10/16

B553 Disability Law Clinic ^^ (3) – Weng

The Disability Law Clinic is a three-credit course open to second and third year students. Students will assist low-income clients with claims involving Social Security, Veterans, and Medicaid disability benefits and wills and advanced directives. Students serve as the primary case handlers, interviewing and counseling, fact investigation, brief writing, agency communications, and advocating at administrative hearings. Students are expected to devote 10-12 hours per week to their clinic responsibilities. This time includes a weekly supervision meeting with the clinic director and office hours.

The primary academic focus of the DLC is problem solving. Students learn a model for problem solving and apply it in their client work and interactions with clinic colleagues. Grading is based on a problem solving portfolio and competency in client work.

If a student has completed 44 credit hours and has taken or is taking the Legal Profession course, the student may be eligible for certification as a legal intern. Certification is required to handle state administrative hearings (Medicaid) and judicial review petitions.

Additional requirement: All students who enroll in the DLC must consent to criminal background and sex offender registry checks pursuant to the Indiana University Policy for Programs Involving Children. More information about the policy and use of information obtained through these checks is available at:
<http://policies.iu.edu/policies/categories/administration-operations/public-safety-institutional-assurance/PS-01.shtml>.

Enrollment requires permission of the clinic director. To apply, please send a statement of interest and a copy of your resume to Carwina Weng (wengc@indiana.edu), two days before the deadline for 3L registration.

Updated 10/16

B554 Legislation (3) – Widiss

Statutory law has replaced common law as the principal source of many legal rights and obligations. Almost any area of law (e.g., bankruptcy, employment law, tax, intellectual property, commercial law, family law) is governed at least in part, and often in large part, by statutory law. Accordingly, it is essential for lawyers to be able to interpret statutory provisions and to be able to use the conventions of statutory interpretation to argue on behalf of clients.

This course will provide a systematic introduction to the legislative process and to the rules and customs judges use to interpret statutes. The course provides practical training in the process of statutory interpretation and a deeper exploration of what theories of interpretation best serve our constitutional democracy. Students will be required to engage

in a legislative drafting exercise and to complete other credit/fail assignments during the course of the semester. Grades will be based primarily on performance on an in-class open-book examination, but performance on the assignments and class participation may also be taken into consideration.

Updated 10/16

B558 Conservation Law Clinic ^^ (3) – Weeks, Director; Hyman, Staff Attorney

The Conservation Law Clinic is an opportunity for second and third year law students to work as interns for the Conservation Law Center, a public interest law firm that represents non-profit clients who need legal assistance with natural resource conservation matters. The Clinic is a three credit hour course. Conservation Law Clinic interns work closely with the Center's Attorneys in the representation of Conservation Law Center clients. In one of the two semesters, clinical work is supplemented with a seminar that will focus on the legal background of a conservation issue of current issue; the topic for the fall semester of 2016 was the use of science in conservation litigation and regulation. Clinic interns report that they value the experience of representing real-world clients and working in a law firm setting. Clinic matters have included analysis of conservation related laws; commenting on proposed administrative rules; drafting legislation; and litigation at administrative, trial and appellate levels. Permission of the Clinic Director is required for enrollment. Most Clinic interns are better prepared for the course after three semesters in law school. We encourage students to consider enrolling in the Clinic for two consecutive semesters. To apply, please send a statement of interest and a copy of your resume to W. William Weeks (wwweeks@indiana.edu) prior to registration.

Updated 10/16

B559 Patent Prosecution ^^ (2) – Gandy

Patent prosecution involves counseling with clients to understand their inventions, drafting patent applications designed to optimize legal protections for the inventions, and advocating for the grant of respective patents before U.S. and foreign patent offices. In the process of doing so, a weave of federal statutes, regulations, and case law must be taken into account in crafting and prosecuting patent applications that maximize clients' rights. This course will provide a complete overview of the patent process and will emphasize practical skills that are the foundation for effective patent prosecution.

The course begins as most representations begin, focusing upon the initial client contact and matters that must be well handled at the start. Issues and regulations related to subject matter conflicts and party conflicts, and practical techniques for investigating/handling them, will be addressed. This is followed by instruction upon how to work with clients (inventors) to understand and develop their invention disclosures to enable maximal protection.

In logical sequence, the course turns to a series of lectures that provide a review of the statutes, regulations, patent office rules and case law that govern the requirements of an application for patent, combined with practical drafting sessions for the major patent application components: claims defining the scope of the invention; the specification containing a detailed written description sufficient to enable others to make and use the invention; the background section setting up the need for the invention. Several in-class and take-home practical sessions will be given to provide hands on drafting experience designed to simulate real world experiences as a patent attorney.

The prosecution of patent applications typically involves a series of exchanges between the patent attorney and the Patent Office Examiner in which arguments are forwarded with respect to whether the invention (as defined by the claims you have submitted) is

sufficiently unique to deserve patent protection. These exchanges explore whether the claims define an invention which meets the statutory requirements of novelty and nonobviousness set forth in Title 35 of the United States Code. It is the Examiner's job to make sure that no "unworthy" inventions proceed to patent. It is your job as an advocate to convince the Examiner that the claimed invention is worthy, and to help the client make key decisions whether the claims need to be amended to more fully distinguish from the prior art. Again, practical drafting sessions will be conducted.

After an application has been successfully prosecuted with a given set of claims, there are still other issues that need to be considered. Should another related application be filed to pursue additional protection through claims that are worded differently? "Continuing" patent application practice affords the opportunity to do this, and the related principles and procedures will be addressed in the course.

Patent prosecution requires an understanding of a series of statutes, regulations and cases, and how they shape effective advocacy in securing patent rights for your clients. This course will lay a foundation of understanding and practical experience that will provide value to those who are considering patent law as a specialization as well as those who simply want to develop a better understanding of the patent process.

Patent Law is a prerequisite for this course.

Updated 10/16

B561 Elmore Entrepreneurship Law Clinic ^^ (3) – Need

The Elmore Entrepreneurship Law Clinic is designed to provide students the unique opportunity to work on actual business formation, planning, and strategy issues in a multidisciplinary setting. Students interested in transactional law practice, advising entrepreneurs, or becoming entrepreneurs are typical candidates for participation in the Clinic.

The Clinic operates much like a small law firm, with Clinic interns working under the supervision of the Clinic Director, providing legal and business consulting to a variety of early stage companies. Client projects vary widely, but frequently include advising clients on appropriate business form; drafting necessary formation documents; obtaining permits and licenses; negotiating contracts and leases; and providing business planning advice. Students frequently have opportunities to review and provide feedback on business plans of actual startups.

Clinic interns meet with the Director in groups or individually to review project status and to discuss experiences and concerns. Clinic interns also attend a two-hour class each week. The course surveys typical legal issues affecting entrepreneurial enterprises, including choice of entity issues; ownership and governance issues; employment issues; operational liabilities and insurance issues; financing issues; and employment issues.

Strongly suggested prerequisites for participation in the Clinic include Corporations, Corporate Taxation, and Business Planning, or equivalent preparations as determined by the Director. Per Indiana Supreme Court Rules, students participating in the Clinic must also have completed or be enrolled in a Professional Responsibility course. 3Ls or 4th-year JD/MBAs only. Enrollment in the clinic is limited, so students must, at or prior to enrollment, submit a current resume and a brief statement of interest to the Director by email in order to obtain permission to participate, and proceed to enroll in the course while awaiting approval.

Updated 10/16

B564 PreTrial Litigation ^^ (3) – Rosiello

In today's litigation world, where only a miniscule percentage of civil cases actually go to trial, litigators devote the vast bulk of their time and effort to pretrial proceedings. This course will address those aspects of civil litigation – from the pleadings through summary judgment and settlement negotiations. We will look in detail at the real-world issues that arise in pretrial litigation, with the goal of understanding best litigation practices to achieve the most favorable outcome for the client.

The framework of the course will be a close examination of the meaning and use in practice of the relevant Federal Rules of Civil Procedure, along with cases and articles dealing with specific litigation issues. We will also discuss some of the Rules of Professional Conduct that apply to the conduct of litigation.

In addition to the class sessions, the course will have three short writing assignments and two out-of-class clinical exercises, a witness interview and a deposition, with review of the students' performance by experienced lawyers.

The course will be graded based on class participation and the out-of-class assignments. There will be no final exam.

The general topics in the course will be: Structure of a Civil Lawsuit; Interviewing the Client; Preliminary Case Evaluation and Initial Disclosures (writing assignment – prepare outline of initial investigation based on complaint); Pleadings and Motions to Dismiss; Interviewing Witnesses (clinical exercise – conduct a 30-minute witness interview); Written Discovery; Introduction to Electronic Discovery; Depositions (writing assignment – prepare outlines of deposition issues and witness interrogation; clinical exercise – take a 30-minute deposition); Pretrial Proceedings from the Federal Magistrate's Perspective; Introduction to Expert Witness Issues; Use of Expert Evidence in Pretrial Proceedings; Summary Judgment (writing assignment – draft an opinion on a summary judgment motion, deciding whether there is a genuine dispute of material fact); Managing Pretrial Litigation; Settlement and Mediation: What the Client Wants and Needs; Settlement: Negotiating with the Other Side; Settlement: Preparing the Settlement Documents; Pretrial Proceedings: The View from the Bench.

Evidence is a prerequisite.
Updated 10/16

B567 Intellectual Property Practicum: Legal Aspects of the Music Industry ^^ (2) – Meitus

No description available

B568 Gender & the Law ## (2) – Matthews

A critical examination of the historical and modern treatment of gender under the law, this course will provide an introduction to the concrete legal contexts in which issues of gender have been articulated and challenged and a discussion of the extent to which these issues have been resolved. This course aims to provide students with an understanding of the strategies used to undermine and recreate women's legal status in the United States. The goal of the course is to think broadly and critically regarding the interaction of law, society, and gender while exploring the potential and the limitations of law and litigation as tools for social change. Although this course will use a number of different feminist legal theories as a framework for discussion and analysis, this course is not a survey of feminist jurisprudence. Topics may include education, the legal profession, the public/private divide, issues in the workplace and in the family, and the role of power and difference.

Students will be evaluated on participation in class discussion, short reflective assignments, memos, analytical papers, and oral presentations in class. As such, this course satisfies the advanced writing requirement for graduation.

Updated 10/16

B569 Nonprofit Organizations (2) – Prusak

Over one million tax-exempt and nonprofit organizations, supported by over \$300 billion in annual gifts, provide essential services ranging from large urban hospitals, major universities, national social service agencies and grant-making private foundations to "grassroots" homeless shelters, food pantries and health clinics. Attorneys fulfill an important role as counsel to tax exempt organizations and to the donors who support these charitable missions.

This course examines the legal issues of nonprofit and tax exempt organizations. Specific topics will include:

- Formation, operation, and governance of nonprofit organizations
- Tax-exempt status for public benefit and mutual benefit organizations
- Creation of private foundations, donor advised funds and supporting organizations
- Duties and liabilities of officers and directors
- Lobbying and political campaigning
- Inurement, private benefit and intermediate sanctions
- Commercial activity and unrelated business income tax
- Charitable giving
- Oversight by state attorney general and Internal Revenue Service
- Special issues for membership organizations
- Mergers, joint ventures, dissolution and antitrust

Prerequisites: Corporations

Updated 10/16

B572 Intellectual Property Clinic ^^ (3-4) – Hedges

The IP Clinic provides students the opportunity to work directly with clients on actual intellectual property law matters (e.g. patent, trademark, and copyright applications, interaction with the United States Patent & Trademark Office (USPTO), licenses, due diligence, and non-infringement and/or invalidity opinions). Students interested in IP law and advising individuals, start-ups, and small business are candidates for the Clinic. Because the Clinic is certified by the USPTO, students are eligible to receive temporary registration to practice before the USPTO. The Clinic is organized much like a law firm, with students working with other students and adjunct professors under the supervision of the Clinic Director. Students meet with the Director to review project status and to discuss experiences and concerns and attend at least a two-hour class each week. Students elect to participate in either (1) the patent section of the Clinic; (2) the non-patent section of the Clinic (trademark and other non-patent IP matters); or (3) both sections. Class sessions survey practical IP legal issues, including ethics, ownership, protection strategies, infringement avoidance, and client counseling.

Enrollment in the Clinic is limited, so students must submit a resume and an interest statement to the Director to obtain permission to enroll. Strongly suggested prerequisites or co-requisites include at least one of Patent Law, Trademark Law, or Survey of IP or equivalent experience. 3-4 credits, professional skills.

Updated 10/16

B580 Civil Rights Statutes ## (3) – Fuentes-Rohwer

This course examines the nature and scope of various federal civil rights laws, including the Civil Rights Act of 1866, the Civil Rights Act of 1964, and the Voting Rights Act of 1965. We will make sense of these iconic statutes as both historical artifacts as well as legal tools. That is, we will situate these laws within their historical milieus, consider their purposes, and evaluate their effectiveness.

As we explore these statutes, two overarching inquiries will anchor our discussion. First, what role do the federal courts and the political branches play in defining the meaning and extent of these rights? In thinking about this question, it is important to note that these statutes came into being during moments of Reconstruction, times when the country was trying to figure out what it meant to be free. This observation leads to a second question: what role have social movements played in this narrative? This is an important if ironic question. This course will help you think about some very interesting answers.

This is a course that will interest students of American history, constitutional law, American political development, statutory interpretation, Democracy and voting rights, and/or race. This is also a writing course. This means that we will spend a great deal of time writing, both in class and outside. We will do so while engaging some of the pressing issues of our day.

Updated 10/16

B582 Mergers & Acquisitions (2) – Greene

Duration: 7-weeks (offered only in the first 7-weeks of the spring semester...*note this course is NOT on Law School schedule, classes start on Tuesday, January 10*)

This course is a survey of “M&A”. The classes follow the life cycle of a deal: from strategy to deal search to valuation to due diligence to structuring to negotiating to post-merger integration.

The following topics are covered in A570

Subject	# of class periods
Strategy, Deal Search/Origination	2
Valuation	3
Due Diligence	1
Structuring: Financing, Earn-outs, Tax and Accounting	2
Legal issues (including documentation)	2
Negotiation	1
Post-merger integration	1

Course Mission and Goals

The academic mission of this course is to survey the drivers of success in mergers and acquisitions (M&A) and to develop your skills in the design and evaluation of these transactions. The course should enable you to:

- Master the language and processes of M&A. Basic knowledge about the field of M&A is the foundation for effective work in a wide range of fields including investment banking, transaction services (e.g. due diligence, purchase price allocation, accounting-related deal structuring), corporate development, consulting and legal transactional work that are directly involved in the M&A arena.

- Identify M&A issues worth attention. This course highlights elements in the *structure* and *process* of every M&A transaction that deserve professional scrutiny.
- Analyze an M&A transaction rigorously. Valuation analysis is a core skill in M&A and is supplemented by analyses of strategy, dilution, financing, risk management and legal issues.
- Participate constructively in the negotiation of a deal. In the real world, the most vexing problems are the ones that don't lend themselves to "right" and "wrong" answers because the outcome is not something that you control. The "success" of an M&A transaction is affected not just by the actions of the buyer, or even the buyer and the seller, but on the actions of other prospective buyers, regulators, customers, unions, lenders, and advisors. Recognizing these competing forces is key in any negotiation.

This course is cross-listed with the Kelley School of Business (and the majority of the students are from the Kelley graduate programs). B582 should be particularly useful for students seeking careers in corporate transactional work, whether as a corporate lawyer, tax lawyer or investment banker. Some background/knowledge of corporate finance/accounting is strongly recommended. A key element of the course is a week-long team-based negotiation of an acquisition (including price, structure and conditions).

Professor Broughman is teaching a new course "Legal Issues in Mergers and Acquisitions" (also, perhaps confusingly, "numbered" B582) that is designed to follow and supplement the material in the Kelley version of the course. There is little to no redundancy between the two courses and one would benefit from taking both.

Please note: This class meets according to Kelley School of Business regulations and calendar.

Updated 10/16

B582 Legal Issues in Mergers & Acquisitions (2) – Broughman

This course explores both the legal rules regulating mergers and acquisitions, and the role of lawyers in helping their clients navigate such transactions. Particular attention will be given to how a lawyer can create value in this transactional setting. In addition to understanding legal rules, the course will consider how economic and financial principles shape legal strategy in this area.

Prerequisite: Corporations (B653).

Note: This class meets the second seven weeks of the semester, and is designed to supplement the Mergers and Acquisitions course taught by Professor Dave Greene at the Kelley School of Business, which meets in the first seven weeks of the semester. Professor's Greene's class, however, is not a prerequisite for this class. A student can register for one or both of the courses.

Updated 10/16

B588 Strategies in Critical Reading & Writing: The Letter and Literature of Family Law ## (3) – Conrad

This course emphasizes skills and techniques of analysis and evaluation, both in reading and in writing. This semester the substantive focus will again be Family Law. Our Readings will be drawn largely, but not entirely, from the scholarly literature. The course satisfies the "Advanced Writing Requirement." Any student might well choose to take the course as something of a general introduction to Family Law; but the course offers such an introduction that is neither as doctrinally comprehensive nor as pedagogically conventional

as that offered in the other sections of the introductory Family Law course at our School.
Updated 10/16

B601 Criminal Procedure: Investigation (3) – Bell

No description available

B608 Family Law (3) – Sanders

This course examines legal and policy issues that arise from the government's regulation of family and other intimate relationships. Topics to be covered include marriage, divorce, adoption, child custody and child welfare, and assisted reproductive technology. The course is primarily doctrinal, intended to provide necessary grounding in principles and case law for students planning to do family law work -- as a primary concentration or part of a larger practice -- in any state. We'll also have some guest speakers -- practitioners and judges -- who can talk about how practice differs from theory. Family law inevitably involves many policy choices and social dilemmas, and so along the way we will confront questions such as: How should we balance the need for fixed, predictable rules that reflect longstanding social norms, against the values of human autonomy and the need for flexibility to accommodate increasingly diverse family forms? Should government require employers to better accommodate their employees' family and caregiving responsibilities? How has family law -- a traditional area of state regulation -- become increasingly subject to constitutional requirements of equal protection and due process? Should government privilege traditional family settings like marriage over other forms of caregiving and family arrangements? What is the significance of changing gender roles within marriage and society as a whole? What new challenges has family law had to confront as a result of same-sex couples raising children? Grades will be based primarily on an open-book take-home final exam, though in-class discussion also will be taken into consideration.

Updated 10/16

B614 The Legal Profession for LLMs (2) – Pruden

This class explores regulation of lawyers in the United States, the effectiveness of such regulations, and explores the conflicting goals of both the regulations and the broader societal goals of the legal profession and justice system.

The goal of the class is to introduce the tools to create understanding of the regulatory process of the profession and to develop a sense of ethical knowledge and values for both theoretical and practical application.

The course will introduce you to the regulations governing lawyers both ethically and procedurally, to understand how the laws of lawyering in the United States in both the federal and state systems and the relationship of governing organizations and the courts.

The course will introduce you to the various forms of the practice of law, including, but not limited to private practice in small and large settings, government practice, corporate or single client settings, private enterprise and public service.

The course will introduce you to strategies for successful practice (ethical and effective) and demonstrate conducts that results in negative or anti-successful practice.

The course will primarily consist of lectures, class discuss and occasional guest speakers on specific topics.

Final grading will be based upon a test, short paper and class participation:

Test: 85%

Class Participation: 15%

Required Course Material: ABA Model Rules of Professional Conduct (Available online);

Materials provided by instructor. Reference Material: Hazard & Hodes, *The Law of Lawyering*, (Aspen 3d Ed.) No Purchase Required

Updated 10/16

B615 Land Use Controls (3) – Stake

No description available

B620 Negotiations ^^ (2) – Ardery

NEGOTIATE BETTER...ENJOY IT MORE

Negotiation can be an all-encompassing experience—intellectual, emotional and physical.

We negotiate for ourselves and others to obtain what we do not have and to avoid losing what we already possess (tangible and intangible). This class is designed for you to ask the large and small questions of yourself and others to determine priorities, develop skills, consider styles, become aware of internal and external conflicts, appreciate priorities different from your own and learn to negotiate for yourself and your clients in a powerful and meaningful way.

You will share your own personal negotiation experiences and learn from your classmates, whose experiences and approaches may vary from your own.

You will do 4-6 negotiations with a partner and we will de-brief those negotiations. Class participation is 60% of the grade.

We will consider various readings on negotiation and also from neuroscientists, philosophers, sociologists and others whose expertise can inform all of us about how we can negotiate in a principled and effective way.

The first day of class I will give you a Negotiation Diary. You are expected to write down a personal negotiation experience or conflict experience of your own each week and some observation from that week's readings. We will begin each class with someone sharing their real-life experience so we can see how this class has practical application.

Negotiation is a skill on which we can improve, fear less and even enjoy.

Grades-- Grades will be determined with 60% attendance and class participation, 15% final paper, and 15% final negotiation that will be done with a partner on video.

Note: 3Ls have priority for this class.

Updated 10/16

B620 Negotiations ^^ (2) – Hoeksema

Class Purpose/Goal: LEARN TO NEGOTIATE BETTER AND TO ENJOY IT MORE

The class is designed to offer students an opportunity to increase their self-awareness and awareness of others and to learn and practice concrete negotiation skills. Students will be negotiating in class nearly every week. Students will learn to transfer theoretical understanding of negotiation skills from the classroom to address conflict and engage in negotiation in a professional, ethical and effective ways in professional and personal settings.

We will be using Negotiation: *Processes for Problem Solving* by Menkel-Meadow, Schneider and Love. Excerpts from texts other than the main book will also be used.

We will discuss specific negotiations in which members of the class may have engaged in during the course of their daily lives as well as examine current events and evaluate the effectiveness of negotiating skills of public figures.

Grades determined as follows:

60% attendance and class participation;

15% final paper;

25% final negotiation.

Note: 3Ls have priority for this class.

Updated 10/16

B622 Principles of Law & Economics (3) – Cole

Law & Economics is about how economic and commercial concerns influence legal rules and, in turn, how legal rules affect economic outcomes. Today, economic theory is often cited in legal briefs and decisions, and legal and economic journals frequently debate the efficiency aspects of judicial decisions, legislation, and regulations. Familiarity with basic economic analysis and arguments has become crucial for practitioners in many areas of the legal profession. At the same time, it is increasingly clear that the legal system itself influences the economic system: What *is* efficient depends on the framework of legal rules that, among other things, establish and allocate entitlements to property, and determine the means and costs of transacting. This course explores the nexus of Law & Economics in the context of both the scholarly literature and case law.

Updated 10/16

B631 Business Reorganization (2) – Carr

This course will be taught by James M. Carr, JD 1975, judge of the US Bankruptcy Court of the Southern District of Indiana. The course will cover the full range of issues related to the bankruptcy reorganization of business entities under Chapter 11 of the US Bankruptcy Code. Issues arising in the reorganization of the City of Detroit under Chapter 9 will also be addressed. Topics addressed will include an introductory overview and history of reorganization law in America (including the various uses of Chapter 11 to implement a variety of business strategies and a description of the key players in a Chapter 11 case); business operations in Chapter 11; the Chapter 11 "toolbox" (including rejection and assumption of leases and executory contracts; allowance, disallowance, estimation, and subordination of creditor claims; the reduction of secured obligations to the value of collateral; borrowing by the debtor ("DIP financing"); preference and fraudulent transfer avoidance actions; and sale of assets free and clear of liens); process and procedure regarding dispute resolution (motion practice, contested matters and adversary proceedings); special rules regarding small business debtors, individuals, single asset debtors and other special cases; the core importance of, and various concepts involved in, the valuation of assets and enterprises; the process of creating and proposing a plan of reorganization; standards for confirmation of Chapter 11 plans; and the alternatives for restructuring outside of Chapter 11. In addition to a conventional casebook, the course will explore several actual bankruptcy reorganization cases in which the instructor has presided or participated. Students will have to "roll play" as counsel for parties-in-interest in hearings regarding use of cash collateral/relief from stay and plan confirmation. Evaluation will be based on the exercises and a written examination. Prior completion of the basic Bankruptcy course may be helpful, although Bankruptcy is not a prerequisite.

Updated 10/16

B634 Advanced Constitutional Law (3) – Lovelace

This course will examine the role of social movements in the development of U.S. constitutional law. Conventional theories of judicial independence do not define a legitimate role for social movements, but recent advances in legal scholarship have underscored the co-constitutive relationship between law and social movements. Accordingly, this course will explore how participants in social movements engage the Constitution and how these

encounters shape constitutional doctrine, social institutions, public discourse, and movements themselves. We will investigate the processes of mobilization and counter-mobilization and reflect on how movements often spur constitutional change through means other than constitutionally specified procedures. We will also consider why movements fail and will critically analyze rights-based approaches to reform. The course will place particular emphasis on the involvement of social movement actors in the transformation of civil rights law. Course readings will draw from a wide range of historical, sociological, and legal sources.

Updated 10/16

B639 Advanced Legal Research ^^ (3) – Buckley, Ahlbrand

No description available

B639 Advanced Legal Research: LLMs and SJDs (2) – Morgan, Gaebler

Advanced Legal Research: LLM and SJD will offer LLM and SJD students an opportunity to gain in-depth working knowledge of legal research methods and resources. The course will emphasize use and comparison of a broad range of legal research tools, including traditional print sources and a host of electronic materials. The course will review the complete range of federal and state primary sources, legislative history, administrative materials, and major secondary resources.

Upon completion of this course students should be able to evaluate research options and make choices that best suit the widest possible variety of academic legal research situations. Each class period will focus on a specific type of resource or research process and will include lectures, demonstration of relevant electronic resources, and classroom discussion. Each class or group of classes will be followed by a brief research exercise to both measure and enhance the student's expertise with the materials presented in the classroom. This bibliographic approach to the legal research process will lay the groundwork for the course's capstone project, a research guide in an area approved by the instructors. The research guide's bibliographic approach will provide students with an opportunity to review all the studied resources within the context of a discreet substantive question. Each student's course grade will be based on (1) homework assignments, (2) a research guide on a topic of the student's choice, and (3) class participation/attendance.

Updated 10/16

B645 Wills & Trusts (3) – Gjerdingen

This course covers transfer of property at death. This includes probate transfers, such as wills and intestate succession, as well as nonprobate transfers such as gifts, trusts, POD accounts, and other will substitutes.

Topics include:

- Intestate succession.
- Execution of formal and holographic wills, as well as revocation and revival of wills.
- Interpretation and construction of wills, and will contests.
- Will substitutes, such as multi-party accounts, POD provisions, and gifts causa mortis.
- Creation, modification, and termination of public and charitable trusts, and other specialized trusts; trust construction and interpretation.
- Powers of appointment.
- Restrictions on gifts, including the Rule against Perpetuities.
- Fiduciary administration, including investing for trustees (and lawyers) under the Prudent Investor Rule as guided by Modern Portfolio Theory.
- A brief introduction to estate planning and estate taxation, including the importance of retirement accounts in estates.

This is an introductory survey course. Students with a serious interest in practicing estate planning are encouraged to take additional courses in Gift & Estate Tax (B651) and Estate Planning (B740).
Updated 10/16

B653 Corporations (3) – Fletcher

This course provides a survey of the legal rules and concepts governing the modern corporation in the United States. A principal focus is on the large, publicly traded corporation that dominates much of the U.S. business environment – in particular, its control and the potentially conflicting interests that the form must mediate. The key theme for our purposes is to understand how corporate law regulates the relationships among the many different constituencies of the firm, including shareholders, directors, managers, creditors, employees, customers, and suppliers. Topics to be covered include business formation, limited liability, fiduciary obligations, shareholder voting, derivative suits, corporate control transactions, and the purpose of the firm. At core, this is a survey course, so many of the topics we will discuss have specialized courses offering a more detailed treatment. There are no prerequisites for this course, and the presentation is designed to be accessible to students lacking a business background.

Updated 10/16

B658 Law & Education: Legal Perspectives on Education (3) – Decker

This course will prepare students to 1) identify legal issues occurring in public PK-12 schools; 2) appreciate the importance of legal literacy for administrators, educators, policymakers, and others; 3) understand legal principles and apply them to real life scenarios; 4) describe and analyze key principles of school/district policy as well as federal and state law; 5) conduct legal research to stay abreast of evolving law; 6) collaborate with others to solve complex legal issues, and 7) legally advocate for parents, students, schools, and districts. This is a School of Education course which will be taught entirely online. Students are responsible for ascertaining applicable rules of relevant jurisdictions for bar exams/admission. Some jurisdictions limit the number of online hours. This course also qualifies as one of the four School of Education cross-listed courses that is required for the Minor in Education Policy (see <http://www.law.indiana.edu/what/professional-careers/joint-degrees/outside.shtml>). Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy and Janet Decker deckerjr@indiana.edu for further information about the course.

Please note: This class meets according to School of Education regulations and calendar.

Updated 10/16

B658 Law & Education: Workshop on Selected Problems in Ed Leadership (3) – Decker or Eckes

The purpose of this course is to hone students' legal research and writing skills while increasing their knowledge about education law and policy. This course qualifies as one of the four School of Education cross-listed courses that is required for the Minor in Education Policy (see <http://www.law.indiana.edu/what/professional-careers/joint-degrees/outside.shtml>). Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy. Only Education Policy Minor students are eligible to enroll in this course unless instructor grants permission. For further information, please contact Janet Decker deckerjr@indiana.edu.

Please note: This class meets according to School of Education regulations and calendar.

Updated 10/16

B658 Law & Education: Advanced School Law (3) – Richardson

This course analyzes current school legal issues from a district-level perspective. School leaders and policy makers need an in-depth understanding of several legal and ethical issues that impact schools. The Prerequisite for this course is: *Legal Perspectives in Education* (B658 Education Law/A608) or equivalent with consent from instructor. In *Legal Perspectives in Education* (B658 Education Law/A608), students explore legal issues from a building-level perspective. Specifically within A608, students discussed legal scenarios focused on teachers and principals. *Advanced School Law* (B658 Education Law/A615) goes beyond *Legal Perspectives in Education* to examine other complex school legal issues at the district-level, including public employment law, evaluation and other issues that affect superintendents and other district-level leaders.. This is a School of Education course which will be taught entirely online. Students are responsible for ascertaining applicable rules of relevant jurisdictions for bar exams/admission. Some jurisdictions limit the number of online hours. The course also qualifies as one of the four School of Education cross-listed courses that is required for the Minor in Education Policy (see <http://www.law.indiana.edu/what/professional-careers/joint-degrees/outside.shtml>). Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy and Janet Decker deckerjr@indiana.edu for further information about the course.

Please note: This class meets according to School of Education regulations and calendar.
Updated 10/16

B661 Law & Biomedical Advance (3) – Cripps

This course will examine the ways in which law is being affected by latest advances in biomedicine, including precision medicine. The sequencing of the human genome has brought us sophisticated genetic testing, screening and the possibility of human genetic modification. These are relatively new arrivals in doctors' and pharmaceutical companies' array of offerings. The cloning of genes, and indeed whole organisms, raises new questions for lawyers, whether they specialize in property, tort, criminal law, insurance, or intellectual property. Fascinating constitutional questions must now also be addressed, as is illustrated by litigation instigated by the Association for Molecular Pathology, the ACLU and others against a company holding patents on human genes. The new synthetic biology, which involves the creation of organisms in laboratories, will also be considered, as will novel legal questions that it raises. Three parent embryos and other related technologies also spark legal and ethical issues that will merit our attention. No prior knowledge of either biotechnology or intellectual property law is necessary for this class, which will be conducted in an open discussion format.

Updated 10/16

B665 International Law (3) – Waters

International law is a controversial, contradictory field – and one whose rapid growth makes its controversies and contradictions more, not less relevant. This survey introduces students to the fundamental elements of international law and their application to contemporary issues in ways that bring the contested nature of international law into focus: What does it mean to make, and be subject to, law that is international?

The first part of the course covers the history of international law and examines what makes up the field – its subjects, the sources of its rules, and the assumptions and claims made about and for a system of law that operates apart from or perhaps above municipal law. The course also explores how law is crafted to address specific, sometimes irreducibly international problems –such as the use of force, cross-border economic activity, environmental concerns, and human rights – but also expresses broader aspirations about governance and humanity that can implicate other legal orders and challenge the state system.

Throughout, the course considers the nature and function of law – which at the state level is typically hierarchical – in the flat, anarchic environment of the inter-state system. The course includes perspectives taken from other disciplines, such as international relations, history and political philosophy, so as to enrich students’ understanding of a body of rules that is, by its nature, on the margins and frontiers of what we normally understand by law.

Exam is take-home.
Updated 10/16

B671 Appellate Practice & Procedure ##^^ (2) – Castanias, Fisher

Appellate Practice and Procedure, co-taught by two experienced appellate and U.S. Supreme Court practitioners and scholars, will teach the substance, procedure, and strategies peculiar to appellate and U.S. Supreme Court litigation. Few law students leave school with much exposure to Federal Appellate Procedure, and this course is designed to fill that gap in traditional legal education. It is an ideal capstone for students who plan to embark on a career in litigation, as well as students going on to appellate clerkships. The class is open to 2Ls and 3Ls. Grades will be based on a combination of single seminar paper due at the end of the semester as well as class participation.

Updated 10/16

B672 Secured Transactions (3) – Foohey

This course focuses on one of the most important devices in facilitating consumer and commercial credit: security interests in personal property. The course emphasizes Article 9 of the Uniform Commercial Code, but also covers other topics in secured financing such as security interests in intellectual property. The term “property” for the purpose of the course includes tangible and intangible items such as motor vehicles, goods in store inventories, rights in copyrights, trademarks and patents, agricultural products and commodities, contract rights, payment intangibles, accounts receivable, and equipment.

The textbook for Spring 2017 is Lynn LoPucki, Elizabeth Warren, and Robert Lawless, Secured Credit: A Systems Approach (8th edition, 2015). Please also purchase Elizabeth Warren, 2016 Bankruptcy and Article 9 Statutory Supplement.

This course uses a problems-based approach to secured transactions. You are expected to attend every class (including the first class) prepared to discuss the assigned materials and problems. At the beginning of class, we briefly will discuss the theory and substance of the law. Most of class time will be spent working through a series of problems.

Secured Transactions is a versatile course: some knowledge of secured credit is helpful in understanding the pitfalls of the transactions your future clients will be entering into, and through the course’s examination of Article 9, you will learn how to interpret statutes. This course will have an in-class examination consisting of a combination of multiple choice questions, one or two longer essay questions, and/or one of two short-answer questions. There is no prerequisite for this course.

Updated 10/16

B678 Law & Sports (3) – Brown

This course will address a number of significant issues that arise in Sports Law. While we will touch on a few issues involving high school athletics, most of our discussions will focus on intercollegiate and professional sports. For intercollegiate athletics, we will discuss regulating Intercollegiate Athletics, including the history of the NCAA, the relationship of the student athlete and the University, eligibility of student athletes, and enforcement of NCAA rules. One of the most unusual aspects of collegiate sports is that the revenue generating

sports of FBS football and Division I basketball, produce a tremendous amount of income for the NCAA and colleges and universities. For example, the NCAA funds its entire annual operations on less than half of the one billion dollars it receives for the television rights for the NCAA Basketball Tournament. Many of the educational institutions use the funds generated by basketball and football to pay for the operations of all of their other sports programs. Yet, compensation for the football and basketball players is severely limited by the NCAA requirement that they must be amateurs in order to be eligible to compete. No other area in American society involves a situation where those who generate the income are so limited in what they can be paid for their labor. As a result, much of the recent developments in collegiate sports involve the issue of compensating student athletes in the revenue generating sports, most of whom are black males. These developments include a number of antitrust lawsuits against the NCAA. We will devote a significant amount of time understanding the complexities of this issue, especially the impact of antitrust law on collegiate sports. We will also cover the significant impact of Title IX on gender discrimination in intercollegiate athletics. Title IX has changed American norms regarding participation of women in sports. This is also one area of law where the use of the middle level scrutiny test under the equal protection clause for gender discrimination, as opposed to strict scrutiny for race, makes a huge difference.

We will cover a number of important issues relevant to the operation of professional sports, including the evolution of sports as a business and a profession, the internal league governance structure, and the commissioner's authority. Before free agency in sports, which starts with the Curt Flood case in the early 1970s, there was little need for sports agents. But, free agency had a tremendous impact on professional sports and its institution typically involved very long and contentious work stoppages. Thus, we will discuss in detail labor law issues related to the development of free agency, the role of the sports agent, and the role of the players' associations. Drug testing for both recreational drugs and performance enhancing drugs has been another contentious area in pro sports. We will talk about drug testing, including the aftermath of the steroid scandal in Major League Baseball. We will also focus on the Concussion Lawsuit that has dominated concern about the future of the NFL for years.

Updated 10/16

B680 Employment Discrimination (3) – Widiss

This course focuses on the federal civil rights statutes that prohibit employment discrimination based on race, color, sex, religion, national origin, age, and disability. The course considers litigation strategy and the sources, theories, and goals of anti-discrimination law. Specific subjects covered include employers' responsibilities (or lack thereof) to accommodate or address pregnancy and family responsibilities, religious practices, disabilities, and workplace harassment. The applicability of current law to alleged discrimination on the basis of sexual orientation or gender identity is also addressed. Students are required to engage in a simulated client intake and complete several pass/fail assignments that provide practice applying the legal concepts discussed. Grades will be based primarily on performance on an in-class open book final exam, but performance on the assignments and in-class discussion may also be taken into consideration.

Updated 10/14

B688 Community Legal Clinic ^^ (3) – Singleton

The Community Legal Clinic functions as a law firm comprised of second and third year law students who provide legal representation to clients while acting under the supervision of a licensed supervising attorney. The objective of the course is to allow students to gain practical experience while using the excellent intellectual and analytical skills gained elsewhere in the law school.

The course has two components: 1) a classroom seminar and 2) the actual representation of clients. Clinic clients are local residents with family law problems involving dissolutions of marriage, child custody, child support, parenting time, paternity, guardianship, adoption and abuse and neglect. Most, if not all, Clinic clients have limited incomes and may not be able to afford private counsel. Clinic students have primary responsibility for assigned cases and may be expected to perform some or all of the following tasks: client interviewing, drafting legal documents, engaging in discovery (including taking formal depositions), negotiating, motion practice and trials. Students have weekly office hours and supervision sessions with their supervising attorney to discuss progress in their cases.

The seminar component consists of a weekly class meeting during which the students are introduced to the relevant substantive and procedural areas of the law. There will now be two levels of participation in the Clinic. Those students who have completed one-half (1/2) of the hours required toward graduation and have completed the Legal Professions course may become certified legal interns and represent clients under the supervision of the professor. Those who have not completed one-half (1/2) of the hours required toward graduation may enroll in the Clinic and participate in the classroom seminar, work with clients but not represent them in court until becoming eligible for certification. Enrollment is limited. Certified 2L's and 3L's may enroll for three (3) credit hours per semester and non-certified 2L's may enroll for 1-3 credit hours. Both certified and non-certified interns may take a maximum of six (6) credit hours for this clinic.

Updated 10/16

B691 Family & Children Mediation Clinic ^^ (4) – Applegate

This clinic is being offered for four (4) credit hours in 2016-2017 because there are 40+ hours of class meeting time (not counting fieldwork). Each semester the clinic is generally available to up to eight (8) students. Through this program, 2L and 3L students who have taken the prerequisite and companion course (B563–Domestic Relations Mediation, which is offered in August 2016 before the start of the fall semester) serve as registered domestic relations mediators in Indiana, mediating family law cases that are primarily referred to the clinic from local courts. Only students who have successfully completed B563 may be in the clinic. Students need advance approval from Professor Applegate to enroll in the clinic.

Interested students should contact Professor Applegate by e-mail (aga@indiana.edu) explaining their interest in the clinic (and related course, B563), and attaching a current resume. Students may only enroll in the clinic after receiving advance approval from Professor Applegate to enroll. Given the limited number of spaces, any interested student should contact Professor Applegate in advance of 3L registration for the fall 2016 semester; at that time, decisions about enrollment in the clinic for the fall 2016 and spring 2017 semesters will be made. Students who will participate in the clinic during the spring 2017 semester will enroll in the fall for the clinic.

Mediation Clinic: Students in the clinic will co-mediate cases referred primarily by judges in local and nearby counties. Students will mediate custody, parenting time, child support, asset and debt division, and other disputes between parents in family law cases. During the semester, the students will mediate in teams of two. Class training in the clinic will focus on interdisciplinary training, the development of the students' mediation skills, exploration of advanced mediation topics, including drafting mediation agreements, mediating more complex financial matters, best practices in the face of domestic violence concerns, keeping the focus on children's best interests in mediation, and the effect of certain ethical issues and concerns on mediation practice. Students will keep a reflective journal of their mediation experiences, and will share their experiences with Professor Applegate and the

other students in case rounds during class. Mediations will be conducted mostly at the law school. The clinic will be taught and supervised by Professor Applegate. In addition, students who have successfully completed the clinic in a prior semester may also assist in mentoring and supervising clinic students.

Please note that the clinic and its students participate in *interdisciplinary training and research* with faculty and students from the IU Department of Psychological and Brain Sciences (Psychology Department).

Grading/Exam Policy: Final grades in the clinic will be based on a combination of factors, including students' mediation skills (and improvement of their skills), professionalism, preparation for mediations, the quality of reflective journals and other documentation, knowledge and application of Indiana law and ethics, and class attendance and participation. There is no final exam in the clinic.

Scheduling Requirements: Only students who have successfully completed B563 may participate. Clinic students must be available on *Mondays from 8:45 a.m. to 12:30 p.m. during the semester, and on Wednesdays from 8:45 to 12:30 p.m. for the first 2-3 weeks of the semester (class hours are, however, shortened later in the semester)*. During the semester, students will also generally be scheduled each week to attend (1) an intake session for one case (approximately 2-3 hours) or a mediation (negotiation) session in another case (approximately 4-5 hours) on a regularly scheduled morning (Tuesday, Wednesday, Thursday, or Friday), and (2) a regularly scheduled supervision meeting (typically the afternoon before intake or mediation). In addition to these times, students will need to prepare in advance of intakes and mediations, and follow up with necessary documentation and paperwork after sessions. *Given the class schedule, it is not possible for students enrolled in the clinic to take other courses during the semester that meet Monday or Wednesday before 1:15 p.m. Additionally, students must commit to intakes and/or mediations one morning each week and on that day, the students should not enroll in a class before 2:20 p.m.*

Prerequisites: The prerequisite to the clinic is the successful completion of B563–Domestic Relations Mediation, offered in August 2016 before the start of the fall semester.

Additional requirement: All students who enroll in the mediation clinical program must consent to a criminal background check and sex offender registry check required by the Indiana University Policy for Programs Involving Children. More information about the policy and use of information obtained through these checks is at:

<http://policies.iu.edu/policies/categories/administration-operations/public-safety-institutional-assurance/PS-01.shtml>

Contact Information: Students may contact Professor Applegate by e-mail (aga@indiana.edu) with any questions.

Updated 3/16

B698 Judicial Field Placements ^^ (2) – Van Der Cruysse

Judicial field placements (or judicial externships) offer second- and third-year students an unparalleled opportunity to study the judicial decision-making process; federal and state jurisdiction; civil and criminal procedure; and the court system as a whole, as well as to polish skills in legal research, writing, observation, and analysis.

During the spring semester, students spend one full day (or two half-days; 8 hours) per week, for 13 weeks, in the chambers of a federal or state judge or a minimum of 52 hours per credit. Their work is directed by the judge and/or law clerks, and reviewed by their

faculty supervisor. Students share some of the duties of the judge's law clerks, including the responsibility for active case files. Students often also observe trials, arguments, pre-trial conferences, and sentencing hearings. The externship typically runs from the first week of classes through the last week of classes. Students need to attend four meetings throughout the semester on January 11, February 13, March 27, April 17, they can choose a timeslot at 8 am or at noon on those days). Throughout the semester, students will also submit a series of short reflective essays on their externship experience. Students seeking externships with a judge or judge magistrate in the U.S. District Court for the Southern District of Indiana, or a justice of the Indiana Supreme Court, must apply through Prof. Inge Van der Cruysse (ivanderc@indiana.edu), Faculty Director of Externships and Clerkship Placements. Application materials include: updated resume, unofficial law school transcript, writing sample (with cover page) and the names of two faculty references. The availability of judicial externships is limited, and ultimately will depend on judges' selections. Judges' preferences vary based on a wide number of factors, including students' class year, courses taken, academic strengths, and areas of special interest.

This course satisfies the professional skills requirement. Pass/Fail.

Updated 10/16

B700 Corporate Tax – Lederman

This course focuses on the federal income taxation of corporations and their shareholders. It covers both "C" corporations (which are taxed at the corporate level) and "S" corporations (electing small business corporations, which generally experience pass-through taxation), including many topics that apply to both types of corporations. Topics covered generally include choice of business entity, the tax consequences of contributions of property to a C or S corporation, distributions to shareholders, redemption of stock, liquidation of a corporation, and basic mergers and acquisitions (acquisitive reorganizations). Introduction to Income Tax or equivalent background (as determined by the instructor) is a prerequisite.

Updated 10/16

B709 Transactional Drafting ## ^^ (3) – Need

In this course, students start with the "nuts and bolts" of contract drafting and proceed through the process of incorporating deal terms into contract provisions. Students will study both stylistic and legal conventions and their relationship to one another in a range of contract types. Through the lectures, in-class exercises, and drafting homework assignments, students will learn how to identify risks and draft clear contract provisions that minimize ambiguity and control those risks. The course is designed for students who are interested in corporate or commercial law, but it is useful to any student who will be drafting and negotiating contracts in his or her legal career.

Note: 3Ls have priority for this class.

Updated 3/16

B709 Transactional Drafting ## ^^ (2) – Becker

This course takes a structured approach to drafting contracts, beginning with the basic building blocks of commercial agreements and finishing with an asset purchase agreement to purchase a small business. Along the way, students will learn various stylistic conventions used by business lawyers, how to translate the terms of a business deal into a written agreement, and how to add value to a client's business deal. They will be exposed to several types of contracts, including purchase contracts, employment agreements, escrow agreements and license agreements. In-class exercises and drafting homework will give students practice drafting clear contract terms that describe a client's business deal with minimal ambiguity. Students should make sure they can allocate time outside of class to complete the drafting and editing homework. Grading is based on two or three graded drafting projects and on class preparation and participation. The final graded exercise (in

lieu of a final exam) will consist of a business purchase agreement to be edited at home using techniques learned during the semester. The course is designed for students who are interested in a business transactions practice, but it is useful for any student who plans to negotiate and draft contracts in his or her legal career.

Note: 3Ls have priority for this class.

Updated 10/16

B709 Transactional Drafting: Tax ## ^^ (2) – Riffle

The focus of most business lawyers is documenting the purchase, sale or other combination of two or more businesses. Different transaction structures have evolved to address the unique circumstances of each transaction and to balance the varying interests of the parties, often with the view of minimizing the tax costs and maximizing the tax benefits associated with the deal.

In the opening section of this two-hour course, students will be introduced to basic (and some not so basic) transactional structures and elections, and will explore the basics of tax free and taxable acquisitions. A key element of this section will be the identification of the tax drivers dictating acquisition structures, including potential amortization of purchased intangibles by the buyer, character of income and gain, pass-through status (or lack thereof) of the target, and use or preservation of the target's tax attributes. The writing focus of this first unit will be the preparation of sample interoffice memos to supervising attorneys, laying out options and recommendations for how best to structure a transaction from the viewpoint of the hypothetical client.

The second unit will focus on acquisition agreements and their various components (statement of the transaction, representations and warranties of the parties, covenants concerning conduct prior to closing, conditions to closing, survival of representations and warranties, indemnities, and post-closing conduct) from the unique perspective of the tax lawyer assigned to the deal. We will review the purpose and meaning of common tax representations, covenants and indemnities, and compare the adverse interests of the buyer and the seller in each. The writing component of the second unit will require each student to prepare a "sellers' draft" of the tax representations, covenants and indemnities in a standard stock purchase agreement. Thereafter, a sellers' side draft will be provided to the students, who will be asked to prepare buyer's tax counsel's comments to the sellers' draft received. Evaluations will be based on both the initial sellers' draft prepared by each student, as well as the buyer-side comments each student makes.

The third and final unit will address tax-based drafting issues associated with the preparation of partnership agreements and limited liability company operating agreements. The unit will include an overview of the purpose and meaning of the standard "tax boilerplate" and an introduction to drafting income and loss allocations that satisfy the "substantial economic effect" requirements of the Internal Revenue Code. Students will carry out a writing assignment in which they will prepare gain and loss allocation provisions intended to reflect a hypothetical economic arrangement.

The non-writing components of the course will include both lectures and Socratic analysis of hypothetical deals. Out-of-class readings will include both sample acquisition agreements and LLC operating agreements, together with brief descriptions of the uses and mechanics of common acquisition structures either drawn from the literature or prepared by the instructor. The library has reserved a copy of the Ginsburg, Levin and Rocap "Mergers, Acquisition, and Buyouts" as additional background reading for interested students.

The pace of the course will be dictated by the speed with which the key tax drivers (noted above in the description of the first section of the class) are mastered by the students. Because the instructor maintains a home just a few blocks south of Baier Hall, the instructor is able to offer weekly office hours at the law school (exact times and dates to be determined) for students who may require additional help in mastering the subjects. Prerequisite: Introduction to Income Tax or comparable undergraduate work
Updated 10/16

B713 Administrative Law (3) – Aman

This comprehensive course will cover most of the major constitutional and statutory issues in federal administrative law today, including various procedural due process questions, the constitutionality of delegating legislative power to administrative agencies, private actors and international organizations, the constitutional requirements for appointing and removing Officers of the United States, and the interpretation and application of the Federal Administrative Procedure Act. Primary consideration will be given to how agencies make policy and adjudicate disputes and how federal courts review those decisions. The course will also examine what is emerging as new sources of administrative law today, public /private partnerships, outsourcing and various procedural approaches to privatization. Though this course emphasizes federal administrative law, most of these concepts and the issues they involve apply to state law as well.

In addition, this course will provide opportunities for students to analyze the basic doctrines of administrative law by learning how to solve certain practical problems that require certain skills, such as the ability to draft a petition to intervene in an administrative proceeding, a petition for judicial review after an agency renders its final decision and a Freedom of Information Act request.

This is a second or third year course. There are no prerequisites.
Updated 10/16

B714 Deliberative Leadership ## (2) – Henderson

A disproportionate number of law graduates become leaders, yet law school seldom provides formal training. Deliberative Leadership is unique seminar that focuses on leadership – the importance of leaders to the success of our public and private institutions; the attributes of leaders worth following; and focused class discussion and personal reflection on when, how, and why certain people ascend to positions of leadership. Effective leadership is an accumulation of skills, behaviors, and attributes that are acquired through observation and practice. To get students onto this track, ten of the thirteen seminar classes will be planned, organized, and run by student teams. Half of the classes will include Maurer alumni and other law graduates who will share their insights and experience on topics of related to professional development and leadership. Assessment is based class participation, team performance, a research paper, and a short call-to-action speech. Class size is limited to 20 students.
Updated 10/16

B719 Employment Law (3) – Dau-Schmidt

This course provides an introduction to the growing body of law that governs the employment relationship and that is unrelated to either the law on employee organization or the law on employment discrimination. Topics to be covered include: the hiring and firing of employees; the employment-at-will doctrine; the erosion of the employment-at-will doctrine; covenants not to compete; the protection of trade secrets; the employee's duty of loyalty; the use of lie-detectors, drug testing, and HIV-testing in hiring and discharge

decisions; Workers' Compensation; the Occupational Safety and Health Act; and the Employee Retirement Income Security Act (ERISA). There are no prerequisites.
Updated 10/16

B720 Advanced Trial Practice ^^ (3) – Diekhoff

Advanced Trial Practice is a limited enrollment course for third-year students who are especially interested in litigation. It provides students with an opportunity to refine their basic trial skills, as well as an opportunity to practice jury selection, presentation and cross-examination of expert witnesses, and impeachment. The development and improvement of advocacy skills and techniques are the focus of this class. Written assignments are designed to complement specific advocacy skills and to assist the student in identifying and addressing litigation issues. The class utilizes a criminal case problem that presents a guilt-innocence question and challenges students to consider issues including witness and juror bias and the presentation of non-traditional experts. The final exam is a mock trial. Evidence and Trial Advocacy are prerequisites.

Students enrolled in the class are encouraged to participate in trial advocacy competition.
Updated 10/16

B722 Trial Advocacy ^^ (3) – Kellams, Diekhoff, Brown, Levco, Pyle

Trial Advocacy is one of the core courses in the litigation curriculum. It covers the techniques, tactics and performance aspects of the trial; including opening statements, direct and cross-examination, exhibits, and closing arguments. There is also discussion of courtroom demeanor, relationships with judges and court officials, and ethical guidelines for courtroom practice. Students learn by doing, with every student performing in smaller practical sections most weeks. In lieu of a final exam, students conduct a full trial. Trial Advocacy is the second course in the trial practice sequence. Evidence is taken first, and is a prerequisite to Trial Advocacy. Trial Advocacy is taken second, and is a prerequisite to Advanced Trial Practice and Trial Competition. Trial Advocacy is also useful as preparation for clinical courses that involve litigation, such as Community Legal Clinic. Trial advocacy is taught by experienced trial lawyers and judges.

Please note that in addition to the sections managed by each of the respective instructors, the students from all sections meet on Tuesdays at 7:45 for a forty-five minute lecture.
Updated 10/16

B723 Evidence (3) – Eaglin

Evidence law regulates the proof of facts at trial and reflects the construction of courtroom "truth." In this course, we will examine the Federal Rules of Evidence and explore some aspects of their practical application. The course will cover: relevance, character, experts, impeachment, hearsay, documents and best evidence. We will look at the rules and cases to analyze how evidence law may perpetuate and influence the cultural values, legal rules, and social norms that our society uses to assess credibility. This course will include a final exam.
Updated 10/16

B727 Securities Regulation (3) – Nagy

This course provides an overview of the federal securities laws and focuses primarily on the Securities Act of 1933. Topics include the definition of a security; underwriting and the registration process; exempted securities and exempted transactions; secondary distributions; and private rights of action for Securities Act violations. Prerequisite or Co-requisite: Corporations (B653). This course can be taken in the second or third year.
Updated 10/16

B728 Information Privacy II (3) – Tomain

Privacy law and policy is one of the most important and rapidly expanding (and changing) fields in the world today. Increasingly, most aspects of daily life involve the (often unwitting) collection, communication, and use of personal data. As personal data are generated and collected more widely, and are far more revealing, governments are challenged to determine the proper limits and regulatory structures to enforce those limits, while businesses and other data users must determine how to comply with those emerging rules, often in the context of new technologies and unclear norms. The field of information privacy has grown so large that we are now covering it in two courses. Information Privacy Law I (not this course) will address the academic and constitutional background to privacy, the intersection of privacy and free speech, the protection of privacy in law enforcement and national security, and privacy issues raised in the context of government records.

Information Privacy Law II (this course) will focus on privacy issues in commercial, consumer, and international contexts. Information Privacy Law II is a survey course that will provide a foundational background in some or all of the following substantive areas of law: (1) Health Privacy; (2) Financial Data; (3) Consumer Data; (4) Data Security; (5) Education Privacy; (6) Employment Privacy; and (7) International Privacy Law. While Information Privacy Law I is not a prerequisite, students are encouraged to take both courses in sequence.

Updated 10/16

B730 Law & Religion (3) – Conkle

This course will examine the relationship between law and religion in the United States. It will focus primarily on the Religion Clauses of the First Amendment, i.e., the Establishment and Free Exercise Clauses, but it also will address related questions concerning religious liberty and the interaction of government, law, and religion. For example, the course will consider important religious liberty statutes, including the Religious Freedom Restoration Act of 1993 (RFRA) and the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). The class will examine and evaluate the Supreme Court's constitutional and legal doctrine in this highly controversial field, in part by considering the historical and contemporary constitutional values that can be seen to inform the Court's decision making. It also will examine and evaluate important lower court decisions, especially with respect to issues that have not reached the Supreme Court.

Constitutional Law I is a prerequisite for this course. Constitutional Law II is not a prerequisite. Nor does the prior completion of Constitutional Law II preclude enrollment. In other words, students may enroll in this course regardless of whether they have taken Constitutional Law II.

The coverage of this course overlaps to some extent with that of Constitutional Law II. Constitutional Law II, however, is a survey course that addresses the First Amendment generally. It typically emphasizes freedom of speech and related issues, permitting only limited time for the Religion Clauses. This course, by contrast, will focus exclusively on the Religion Clauses and related issues. In so doing, it will address various issues of religious liberty that are not covered in Constitutional Law II and delve more deeply into those that are. As a result, this course will be of value to students who have taken Constitutional Law II but who would like to learn more about law and religion. Conversely, the course will not assume prior study of the Religion Clauses, so students can freely enroll without having first completed Constitutional Law II.

Law and Religion is a three-credit course. We will meet twice a week in 85-minute class sessions. There will be two required books: Michael W. McConnell, Thomas C. Berg, & Christopher C. Lund, *Religion and the Constitution* (Wolters Kluwer, 4th Edition, 2016), and

Daniel O. Conkle, *Religion, Law, and the Constitution* (Foundation Press, 2016). There also will be one or more handouts and/or packets of supplementary course materials. Student grades will be based primarily on a final examination, which probably will be all essay. In addition, class participation will play a role in student evaluation and grading.

Updated 11/16

B733 Federal Jurisdiction (3) – Scott

This course is about the power of federal courts. It examines how that power is shaped and limited by the Constitution, by Congress, and by the courts themselves. In a variety of settings, we will consider the manner in which these sources of law apportion authority between state and federal courts and among coordinate branches of the federal government. Among the topics to be considered are the "case" and "controversy" requirements of Article III, state immunity from federal suit under the Eleventh Amendment, the authority of Congress under Article III to regulate the original jurisdiction of lower federal courts and the appellate jurisdiction of the Supreme Court, the authority of federal courts to exercise either less or more subject matter jurisdiction than Congress has enacted, and the responsibility of federal courts to supervise state criminal judgments under habeas corpus.

Updated 10/16

B734 Advocacy: Board ^^ (1) – Lahn

No description available

B734 Advocacy: Law Meet ^^ (1) – Need

No description available

B734 Advocacy: International Patent Drafting Competition ^^ (1) – Hedges

No description available

B734 Advocacy: External Mock Trial Team ^^ (1) – Singleton

No description available

B734 Advocacy: AIPLA ^^ (1) – Janis

No description available

B735 International Business Transactions (3) – Buxbaum

This course is a survey of the legal aspects of international business transactions. It will begin by introducing students to the law environment within which such transactions are negotiated and executed, covering topics such as the role of treaty and customary international law; the regulation of multinational corporations; international dispute resolution; and the extraterritorial application of national law. It will then turn to particular forms of international business transaction. Specific topics to be covered include transnational sales, agency and distribution agreements, foreign direct investment, and international joint ventures.

No business or business-law background is required for this class.

Updated 10/16

B738 Cybersecurity (3) – Fidler

This course examines policy and legal challenges connected to improving cybersecurity nationally and internationally. Threats to cybersecurity arise from criminal networks, terrorist groups, and states (espionage and armed conflict), and the U.S. government believes that dangers to cybersecurity are increasing and constitute one of the most serious

problems for U.S. national security in the coming years. For each category of cybersecurity threats, the course will analyze the policy and legal challenges facing countries and the international community. The course will also explore policy and legal issues that arise with efforts to improve defenses against cyberattacks. National and international law will be examined. In addition, the course will put policy and legal challenges to improving cybersecurity within the larger context of governance of cyberspace and the Internet in a rapidly changing world. The course has no pre-requisites, and no technical knowledge about computers and the Internet is required. Grades in this course will be based on a final examination.

Updated 10/16

B740 Estate Planning ^^ (2) – Retzner

This course will explore the various estate planning options available to individuals to enable them to achieve their objectives with respect to the transition of wealth, including closely-held business holdings and charitable giving. The course will also provide an introduction to Federal Gift and Estate taxation as well as Generation Skipping Transfer Tax. The course will also delve into estate and trust litigation, as well as a limited introduction to the field of "Elder Law." The emphasis will be on practical, real-life situations and positive steps available to the lawyer to deal with various situations involving estate planning and business succession planning. Suggested prerequisites or co-requisites for the course include Income Tax and Wills and Trusts. Each student will be expected to have a working knowledge of Wills and Trusts prior to taking the course, but by no means any expertise.

Although this is a skills class, there is an exam on the last day of class.

Note: This course satisfies the professional skills requirement.

Updated 10/16

B744 Law & Social Psychology ## (3) – Quintanilla

The course will begin with an introduction that compares and contrasts the divergent epistemologies of law versus social psychology and introduces students to research methods common in social psychology. Afterward, we will proceed to the substantive portion of the course by covering the following themes: (1) social cognition: how people select, interpret, remember, and use social information to make judgments and decisions; (2) social perception: how we form impressions of and make inferences about other people; (3) self concepts: research on self construals, and differences between the interdependent and independent self construal and its legal implications for judgments of intent and punishment; (4) cognitive dissonance: discomfort caused by holding two or more inconsistent cognitions or caused by performing an action that is discrepant from one's customary, and typically positive, self conception; (5) attitudes and persuasion: explicit or implicit evaluations of people, objects and ideas cognitively, affectively, and/or behaviorally based, and differences between the peripheral and central routes to persuasion—important for legal rhetoric; (6) conformity: behavioral change caused by the real or imagined influence of other people and its implications for designing effective legal rules; (7) group processes: social facilitation, social loafing, deindividuation, group polarization, groupthink and their implications for judging and jury decision-making; (8) pro-social behavior and aggression: acts performed either to help or to harm others; (9) prejudice and stereotyping: research on implicit bias, and the affective, cognitive, and behavioral underpinnings of prejudice, which will offer a bases to evaluate discrimination law.

Updated 10/16

B748 Comparative Law: Regulating Religion ## (2) – Oraby

This course examines how states regulate religious conversion through constitutional and

statutory law, administrative bodies, and courts. It will consider a range of case studies from a variety of regional contexts and where different legal traditions prevail, including common law, civil law, and mixed legal systems. Among the case studies we will discuss are the Orthodox Jewish conversion program of the State of Israel, the adjudication of conversion in Egypt's administrative courts, anti-conversion laws promulgated in response to organized mass conversions out of Hinduism in India, and the admissions policies of religious schools in Britain. The main aim of the course is to consider how the legal structuring of conversion sheds light on competing visions of state and society. Discussions will also focus on how religion and religious practice are shaped through the encounter with modern law. There are no prerequisites for enrollment.

Updated 10/16

B751 Survey of Intellectual Property (3) – Mattioli

This course provides a broad overview of intellectual property law, one of the fastest growing areas of the law and one that has become relevant to virtually all areas of modern legal practice. The course is designed for students who do not necessarily intend to specialize in intellectual property, and does not require any background in technology. The course considers patent, trademark, copyright law and related bodies of state law, such as trade secret and the right of publicity. Patents protect technological information (inventive products and processes); copyrights cover expressive information (art, literature, music, computer software); trademarks encompass symbolic information (brand names, and other identifying symbols). Students who complete the course may wish to enroll in other upper-level intellectual property courses that we offer here, although this course is not a prerequisite for those courses.

Updated 10/16

B756 Race, Society & the Law (3) – Lovelace

This three-credit course will explore key themes in modern civil rights law. In the wake of the 2008 Presidential election, many political commentators hailed the dawning of a new, post-racial society. However, persistent racial inequalities, recent court opinions, and current legislative debates have demonstrated that race continues to be a powerful force in American society. We will engage competing visions of racial equality through law by examining contemporary topics such as affirmative action, school resegregation, and the criminal justice system. This course will also highlight the limitations of law in racial reform and will consider the ways in which law is often complicit in perpetuating race, gender, and class hierarchies. The course's weekly readings will consist of a wide range of scholarly materials from diverse perspectives.

Updated 10/16

B758 Trademark & Unfair Competition (3) – Janis

This course will introduce students to the federal Lanham Act and related common law doctrines that protect against consumer confusion and the appropriation of commercial goodwill. We will investigate the creation and maintenance of trademark rights, trademark registration and administrative proceedings, loss of trademark rights, infringement of trademark rights, defenses and limitations, and jurisdiction and remedies. In addition to these topics, registration, and infringement, we will consider the constitutional and economic foundations of trademark protection and evaluate current trends in trademark law as it applies in online environments.

Updated 10/16

B759 International Trade (3) – Fidler

The past and present significance of international trade in the global economy has made international trade law one of the most important topics in international relations and

international law. In recent years, the agreements that facilitate international trade have become politically controversial, making their future increasingly unclear. This course focuses on the international legal framework for international trade provided by the World Trade Organization (WTO). The course will cover political and economic arguments for and against free trade, the history of the GATT system and the creation of the WTO, and core topics in the WTO's rules on international trade in goods and services. These topics will include WTO dispute settlement, tariffs, quantitative restrictions, principles of non-discrimination (most-favored-nation treatment and national treatment), exceptions to WTO rules, agreements on sanitary and phytosanitary measures and technical barriers to trade, trade in services, and intellectual property rights. In covering these topics, the course will address current controversies in international trade and in the WTO system. The course has no pre-requisites, and no knowledge of economics is required. Grades for this course will be based on a final examination.

Updated 11/16

B760 Constitutional History Colloquium: Our "Original" Culture Wars ## (3) – Conrad

This course samples historical perspectives on some of the key themes in our current so-called "Culture Wars," in particular, the contested meanings of eleven selected key words in our national public discourse that are variously taken to signify fundamental American public "values." Thus, the course is organized to address, in turn: republicanism, liberalism, democracy, liberty, equality, rights, private property, religion, Christianity, family, and citizenship. And, while there will be discussion in class of how the meaning of each of these words is debated today -- for example, in our daily newspapers and in recent judicial opinions -- nevertheless, the emphasis of the course will routinely be on the contested meanings of these words at the time of the late eighteenth-century American "Founding." The course satisfies the "Advanced Writing Requirement."

Updated 10/16

B768 Water Law (3) – Fischman

Water Law explores the ways in which the United States addresses conflicts over water use. This course examines the legal control of water resources, focusing on water's special status as partially public and partially private property. Topics include riparian water rights (eastern U.S. water law), prior appropriation water rights (western U.S. water law), the historical evolution of water rights, federal water rights, the public trust doctrine, recreational uses, and groundwater use. With the exception of riparianism, most of the water law issues arise from disputes in the western United States; however, water scarcity is increasingly an issue in the east. Though the class will discuss the intersection of water quality and quantity concerns, Water Law focuses on access and allocation policy. Students principally interested in water pollution should take a course in environmental law instead of water law.

Most class sessions will be discussion-oriented. Law students will have the opportunity to work with SPEA graduate students on law-policy problems.

Most required reading will be from the case book, *Legal Control of Water Resources* (5th ed. 2013), by Thompson, Leshy, and Abrams. Grades will be based principally on a take-home final exam.

Updated 10/16

B769 Banking Law/Regulated Industries (3) – Hughes

Banks are given specific and special powers in light of their roles assisting governments, entities, individuals and communities, and enjoy specific benefits such as access to deposits

that the FDIC or credit union insurance funds insure. The availability of deposit insurance also empowers regulators to control risks that banks may take with insured deposits and has generated many of the limitations on bank powers of the past and today.

This course surveys a wide range of laws applicable to corporations chartered specifically as banks by federal or state agencies, and, to a much lesser extent, to those operating as chartered savings and loan associations or thrifts, and credit unions. It covers chartering, branching, powers, preemption, antitrust considerations specific to acquisitions by banks and bank holding companies, and limitations on the types of entities that banks may own and invest in or that bank and thrift holding companies may own or invest in. The course introduces basics of administrative law.

The course covers "hot topics" – economic sanctions against the Ukraine, and the nascent regulation of math-based "currencies" as well as the basics mentioned above. It will introduce some anti-money laundering principles and financial privacy.

This course is fun partly because it is so different from other courses, and with any luck, it will be populated by a healthy mix of students from the US and from the grad programs, and even a joint law-Kelley or law-SPEA student to bring a moderately different perspective to classroom discussion.

The final examination will be an in-class exercise with two or three questions containing a mix of law and policy issues. Students who have taken this class have tended to do well.

Students enrolling should send Professor Hughes a two-paragraph statement in November that explains their background, and what they hope to achieve from this course.

The instructor often focuses this course on hot topics as well as mainstays of banking and fin. services regulation. This year, for example, hot topics include whether and how fintech companies should be regulated, whether portions of the Dodd-Frank Wall Street Reform and Consumer Financial Protection Act of 2011 went too far/ were too burdensome, whether we should break up the largest banks. Or whether the pre-1999 separation of banking, securities, and insurance should be restored.

Updated 10/16

B771 Mediation ^^ (2) – O'Connor

This course explores mediation as a method of dispute resolution and lays a foundation for the development of advocacy skills in the mediation environment. Class sessions will explore the text materials and theories discussed therein about mediation, as well as negotiation strategies in the mediation context. In addition the class will participate in mediation role playing exercises. This course will cover relevant authority and rules governing mediation and will include discussions on legal ethics in the mediation setting. As stated, role playing in various areas of practice (i.e. divorce, personal injury, business dispute) will be used to reinforce mediation skills that have been discussed in class. These role playing sessions will be assigned to groups, will be conducted on days that the class would otherwise meet for a general class session, and may be held off site in a local law office setting.

Written work will consist of four assignments: a Confidential Mediation Statement; a brief short answer paper about a reading; a research paper about mediation, confidentiality and enforcement of agreements; and preparation of a detailed mediation agreement. These written assignments will count for 60% of the course grade, with the remaining 40% of the course grade based on participation in class discussions and role playing exercises. There will be no end of the semester course examination.

This course will be limited to 20 participants. Satisfactory completion of this course will enable the new lawyer to understand the role of mediation in the justice system and prepare the lawyer to represent a client in a mediation session.

Note: 3Ls have priority for this class.

Updated 10/16

B785 Patent Trial Practice ^^ (3) – Knebel

The Patent Trial Practice course will teach the basic skills of a patent litigator by providing experiences as close as practical in a law school environment to those of a practicing litigator. The class of no fewer than eight nor more than twelve students will be divided at the beginning of the course into a plaintiff's team and a defendant's team, which will prepare and take to trial a hypothetical infringement case typically based on an actual United States patent. The hypothetical will be constructed to present generally balanced infringement, validity and/or damage issues. Team members will have the opportunity to participate in mock hearings, take and defend mock depositions, participate in mediation and participate in a mock jury trial before an actual federal judge. Team members may also interact with law students in Taiwan on matters of strategy. Participation in these activities will be arranged so that each student will get at least two half-hours of opportunities for "on his/her feet" experience. In addition, the teams will work together to draft briefs and other documents. Prior to each opportunity for speaking or writing, the class will read and discuss materials and/or hear a lecture or presentation relevant to the task. The course will be conducted in one 150-minute class per week. Students must have completed the basic patent course. Enrollment requires permission of instructor and preference will be given to students who have taken or are taking an evidence course.

Updated 10/16

B786 Crim Pro: Capstone (3) – Bell

No description available

B788 Labor Arbitration ^^ (2) – Kelley

No description available

B791 Advanced Legal Writing ## (2) – Moore

This course will provide you with the opportunity to explore and hone your written legal advocacy skills. Excellent legal writing is a necessary and powerful tool for everyone engaged in legal practice. We will study core legal writing principles, analyze published legal writing, and complete weekly drafting and revision assignments. Core principles apply regardless of document type. Students should expect to draft a variety of legal documents, which may include contract provisions, client letters, objective memoranda, motions and supporting briefs, legislation, bench memoranda, jury instructions, or judicial opinions. We will meet once a week in a workshop format in which individual students will present their work and the group will review and critique it. Enrollment is limited.

Updated 10/16

B792 Internet Law (3) – Tomain

Internet Law is a conceptual (as opposed to a doctrinal) course that explores how technological advancements, such as the internet and other digital technologies, may require reconsideration of existing law and policy in a wide variety of substantive legal areas. In other words, this course provides students the opportunity to reflect on the relationship between law and society in our increasingly digital world through the lens of a wide range of substantive law. Areas of law that may be covered include jurisdictional conflicts, freedom of speech and of the press, intellectual property, criminal law, national security, contracts, intermediary liability, public versus private regulation, and net

neutrality. Technical expertise in computer systems is not required. There are no prerequisites for this course. The exam will be a take-home essay(s).

Updated 10/16

L636 Seminar in Transnational Law ** (3) – Aman

In the late 20th and 21st centuries, all domestic legal fields, as well as aspects of international and comparative law have been reshaped to some degree by developments in the transnational legal sector. In this seminar, we examine the effects of transnationalism on traditional areas of domestic law (such as contract, property and corporate law) as well as on public and private international law. Some of these effects are found wholly within domestic institutions; other examples involve various gray zones blurring the traditional boundaries of international and domestic law; still others involve law making outside and in the shadow of the state – such as best practice standards in the areas of financial regulation, banking, and corporate governance; we also take into account human rights in state and non-state frameworks. The core conceptual contention of transnational law as a field of study is that many of the legislative, adjudicatory and judicial structures pertaining to global capitalism and other aspects of globalization escape the traditional binary categories of public/private, international/domestic and state /market. In practical terms, then, transnational law expands the arenas for addressing legal problems, and enriches our analytical skills for doing so.

The materials in this course will consist of a new casebook by Professors Aman and Carol Greenhouse. These materials will focus on the transnational dimensions of a number of important domestic and international law cases, emphasizing the various interrelationships between and among international and domestic law as well as private ordering. We shall focus in particular on the Supreme Court of the United States and the lower federal courts. The materials will also present key case studies, including Bridgestone in Liberia, Apple in China and Global Climate Change.

Final grades will be based on class participation—25%- -and a final research paper—75%. Attendance is mandatory and papers will be due on the last day of class of the spring semester.

Updated 10/16

L637 Seminar in Introduction to Biotechnological Innovation ** (3) – Cripps

This seminar will focus on the ways in which biotechnological developments, including precision medicine, are affecting traditional notions of property, intellectual property and information. In addition to patent law, other forms of protection, such as copyright, will be examined in relation to biotechnology and compared with the way in which they operate, for example, with regard to the internet and digital technology. There will also be an examination of whether genetically engineered organisms, clones and other biotechnological products should, if at all, be granted intellectual property protection either within the existing frameworks of intellectual property law or under a new regime designed specifically for that purpose. As is inevitable in any discussion of intellectual property law, international perspectives will be included.

No prior knowledge of either biotechnology or intellectual property law is necessary for this class which will be conducted in an open discussion format.

Updated 10/16

L639 Seminar in Supreme Court as an Institution ** (3) – Fuentes-Rohwer

The purpose of this seminar is to help students gain a better understanding of the Supreme Court as a political institution. More specifically, the seminar will introduce students to studies in law and social science about the Supreme Court and its role in American politics. Topics will include: appointments to the Court; the internal deliberative processes of the

justices in accepting cases, reaching their decisions, and writing opinions; the role of law clerks; the role of advocacy on the justices; external pressures on the Court; and the impact of judicial decisions. Students will complete the course with a better understanding of how the Court works as well as a critical appreciation of other ways in which the Court could work.

Updated 10/16

L641 Seminar in Constitutionalism in the Middle East ** (3) – al-Istrabadi

It is often stated—both in the scholarly literature as well as in the popular press—that the rule of law has failed to take root in the Islamic world. Such generalizations fail to take into account that different countries in the Middle East have advanced to different levels and to differing extents in their adherence to the rule of law. Though there are similarities between the countries of the Islamic Middle East in respect to constitutionalism and rule-of-law issues, a closer examination reveals that there are several different models extant in that vital area of the world. The purpose of the course, therefore, is to allow the student to study and evaluate the various models for, and differing stages of development of, constitutionalism in the Islamic Middle East. Those models range from constitution-less absolute monarchy to countries which appear to be on the verge of establishing genuine constitutional democracy. The course will also allow the student to evaluate the factors which have contributed to the development of the various institutions within the models studied, including why such development appears to be working in some countries but is arrested in others. Finally the student will have the opportunity of evaluating the role of the international community in encouraging such development.

Updated 10/16

L684 Seminar in Constitutional Design: Rights, Gender, and States of Emergency ** (3) – S. Williams

This seminar will consider several topics in constitutional design. Readings will consist of scholarship and commentary, as well as cases and constitutions from a range of countries. This year, the course will focus on the following areas of law:

- I. Rights -- the structure of individual rights, including positive rights and horizontal application of rights; a comparative look at some core fundamental rights, such as freedom of speech and religion; types of equality rights and the constitutional provisions that implement them.
- II. Gender – constitutional mechanisms for assuring political representation for women; gender “mainstreaming”; conflicts between religious or cultural rights and gender equality; the incorporation of international law into constitutions and its use to promote gender equality.
- III. States of Emergency –the conditions under which the constitution authorizes actions or powers that would otherwise be unconstitutional; the concerns raised by such provisions and the limitations that can be used to cabin them.

Each student will write one long research paper on a topic of his or her choice related to the subjects of the course. There are no prerequisites for this course and students who have taken the other course on Constitutional Design are welcome to take this class, as there is little overlap in coverage.

Updated 3/16

L690 Seminar in Corporate Law: Financial Regulation ** (3) – Fletcher

This seminar focuses on the regulation of bank and non-bank financial institutions and the regulatory framework in which they operate. It examines the evolution of financial regulation, the structure of financial institutions, and the nature of financial services, particularly in the U.S. Topics may include historical federal legislative and regulatory developments in the financial services industry, regulation of hedge funds and private equity

funds, consumer protection, insurance regulation, the 2008 financial crisis, bank failures, and comparative financial regulation.

This course will be taught in a seminar format and students will have writing and research assignments throughout the semester. There is no final examination for this course.

Prerequisite: Corporations
Updated 10/15

L713 Seminar in Law & Economics ** (3) – Dau-Schmidt

This seminar explores recent and classic articles on the economic analysis of law. The seminar begins with a thorough discussion of the Coase Theorem, its assumptions and implications, and then continues with a survey of the law and economics literature on property, torts, contract and criminal law. The seminar concludes by examining the question of whether the law does or should promote efficiency. This seminar satisfies the research paper requirement for graduation. Students will be expected to write a research paper on a subject of the student's choice. Original research is expected. The seminar is designed so that even those with no previous background in economics can fully participate. There are no prerequisites.

Updated 10/16

L724 Law & Society in Contemporary China ** (3) – Michelson

Despite a burgeoning scholarly literature chronicling the reconstruction, expansion, and proliferation of laws, courts, and lawyers in China since 1979, scholars disagree about the significance and implications of these developments. Does the Chinese legal system offer meaningful redress to people with grievances, or should it be understood as ornamental “window dressing”? Does it do more to limit or to strengthen the power of the government and the Chinese Communist Party (CCP)? Does it do more to help people challenge or to prevent people from challenging the government and the CCP? In this interdisciplinary seminar we will not only explore and debate these questions, but will also (re)consider conventional scholarly notions about authoritarianism and popular political participation, single-party rule and judicial governance, democracy and political legitimacy, and legal professionals and their fights for legal and political freedoms. In the process we will scrutinize recent developments in China, including allegations of a “turn from law” and a crackdown on lawyers. Our inquiry will be heavily empirical and evidence-based. When we attempt to reconcile, adjudicate, or explain scholarly disagreements, we will scrutinize available data on the issue at hand. Our approach will be not only *empirical*, but also *comparative*. Throughout the semester we will endeavor to situate China in comparative global perspective.

Updated 10/16

L730 Seminar in Intellectual Property ** (3) – Mattioli

This seminar will explore intellectual property transactions and strategic management of IP. This theme canvasses a number of topics, including how IP can be valued, how IP and interests in IP can be acquired by means other than creation (e.g., transactions, mergers, acquisitions, etc.), the collective licensing of IP, the relationship between IP and technological standards, the strategic value of pledging to not assert IP rights, how products and services are often designed with existing or potential IP in mind, and the increasingly important relationship between data and intellectual property. Drawing upon weekly readings which we will discuss in class each week, students will craft their own articles over the course of the semester. Prior or concurrent enrollment in at least one intellectual property course is a prerequisite.

Updated 10/16

L770 Seminar in Comparative Inequality ** (3) – Brown

This Seminar will focus on forms of inequality based on immutable and unchosen characteristics throughout the world. However, due to the limitations of time, this time the Seminar will primarily focus on English speaking countries and will compare various forms of inequality based on concepts of race/ethnicity/caste/religion that exist in South Africa, the United Kingdom, India, and Palestine/Israel with those of the United States. In addition, it will look at the legal policies and practices instituted in these societies to attenuate the continuing effects of these forms of oppression. Students will be expected to write and present a research paper that compares the basic legal treatment by the United States of discrimination based on race/ethnicity with that of one of the other countries.

For the past 60 years, the United States has struggled to address various forms of inequality based on race or ethnicity that are deeply rooted in our nation's history. This history can be traced back to the Trans-Atlantic Slave Trade, which ended in 1807, and the Mexican-American War (1846-8). The general solution applied to these various forms of inequality is also deeply rooted in the history and traditions of American society. As stated in the Declaration of Independence, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." More than any other country, America is dedicated to creating a society where individuals have the maximum liberty to choose how to live their lives unconstrained by the beliefs of others, but within the boundaries of recognizing the right of their fellow individuals to do the same. Thus, solutions to historic forms of inequality based upon immutable and unchosen characteristics like race or ethnicity in the United States tend to follow a path of either attempting to transcend (i.e. ignoring) such characteristics in favor of treating people with these characteristics as individuals or convert the identification with such characteristics into matters of choice, personal preference. In the context of discrimination based on race/ethnicity, for example, this means being colorblind and treating everyone as if race/ethnicity does not matter or providing the space for individuals to self-identify their racial/ethnic group. Given that the American culture is based upon the value of individual self-determination, there is also a moral imperative not to treat a person as a member of a racial or ethnic group without their consent. However, one of the negative consequences of this solution is that it works to dissolve the necessary cultural feelings of duties and obligations that bind these minority racial/ethnic group members to each other.

Other societies across the world also face the need to address various forms of inequality based on immutable and unchosen characteristics. For example, the conventional (though controversial) theory of Indian history is that around 1500 B.C.E., Aryans from Central Asia invaded the subcontinent and subjugated the Dravidian race, who were believed to be the original inhabitants. These new comers established a religion based upon a caste system, Hinduism. In traditional Hindu society, occupations and social roles were allocated among five different caste groups. The first three caste groups continue to dominate Indian society, and are collectively referred to as 'high caste' or 'forward caste' Hindus. The religious duty of Shudras (or low caste Hindus) was to serve the other three castes. Beneath the Shudras are the Dalits (also pejoratively referred to as "outcastes" or "untouchables"). It could be argued, and probably proved, that Dalits are the most oppressed group in human history. Thus, when modern India became an independent nation in 1950, it had a legacy of oppression based upon the Hindu religion to address.

The Dutch began to colonize the area around the Cape of Good Hope in southern Africa in 1652, but the British seized control of the Cape Coast Colony from the Dutch in 1795. Throughout the 19th Century, the British expanded their control of southern Africa. South

Africa, however, became an independent country in 1910. While tensions between black Africans and the white settlers had long existed, the institution of apartheid policies can be traced back to South Africa's national elections held in 1948. The ultra-conservative National Party won electoral control of the South African government on an explicit platform of apartheid, which literally translates to "a state apart." Instituting apartheid plunged South Africa full tilt into explicit racial politics at a time when the rest of the post-World War II world was adamantly rejecting beliefs based on racial superiority. The National Party maintained political power until 1994, when the South Africa's first government chosen through non-racial democratic elections took over. When majority rule came to South Africa, it had a history of the effects of racial discrimination to address.

In contrast to the three above societies is the way that the discrimination based on race developed and has been treated in the United Kingdom. Unlike the other countries, blacks and Asians from the Indian subcontinent did not arrive in the UK in significant numbers until the 1950s. Thus, racial oppression in Britain is of voluntary immigrant groups who, comparatively speaking, are recent arrivals.

While the Old Testament teaches us that Moses led the Israelites to the Promise Land, the Roman general Pompey conquered Jerusalem in 63 BC. The First Jewish-Roman War began in 66 AD. Eventually it led to the destruction in 70 AD of the Jewish Temple built by Herod on Mount Moriah (the place where Abraham was to sacrifice Isaac). After putting down the Bar Kokhba revolt from 132-136, the Romans forced the remaining Jews to leave Jerusalem. The Romans eventually built a temple to Jupiter on the Mount. By 640, much of Israel/Palestine was in the hands of Muslim rulers. Muslims built the Dome of the Rock on the Temple Mount (Haram Al Sharif). It was initially completed in 691. The modern day area of Israel/Palestine remained in Muslim hands until the collapse of the Ottoman Empire at the end of World War I, when the area came under British control. With the Balfour Declaration of 1917, Great Britain expressed its support for a Jewish homeland in Israel/Palestine. While some Jews had continued to live in this area, the British-at times-facilitated the return of even more Jews. The return of Jews accelerated in the years leading up to World War II and afterwards. After World War II, Great Britain turned its stewardship of Israel/Palestine over to the newly formed United Nations. On November 29, 1947, the United Nations adopted Resolution 181 providing for the division of Great Britain's former Palestinian mandate into Jewish and Arab states. In May 1948, the British mandate ended and the modern state of Israel was founded. Israel's founding quickly led to a war with its Arab neighbors. But, the new nation emerged successful from the War. During the Six Day War in 1967, Israel conquered the entire area of Israel/Palestine. But during the 1990s, Israel and the Palestinian Leadership agreed to the Oslo Accords that embodied a Two-State Solution where Israel would allow the Palestinians to control the area now known as Occupied Palestine, consisting of the West Bank and the Gaza Strip. As a result, the Arab population of Israel/Palestine includes Arab Israelis who are a minority group within Israel, Palestinians in the West Bank, Palestinians in Gaza, and Palestinians who are refugees outside of Palestine. Due to concerns about security, Israel maintains very tight control over the movements and lives of the Palestinian people. The Israel/Palestinian conflict provides for multiple types of inequality rooted in Jewish, Muslim, and Christian religions that we will discuss.

The United States initially created a system of quotas, then used race as a factor in its programs and policies, and is currently moving towards a Post-Racial/Colorblind approach that denies the relevance of race and ethnicity as factors in addressing continuing forms of racial oppression. In contrast, upon obtaining independence, India included a system of reservations in government employment and education in its Constitution—and an informal agreement of reservations for political representation—(i. e. quotas) to attack the

oppression of Dalits based on untouchability. South Africa adopted affirmative action legislation once it switched to majority rule in 1994 to attack its legacy of racial discrimination. However, Britain, which adopted a new comprehensive Equality Act in 2010, has rejected any positive considerations of race is attacking its forms of racial oppression.

This Seminar will compare and contrast the experiences of these five countries to seek to learn what valuable lessons can be taught. As it turns out, religion plays a huge part in the formation of racial/ethnic/caste oppression. This Seminar will examine how religion played into racial/ethnic/caste oppression and efforts to overcome those forms of oppression. It will also look at what impact voluntary immigration has on forms of oppression based on race/ethnicity/caste. In addition, this Seminar will look at the development of cultural attitudes about inter-racial/ethnic/caste marriage and what impact could significantly expanding these forms marriages have on oppression based on race/ethnicity/caste, as well as what kind of legal policies and programs would need to be instituted to do so.

Updated 10/16

L773 Seminar in Tax Policy ** (3) – Gamage

This seminar will cover a number of topics relating to the theory and policy of taxation. Students will be required to complete short weekly reading response papers in addition to one longer seminar paper. Students will be graded on the writing assignments and on class participation; there will not be a final exam. It is recommended for students to have previously taken or be concurrently enrolled in the Introduction to Income Tax course, but this is not required. This course is distinct from the Tax Policy Colloquium and students are encouraged to take both this course and the Tax Policy Colloquium if they so desire.

Updated 10/16

L782 Seminar in Lawyering in the Modern American Administrative State ** (3) – Conrad

In this course we'll emphasize skills building, specifically, skills in revising one's own formal expository prose. One of the two course textbooks is a manual especially devoted to helping lawyers improve their writing. The other course textbook is a collection of essays on a variety of topics in the area of modern American administrative law. We'll read and discuss all these essays, but with an eye more to analyzing argumentation than to mastering the details of doctrine or policy. Therefore, background knowledge of administrative law is hardly a prerequisite for the course. Important and distinctive: each student, in short order, is to be assigned (by me) one of the essays in the collection as a focus for developing an individual research and writing Project, with the complete first draft of each student's Project paper due on the Friday before Spring Break. We'll thus be making time for working, collaboratively and individually, on the revision process throughout the balance of the semester.

Updated 10/16

Wintersession (January 3-6) Course Descriptions

B507 Presentations & Public Speaking (1) – Currell

This course will be an intensive working session with the following components:

- a. Explore the essentials of an effective speech or presentation, with an emphasis on communicating complex information in a legal context *outside* the parameters of a courtroom (e.g., communicating to clients;

making public policy recommendations; presenting a problem statement and analysis to a management team; communicating an action plan for a transaction);

- b. Apply the principles of constructing an effective set of presentation materials (story arc, visual representation, aesthetics) to several small examples and one larger example extending across the four days of the course;
- c. In small groups, practice making short presentations, receiving and providing feedback on those presentations, to develop experience and to internalize the principles of what works and what doesn't in presentations/public speaking;
- d. Learn the key concepts of managing discussion in a boardroom-style presentation, applying the concepts in small groups and in the final presentation;
- e. Build and present a larger presentation to be delivered on the fourth day of class.

Updated 10/16

B508 Legal Operations (1) – Mooz

The way that legal services get delivered is changing dramatically. The globalization of the world's economies, the explosion in data, the advent of ubiquitous connectivity, and the significant advances in information technologies over the past decade all put new demands on lawyers. Most large companies now have "legal operations" groups to help the law department deliver better legal services, faster and cheaper. Law firms often have analogous groups, typically under the Chief Innovation Partner. Law graduates possessing legal operations skills are in high demand.

Updated 10/15

B508 Legal Operations: Modern Small Firm Practice (1) – Stafford

Many new law school graduates hang their own shingles after graduation; some move quickly into the ranks of management at small firms across the country. Many lawyers are unfortunately ill prepared for their management roles. This class will examine the decisions inherent in creating or managing a small firm from the perspective of an applied legal ethics course, looking at how the Model Rules of Professional Conduct get applied 'on the ground' in managing a law firm consistent with the ethical expectations of our profession.

Updated 10/16

B564 PreTrial Litigation: Criminal Practice (1) – Pryor

This course will introduce law students to the special legal and practical issues involved in developing and litigating a criminal case. This course is designed to expose the students to the fundamental skills necessary for pretrial advocacy in criminal litigation. Through exercises and simulations, the students will work through many of the major aspects of pretrial practice including witness interviewing, counseling, drafting of legal documents and argument of pretrial motions.

Updated 10/15

B564 PreTrial Litigation: Depositions (1) – Vaidik

This a skills course that will teach the students how to take and defend depositions—primarily using a learning-by-doing method—in a simulated deposition setting.

Updated 10/15

B581 Decision Making for Lawyers: Concepts, Duties & Skills (1) – Kiser

This course is designed to enhance students' legal judgment, problem solving, client counseling, conflict resolution and forecasting skills. It analyzes the psychology of decision making; explains how biases and heuristics impede effective decision making; describes the legal malpractice and disciplinary implications of deficient decision making; identifies the frequency, costs and predictors of adverse legal outcomes; highlights techniques for improving client representation in litigation and transactional practices; and demonstrates methods to upgrade individual, group and organizational decision making.

Updated 10/16

B611 Ethics & Compliance (1) – Thinnes

National and international anti-corruption laws and regulations are applied with increasing vigor. Cross-border cooperation in corruption investigations is leading to more effective discovery and prosecution. Fines and prison terms are steadily rising. Cross-debarments by financial institutions and countries are a matter of fact. Corporate executives and managers are held accountable for their own employees' acts as well as for those of their suppliers and other third parties – wherever they are in the world. In a recent Deloitte survey, corporate executives ranked ethics and compliance risks as their top concern.

Updated 10/15

B685 The Lawyer as a Business Executive (1) – Burns, Hunt

Lawyers serve as advisors and advocates to many types of organizations, including government, private sector businesses, and non-profit organizations. A relatively large proportion of these professionals eventually leave the practice of law to become leaders of the client organizations they serve. Although this career path is very common, the reasons for it are not well understood. Are there aspects of legal education and legal practice that translate into good leadership training? Likewise, what are the professional challenges of leadership that are attractive to lawyers? How do good candidates prepare to make this transition? This course will explore these and other related questions through a series of readings and problem sets that track the careers of law school graduates who went on to successful careers as business executives.

Updated 10/15

B709 Transaction Drafting: Anatomy of a Deal (1) – Cowert

Lawyers serve as advisors for many types of organizations including government, private sector business, individual businesses and non-profit organizations as each of those entities enter into various business transactions. Many of these lawyers are faced with a variety of agreements and transaction documents in a course of representing various entities as they enter into business arrangements or other corporate transactions where their clients acquire entities or business assets or sell businesses. The corporate transaction documents are unique animals bringing together many different areas of the law and requiring lawyers to be both business people and lawyers and good team members for facilitating a client's business objectives. This course is intended to help law students to understand how their legal education fits into and integrates into the practical world of business and deals and understand certain provisions are commonly included in various deal agreements.

The course will explore and look at the anatomy of deals and transactions and include dissecting those transaction documents and understanding how their training in law school translates into provisions in the deal documents so that they are better ready to represent their clients in deals. There will be a series of readings and problems that will analyze various transaction documents and help students understand how the subject matters learned in law school translate into the real world of business and business transactions.

Updated 10/16

B748 Comparative Law: Islam & Human Rights (1) – Cox

As is well known, the relationship between International Human Rights law (and the various international bodies responsible for the operation of that law) and what might broadly be called orthodox *Shari'a* law is a troubled one. In particular there can be a judgement that particular states whose public moralities derive from or are explicitly connected to *Shari'a* law are, as a result, not compliant with Human Rights law and that this represents a universal moral judgement against them.

In this course, we consider the nature of this relationship both generally and in two specific contexts. And accordingly, the course is constructed in three sections:
Section 1: Islam, Human Rights and the Clash of Unprovable Universalisms; Section 2: Blasphemy, Defamation of Religion and Free Speech; Section 3: Women's Rights and the Veiling Controversy

This course is only open to graduate students.
Updated 10/16