B514 Private Practice Externship ^^ (1-3) – Sorrell

COURSE GOALS: The student will work with attorneys in a law firm, corporate, or other private setting, and will gain insight in how the organization runs as a business and how the legal personnel serve their client(s). The goal of the course is for students to be able to develop their own lawyering and legal skills, assess that development, and present it to their employer and faculty supervisors.

A handful of for-profit corporations partnered with the school for educational purposes: for those in IP, you must register for B551 (see course description and guidelines for the application process). For paid positions in a for-profit environment, the student typically first finds the position and can then request approval for externship credit, as long as the employer agrees to follow the requirements for the externship program. Please ask Lauren Sorrell if you have questions regarding this process.

PREREQUISITE(S): Some placements require the willingness to take specific courses contemporaneously or that the student has already taken specialized classes related to substantive areas, but most placements do require only the successful completion of the 1L curriculum.

STUDENT ROLE: The student’s role in this course will first and foremost consist of working as an on-site extern at their organization. The student’s work responsibilities at the externship will vary based on the employer, but will likely consist of legal research, reviewing and drafting memos and other legal documents, and observing and participating in meetings, depositions, court hearings, and/or transactional meetings.

The student is required to work 104 hours on-site for 2 credits. The academic component consists of ABA required work: (1) written goals and objectives for the externship, (2) six reflective essays, and (3) a final self-assessment and evaluation of the work place. Students are required to maintain and submit a detailed time-sheet. Students will meet for an orientation meeting and for three subsequent meetings, including one exit interview with the faculty supervisor.

CLIENTELE SERVED: Varies, but generally the firm, corporation, and/or their respective clients.

APPLICATION METHOD: For assistance with finding an externship, please contact Lauren Sorrell and/or work with your CSO advisor. Faculty approval prior to registration will be required. Students interested in this externship course, are encouraged to contact Lauren Sorrell. (For IP externships only – which are a separate course, B551 – please contact Prof. Mark Janis at mdjanis@indiana.edu).

The first step in the process of doing an externship for credit is completing the Externship Permission Form on CareerNet. Students can access that on the left column of their CareerNet home page, here:
Once you complete and submit that form, CSO will review it; and when it’s approved by us, it’ll go on to the employer, to the student, and to Alexis/Paul in Student Affairs for registration.

ADDITIONAL INFORMATION: For additional questions, contact Lauren Sorrell at sorrell9@iu.edu. If you have not secured or approved your placement for the course as of registration day, please register for another course you want to take in case securing and/or approving the placement falls through. Once you secure and get your placement approved, you can drop the extra class and add the externship in the first week of classes.

MATERIALS: The Syllabus and any additional reading materials and assignments will be posted on this course’s Canvas page.

Updated 10/19

B519 State Constitutional Law ## (2) – Fisher
Nowadays, stiff challenges to state laws come not only from federal lawsuits but from claims arising under state constitutions. From abortion regulation to school vouchers and more, much of the interesting doctrinal development in constitutional law is happening at the state level. State Constitutional Law will explore constitutional history, texts, principles and precedents from various states, especially including but not limited to Indiana. For students interested in constitutional law generally or state government specifically, this two-credit-hour course will provide important tools for future practice.

Updated 10/19

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 tax topics. There are generally 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 (which span an array of domestic and international tax issues), see the Colloquium website at http://www.law.indiana.edu/instruction/tax-policy/index.shtml and click on the date links. If the Spring 2020 speaker list is not yet posted there, you can email Prof. Lederman at llederma@indiana.edu to request it.

Students will be expected to read each article draft in advance of the presentation, along with background reading, and to 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 most of the presenters about the article or talk; and to participate in a synthesis discussion in the class session following the presentation.
Interested I.U. faculty members and others, such as Maurer tax alumni, 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. Note that this course can be taken more than once because the topics covered differ each year. Also, to complete your enrollment in this course, please send your resume to Professor Lederman during registration in November or prior to the end of Drop/Add in January.

Updated 10/19

**B532 Federal Circuit Practice (2) – Castanias**
The U.S. Court of Appeals for the Federal Circuit is an important but controversial part of the federal judicial system. It was formed by an Act of Congress in 1982 with the predominant goal of "strengthen[ing] the United States patent system in such a way as to foster technological growth and industrial innovation." In the intervening years, with the Federal Circuit becoming the exclusive appellate court for patent cases, the United States has indeed seen significant technological growth, but the court has also been widely criticized as being out of step with the Supreme Court—which has regularly reversed the Federal Circuit’s patent decisions in recent years—with some judges and academic writers even calling for the court’s ouster as the exclusive appellate venue for patent cases. Nonetheless, given its central role in administering the U.S. patent system—it has appellate jurisdiction over virtually every kind of patent-related case that a court or administrative agency could decide—it is critical for any practitioner (particularly, but not just, IP practitioners), whether a future litigator or otherwise, to possess a systematic understanding of the Federal Circuit, its history, procedures, doctrines, and dynamics. Through selected readings, vigorous class discussion, visits by former (and perhaps current) Federal Circuit judges, and a mock Federal Circuit argument (among other facets of the course), students should complete the class with a far better understanding of this unique court. No specialized knowledge of or background in IP or patent law is required for this course—the professor, who has appeared before the Federal Circuit more than almost any other lawyer in the country, majored in English and Philosophy, and never took an IP course in law school.

Updated 10/19

**B534 Civil Procedure II (3) – Wallace**
This three-credit course explores subject matter jurisdiction, personal jurisdiction, venue, removal, the Erie doctrine, and class actions among other topics. Civil Procedure II addresses topics formerly covered in the second semester of our year-long Civil Procedure course, and so may be fairly characterized as “foundational”—not just for prospective litigators, but also for aspiring non-litigators who, as corporate lawyers, tax lawyers, trusts and estates lawyers, real estate lawyers, intellectual property lawyers, and others, practice law in the shadow of civil litigation.

Updated 10/19

**B536 Health Privacy Law (2) – Crosley**
No description available

**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. Clinic students form new nonprofit entities;
counsel clients looking to dissolve existing entities; edit internal governance documents; draft contacts and memoranda of understanding; provide basic tax advice; advise on governance, employment, communications, intellectual property, and compliance matters; and provide a wide variety of other transactional legal assistance as needed. Students will also receive a concrete introduction to the federal and state laws governing nonprofit organizations.

Students develop fundamental analytical, editorial, counseling, communication, planning, and negotiation skills through live projects and classroom work that make them well suited to serve as counsel to organizations in either the private or public sector.

Prerequisites:

1. Corporations (may be taken the same semester as the NPLC)

2. Prior to registering students must submit a short statement of interest to Professor Jennifer Prusak (jsprusak@indiana.edu), the NPLC Director, that explains why they wish to take the course.

Updated 10/19

**B545 Criminal Law Externship ^^ (1-4) – Schulz**

No description available

**B545 Criminal Law Externship: Bradley Fellows ^^ (1-4) – Morrison**

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 52 hours of work per credit hour (i.e., 52, 104, 156, or 208 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 scheduled 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);

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 1/2 of the hours required for graduation and enrollment in or completion of “The Legal Profession” course). Information regarding certified legal interns and the application is available at: [http://www.in.gov/judiciary/ble/2334.htm](http://www.in.gov/judiciary/ble/2334.htm)

Participating Offices: Bartholomew County Prosecutor, Brown County Prosecutor, Hamilton County Prosecutor, Greene County Prosecutor, Johnson County Prosecutor, Lawrence County Prosecutor, Marion County Prosecutor, Monroe County Prosecutor, Morgan County Prosecutor, Owen County Prosecutor, Lawrence County Public Defender, Marion County Public Defender Agency, Monroe County Public Defender, and other prosecutor and public defender offices by request.

**Criminal Law Externship for Bradley Fellows with Prof. Tim Morrison** (one semester)

This advanced section of Criminal Law Externship required for Bradley Fellows will be arranged by Prof. Tim Morrison. In addition to the usual requirements for an externship,
Prof. Morrison will lead bi-weekly regular group meetings to provide additional guidance and enhance the academic aspects of the externship. Criminal Law (the mandatory 1L course), Criminal Process: Investigation, and Criminal Process: Trial are pre-requisites or co-requisites to enroll in this special section of Criminal Law Externship. Prior criminal law experience (i.e., a prior semester of Criminal Law Externship, or its equivalent) is also generally required to enroll in this special section.

Updated 10/19

**B547 Public Interest Externship Program ^^ (1-3) – Sorrell**

**COURSE GOALS:** The student gets a behind-the-scenes insight into how non-profit organizations, legal service public interest firms, and local, state and federal government organizations work, and will be able to serve clients directly under the supervision of a licensed attorney. The goal of the course is for students to be able to develop their own lawyering and legal skills, assess that development, and present it to their employer and faculty supervisors.

**PREREQUISITE(S):** Some placements require the willingness to take specific courses contemporaneously or that the student has already taken specialized classes related to substantive areas, but most placements do require only the successful completion of the 1L curriculum.

**STUDENT ROLE:** The student’s role in this course will first and foremost consist of working as an on-site extern at their organization. The student’s work responsibilities at the externship will vary based on the employer, but will likely consist of legal research, reviewing and drafting memos and other legal documents, and observing and participating in meetings, depositions, court hearings, and/or transactional meetings. The student is required to work 104 hours on-site for 2 credits. The academic component consists of ABA required work: (1) written goals and objectives for the externship, (2) six reflective essays, and (3) a final self-assessment and evaluation of the work place. Students are required to maintain and submit a detailed time-sheet. Students will meet for an orientation meeting and for three subsequent meetings, including one exit interview with the faculty supervisor.

**CLIENTELE SERVED:** Varies from a government agency to underrepresented populations.

**APPLICATION METHOD:** For assistance with finding an externship, please contact Lauren Sorrell and/or work with your CSO advisor. Faculty approval prior to registration will be required. Students interested in this externship course, are encouraged to contact Lauren Sorrell.

The first step in the process of doing an externship for credit is completing the Externship Permission Form on CareerNet. Students can access that on the left column of their CareerNet home page, here:
Once you complete and submit that form, CSO will review it; and when it’s approved by us, it’ll go on to the employer, to the student, and to Alexis/Paul in Student Affairs for registration.

**ADDITIONAL INFORMATION:** For additional questions, contact Lauren Sorrell at sorrell9@iu.edu. If you have not secured or approved your placement for the course as of registration day, please register for another course you want to take in case securing and/or approving the placement falls through. Once you secure and get your placement approved, you can drop the extra class and add the externship in the first week of classes.

**MATERIALS:** The Syllabus and any additional reading materials and assignments will be posted on this course’s Canvas page.

Updated 10/19

**B549 International Intellectual Property (3) – Janis**
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 10/19

**B551 IP Externship ^^ (1-4) – Janis**
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.

Updated 10/19

**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 10/19

**B558 Conservation Law Clinic (3) – Freitag**

The Conservation Law Clinic is an opportunity for second and third year law students to serve as interns in 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, working closely with Clinic Attorneys, participate directly in the representation of Conservation Law Center clients. Clinical work is supplemented with readings and discussion that will focus on practice skills. 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; development of and commenting on new administrative rules; drafting legislation; and litigation at administrative, trial and appellate levels. Subject matters include land conservation, water policy, and endangered species protection. During the Fall semester, a seminar component is included with the clinical work. In Fall 2019, the seminar will focus on the status of large cats (panther, jaguar, lynx, etc.) in the United States and their treatment under the Endangered Species Act. Registration preference will be given to students who have completed half of the required course work toward a degree or joint degree, and to students interested in enrolling in the Clinic for two consecutive semesters. To apply, please send a statement of interest and a copy of your resume to Christian Freitag (cfreitag@indiana.edu) prior to registration.

Updated 10/19

**B559 Patent Prosecution (2) – Van Dalen**

Patent prosecution involves counseling clients in regards to their inventions, drafting patent applications that seek commercially-significant coverage for those inventions, and negotiating with the U.S. Patent and Trademark Office the grant of those patent applications. This course will provide an overview of the patent process and will emphasize practical skills that are the foundation for effective patent prosecution.

In this course, students will draft patent claims, patent applications, and other documents involved in typical patent prosecution. Students will undertake exercises that probe the regulations and other authorities that guide patent prosecution practice. Students will also study administrative decisions and other materials generated by the U.S. Patent and
Trademark Office. Students may also be exposed to aspects of post-grant administrative practice, such as inter partes review and post-grant review proceedings. This course is of particular importance for any students who intend to practice patent law, whether they expect to specialize in patent prosecution or patent litigation. This course will be of special interest to those students who intend to take the Patent Bar examination. However, students do not need to have a technical background to take the course. Patent Law is a prerequisite for this course.

Updated 10/19

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 in 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 10/19

B564 Pretrial Litigation ^^ (2) – Price
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 a series of practical writing assignments and an out-of-class clinical exercise, 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.
Evidence is a prerequisite.
Updated 10/19

B564 Pretrial Litigation ^^ (2) – Tanford
Pretrial Litigation is a simulation-based course in pretrial civil litigation procedure, practice and tactics. Students will be presented with one or more clients with litigation problems, which will require them to draft pleadings, develop a case management plan, organize and undertake fact investigation, prepare and respond to written discovery, take a deposition, prepare and argue motions, prepare a negotiation strategy, and respond to unexpected moves by your adversary.

The course is designed primarily for students who may go directly into solo or small firm general practice, although it also may be useful to any student contemplating a career that includes litigation. It duplicates some of the pedagogical content of the Community Legal Clinic, so in the event of over-enrollment, preference will be given to students who have not taken that course. Prerequisite = Evidence
Updated 10/19

B564 Federal Habeas Litigation ^^ (2) – Lahn / Ausbrook
Students in this experiential course will work on active habeas corpus cases in the federal district courts and the Seventh Circuit, and occasionally in the Indiana appellate courts (on remand). These cases primarily involve federal constitutional claims that, having been rejected on direct appeal and in state post-conviction proceedings, may now be raised in habeas petitions under 28 U.S.C. § 2254. After learning the fundamentals of habeas law and procedure in the first few weeks of the course, we will analyze the records of clients’ state-court convictions; conduct investigations and discovery on potential meritorious habeas claims; write motions and briefs; and prepare for live hearings and oral arguments. This first-hand experience will be especially useful for those planning to apply for jobs as federal law clerks; in state attorneys’ general offices; or in criminal defense. But it will also enhance anyone’s understanding of the American justice system as a whole, including the national policy debates about wrongful convictions, mass incarceration, and sentencing reform.
Enrollment will be limited to six (6) students and is with the permission of the instructors. There is no final exam; grading will be based on evaluations of students’ case work and class participation. To apply, or for further course information, please email Prof. Ausbrook, at micausb@iu.edu, or Prof. Lahn at slahn@indiana.edu.
Updated 10/19

B564 Protection Order Litigation ^^ (2) – Lahn
This experiential course, working with the law school’s Protective Order Project (“POP”), allows students a first-hand look at the civil legal system’s response to sexual assault, stalking, and domestic and relationship violence. The client work will also provide an opportunity to develop and refine vital professional skills—transferable to almost any practice setting—such as interviewing clients; drafting pleadings and motions; serving and answering discovery; preparing witnesses and exhibits for hearing; and conducting direct and cross-examination and argument in court.

The course is open to all second- or third-year students, but enrollment is limited. Previous experience with either POP or another organization or course addressing domestic violence or sexual assault will be helpful.
The class will meet a twice a week, currently set for Tuesdays and Thursdays, at 4:30-5:25 p.m., but that time can be rearranged if it fit all class members’ schedules. There is no final exam; grading will be based on an evaluation of case work; class participation over the course of the semester; an in-class presentation; and an end-of-term portfolio of each student’s written work. To seek permission to enroll, or if you have any questions, please
B565 International Criminal Law: Legal Responses to Mass Atrocity and War Crimes (3) – Waters
What does it mean for criminal law to be international? Along with the monopoly on legitimate violence, the legal and bureaucratic power to define and sanction wrongful behavior is one of the core functions – and definitions – of the modern state. How does this function translate to the realm of inter-state relations?

In this course students will examine the institutions, processes, norms and substantive rules of international criminal law. The course considers international criminal law in its broader political context, as one response (among many) to episodes of mass violence and social disruption, as well as a mechanism for control and replication of values. It focuses in particular on how the international aspect – the horizontality of legal relations in the state system – shapes that response.

The course surveys the historical development of legal responses to war and atrocity, especially through the politics and jurisprudence of the principal international tribunals of the modern era. Particular attention will be paid to issues arising out of World War II, the Yugoslav dissolution, the African Great Lakes crisis, as well as other historical and contemporary conflicts. The entire course is a comparative legal exercise, considering various attempts to create international tribunals and domestic efforts to respond to mass atrocities.

Students will complete a take-home final exam, with active participation in class discussion factoring significantly into the final grade. There are no prerequisites, but courses in area studies, history, political science, international law, human rights, criminal law, and international relations will all prove complementary.

Updated 3/19

B567 Intellectual Property Practicum: Legal Aspects of the Entertainment Industry ^^ (2) – Meitus
This course will involve working in a quasi-clinical mode for actual entertainment law clients and compliments Entertainment Law, Copyright Law and other intellectual property offerings. A prerequisite for this course will be Entertainment Law (or permission of the instructor). Enrollment will be limited to 8 students.

Methods for this course will include readings, legal research, contract drafting, classroom role enactments, client presentations and meeting and discussions. The class will work much in the way a small law firm or legal clinic would work, where the professor will play the role of firm partner or clinic director, and the students will turn in their work product to me. Students will be evaluated on legal writing exercises—either legal memoranda or contracts—and in client presentations and meetings.

Students will be assigned readings from Donald Passman’s “Everything You Need to Know About the Music Business” and from other sources and will work on a variety of actual entertainment and IP representations and issues (e.g., recording and music publishing agreements, literary publishing agreements, copyright/trademark registrations and disputes) for several types of clients, such as recording artists, authors and visual artists.

Updated 10/19

B570 American Constitutional Law for Foreign Lawyers (2) – Gjerdingen
It is intended for LLM and SJD students interested in a general survey course in American Constitutional law. It will cover most topics covered on the MBE. This includes the history of the Constitution, judicial review, modern federal power under the commerce clause, separation of powers, federalism issues such as dormant commerce clause and article IV privileges and immunities, modern equal protection and due process, as well as First Amendment speech and religion. A special emphasis will be placed, as well, on background American history for major Constitutional cases.

No prerequisites.
Updated 10/19

**B572 Intellectual Property Clinic ^^ (1-4) – 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 (3 credits); (2) the non-patent section of the Clinic (trademark and other non-patent IP matters) (3 credits); or (3) both sections (4 credits). 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.
Updated 10/19

**B582 Mergers & Acquisitions (3) – Broughman**
This course will explore the law of business combinations, that is, mergers and acquisitions (M&A). Our principal focus will be on the key drivers of M&A activity, the business incentives of the parties to such transactions, and the documentation and negotiation of the deals. We will also address certain tax and federal securities law issues relating to mergers and acquisitions. A central aspiration of the course is to put students in a position to understand the motivating economic goal(s) behind an M&A transaction, and to view the deal structuring process as a type of strategic engineering exercise, where legal considerations simultaneously facilitate and constrain parties’ pursuit of their objectives. This course will serve as an advanced corporations course that picks up where the basic course leaves off. Corporations or its equivalent is a prerequisite for this class.
Prerequisite: Corporations (B653).

Note: This class does not prevent students from also enrolling in the Mergers and Acquisitions course taught by Professor Dave Greene at the Kelley School of Business in the first 7 weeks of the spring semester. A student can register for one or both of the two M&A courses. Neither is a pre-requisite for the other. Students with questions about the material covered in the two classes should feel free to contact either Prof. Broughman or Prof. Greene.
Updated 10/19
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 14)

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 B582/A570

<table>
<thead>
<tr>
<th>Subject</th>
<th># of class periods</th>
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<tbody>
<tr>
<td>Strategy, Deal Search/Origination</td>
<td>2</td>
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<tr>
<td>Valuation</td>
<td>3</td>
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<tr>
<td>Due Diligence</td>
<td>1</td>
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<tr>
<td>Structuring: Financing, Earn-outs, Tax and Accounting</td>
<td>2</td>
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<tr>
<td>Legal issues (including documentation)</td>
<td>2</td>
</tr>
<tr>
<td>Negotiation</td>
<td>1</td>
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<tr>
<td>Post-merger integration</td>
<td>1</td>
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Course Learning Objectives
As a cross-listed course (with Kelley), the learning objectives for Maurer students differs slightly from those which apply to business school students. Here is an edited version, of the Kelley “LOs”...Maurer edits are italicized/underlined.

After taking this course, you should be able to:
1. Assess M&A as a means to achieving an organization’s strategy
2. Understand the M&A life cycle/process
3. Understand the concepts “normalized TTM EBITDA” and a “working capital peg”, and how to draft legal documents reflecting these (and other) financial/accounting concepts.
4. Understand how a company is valued
5. Incorporate uncertainty (risk and synergies; operating, financial, tax, legal) into pricing
6. Develop a transaction structure that mitigates/allocates risk
7. Assess legal risks associated with a transaction, especially those relating to corporate governance
8. Navigate legal agreements relating to an M&A transaction (LOI, “definitive” agreement) and understand key concepts included therein (representations and warranties, covenants and conditions)
9. Negotiate a transaction in a competitive environment
10. Recognize the “human element” in an M&A transaction

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).

Please note that this class meets according to Kelley School of Business regulations and calendar.

Updated 10/19

B588 Strategies in Critical Reading & Writing: The Letter & 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 10/19

**B601 Criminal Procedure: Investigation (3) – Bell**

This class focuses on the constitutional constraints imposed on criminal investigation by the Fourth, Fifth, and Sixth Amendments. The bulk of the course examines the Fourth Amendment. After briefly exploring the meaning of the text of the Fourth Amendment, we will examine the connection between the Amendment’s reasonableness and warrant clauses. Next, we explore criminal procedure in the following areas: arrests and searches incident to arrests; stop and frisk; pre-textual stops; consent searches; warrantless searches of premises, vehicles, and containers; and the exclusionary rule.

The latter portion of the course examines the Fifth Amendment as it relates to criminal confession. In this regard, we will concentrate mainly on three areas, the law governing self-incrimination, the constitutional constraints governing how law enforcement may secure confessions, and rules regarding the interrogation of suspects. At the end of the course, we turn our attention to the Sixth Amendment rules as they apply to police interrogation.

Updated 10/19

**B615 Land Use Controls (3) – Stake**

This course examines issues of equity and efficiency that arise when public and private actors regulate land use and development. The principal topics covered include the common law of nuisance, servitudes, zoning, and the "takings" clause. The course should be useful to lawyers engaged in real estate practice or local government law, perhaps helpful on the bar exam, and interesting to anyone who cares about the ramifications of democratic decision making.

The course applies principles from such areas as property, constitutional law, administrative law, and law and economics. There are, however, no prerequisites for the course other than the first-year curriculum at IU Maurer School of Law.

Students are expected to participate frequently on a voluntary basis. Students should note that laptops may not be used during class except by students who have pledged to use them only for the purpose of taking notes in a word processing program. The exam will certainly include multiple-choice questions.

It is not known yet whether this course will be offered in the Spring of 2021.

Updated 10/19

**B620 Negotiations ^2 (2) – Ardery**

**NEGOTIATE BETTER...ENJOY IT MORE**

Negotiation occurs when human beings collide over the division of limited resources of time, talent or treasure.

We negotiate for ourselves and others to get what we want and to avoid losing what we have. This class is designed for you to ask the large and small questions about how human beings go about the process of having the hard conversations. We will address priorities, develop skills, consider styles and strategies and become aware of internal and external conflicts. We will talk about what it is to listen radically, pay attention to physical cues, and practice what it is to integrate skills to become a highly effective negotiator.
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, neuroscience, philosophy and sociology. We will look wherever we can to learn to 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.

The goal is to fear negotiation less and enjoy it more.

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. 3Ls have priority for this course.

Updated 10/19

**B629 Alternative Dispute Resolution ^^ (3) – Bregant**

The vast majority of day-to-day disputes are resolved (formally and informally) without litigation. This survey course focuses on introducing students to some of the most common processes involved in so-called “alternative” dispute resolution, including negotiation, mediation, and arbitration. In addition to the legal foundations of these processes, the course emphasizes psychological insights and practical strategies for lawyers.

A core component of this course is simulation exercises, in which students get the chance to try out techniques and strategies for themselves. To ensure that all students get the most out of these exercises, a large part of the course grade is based on students’ preparation for and participation in every class session. Missing class without prior notice, or missing several classes even with prior notice, will make it difficult to successfully complete the course. The remainder of the course grade will be based on short written assignments and a final exam.

There are no prerequisites for this course.

Updated 10/19

**B639 Advanced Legal Research ^^ (3) – Ahlbrand & Mattioli, K.**

Advanced Legal Research will offer 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, all major secondary resources and practice aids, as well as specialized topical 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 modern legal research situations.

Each class period will focus on a specific type of resource or research process (e.g. cases and the organization of the courts, administrative codes, legislative history) and will include lectures, demonstration of relevant electronic resources, and in-class exercises to reinforce the day’s topic. 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 detailed legal research memorandum in an area selected by the instructors. The process of researching and writing the memorandum will provide students with an opportunity to review all the studied resources within the context of a discreet substantive question and develop their skills at conveying the fruits of their research to others.

Each student’s course grade will be based on (1) research exercises given at the end of each subject or module, (2) a research memorandum on a topic of the instructors’ choice, and (3) class participation/attendance.

Updated 10/19

B639 Advanced Legal Research: LLMs & SJDs (2) – Dabney / Kiel-Morse

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, an annotated bibliography tied to the dissertation topic of the individual student. The project will provide students with an opportunity to review all the studied resources in a manner practical for furthering their broader studies.

Each student’s course grade will be based on (1) homework assignments, (2) the capstone project, and (3) class participation/attendance.

Updated 10/19

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, if offered, in Gift & Estate Tax (B651) and Estate Planning (B740).

Updated 10/19

**B650 Intro to Income Tax (4) – Gamage**
The principal subject matter of this course is federal income tax law, especially as it applies to individuals. Topics covered in this course include what constitutes income subject to tax and what is excludible; what is deductible; the tax treatment of gains and losses; and which income items are taxed at preferential rates. Learning to read and apply the Internal Revenue Code and Treasury Regulations is an important focus of this course. Other focuses of this course include understanding tax planning dynamics and how tax law relates to both tax politics and tax policy. This is an introductory course with no prerequisites. This course is a prerequisite for most other tax courses.

Updated 10/19

**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 10/19

**B655 Information Privacy Practicum: Capstone (3) – Shackelford**
Enhancing cybersecurity and protecting privacy are critical issues impacting all of us, and are forces increasingly shaping the competitiveness of firms and the security of governments. This course takes an interdisciplinary, global, and hands-on approach to introduce students to the practice of privacy and cybersecurity law and policy. Specifically, this course focuses on the management of information privacy and security within organizations. While it includes key legal issues in these fields—including U.S. and international cyber law and policy—it is more concerned with the challenges of addressing those issues effectively within public- and private-sector institutions. Those challenges include, for example, managing compliance across multinational organizations, best practices for mitigating cyber risk, communicating effectively with executive leadership, motivating employees while managing insider threats, responding to data breaches and government investigations, and thinking strategically about how best to conduct cybersecurity due diligence in a given transaction or venture. Ultimately, we will analyze regulatory solutions as part of a larger universe of reforms needed to enhance cybersecurity and safeguard both intellectual property and civil rights, while applying the skills you have gained throughout your academic program for a real-world client.

*Note that this course meets online, though there will likely be one or more in-person client visits. It is primarily intended for students pursuing IU’s M.S. in Cybersecurity Risk Management, but Maurer students with sufficient background in cybersecurity and information privacy law and policy can enroll with special permission of the instructor.*
B656 Corporate Finance (3) – Broughman
This course explores a fundamental question for business organizations: how does a firm raise money to finance its operations? Topics include the time value of money, valuation of bonds and stocks, portfolio theory, market efficiency, and theories of capital structure. Particular attention will be given to understanding a firm’s choice of capital structure (i.e. the mix of common stock, preferred stock, debt, options, and other convertible instruments) and the legal rights these financial instruments create. We will spend a significant portion of the class working through the contractual provisions and other legal rights associated with (i) a debt financing contract, and (ii) an equity investment through preferred stock.

Prerequisite: Corporations (B653) or permission of the instructor. No prior background in finance is required. However, a willingness to work through some numerical problems will be helpful.

Updated 10/19

B658 Law & Education: Legal Perspectives on Education (3) – Rippner
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 (EDUC-A608) 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 qualifies as one of the School of Education cross-listed courses that is required for the Minor in Education Policy (see https://www.law.indiana.edu/academics/jd-degree/joint-degrees/outside.shtml). Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy and Jennifer Rippner (jrippner@iu.edu) for further information about the course.

Please note that this class meets according to The School of Education regulations and calendar.

Updated 10/19

B658 Law & Education: Advanced School Law (3) – Rippner
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/A608), students explore legal issues from a building-level perspective. Specifically within B658/A608, students discussed legal scenarios focused on teachers and principals. Advanced School Law (B658/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 (EDUC-A615) 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 School of Education cross-listed courses that is required for the Minor in Education Policy (see https://www.law.indiana.edu/academics/jd-
Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy and Suzanne Eckes (seckes@indiana.edu) for further information about the course.
Please note that this class meets according to The School of Education regulations and calendar.

Updated 10/19

**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, chimeras 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 10/19

**B671 Appellate Practice & Procedure: Criminal Appeal ^^## (3) – S. Orenstein**
This course is designed to acquaint students with the ins and outs of criminal appellate advocacy. They will learn how to read the file transmitted by trial counsel, communicate with the client, read the transcripts of the trial with an eye to identifying relevant issues, write a persuasive brief, and prepare for and engage in oral argument before an appellate court.
Evidence and Criminal Procedure Investigation required, Criminal Procedure Trial recommended.

Updated 10/19

**B672 Secured Transactions (3) – Hughes**
This course surveys provisions of state laws (mostly Article 9 of the Uniform Commercial Code) and some federal laws that apply to security interests in personal property. The term "property" for this purpose includes diverse tangible and intangible items such as motor vehicles, clothes in store inventories, rights in copyrights, trademarks and patents, agricultural products and commodities, contract rights, payment intangibles, accounts receivable, equipment – as well as virtual currency and other digital assets.

The textbook is Lopucki, Lawless & Warren, Secured Credit (Aspen, most recent edition, which I have been told will be available shortly). This book lays out the important issues in brief, including any "black letter law" that is available. Its emphasis is on the relevant statutory provisions.

Students also need a Commercial Law statutory supplement an edition more recent than 2013, preferably Foundation Press's edition. Please bring Articles 1 and 9 to class each day the course meets, as well as your textbook. I strongly recommend not relying on an electronic version of the Commercial Law statutory supplement for this course because you need to be able to follow it along with us in class as well as take notes.
The routine for this class is to discuss the theory and substance of the law briefly based on the textbook’s explanation of the law. Then, we spend more of the class period working a series of problems in each “chapter” of the book. Please plan to prepare each problem assigned in advance of class and bring your questions to class. Each “chapter” is intended by the authors for one class period of work.

The course focuses on consumer as well as commercial transactions. The course has interesting theory as well as substance that lawyers encounter frequently regardless of their chosen fields of law.

There is no prerequisite for this course. If a student can take only one Commercial Law course, it should be Secured Transactions. Some knowledge of secured transactions is very helpful in imagining the transactions your future clients will have, and will allow you to bring in experts before you get yourself and your clients into trouble. This material is tested on many bar examinations and is harder to learn on one’s own than Sales.

I encourage students planning to take Bankruptcy to take Secured Transactions (B672) as well. It is worthwhile to take both if this is your last semester at Maurer.

This class will have an in-class examination and probably a one-essay question plus one or two short-answer questions.

Updated 10/19

**B681 Partnership Tax (2) – Halloran**

No description available

**B688 Community Legal Clinic ^^ (3) – Weng / Singleton**

The Community Legal Clinic (CLC) is a three-credit, live-client course open to second- and third-year students. Students represent low-income clients in a variety of areas including contested family law matters, disability benefits, and simple wills. A maximum of three students will be chosen to work exclusively on contested family law matters. (Preference will be given to students eligible to serve as certified legal interns.) Students also may partner with local service providers on legal projects. Students serve as the primary legal representatives, under faculty supervision. As such, they handle client interactions, fact investigation, legal drafting, court proceedings (motions, hearings, and trials), and negotiations. Students are expected to devote 10-12 hours per week to their client responsibilities. This time includes a weekly supervision meeting and office hours.

Classes are scheduled three times per week. The classes introduce students to relevant areas of law and procedure and to lawyering skills. We focus in particular on interviewing and problem solving. Class time enables students to practice the skills they need to work with their clients and to bring problems from their client work to the full staff of the clinic for discussion and assistance.

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 appear before state administrative law judges and in court.

Additional requirement: All students who enroll in the CLC 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:

Enrollment requires permission of the clinic directors. To apply, please send a statement of interest and a copy of your resume (no GPA or rank please) to Earl Singleton (singlet@indiana.edu) and Carwina Weng (wengc@indiana.edu), two days before the deadline for 3L registration. If you are particularly interested in family law, please so indicate.

Updated 10/19

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

This clinic, offered for four (4) credit hours in the spring 2020 semester, has 40+ hours of class meeting time, in addition to fieldwork. Each semester the clinic is generally available to up to eight (8) students. Through this program, 2L and 3L students (and masters level clinical psychology and social work students) who have taken the prerequisite and companion course (B563–Domestic Relations Mediation, which is offered in 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 and registered as mediators in Indiana may participate 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 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 spring 2020 semester.

Mediation Clinic: Students in the mediation 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 and others in family law cases. During the semester, the students will co-mediate in teams of two. Class training in the clinic will focus on the practice of mediation at the clinic, interdisciplinary training, 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, working with attorneys and other professionals in the mediation context, and the effect of certain ethical issues and concerns on mediation practice. A substantial amount of class time will also be devoted to case rounds, in which students share and reflect collectively on the students’ field work experiences. 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 will participate in interdisciplinary training, practice, and/or research with faculty and students from the IU Department of Psychological and Brain Sciences and the IU School of Social Work.

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. Midway through the semester, each student mediator meets with Professor Applegate for a midterm review. There is no final exam in the clinic.

Scheduling Requirements:

1. Class: All clinic students must be available on Thursdays from 8:30 a.m. to 12:00 p.m.
for class each week during the semester.

2. Field work: Each student team must also be available for field work during at least one of the time periods set forth below, specifically (a) Tuesday from 1:00 to 6:00 p.m., (b) Wednesday from 8:30 a.m. to 1:30 p.m., (c) Thursday from 1:00 to 6:00 p.m., or (d) Friday from 8:30 a.m. to 1:30 p.m. In some weeks the field work extends beyond the hours planned for it, although in other weeks the field work will not take the entire five hour block of time scheduled. During the semester, students will be scheduled each week to attend intake sessions or a mediation (negotiation) session at their regularly scheduled time.

3. Preparation and follow up for field work: Students will need to prepare in advance of intakes and mediations, and follow up with necessary documentation and paperwork after sessions. This work will often need to be done with your co-mediator.

4. Supervision meeting: Students will attend a regularly scheduled supervision meeting with Professor Applegate (typically a day or two before the intake or mediation of their cases) each week. At least 24 hours in advance of the meeting, students will submit any necessary documents for field work, a reflective journal of their mediation experiences, and a time log.

Prerequisites: The prerequisite to the clinic is the successful completion of B563–Domestic Relations Mediation, offered in the fall 2018 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 10/19

B698 Judicial Field Placements ^^ (3) – Van Der Cruysse

COURSE GOALS: The student will have gained a behind-the-scenes view of what happens in a courtroom from the judge’s perspective, and how cases are discussed and decided. The student will also learn to discern from the judicial perspective what courtroom style (at oral argument or trial) is effective and what is not effective.

In the classroom component of this externship course, students will become familiar with judicial ethics; the judiciary as a branch of government: its organization and structure; judicial selection and election; judicial decision-making processes.

COURSE COMPETENCIES: The student will typically have to do legal research and writing (or oral briefing of the judge), will be offered detailed feedback on those assignments, and should be informed of the judicial ethics rules.

STUDENT ROLE: In the externship component, the student will be observing hearings, will be doing research for the judge or the judge’s clerk, and will be drafting bench memos/oral briefings, court orders, and parts of draft opinions. For this course, the student will register for 3 credits: 2 credits will take place in the field placement (104 hours of on-site work), and 1 credit will consist of classroom instruction lawyering in the public interest, Mondays, 4:30PM-5:25PM. Additional externship course requirements include weekly time-sheets and reflective essays, and 2 self-assessment exercises.
COURSE QUALIFICATIONS: The student must have successfully completed all 1L courses.

CLIENTELE SERVED: The judiciary.

NATURE OF PRACTICE: Litigation, settlement processes, oral arguments. If specialty court, the substantive area will be limited to that specialty. If general court, then the student would cover any area(s) of that are part of the jurisdiction of this court.

APPLICATION METHOD: Students are required to apply through the Externship program during the semester by contacting Prof. Inge Van der Cruysse at ivanderc@indiana.edu, Faculty Director of Externship Programs.

ADDITIONAL INFORMATION: Faculty approval prior to registration will be required: students can contact Prof. Inge Van der Cruysse at ivanderc@indiana.edu for an approval form. Updated 10/19

**B700 Corporate Tax (3) – 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 10/19

**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. 3Ls have priority for this course. Updated 10/19

**B709 Transactional Drafting ## ^^ (2) – Becker**
Knowing the elements of a binding contract and actually writing an enforceable agreement that achieves a client’s business objectives are two very different things. This course attempts to bridge that gap. It 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 transaction. They will be exposed to several types of contracts, including purchase contracts, employment agreements, loan agreements, escrow agreements and license agreements. In-class exercises and drafting homework will give students practice drafting clear contract terms that unambiguously describe a client’s proposed business deal. 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. 3Ls have priority for this course.

Updated 10/19

B709 Transactional Drafting: Tax ##^ (2) – Riffle
Prerequisite class work: Introduction to Income Tax or comparable undergraduate work

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 opening section will include one or more in-class written quizzes designed to gauge the students’ grasp of the foundational concepts.

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 two copies of the Ginsburg, Levin and Rocap “Mergers, Acquisition, and Buyouts” treatise from which additional readings will be assigned.

Class grades will be determined based on students’ performances on the in-class quizzes and written submissions. The maximum numeric score of each such in-class quiz and written submission will be announced in advance. Each student’s final grade will be subject to a maximum half letter grade adjustment, up or down, for classroom participation, or lack thereof, respectively.

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.

Professor Riffle is a partner in the Indianapolis office of Barnes & Thornburg LLP, where he heads the firm’s national transactional tax practice. Immediately prior to joining Barnes & Thornburg, he received his J.D. degree from the Indiana University Maurer School of Law in 1983. He has served on the Maurer School of Law Alumni Board and is a frequent participant in tax symposia and colloquia at the Maurer School of Law. He completed his undergraduate education at Indiana University-Bloomington in 1980, majoring in economics.

Updated 10/19

**B710 Independent Clinical Project: Independent Film Production Legal Clinic (2) Dresden**

This course will provide students with real-world experience acting as legal counsel on independent film projects.

Through readings, class discussions, and assignments, students will learn about the legal aspects of financing, developing, producing, and exploiting independent films. Under the instructor’s supervision, students will engage directly with filmmakers and work on multiple discrete projects. The class will consist of a weekly seminar, and may be augmented by guest lectures, screenings, and set visits (for projects filming in Indiana). The supervising instructor is Matthew Dresden of the Harris Bricken firm in Seattle. Students will meet with Mr. Dresden by videoconference during a scheduled class time (expected to be once per week for one hour).

The legal services to be provided may include (1) drafting and negotiating agreements, including option and purchase agreements, cast and crew agreements, location agreements, and music licenses; (2) reviewing scripts and advising clients regarding IP issues such as fair use, public domain, clearance, privacy, defamation, and rights of publicity; and (3) reviewing agreements and advising clients on the exploitation of projects, including the roles of CAM services, sales agents, and distributors. Interested students should submit a resume and interest statement to the Center for Intellectual Property Research (cipr@indiana.edu) by no later than November 4. No pre/co-requisites, although Entertainment Law is recommended.

Updated 10/19

**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 10/19

**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, eight 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 10/19

**B719 Employment Law (3) – Dau-Schmidt**

This course provides an introduction to the 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). Employment law is a fundamental legal topic important to the running of all major organizations. Employment law is on the Indiana Bar. There are no prerequisites.

Updated 10/19

**B720 Advanced Trial Practice ^^ (3) – Cook**

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, cross-racial identification and the presentation of non-traditional experts. The final exam is a mock trial.

Evidence and Trial Advocacy are prerequisites.

Updated 10/19

**B722 Trial Advocacy **– Kellams, Diekhoff, & Brown
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, experts, and closing arguments. Students learn by doing, with every student performing every week. 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 on Tuesday, the students from all sections will meet on Tuesdays at 7:35 for a one hour lecture.

Updated 10/19

**B723 Evidence **– 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, impeachment, and hearsay. 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 10/19

**B725 Bankruptcy **– Foohey
This course examines the nature of the legal relationship between debtors and creditors under the Bankruptcy Code as well as under nonbankruptcy law. It is intended to be a survey course that provides a general basis for advising consumer and business clients considering filing for bankruptcy or wanting to avoid detrimental impacts of others’ bankruptcy filings. It also will provide knowledge to support subsequent detailed study of business reorganization, bankruptcy procedure, and international bankruptcy. Subjects covered include debt collection procedures under state law, the purposes of bankruptcy, liquidation under Chapter 7 of the Bankruptcy Code, individual debt adjustment under Chapter 13 of the Bankruptcy Code, business reorganization under Chapter 11 of the Bankruptcy Code, international coordination under Chapter 15 of the Bankruptcy Code, recovery of fraudulent transfers and preferential transfers, and the jurisdiction of the bankruptcy courts.

This course uses a problems-based approach to bankruptcy. 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 or all of the class sessions will be spent working through a series of problems, which you are expected to prepare prior to class.

The course grade is based on an eight-hour take-home examination consisting of two or three longer essay questions, with slight adjustments for class participation.
There are no prerequisites for this course.
Updated 10/19

**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, and the protection of privacy in law enforcement and national security. **Information Privacy Law II (this course) will focus on privacy issues in commercial, consumer, government, 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) Government Records; (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 10/19

**B733 Federal Jurisdiction (3) – Robel**
Does anyone have standing to litigate the President’s compliance with the U.S. Constitution’s Emoluments Clauses? May a federal district court tell the District Attorney of New York not to seek a subpoena of the President’s tax records in a state grand jury proceeding from a third party? May a federal court require a state to follow the federal law by which it is bound? Unlike cases in state court, every case in federal court begins with the question of the court’s power.
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 federal judicial doctrine; how it is used or conserved in connection with constitutional enforcement; and how it is aligned or in conflict with state judicial and federal executive and legislative power.
Updated 10/19

**B734 Advocacy: Moot Court Board (1) – Lahn**
This course is the for-credit component of 3L students’ participation on the Sherman Minton Advocacy Competition Board. For additional information, please see the description of the Competition Board in the Fall 2019 Advocacy Board solicitation (available on the moot court bulletin board or at lawmoot@indiana.edu). Feel free to contact Prof. Seth Lahn (slahn@indiana.edu) with any questions. (Pass/Fail)
Updated 10/19

**B734 Advocacy: External Moot Court Team (1) – Lahn**
This course is the for-credit component of students’ participation on one of the Law School’s external (interscholastic) moot court competition teams, except for teams such as the IP moot court teams that are covered under a separate course number. For more information, please see the law school’s Policy on Participating on Maurer’s External Moot Court, Trial, Transactional, Drafting, Negotiation, and other Competition Teams, available on line or at Student Affairs.
Updated 10/19
B734 Advocacy: AIPLA/INTA ^^(1) – Janis, Hedges
This course is the for-credit component of students’ participation on one of the IP Moot Court teams, which include AIPLA, INTA, Oxford International IP Moot, and the International Patent Drafting Competition. Enrollment is by permission of the instructor only. Before enrolling under this course number, please confirm your participation on the IP Moot Court Team with the CIPR Administrative Director, Casey Nemecek (cnemecek@indiana.edu).

Updated 10/19

B734 Advocacy: PACE (1) – L. McFadden
No description available

B736 Strategic Business & Tax Planning (2) – Schwab
Nearly every major business decision is shaped by tax law. This course explores how and why taxation, particularly federal income taxes, affects everyday business decisions. The course will take a broad perspective on a variety of business planning topics from entity formation; to raising capital; to business investment and financing decisions; to multiparty business and tax planning; to the taxation of international activities; and finally to the tax treatment of corporate mergers and acquisitions. Two sections of the course are offered. The class will consist of law and graduate business students, and it will meet at the Kelley School of Business and according to the Kelley school’s calendar. Thus, it will be an intense 7-week course, meeting twice a week from late October through mid-December. In order to receive the full law school (2.0) credits for this course, law students will be required to meet with Professor Greene as a class on several occasions before the formal start of the course in October. These early class meetings will be used to familiarize law students with the fundamental business concepts used in the course. This course is recommended for those law students interested in transactional planning, as well as those who would like to have a well-rounded understanding of business law. B650: Introduction to Federal Income Tax is the only prerequisite for this course. However, both B652: Accounting for Lawyers and B656: Corporate Finance Law would be beneficial for student who lacks education or experience in these two areas.

Duration: 7-weeks (offered only in the second 7-weeks of the fall semester)

The goal of this course is to enable students to understand how taxes (primarily income taxes) can (and should) affect business decision-making. For students considering a career “in tax”, this course should be beneficial because it takes the perspective of the business decision-maker, not the tax professional, so it may provide you with a broader point of view than is typical in a “tax” course. But the course is designed primarily for the “non-tax” person, someone who needs to understand how to incorporate tax matters into his/her decision-making model.

Students completing this course will be able to

1. Distinguish economic income from financial statement income from taxable income
2. Recognize the impact that “implicit taxes” have on the value of assets.
3. Recognize tax issues that have an impact on business outcomes (and therefore should have an impact on business decisions) including, but not limited to:
   a. Organizational structure (e.g. corporation vs. partnership)
   b. Financing the business (e.g. debt vs. equity)
   c. Mergers and acquisitions
   d. International operations
   e. Compensating employees
   f. Investment decisions
4. Understand the difference between marginal tax rates and effective tax rates and know how/when to use both concepts
5. Incorporate tax issues into financial decision-making, including but not limited to:
   a. Tax rate changes
   b. Tax rate differentials for different categories of income (e.g. capital gains vs. ordinary income)
   c. Deferral of revenue and expense
   d. Credits vs. deductions
   e. Net operating losses

Please note that this class meets according to Kelley School of Business regulations and calendar.
Updated 10/19

B738 Cybersecurity (3) – TBA
B738 Cybersecurity Law and Policy (3) – Heck
Enhancing cybersecurity is a critical issue affecting the competitiveness of firms and the security of governments. Increasingly, policymakers are fashioning regulatory schemes around the world that promise to shape not only the day-to-day realities of operating information systems, but also cyberspace itself. This course takes an interdisciplinary, global approach to introduce students to cybersecurity law and policy. The Course will be divided into two parts.

In the first half we will examine broader national security and International law perspectives around core issues in cybersecurity regulation, including: the regulation of state-sponsored acts of espionage and cyber warfare, the technical, legal, and political dimensions of interstate cyber attribution and blame, treaty regimes governing cybercrime prevention and the increasing role of cyber insurance markets in their enforcement, and the international law governing disinformation operations and election interferences.

In the latter half of the class we will move to discuss cybersecurity litigation and applicable U.S. state and federal law governing specific industries. This section will cover such topics as security in healthcare, financial institutions, as well data governance omnibus requirements in the European Union and an increasing number of US states. We will also explore the anatomy of a data incident and the process of assessing whether a breach has occurred and what action items present themselves in responding.

Ultimately, we will analyze regulatory solutions as part of a larger universe of reforms needed to enhance cybersecurity and safeguard intellectual property. Grades will be based on performance in an open-book in-class examination as well as class participation. The course will be meeting once a week online through zoom. Certain of the sessions will be taught by the instructors in class in Room 120, though remote enrollees will still be able to stream the class remotely.
Updated 11/19

B739 Federal Criminal Law & White Collar Crime (3) – Morrison
This course examines federal criminal prosecutions pursued against the Ponzi “schemers,” inside stock traders, organized crime figures and corrupt politicians. With primary focus on specific federal criminal statutes including RICO, bank fraud, mail and wire fraud, bribery, Hobbs Act and money laundering, this course also touches how the federal sentencing guidelines impact these convicted “white collar” defendants. Finally, the course reviews corporate criminal liability versus individual criminal liability for corporate officers and employees. The substance of this course would be invaluable for anyone contemplating a federal clerkship where some of their time could be spent on federal criminal matters, future
employment as a government attorney, or corporate in-house counsel. The instructor is a former federal prosecutor with the United States Attorney's Office in Indianapolis. There are no prerequisites beyond the first year Criminal Law course. There will be an open book exam at the regularly scheduled time for all students in the class.

Updated 10/19

**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 the Generation Skipping Transfer Tax. The course will also delve briefly 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.

Updated 10/19

**B751 IP Survey (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 10/19

**B758 Trademark & Unfair Competition (3) – Janis**
This course will introduce students to U.S. trademark law, the law of unfair competition, and related common law doctrines that protect against consumer confusion and the appropriation of commercial goodwill. The course will explore how the government provides trademark rights (including the registration process), trademark infringement (including defenses and remedies), and the loss of trademark rights. In addition to focusing on statutory law and doctrine, the course will examine the economic foundations of trademark protection and evaluate current trends in trademark law.

Updated 10/19

**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 10/19

**B768 Water Law (3) – Inaraja Vera**
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), 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.

Most class sessions will be discussion-oriented. Most required reading will be from the case book, Legal Control of Water Resources (6th ed. 2018), by Thompson, Leshy, and Abrams. Grades will be based principally on a take-home final exam.

Updated 10/19

**B771 Mediation ^ (2) – O’Connor**
This course explores mediation as the most frequently used 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.

Role play exercises in various areas of practice (e.g. family law, personal injury, business dispute) will be used to reinforce mediation theory that is discussed in class. The class members will be assigned various roles in the mediation. The exercises will be conducted on days that the class would otherwise meet for a general class session, and may be held off campus 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 ubiquitous role of mediation in the justice system and prepare the lawyer to represent a client in a mediation session. 3Ls have priority for this course.

Updated 10/19

**B771 Mediation for LLMs & SJDs – Stafford**
This course explores civil 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 real world mediation in many practice areas from the perspective of the client, the advocacy attorney, and the mediator. We'll work on negotiation strategies in the mediation context. This course will cover relevant authority and rules governing mediation and will include frequent discussions on legal ethics in the mediation setting.
Written work will consist of four assignments: a reflection on a book on negotiation, a Confidential Mediation Statement; a paper comparing mediation customs and practices between the US and a country of the student’s choice, and preparation of a detailed mediated 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. Frequent role playing will be used to explore and reinforce mediation skills that have been discussed in class.

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.

Updated 10/19

**B782 Introduction to Environmental Law (3) – Cole**

This course introduces students to the federal regulatory regime developed in the United States to address pollution-control problems. Although the course will touch on common law approaches, the primary focus will be on key concepts and issues in the design, implementation and enforcement of the major environmental statutes. The majority of class time will be devoted to the Clean Air Act and the Clean Water Act; the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Recovery Act ("Superfund"), and the Safe Drinking Water Act. The National Environmental Policy Act, which tends to apply more to natural resources protection than pollution control, will be covered only briefly. In addition, we will spend some of our time comparing US pollution-control laws with those of other countries to get a better sense of social, economic, and political contexts matter when choosing among the large set of available environmental policy instruments.

The readings for this course, in addition to the casebook, include a statutory and regulatory supplement, and supplemental readings on regulatory review by the Office of Management and Budget and current issues before EPA, related agencies, the states, and the courts. These various materials will allow students to understand the entire process by which environmental laws are made and enforced, and to become familiar with the kinds of materials they would be working with in the practice of environmental law.

As part of their preparation for some classes, students may be asked to work through problems that involve application of course materials to actual or hypothetical situations. These exercises would then serve as the basis for class discussion. This core course is a prerequisite for advanced environmental law offerings such as the Advanced Environmental Law and Practice course.

Updated 10/19

**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 10/19

**B786 Crim Pro: Capstone (3) – Bell**

This course is intended to provide critical, substantive, practical enrichment to students who are currently taking or have already taken at least one criminal procedure course. This course explores how the criminal justice system works in real life, or in practice. After a brief introduction to the reality of criminal courtrooms, the course will be divided into two sections, the first concentrating on police officers and criminal lawyers, and the second section examining several issues that involve judges, juries and “outcomes,”—sentencing, plea bargaining, specialized courts, and immigration. Part of the purpose of the course is to take case law, issues or problems that are common to the criminal courts, and closely examine how the law works as actors in the criminal justice system struggle to balance lots of cases, with few resources.

We examine how the law works in practice in a variety of ways—by looking at case studies, by studying empirical scholarship, and by hearing some of the difficulties and challenges from several active practitioners. The course will also have a practical component. In several areas, students will be given cases (both real and fictional) and asked to briefly role-play being a prosecutor or defense attorney. The goal of the course is to provide not only substantive knowledge of how individuals charged with carrying out the criminal law function, but also present a larger view of how criminal courts—in which many individuals, not just lawyers and judges but also police officers, court personnel and juries—operate.

Updated 10/19

**B789 Feminist Jurisprudence (3) – S. Williams**

This class will explore a variety of feminist approaches to law. We will begin with a review of the development of several schools of feminist legal theory, including liberal feminism, cultural or relational feminism, dominance feminism, postmodernist feminism, and the intersection of feminist theory with critical race theory and lesbian theory. We will examine the perspectives offered by these approaches on central issues in the philosophy of law, including the meaning of equality, the possibility of objectivity or neutrality, and the role of power. We will then apply these feminist theories to a range of legal issues, such as rape, sexual harassment and other employment discrimination, child custody, spousal abuse, the regulation of reproduction, and work/family conflict. The class will include both lecture and discussion. There will be one final examination which will be a take-home exam.

Updated 3/13

**B793 Human Rights (3) – Istrabadi**
The idea of human rights has become one of the dominant organizing principles of the modern international system – and in particular, the idea that human rights are a legal construct. Though its provisions are often ignored and its content contested, the claim that humans have certain rights which law protects has proved a powerful rhetorical and political device, which has been accepted and appropriated by actors around the world.

In this course, students will examine the foundations and practice of international human rights law. The first part of the course introduces basic concepts: sources, assumptions, justifications, aspirations and challenges for human rights. Then, through a small number of focused themes, students will explore the practical operation of those concepts as a legal-political system, agent of change, and instrument of power. In addition, the readings provide examples of the rhetorical, legal and institutional modes in which rights are discussed and implemented.

Current issues will be considered in historical and comparative perspective, with emphasis on the competing claims about the meaning and function of human rights in an international legal system, from both mainstream and critical perspectives, including post-colonial and feminist critiques. Two major themes will be explored throughout: challenges to the human rights orthodoxy, especially its notions of universalism and legitimacy; and the role of the inter-state system in defining and enforcing human rights.

Updated 10/19

**L564 Seminar in Litigation: Remedies** (3) – Conrad

This semester this litigation seminar will be entitled: “Seminar on Topics in the Law of Remedies: Restitution in Practice and Theory.” Three credits; meeting once a week for two hours. As Ward Farnsworth wrote in 2014: “Restitution has been much neglected by the American legal academy. . . in part because it has a reputation as a hodgepodge of leftover doctrines.” But the American Law Institute’s publication in 2011 of the Restatement (Third) of Restitution and Unjust Enrichment has afforded a fresh opportunity for reconsidering Restitution as an integral topic as a matter of doctrine. And Farnsworth’s own 2014 short book Restitution: Civil Liability for Unjust Enrichment serves well as a textbook for reconsidering Restitution in general as a matter of legal theory.

This Seminar will proceed, for the first half of the semester, with weekly discussions of not only portions of Farnsworth’s textbook but also portions of the other course textbook, the hornbook Law of Remedies (3rd ed.; 2018) by Dan Dobbs and Caprice Roberts. Concurrent with that course work, each student is to begin drafting a Seminar Paper on a specific topic to be individually assigned during the second week of the semester. Each such assigned topic will come to the student with a short prospectus on the nature and scope of the particular research project envisioned, together with a short, preliminary corresponding bibliography. Given such expediting specification of each student’s research project, a first draft of everyone’s Seminar Paper will be due immediately following Spring Break. After Spring Break, class meetings will routinely be devoted to students’ presentation of their research and to classroom work shopping of writing skills.

Updated 10/19

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

In this seminar, we examine the effects of transnationalism on traditional areas of domestic law, including environmental, trade and labor law as well as on public and private international law. Some of these effects are found wholly within domestic institutions; other examples will 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 10/19

L684 Seminar in Constitutional Design: Rights, Gender & 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 10/19

L690 Seminar in Corporate Law ** (3) – Fletcher
The financial crisis of 2008 was a watershed in American financial history. In this seminar, we will examine the financial crisis in detail using law review articles, congressional hearings, and policy documents. We will analyze the key events that contributed to the crisis, including the mortgage crisis, securitization, credit ratings, and the deregulatory trends of the 2000s. Additional topics include why financial regulators were unable to stop the crisis from happening; how they responded to the crisis; and the policy and legal response to the crisis. 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: None
Updated 10/19

L710 Seminar in Law & Society: Immigration Law ** (3) – Fuentes-Rohwer
This seminar surveys the history and practice of immigration law and policy in the United States. We will divide the semester along three dimensions. First is the citizen: who are they, what makes them so, and what hinges on the distinction? Second is structural: how does federal law structure who is admitted or inadmissible into the United States? This is a question both about immigrants and the visa system, but also about refugees and asylum seekers. Third is historical: how have debates and conversations in the United States shifted and evolved across time? The seminar will examine old and new questions, such as the boundaries of citizenship, the plenary powers doctrine, debates over the Dream Act, the recent travel ban, the allotment of visas, and the role of the federal government in immigration. Most importantly, we will also place immigration laws and debates in historical, social, and political context.
Updated 10/19

L712 Seminar in International Law: The Great War ** (3) – Waters
It was only after a second global cataclysm in the 20th century that the events of 1914 to 1918 came to be known as the First World War; before that, they were known simply as the Great War. It was first true war of the modern era: industrialized, mass-mobilized, drawing on all the resources of the bureaucratic state and altering the construction of the societies that fought. This seminar will recover the overshadowed memory of this, the most disruptive and decisive event of our era, with special attention to the way law was shaped by the shock of a violent modernity: its profound influences on the nature and regulation of war, international law, international institutions, democracy and popular sovereignty.

Through the prism of the Great War, students will consider such problems as the ability of law to respond to changing technology (today we struggle to craft law for drones and cyberwarfare, but the shock of technology in the Great War – aerial bombing, poison gas, submarine warfare, the tank, industrial mobilization – was magnitudes greater); the first, failed efforts at international criminal law and the quest to assign legal and moral responsibility for war; the difficulties of dismantling empires and creating national states; and the challenges of crafting a general peace and a global system of security.

The principal focus of the course will be on contemporary interactions of the war and international law; where clear linkages or contrasts exist, the course will also examine the abiding lessons and legacies of the war for today’s legal regimes. Students will write a seminar research paper.
Updated 10/19

L713 Seminar in Law & Economics ** (3) – Dau-Schmidt
This seminar explores recent and classic books and articles on the economic analysis of law. The seminar includes readings and discussions on: the method of economic analysis; the Coase Theorem, its assumptions and implications; and 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.
**L714 Seminar in Judicial Conduct** **(3)** – Geyh
This seminar explores the law governing judicial conduct and the social science research that explains judicial decision-making behavior. The first part of the seminar concerns how courts and judges are regulated. Several sessions will be devoted to judicial ethics, including such topics as: avoiding the appearance of impropriety; judicial disqualification; judicial campaign conduct; ex parte communications; and personal conduct. Additional sessions will be devoted to judicial oversight, including: judicial administration (featuring systems of judicial discipline); impeachment and other removal processes; and legislative oversight of the courts. The second part of the seminar will be devoted to social science research on judicial decision-making behavior, including views from political science, psychology, and history. The concluding session of the seminar will then explore the implications of recent social science learning for future regulation of the courts.

**L776 Seminar in Criminal Law: Punishment in Theory & Practice** **(3)** – Eaglin
This seminar will examine cutting-edge issues in the administration of criminal justice through a historical and philosophical lens. Subtopics considered over the course of the semester will include the various theories of punishment; the introduction of technology to sentencing; the privatization of various services in criminal justice; and the rise of mass incarceration. This course offers students the opportunity to consider how the administration of criminal law intersects with issues of justice, fairness, politics, and efficiency in the United States. Students must complete weekly responses in addition to a final research paper on a topic related to issues of punishment in the United States.

**L796 Seminar in Law & Medicine** **(3)** – Madeira
This course addresses controversial issues arising from the interface and relationship between law and medicine, focusing in particular upon the nature of illness, legal dimensions of the doctor-patient treatment relationship, informed consent, experimental health care, access to health care, compelled surgery and testing, reproductive rights and assisted reproductive technologies, death and dying, organ transplantation, and current topics such as vaccinations and stem cell research and other biomedical advances. Class discussions will be devoted to these issues' legal, ethical and social implications and how the law can be of constructive use in clarifying debates and solving challenges. Grading will be based on participation, class assignments, and a seminar paper.

**L799 Constitutional Law Seminar: Sexuality, Reproductive Rights, & the Law** **(3)** – Johnsen
This course will explore various ways in which federal, state and local governments have used and abused power in regulating sexuality and reproduction in the United States. We will study the proper role of government with regard to issues of sexual activity, sexual orientation, gender identity and gender roles, pregnancy, and reproduction. We will pay special attention to the cases pending before the Supreme Court concerning the connection between sex discrimination and discrimination based on sexual orientation and gender identity. We also will consider dominant theories that inform legal, political, and social change, such as natural law, social construction, liberal, feminist, religious, and economic theories. Specific topics include: contraception and abortion restrictions and protections; regulation of women’s actions during pregnancy; sexuality education; LGBTQIA discriminations and protections in contexts of marriage, employment, and sexual intimacy; the regulation and construction of gender and gender roles including through medical and
societal treatment of intersex children; and restrictions on sexual activity such as sodomy, the use of “sex toys,” S&M, statutory rape, incest, and prostitution. Requirements include active preparation and class participation (including weekly short “thought” papers) and an independent research paper on a topic of the student’s choosing (satisfies the advanced research requirement). No exam.
Updated 12/19

**Wintersession** (Thursday, January 7 – Saturday, January 10)

**B508 In-House Legal Department (1) – Milne**
This course will provide law students with an understanding of the role that inside counsel plays within corporations, with a focus on the general counsel’s role. Students will be eligible to earn one academic unit of “pass/fail” credit as part of the IU Maurer School of Law “Winterterm” Program in January, 2020.
Updated 10/19

**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 10/19

**B685 The Lawyer as a Business Executive (1) – Maurer, Scolnik, Beckett, Henderson**
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. The course is built around reading and problem sets developed by three IU Maurer graduates: Michael “Mickey” Maurer, Glenn Scolnik, and James Beckett. Professor Henderson will serve as co-instructor for the full course.
Updated 10/19

**B719 Workplace Safety & Employment Law (1) – Richardson**
This course will introduce law students to the world of in-house workplace safety counsel, who help major corporations comply with OSHA (workplace safety) laws, manage agency enforcement actions and litigate OSHA citations. Students will play the role of in-house counsel for a fictional Widgets, Inc. and will counsel corporate management in the lead-up to and following a major corporate safety event. Through exercises and simulations, the students will answer corporate clients’ questions; help the corporation manage an intense, fast-paced OSHA investigation; and contest a OSHA citation issued to the corporation for workplace safety violations.
Updated 10/19

**B735 Int’l Business Transactions: Doing Business in China (1) – Buxbaum**
This course will introduce students to some typical forms of international business transactions involving U.S. and Chinese companies, and to the legal environment within
which those transactions are negotiated and executed. Using one extended exercise involving a joint venture, we will then examine various issues that an international lawyer is likely to confront in China—in areas including intellectual property protection, labor and employment, foreign investment, contracts, and dispute resolution—as well as the strategies that can be used to address them. The course will survey some of the Chinese laws and practices in these areas, engaging in a comparative analysis of U.S. and Chinese laws and legal systems, and focusing on the critical distinction between “law on the books” and “law in action.” Throughout, we will ask students to adopt the practical perspective of a lawyer counseling a U.S. company doing business in China.

Updated 10/19