Online Synchronous: Class instruction will take place entirely online, primarily during scheduled, synchronous meetings that allow for real-time interaction between students and the instructor. Some asynchronous content may also form part of the course, as a supplement to remote class sessions.

Online Asynchronous: Class instruction will take place entirely online, primarily through asynchronous content that students may complete at any time. Examples of asynchronous content include prerecorded lectures, written feedback on drafts of papers, interactive quizzes, and forum discussions. Some regular synchronous meetings may also form part of the course, as a supplement to the asynchronous content that accounts for most direct instruction.

In person: The course is designed as a traditional classroom experience for students who will attend class sessions in person. Students may elect to take the class entirely online with the understanding that their ability to participate may be limited. Approval from The Office of Student Affairs is required before a student will be permitted to take an in person class entirely online.

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

- **COURSE GOALS**
  The student will work with attorneys in a law firm, corporate, or other private practice setting, and 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, reflect on their experience and its application to their legal career, and discuss it with 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 require only the successful completion of the 1L curriculum.

- **STUDENT ROLE**
  The students’ role in this course will first and foremost consist of working as an extern at their organization. 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.

Students are required to work 52 hours for each credit (i.e. 104 hours for two credits, 156 hours for three credits). The academic component consists of ABA required work: (1) written goals and objectives for the externship, (2) reflective essays, (3) one-on-one meetings with the faculty supervisor, and (4) a final self-assessment and evaluation of the workplace. Students are required to maintain and submit a detailed timesheet throughout the semester.

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

- **APPLICATION METHOD**
  For assistance with finding an externship, please contact Lauren Violi and/or work with your CSO advisor.

  Faculty approval prior to registration is required. Students interested in this externship course are encouraged to contact Lauren Violi (lvioli@iu.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:

  ![Externship Permission Form on CareerNet](image)

  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 Violi at lvioli@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.

Please note: Ordinarily, no student may enroll in a field placement concurrently with a law clinic. Rare exceptions may be made by Dean Orenstein.

Updated 10/20

**B515 Access to Justice: Project Management ## (2) – Quintanilla**
Description to be provided
[Online Synchronous]

**B517 Advanced Patent Law ## (3) – Janis**
Advanced Patent Law is the follow-on course to Patent Law B743. Advanced Patent Law typically builds on Patent Law B743 in three ways. First, it covers topics that are omitted from Patent Law B743. Second, it presents some topics in much greater depth, sometimes by engaging more deeply in the application of patent law to particular technology areas (such as biotechnology and pharmaceuticals), sometimes by more thoroughly exploring the edges of substantive patent law and their interfaces with other areas of law (such as antitrust law, administrative law or civil procedure). Third, it involves intensive study of very recent case decisions, usually those emanating from the Court of Appeals for the Federal Circuit, along with current scholarly writings. Ordinarily, there will be no final examination. Instead, students will produce a series of short, graded research papers throughout the semester, and will periodically organize and lead class discussions.
Patent Law B743 is a prerequisite, but no technical background is required or expected.
[In person]
Updated 10/20

**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 will be five or six presentations during this semester, made by professors from other schools, with five short reaction papers required. This course satisfies the writing requirement for graduation. 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 [https://law.indiana.edu/instruction/tax-policy/](https://law.indiana.edu/instruction/tax-policy/) and click on the date links. If the Spring 2021 speaker list is not yet posted there, you can email Prof. Lederman at llederma@indiana.edu to request it.

This course will be offered online. Most of it will meet synchronously via Zoom. However, because the course will meet only 2 hours per week for the 11-week semester, 3 hours of time will be asynchronous content, including a video of a past year’s presentation.

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. The presentation sessions (i.e., alternate weeks) will also be attended by other members of the I.U. community and tax community, including Maurer alumni and tax faculty from other law schools. Those attendees participate in the discussions, enriching the experience, but students in the class get priority for their questions and comments. Because of these outside participants in the presentation sessions, students in the class will need to sign a release reflecting that students’ names and images will be viewable by third parties.
Introduction to Income Tax is a prerequisite (or co-requisite with permission of the instructor). 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 email Professor Lederman before the first class to obtain and sign the release form mentioned above.

B534 Civil Procedure II (3) – Geyh
This course explores personal jurisdiction, subject matter jurisdiction, venue, removal, the Erie doctrine, service of process and appeals, among other topics. It was added to the upper level curriculum after Civil Procedure was reduced from a six credit, two-semester first year course to a four credit, one semester course. Civil Procedure II addresses topics formerly covered in the second semester of the first year course, and so may fairly be 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.

B536 Health Privacy Law (2) – Crosley
Health Privacy Law is a fast-growing area of law that has seen significant recent regulatory and enforcement activity globally. This course addresses information privacy laws and regulations that have been enacted around the world, including the Health Insurance Portability and Accountability Act’s Privacy and Security Rule, the FTC Act, Data Breach Notification laws of US State and Federal and European and Asian jurisdictions, and the EU General Data Protection Regulation. It will also consider enforcement decisions by the Department of Health and Human Services Office of Civil Rights, the Federal Trade Commission, and U.S. and European courts.

While the course will include a review of these relevant laws, regulations and enforcement actions, it will also devote a substantial amount of time to applying critical concepts of data privacy, data strategy, and data ethics to traditional health activities as well as cutting edge areas like artificial intelligence, neural networks, and machine learning. The course will be taught from my practitioner’s perspective based on 20 years of experience working with some of the largest multinational companies in tech, health, and medical devices. The course will thus have a strong emphasis on critical decision-making and relevant application of the law necessary to provide meaningful guidance in a real world, highly dynamic, client setting. As such, the course will use a diverse range of materials, including tools designed to aid in risk analysis and decision-making for counseling and advocacy work and will utilize case studies developed directly from actual client issues. The overall intent is for the course to have the character of a law firm partner teaching an associate or client how to, in turn, counsel their clients on health privacy issues.

The course will be taught at the assigned class time virtually in a live stream and students will be expected to attend the virtual session at the assigned time in order to facilitate interaction. There will be a take home exam at the end of the class and one other exam/paper mid-semester.

B545 Criminal Law Externship ^^ (1-3) – Farnsworth
The Criminal Law Externship provides an opportunity for selected second-year and third-year students to receive 1-3 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, or 156 hours for 1, 2, or 3 credits, respectively);
2) Maintain a time/activity log tracking hours worked and work activities;
3) Submit short (2-3 page) reflective essays on a scheduled basis regarding their externship experience;
4) Participate in two one-on-one meetings with Professor Farnsworth 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 ½ 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

Permission to register: Enrollment is limited and participation may be restricted to one semester. Students must obtain faculty permission to register for the class, the first step of which is completing the externship registration permission form on CareerNet.

Participating Offices: In the past, students have completed externships with the 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. Some of these offices post regularly with CSO; for others, CSO can provide contact information for submission of applications.

Please note: Ordinarily, no student may enroll in a field placement concurrently with a law clinic. Rare exceptions may be made by Dean Orenstein.

Updated 10/20

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

- **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, reflect on their experience and its application to their legal career, and discuss it with 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 require only the successful completion of the 1L curriculum.

- **STUDENT ROLE**
The students’ role in this course will first and foremost consist of working as an extern at their organization. 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.

Students are required to work 52 hours for each credit (*i.e.* 104 hours for two credits, 156 hours for three credits). The academic component consists of ABA required work: (1) written goals and objectives for the externship, (2) reflective essays, (3) one-on-one meetings with the faculty supervisor, and (4) a final self-assessment and evaluation of the workplace. Students are required to maintain and submit a detailed timesheet throughout the semester.

- **CLIENTELE SERVED**
  Varies, but generally a government agency or underrepresented populations.

- **APPLICATION METHOD**
  For assistance with finding an externship, please contact Lauren Violi and/or work with your CSO advisor.

  Faculty approval prior to registration is required. Students interested in this externship course, are encouraged to contact Lauren Violi (*lvioli@iu.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:

  ![CareerNet home page](image)

  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 Violi at *lvioli@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.

Please note: Ordinarily, no student may enroll in a field placement concurrently with a law clinic. Rare exceptions may be made by Dean Orenstein.

**Updated 10/20**

**B551 IP Externship ^^ (1-3) – 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 10/20**

**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.

*In person*

**Updated 10/20**

**B558 Conservation Law Clinic ^^ (3) – Freitag / Hyman**
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. During the Fall semester, a seminar component is included with the clinical work. In Fall 2020, the seminar focused on public and private land conservation issues, including Bears Ears and Grand Escalante National Monuments, nonprofit land trusts, and Indiana Dunes National Park. 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.

**Online Synchronous**
Updated 3/20

**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 entity formation and startup protections and venture capital issues.

Strongly suggested prerequisites for participation in the Clinic include Corporations and Corporate Taxation 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 and proceed to enroll in the course and await approval.

**In person**
Updated 10/20

**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 designed to replicate pre-trial proceedings as well as 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.

**In person**
Updated 10/20
B564 Federal Habeas Litigation ^^ (2) – Lahn / Ausbrook
This clinical course is designed to familiarize students with the fundamentals of federal habeas corpus litigation and to involve them in live cases at various stages. In addition to becoming familiar with the basic statutes, rules, and cases that run habeas litigation, students will conduct legal research, draft various kinds of documents connected with live filings, and investigate the facts of live cases or as part of the screening process of potential cases. When possible, students may also visit clients in the Indiana prisons. For new students who have not covered the basics of federal habeas law, the class meets twice a week. The importance of the classes cannot be overstated. For continuing students, there will be a weekly all-group meeting that will be used for discussion by the students of their case work, the assignment of new work, and the discussion of questions and problems that have arisen. There will also be the occasional talk by someone about their perspective.
Course Goals
By the end of the course, new students should have: 1) some considerable useful practical knowledge about federal habeas corpus litigation—for example, how to get the necessary facts and then how to accurately calculate the filing deadline for a habeas petition; 2) how to construct a habeas petition; and 3) a considerably deepened understanding of how the criminal justice system in the United States works—and not infrequently doesn’t. Continuing students will probably have worked on some pretty mind-bending cases and will maybe even have achieved a win.

In person
Updated 10/20

B564 Protection Order Litigation ^^ (2) – Lahn
Working with the Law School’s pro-bono Protective Order Project (“POP”), this experiential course uses a combination of classroom and case work to examine the civil legal system’s response to sexual assault, stalking, and domestic and relationship violence. The course also provides a first-hand opportunity to develop professional skills such as client-interviewing; fact investigation; drafting pleadings and motions; conducting discovery; and preparing a case for hearing. Students who have completed one-half of their credits toward graduation are eligible under Ind. Admin. & Discpl. R. 2.1(a) to serve as certified legal interns and represent clients in court.

The course is open to all second- or third-year students. (Students who have not previously completed POP volunteer training will need to do so before starting active course work.)

This spring, two sessions of the course are being offered: students may take either both sessions or just the second session by itself. During the four-week on-line January session (1 credit), we will meet Mondays and Wednesdays at 3:30-5:20 p.m. (Some adjustment of that meeting time may be possible if it fits everyone’s schedule.) During the 11-week February–April session (2 credits), we will meet Tuesdays 5:25-7:15 p.m., initially on line, but if conditions improve and all class members agree, then we may transition to in-person classes as the semester goes along.
There is no final exam; grading will be based on an evaluation of case work, class participation, an in-class presentation, and reflective essays. For permission to enroll, or any questions, please contact Prof. Lahn, slahn@indiana.edu or 855-0905.

Online Synchronous
Updated 10/20

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 one to three hours of class each week.

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

RETURNING/ADVANCED IP CLINIC STUDENTS elect to participate in either (1) the patent section of the Clinic; (2) the non-patent section of the Clinic (trademark and other non-patent IP matters); or (3) both sections. Advanced IP Clinic class sessions survey materials requested by Advanced IP Students at the beginning of the semester and/or supervision, advanced client counselling, and advanced project management. Advanced IP Clinic students elect 1-4 credits.

Enrollment in the Clinic for RETURNING/ADVANCED students is limited, so students must contact the Director to obtain permission to enroll. Students must have participated in IP Clinic in a prior semester to enroll in Advanced IP Clinic. 1-4 credits, professional skills. Students may enroll in multiple semesters of Advanced IP Clinic. However, total credits for the Advanced IP Clinic will be limited to 8 total credits, not including any credits obtained in their first semester of IP Clinic.

In person
Updated 10/20

**B588 Strategies in Critical Reading & Writing: The Letter & Literature of Family Law ## (3) – Conrad**
This semester this course on critical reading and writing will focus on the collection of essays/“stories” Family Law Stories, ed. by Carol Sanger, 2008, 297 pp. For perspectives in reading those stories, students will be assigned to read much, but not all, of The Cambridge Introduction to Narrative (Cambridge Introductions to Literature) 3rd edition (scheduled for publication in January of 2021) , by H. Porter Abbott, 280 pp. For skills building in writing about the essays/“stories”, students will be assigned to read and discuss, cover to cover, a writing manual recommended by Judge David Hamilton: Thinking Like a Writer: A Lawyer’s Guide to Effective Writing and Editing, 3rd edition (2009), 427 pp. There will be several writing assignments. And students will be required to rewrite/revise some but not all of their written work. The course will be conducted entirely on Zoom synchronously.

Online Synchronous
Updated 10/20

**B601 Criminal Procedure: Investigation (3) – Bell**
Do you know your rights when you are stopped by the police? How about when you are questioned by law enforcement? You may think you do, but you may learn otherwise in class. This course examines the detailed constitutional law concerning police procedures
having to do with criminal investigation. In an exciting and fast paced fashion we examine the limits imposed on police by the Fourth, Fifth, and Sixth Amendments. Though the course is primarily doctrinal, the professor frequently offers knowledge based on research or experience of how things actually occur in police stations. Some of the areas covered include: 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. What you learn in this course is likely to give you an impressive doctrinal command of the Fourth and Fifth Amendments. It could also surprise and may even shock you.

**Online Synchronous**
Updated 10/20

**B604 Criminal Procedure: LLMs & SJDs (2) – Goodwin**

The Criminal Procedure: LLM course is designed to give LLM students practice and experience with U.S. legal writing as a means to learning the areas of criminal procedure and constitutional law. This course will explore the constitutional constraints on state and federal law enforcement officers as they pursue criminal investigations. Though emphasizing the Fourth Amendment, the course also reviews the impact of the Fifth and Sixth Amendments. Areas to be covered include (but are not limited to): searches and seizures of persons and property, stop and frisk, arrest, profiling, the exclusionary rule, roadblocks, confessions, wiretapping, and police interrogations/ videotaping.

During the semester, students will work on writing skills and strategies in preparation for final exams and taking a bar exam. Grading will be based primarily on weekly timed writing assignments; no final exam will be given. Students may take both B601 and B604, but neither is a prerequisite for the other.

**In person**
Updated 10/20

**B620 Negotiations ^^ (2) – Ardery**

NEGOTIATE BETTER...ENJOY IT MORE

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

Covid plan (subject to change)

My plan now is to teach in person and to record all lectures. This, however, is a participation class, and my understanding is that students will have the option to attend in person or virtually. That means that we must all be prepared to engage and do negotiations through Zoom. I will plan to lecture and have a class discussion for the first 45 minutes. Following that you will break into pairs to negotiate and then we will return to debrief the negotiations. If you are in person you will disperse throughout the law school to do your negotiations. If you are not, I will put you into breakout rooms so everyone can fully participate whether in person or by Zoom.

We will all have chances to be generous in our approach with one another and flexibility will be a major component—just like in real-life negotiations.

The class: 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, but will include what you post on a Discussion link on Canvas that will include comments on: readings, personal negotiations, takeaways.

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.

Class purpose/goal: NEGOTIATE BETTER...ENJOY IT MORE...MAKE GOOD DECISIONS. This is a class where we will consider a number of different topics, but all under the umbrella of negotiation. We will consider who does it best, specific tactics, and the conflict that underlies all negotiating, even our own internal conflicts. Negotiation is a full body experience—intellectual, emotional and physical. We want to explore all facets of negotiation.

We will discuss theory and engage in practice each week. This will allow you to do different kinds of negotiations and de-brief them in class.

There is no text. I will distribute readings each week that will encompass what we will be doing the following week. These will include essays, book chapters, my own thoughts and fact patterns for negotiations in and out of class. Because we do not have a text, you will be asked each week to post an observation of that week’s reading. You will also be asked to make a small post each week about a negotiation or conflict in which you participated or observed someone else. You may also post a takeaway for the week.

We will consider readings from negotiators, neuroscientists, philosophers, sociologists and others whose expertise can inform all of us about how we can think and negotiate in an effective and principled way. The time to post each week will open after the class that week and close at 6 p.m. the day of the next class.

Choose, read and write. I will give you a list of approximately 30 books for you to choose one. You are to read it over the course of the semester and finish by the end of Spring Break on March 24. I will want you to send me a one-page summary of your takeaway or application from the book. It will not be graded but will impact your participation grade. You may or may not include it as a reference for your final paper by integrating it into your own negotiating narrative. For the paper I will want a real negotiation or conflict that you personally experienced and hear how you see it differently as a result of what you learned in the class and/or the book.

Conduct of the class. This is a participation class, but I understand that some people participate better in class discussions and others in writing. The weekly posts will count toward your class participation, but neither the posts nor the in-class participation are substitutes for one another. They are different ways for people who are inclined one way or the other to share. We will all be sorting through participation as some of us may be participating in different ways and in different places.

Contact information:
e-mail  sardery@lawbr.com  (I DO NOT CHECK MY IU E-MAIL ADDRESS)
In person
Updated 10/20

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.

Online Synchronous
Updated 10/20

**B631 Business Reorganization (2) – Carr**
This course will be taught by James M. Carr, JD 1975, judge of the US Bankruptcy Court of the Southern District of Indiana. The course will cover the full range of issues related to the bankruptcy reorganization of business entities under Chapter 11 of the US Bankruptcy Code. Issues arising in the reorganization of the City of Detroit under Chapter 9 may also be addressed. Topics addressed will include an introductory overview and history of reorganization law in America (including the various uses of Chapter 11 to implement a variety of business strategies and a description of the key players in a Chapter 11 case); business operations in Chapter 11; the Chapter 11 “toolbox” (including rejection and assumption of leases and executory contracts; allowance, disallowance, estimation, and subordination of creditor claims; the reduction of secured obligations to the value of collateral; borrowing by the debtor (“DIP financing”); preference and fraudulent transfer avoidance actions; and sale of assets free and clear of liens); process and procedure regarding dispute resolution (motion practice, contested matters and adversary proceedings); special rules regarding small business debtors, individuals, single asset debtors and other special cases; the core importance of, and various concepts involved in, the valuation of assets and enterprises; the process of creating and proposing a plan or reorganization; standards for confirmation of Chapter 11 plans; and the alternatives for restructuring outside of Chapter 11. In addition to a conventional casebook, the course will explore several actual bankruptcy reorganization cases in which the instructor has presided or participated. Students will have to “roll play” as counsel for parties-in-interest in hearings regarding use of cash collateral/relief from stay and plan confirmation. Evaluation will be based on the exercises and a written examination. Prior completion of the basic Bankruptcy course may be helpful, although Bankruptcy is not a prerequisite.

In person
Updated 10/20

**B634 Adv Con Law: Issues Related to the Press (3) – Fargo**
An examination of the major theories about the importance of free speech and a free press to the political life of the nation. The course will examine the marketplace of ideas, self-government, checking value, and self-fulfillment theories, among others, and the ways in which those theories have been incorporated into American law. The course also will examine whether the conjoined phenomena of digitalization and globalization in the Internet Age require a radically different conception of the First Amendment’s scope and power. Students also will examine how the First Amendment speech and press clauses have served
as inspirations for other nations and how technological and political changes are challenging
the narrative of American exceptionalism on free expression. Original student research will
be required.
Note: This course meets according to Media School regulations and calendar.
In person
Updated 10/20

B639 Advanced Legal Research ^^ (2) – Ahlbrand / Mattioli, K.
Advanced Legal Research offers 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, with a focus on electronic materials.
The course will review the complete range of federal and state primary sources, diving
deeper to cover topics critical to practical legal research, such as how to work with court
dockets and how to track down superseded statutes; in addition, we’ll introduce two other
critical areas of legal research, legislative history and administrative materials; finally, we
will survey all major secondary resources and practice aids for efficient and effective
research. In tackling each of these areas, students will become expert in the use of Lexis
and Westlaw, but will also be introduced to a number of other subscription-based and free
resources for conducting quality legal research. 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.

This course will be offered in an asynchronous online format, meaning that the class will not
meet at regular intervals for live instruction. Instead, instruction will take the form of course
readings, recorded lectures, and other online resources, as assigned. Students will have
several opportunities to assess their progress in the course, through a combination of
shorter and more in-depth research assignments, culminating with a capstone research
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. In
keeping with ABA regulations requiring substantive and meaningful interaction between
instructor and student and among students, students will actively participate in weekly
discussion board prompts in Canvas, as a substantial portion of their participation grade for
the course.

Each student’s course grade will be based on (1) brief, weekly research quizzes, (2)
research exercises distributed at the end of each subject or module, (3) a research
memorandum on a topic of the instructors’ choice, and (4) class participation.

Online Asynchronous
Updated 10/20

B639 Adv Legal Research: Legislative & Regulatory ^^ (1) – Morgan
Online (asynchronous) course; Graded; no prerequisite
The goals of this course are:
1. U.S. Congressional Documents and Legislative History
   a. To understand the federal legislative process
   b. To learn about the publication of U.S. Congressional documents
   c. To learn what the major sources of federal legislative history are
   d. To understand the relative hierarchical values of different sources of
      legislative history
2. Federal Administrative Regulations and Regulatory History
   a. To understand the federal rulemaking process
b. To learn about the construction and publication of federal regulations in all forms: proposed rules and final rules in the Federal Register (FR) and the codification of final rules in the Code of Federal Regulations (CFR)
c. To learn how to utilize preambles and dockets for regulatory history research

3. Research Methods and Databases
   a. To track and maintain awareness of federal legislative and regulatory planning and action, utilizing a variety of electronic and print tools
   b. Emphasis will be placed on appropriate and effective research strategies and evaluation of sources, both print and electronic.

Evaluation: There will be no final examination, the final course grade will be calculated from a combination of research exercises, quizzes, and discussions.

Online Asynchronous
Updated 10/20

B639 Advanced Legal Research: LLMs & SJDs (2) – Dabney / Kiel-Morse
This course will offer LLM and SJD students an opportunity to gain in-depth working knowledge of American legal research methods and resources. The course will emphasize the use and comparison of a broad range of legal research tools. 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 module will focus on a specific type of resource or research process and will include prerecorded videos, demonstrations of relevant electronic resources, and opportunities for student participation via discussion boards. Each module will include a research exercise to both measure and enhance the student’s expertise. This bibliographic approach to the legal research process will lay the groundwork for the course’s capstone project, an annotated bibliography in an area approved by the instructors. Students are encouraged to choose an area related to their dissertation topic. The capstone project will provide students with an opportunity to review all the studied resources within the context of a discreet substantive question relevant to their interests.

Each student’s course grade will be based on (1) homework assignments, (2) the capstone project, and (3) participation. Participation will be graded according to Canvas discussion boards and presentations of research exercises.

All assigned work for this course must be completed by the end of the semester. We will not give an incomplete.

Notice: The University has a license agreement with Turnitin, an educational tool that helps prevent or identify plagiarism from Internet resources. Your instructor may use the service in this class by requiring that assignments are submitted electronically to be checked by Turnitin. The Turnitin Report will indicate the amount of original text in your work and whether all material that you quoted, paraphrased, summarized, or used from another source is appropriately referenced.

Online Asynchronous
Updated 10/20

B645 Wills & Trusts (3) – Stake
Wills & Trusts will cover functions and purposes of wills and trusts; intestate succession; limitations on testation; execution, revocation, and revalidation of wills; creation, modification, and termination of trusts; construction of wills and trusts; and the law relating to future interests, including the Rule against Perpetuities. The intricate rules and extensive doctrinal material covered will require a fast pace of presentation. Nonetheless, policy issues involving both fairness and efficiency will be considered.
This course should be taken prior to any advanced courses in Estate Planning. It is intended as a basic introduction to the trusts and estates area and as elemental preparation for students hoping to enter general practice or specialize in estate planning or fiduciary administration.

Extensive use of power point slides is anticipated. Class preparation is required. The readings will be primarily, if not entirely, from the “Trusts and Estates” casebook written by Prof. Stake. 

Online Synchronous
Updated 10/20

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 and families. 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. For spring semester 2021, this course will be taught through a mixture of asynchronous video lectures and synchronous discussions through Zoom. The ratio of asynchronous to synchronous content will vary week by week and topic by topic, so as to use the instructional methodologies most appropriate for different sets of topics. Grading will primarily be based on an open-book take-home final exam.

Online Synchronous
Updated 10/20

B653 Corporations (3) – Kim
This is the foundational course in the law of agency, partnerships, limited liability companies and corporations. 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. 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.

(49 student seating capacity, January online alternative available)

In person only
Updated 10/20

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 cybersecurity 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 real-world clients.

*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. Note: This course meets according to BUKD regulations and calendar. Updated 10/20*

**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 J.D. Minor in Education Policy (see [https://law.indiana.edu/academics/jd-degrees/jd-minor-education-9-19.pdf](https://law.indiana.edu/academics/jd-degrees/jd-minor-education-9-19.pdf)). Only Education Policy Minor students are eligible to enroll in this course. Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy and Dr. Janet Decker (deckerjr@indiana.edu) for further information about the course or the Education Policy minor.

Note: This course meets according to School of Education regulations and calendar. Online Asynchronous Updated 10/20

**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/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 J.D. Minor in Education Policy (see [https://law.indiana.edu/academics/jd-degrees/jd-minor-education-9-19.pdf](https://law.indiana.edu/academics/jd-degrees/jd-minor-education-9-19.pdf)). Only Education Policy Minor students are eligible to enroll in this course. Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy and Dr. Janet
Decker (deckerjr@indiana.edu) for further information about the course or the Education Policy minor.
Note: This course meets according to School of Education regulations and calendar.

Online Asynchronous
Updated 10/20

**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 and CRISPR technology. 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 online, with a take home exam.

Online Synchronous
Updated 10/20

**B663 Labor Law (3) – Dau-Schmidt**
Description to be provided

Online Synchronous

**B665 International Law (3) – Lubin**
Public International Law is the branch of law regulating interstate relations and the relations between states and international organizations, transnational corporations, paramilitary armed groups, non-governmental organizations, and individuals. This body of law consists of a set of agreed upon rules and norms, commonly referred to as the *Jus Gentium* (Latin for “law of nations”) of our time. This survey course introduces students to the basic elements of Public International Law: its sources, subjects, and fundamental principles. Throughout the course we will explore the constitutive processes of our public world order, examining the key actors and functions in the making and application of international law.

The course will spend significant time discussing these dimensions across the varied subfields of Public International Law: (1) the formation and responsibility of nation-states; (2) sovereignty and the contingencies for the use of force; (3) modern human rights law and the mechanisms for their international protection; (4) international humanitarian law and individual criminal liability for violations of the laws of war; (5) adjudicative systems for the peaceful resolution of conflicts; and (6) the law governing old and new spatial frontiers: the high seas, the environment, outer-space, and cyberspace. While the course will take a supranational viewpoint, a particular focus will be on the way international law is adopted, internalized, and applied within and by the United States.

Students completing the course will acquire substantial knowledge of the rules, current debates, and institutional designs that form part of doctrinal international law. They will further be able to formulate critical arguments and counterarguments surrounding the
broader aspirations of governance and humanity that are so intrinsic to modern international law and international problem-solving.

The course has no prerequisites, and no prior knowledge will be assumed.

Course grades will be based on a take-home midterm and final exam as well as on class participation.

**B668 Con Law II (3) – S. Williams**

This course will focus on the First Amendment. We will spend the majority of the semester examining freedom of expression. We will begin with an overview of free speech theory and then turn to the issues that arise when government action interferes with various types of speech, including politically subversive speech, libel and defamation, pornography, hate speech, and commercial speech. We will also discuss the problems posed by regulation of symbolic acts of expression (like flag burning), limitations on the use of public areas such as parks and streets, and campaign finance reform. The remainder of the course will focus on the religion clauses of the First Amendment. We will examine cases concerning the meaning of religion and the protection afforded to religious practice, particularly when it violates general laws. We will also explore the interpretation of the establishment clause, in cases involving school prayer and school vouchers, the teaching of evolution, and public sponsorship of Christmas displays. The course will meet in person for most class sessions, which will include both lecture and discussion. All in person class sessions will be recorded for those students who are unable to attend. There may also be an occasional non-synchronous, recorded lecture online. There will be one final examination which will be a take-home exam.

**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. You will learn how to read the file transmitted by trial counsel, communicate with your 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 required, Criminal Procedure Trial highly recommended.

**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 leases – as well as cryptocurrencies and other digital assets.

The textbook is Lopucki, Lawless & Warren, *Secured Credit: A Systems Approach* (Wolters-Kluwer/Aspen, 2019 or later). 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 and teaching us to apply them correctly.

This is a companion text to the book for the Spring term 2021 course on Sales (B670). These books lay out the law and then provide problem sets to allow students to test their mastery of concepts.

Aspen offers a 40% discount on the electronic copy of this textbook to all Maurer students if you buy it directly from their website.

Here is the information about this textbook and the discount offer:

**Secured Transactions: A Systems Approach, Ninth Edition**
Lynn LoPucki, Elizabeth Warren, Robert M. Lawless
Hardcover ISBN: 9781543804508
Loose-leaf version of the text ISBN: 9781543816556
Ebook (discounted 40% compared to the hardcover) ISBN: 9781543816631

So, one way to save 40% and still have a hard copy of the textbook for the final exam is to order the e-textbook directly from Aspen and buy a really cheap used copy from one of the online sellers of used textbooks. There may be small differences, but the e-copy will show you where those are.

Students also need a Commercial Law--Creditor-Debtor Law statutory supplement. I recommend you buy a used copy or a “new” copy of an edition more recent than 2015, preferably the supplement published by Foundation Press. Thomsen West also has a supplement used by some faculty. If you are enrolled in Sales for the January 2021 Term, you can use the same supplement for Secured Transactions. You should have a hard-copy statutory supplement for the final examination.

Aspen’s sales team told me on October 20, 2020 that they can deliver hard copies of the textbook to buyers abroad on roughly two-to-three weeks’ notice. Given that this course starts on January 4, 2021, I would order it sooner than later if you are remaining outside the United States for the January term. The e-copy purchases come very quickly. If you add this course late, get an e-copy at the 40% discount and search for the used copy online. I will not be able to get any temporary use permissions from Aspen for 2021.

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. This course helps you appreciate what is entailed in borrowing funds to start your own firm, too.

This class will have an in-class examination and probably a one-essay question plus one or two short-answer questions. I have extensive power-points available from Spring 2020 and plan to augment them for the chapters of the book that we had covered prior to Spring Break 2020.

I will assign students to be on call in slates of 3 to 5 students per class, depending on class size. All students will get the power points in advance of each class so that you can use them to identify factors that you will use in your "solutions" to the problems. Robust class participation will help everyone. I love teaching this class.

**Online Synchronous**
Updated 10/20

**B675 Public Natural Resources ## (3) – Fischman**
This course will examine the tension between public control of and private interests in natural resources. The course will begin with a historical overview of the development of the patterns of resource ownership, policies toward resource development, and relevant legal doctrines. Building on this historical foundation, we will discuss: federalism in resource regulation; proprietary management models; separation of powers; judicial review; and public participation. We will study these issues in the context of the laws and policies governing mineral, energy, timber, recreation, wildlife, and preservation resources. Most of these issues involve the federal public lands in the American West and the policies that guide their management. We will address the fundamentals of this field as well as current controversies including state/local claims to control federal lands, energy permitting, access to resources, and privatization. Students seeking more detail on topics can view an outline here: [https://law.indiana.edu/publicland/outline.shtml](https://law.indiana.edu/publicland/outline.shtml)

The course will be online-only, asynchronous. But students will have frequent opportunities to meet in Zoom sessions with the professor at different times each week in order to accommodate everyone. Class grades will be based on a variety of assessments, emphasizing frequent, short writing assignments. There will be no final exam.

Graduate students in conservation fields will take the same class under a different, cross-listed number. All students will engage is some small-group, online collaborations containing a mix of both law and non-law grad. students.

There are no prerequisites required for this course, though Administrative Law (even taken concurrently) is very helpful. There is no book to be purchased for this class. All material will be available on Canvas.

**Online Asynchronous**
Updated 10/20

**B688 Community Legal Clinic ^^ (3) – Weng**
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 guardianships, disability benefits, short-term family law matters, and simple wills. 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, 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 problem solving and cultural humility. 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: http://policies.iu.edu/policies/categories/administration-operations/public-safety-institutional-assurance/PS-01.shtml.

Enrollment requires permission of the clinic director. To apply, please send a statement of interest (max. 200 words OR 5 minute recording) and a copy of your resume (no GPA or rank please) to Carwina Weng (wengc@indiana.edu), two days before the deadline for 3L registration.

In person
Updated 10/20

B691 Family & Children Mediation Clinic ^^ (3) – Applegate
The Family and Children Mediation Clinic (“Mediation Clinic”) provides substantial hands-on mediation experience with real clients who have real disputes in the family law context. This clinic, offered for three (3) credit hours in the spring 2021 semester, meets for class on Thursday and Friday mornings from 8:45 to 9:55 a.m., in addition to preparation for mediation practice and actual mediation fieldwork on other agreed days and times. In the spring 2021 semester, the clinic is available to up to eight (8) students. Through this program, 2L and 3L students (and sometimes graduate level clinical psychology or social work students) 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) in advance of 3L registration 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.

For the spring 2021 semester, classes will be online via Zoom. Most meetings will also be online, although depending on student preference and student/faculty health, field work planning meetings with Professor Applegate may be held in-person.

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. One class hour each week of class will focus on various mediation related issues. Typically, the other
class hour each week will be devoted to case rounds, in which students share and reflect collectively on the students’ field work experiences. *Mediation practice for this semester will typically be conducted online via Zoom.* 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; these advanced students will attend case rounds and at times part of other class meetings.

*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:

1. Class: Clinic students must be available for class on Thursdays and Fridays from 8:45 a.m. to 9:45 a.m. each week during the semester.

2. Field work: Each student team must also be available for field work for at least five consecutive hours on a selected day each week, depending on the schedule of the co-mediators and the clinic director. In some weeks, the field work may extend 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 are typically scheduled each week to attend either an intake session or a 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: Each week clinic students will attend a regularly scheduled supervision meeting with Professor Applegate (typically a day or two before the intake or negotiation session of their cases). 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- Mediation in the Domestic Relations Context, which was last offered in the fall 2020 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](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 10/20
**B698 Judicial Field Placements ^^ (1-3) – Lahn**

**COURSE GOALS:** The student will gain 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 techniques (at oral argument or trial) is effective and what is not effective.

**COURSE COMPETENCIES:** The student will typically perform 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:** Students will observe hearings, do research for the judge or the judge’s clerk, and will draft bench memos/oral briefings, court orders, and parts of draft opinions. 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, or 156 hours for 1, 2, or 3 credits, respectively);
2. Maintain a time/activity log tracking hours worked and work activities;
3. Submit short reflective essays on a scheduled basis regarding their externship experience;
4. Participate in 2 one-on-one meetings with the instructor during the semester.

**COURSE QUALIFICATIONS:** The student must have successfully completed all 1L courses.

**APPLICATION METHOD:** Students secure judicial externships by applying to positions posted through CareerNet. If a student wishes to work for a judge who has not posted through CareerNet, they should reach out to their CSO advisor for assistance. Enrollment is limited and participation may be restricted to one semester. Students must obtain faculty permission to register for the class, the first step of which is completing the externship registration permission form on CareerNet.

Please note: Ordinarily, no student may enroll in a field placement concurrently with a law clinic. Rare exceptions may be made by Dean Orenstein.

Updated 10/20

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**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. This course will be taught synchronously via Zoom.

**Online Synchronous**

Updated 10/20

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**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 after law school.

**In person**
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.

In person
Updated 10/20

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.

The Course. 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.

Grades. 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.

Office Hours. 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.

The Pandemic. It is the instructor’s intention to teach live in the classroom, but classes will be available for live (Zoom available) or recorded viewing. The instructor believes, however, that live, participatory attendance (either in the classroom or via Zoom) will improve a student’s experience.

The Instructor. 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.

In person
Updated 10/20

B710 Ind Clinical Proj: 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 Harris Bricken Sliwoski LLP, in Seattle, WA. Students will meet with Mr. Dresden by videoconference during a scheduled class time (expected to be once per week for 2 hours).

The legal services to be provided may include (1) drafting and negotiating production documents, including option and purchase agreements, cast and crew agreements, location agreements, and music licenses; (2) reviewing scripts and rough cuts and advising clients regarding copyright and clearance issues such as fair use, public domain usage, right to privacy, defamation, and rights of publicity; and (3) reviewing distribution 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.

Online Synchronous
Updated 11/20

B710 Independent Clinical Project: Cybersecurity Clinic ^^ (3) – Bose
Description to be provided
Online Synchronous

B713 Administrative Law (3) – Rookard
Administrative law is transsubstantive. Practitioners in every practice area are impacted by the legal frameworks that structure and control the exercise of agency power and the mechanisms of legislative, executive, and judicial oversight. Each branch plays an important role in administrative process and faces important limitations imposed by the Constitution, statute, and agency regulations.
The first half of the course focuses on how agencies exercise their authority on a day-to-day basis and the constitutional and statutory limitations that apply to agencies’ adjudicatory and rulemaking authority. The balance of the course will analyze how the three branches control and influence agency action. Throughout the course, students will engage with the machinations of administrative laws with hypothetical scenarios that draw on real agency resources. The course will also situate modern private-public partnerships within traditional administrative law doctrines and question whether these venerable doctrines provide adequate safeguards against regulatory capture.
Students interested in the subject may wish to take Professor Aman’s Administrative Law Seminar, also offered Spring 2021, for an immersive and mutually reinforcing experience. This is a second or third year course. There are no prerequisites. Class sessions will be virtual using Zoom with regular and ad hoc opportunities for virtual office hours.
Online Synchronous
Updated 10/20

B722 Trial Advocacy ^^ (3) – Kellams, Diekhoff, Cook, & 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, and closing arguments. There is also discussion of courtroom demeanor, relationships with judges and court officials, and ethical guidelines for courtroom practice. Students learn by doing, with every student performing in smaller practical sections most weeks. In lieu of a final exam, students conduct a full trial. Trial
Advocacy is the second course in the trial practice sequence. Evidence is taken first, and is a prerequisite to Trial Advocacy. Trial Advocacy is taken second, and is a prerequisite to Advanced Trial Practice and Trial Competition. Trial Advocacy is also useful as preparation for clinical courses that involve litigation, such as Community Legal Clinic. Trial advocacy is taught by experienced trial lawyers and judges.

Please note that in addition to an in-person performance section managed by each of the respective instructors, the students are expected to watch a videotaped forty-five-minute lecture.

In person

Updated 10/20

**B727 Securities Regulation (3) – Nagy**

This course provides an overview of the federal securities laws and focuses primarily on the Securities Act of 1933. Topics include the definition of a security; underwriting and the registration process; exempted securities and exempted transactions; secondary distributions; and private rights of action for Securities Act violations. Grading will be based on an online final exam, as well as preparation for and participation in class.

Prerequisite or Co-requisite: Corporations (B653). This course can be taken in the second or third year.

Online Synchronous

Updated 10/20

**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.

Online Synchronous

Updated 10/20

**B729 Antitrust (3) – Wallace**

"Antitrust laws ... are the Magna Carta of free enterprise," and are "as important to the preservation of economic freedom and our free-enterprise system as the Bill of Rights is to the protection of our fundamental personal freedoms." Justice Thurgood Marshall, *United States v. Topco Associates* (U.S. 1972).

Rising levels of wealth inequality and increased corporate concentration—are these antitrust problems? Politicians seem to think so, going so far as to hold numerous Congressional hearings and calling for the break-up of big tech companies like Google and Facebook. And antitrust policy makers and enforcers have spent the last few years debating whether
antitrust laws’ focus on economics has lost the thread of Congress’ original intent for antitrust statutes, or whether such criticism is merely #HipsterAntitrust—cool to talk about, useless as a legal approach. The U.S. seems poised to take a step in a new antitrust direction, but despite a lot of political noise, it isn’t clear that it will be in the E.U.’s direction of more active enforcement (with their billion-dollar fines on Google and Amazon).

Gaining some basic knowledge of antitrust is not just important for being an informed citizen. As our law school’s “general practice” web page advises: “no matter how specialized a lawyer’s practice, there are certain subjects with which every professional should be familiar” and you “should know enough about antitrust to be able to recognize a potential issue and help [your] client avoid running afoul of the law.” Or as a plaintiff’s lawyer, you should know enough about antitrust law so that you don’t miss a chance to sue for treble damages. Or if you are interested in government practice, you should know enough about antitrust law to consider careers with multiple federal agencies (e.g., Federal Trade Commission, DOJ Antitrust Division) and state Attorneys General offices. It is also just plain fun: it is judges and lawyers who have “made antitrust law out of the cryptic antiquated language of the Sherman Act, as later supplemented by the equally cryptic Clayton Act.” (Judge Posner) All of antitrust law, which has both civil and criminal components, has grown out of a handful of statutory sentences. This course will chart antitrust law’s development and basic concepts (from criminal price-fixing to civil monopoly claims to the analysis of whether proposed mergers are anti- or pro-competitive), which will allow us to make some informed predictions about what value antitrust law may have to offer in the future.

In person
Updated 10/20

**B734 Advocacy: Moot Court Board ^^ (1) – Lahn**
This course is the for-credit component of 3L students’ work on the Sherman Minton Advocacy Executive and Competition boards, including organizing; training participants for; participating in; and/or judging the Maurer Trial Competition and Alternative Dispute Resolution (Arbitration) competitions; mooting Maurer’s teams for national trial and moot court competitions; and similar work designing and carrying out advocacy training at the Law School.

Feel free to contact Prof. Seth Lahn (slahn@indiana.edu) with any questions. (Pass/Fail)
Updated 10/20

**B734 Advocacy: External Moot Court Team ^^ (1) – L. McFadden**
This course is the for-credit component of students’ participation on one of the Law School’s external (interscholastic) appellate moot court competition teams, except for teams such as the IP moot court teams that have a separate course number. Registration for this course is limited to students whose participation in an appellate moot court competition has already been approved by the faculty advisor for that competition or by the Office of Student Affairs. Credit is awarded on a pass/no-pass basis. 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 online or at Student Affairs. Please contact Prof. Lane McFadden (lanemcfan@iu.edu) with any questions.
Updated 10/20

**B734 Advocacy (National Environmental Law Moot Court Competition) ^^ (1) – McFadden**
This course is the for-credit component of students’ participation in the Miller National Environmental Law Moot Court Competition hosted by Pace University. Enrollment is by permission of the instructor only; before enrolling under this course number, please confirm
your participation on the Pace Moot Court Team with Professor McFadden by e-mail (lanemcf@iu.edu). Credit is awarded on a pass/no-pass basis.
Updated 10/20

B734 Advocacy: AIPLA/INTA ^ (1) – Janis
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, IP LawMeets, 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 10/20

B734 Advocacy: George Mason University Antonin Scalia Law School’s Antitrust Invitational Moot Competition – (1) Wallace, S.
This event is co-hosted by GM law school’s Global Antitrust Institute and the Honorable Douglas H. Ginsburg of the United States Circuit Court of Appeals for the District of Columbia. Students taking part in this moot competition may receive credit for their participation in the spring semester. Enrollment is by permission of the instructor only. The course involves studying the materials from the competition (typically released at the end of November), researching relevant antitrust law law, drafting a brief for the competition (typically due at the beginning of January), and preparing and taking part in the regional competition (typically held mid-February in Washington D.C.). The work is highly cooperative and rigorous, undertaken under the supervision of the faculty advisor. The course is graded on a pass-no pass basis, with substantial, committed participation required to achieve a passing grade.
Updated 10/20

B734 Advocacy: Jessup International Moot Court ^ (1) – McFadden
Students taking part in the Jessup International Moot Court May receive credit for their participation in the spring semester. The course involves studying the materials from the competition, learning the relevant bodies of international law, drafting memorials for the competition, and preparing and taking part in the regional competition, as well as subsequent rounds if the team advances. The work is highly cooperative and rigorous, undertaken under the supervision of the faculty advisor. The course is graded on a pass-no pass basis, with substantial, committed participation required to achieve a passing grade.
Registration by approval of the faculty advisor.
Updated 10/20

B734 Advocacy: Int’l Patent Drafting (1) – Hedges
Description to be provided

B738 Cybersecurity Law II (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.

In part, 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.

The remainder of the course will discuss cybersecurity litigation and applicable U.S. state and federal law governing specific industries. This section will cover such topics as security in healthcare, government contracting, 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 take home examination as well as class participation. The course will be meeting twice a week online through zoom. Depending upon the state of the pandemic during the Spring Semester, Professor Heck will make himself available on campus for supplemental meetings.

Online Synchronous
Updated 10/20

**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 planning discussed will include a range from the basic planning needed by most individuals but then focus on the advance planning techniques recommended for families of considerable wealth. Because such advanced planning is typically necessary due to taxation of wealth, the course includes an introduction to Federal Gift and Estate taxation as well as the Generation Skipping Transfer Tax. The course is designed to assist students in learning about planning for the transition of wealth but will also delve into estate and trust litigation, as well as a limited introduction to the field of “Elder Law.” The emphasis will be on practical, real-life situations and positive steps available to the lawyer to deal with various situations involving estate planning and business succession planning. Suggested prerequisites or co-requisites for the course include Income Tax and Wills and Trusts. Each student will be expected to have a working knowledge of Wills and Trusts prior to taking the course, but by no means any expertise.

Note: Although this course satisfies the professional skills requirement, grades in the course are determined, in a large part, by a final exam at the end of the course.

In person
Updated 10/20

**B751 IP Survey (3) – Mattioli**
This online course provides a broad overview of intellectual property law. The course is for students who do not necessarily intend to specialize in intellectual property, but who wish to learn about the core policy challenges, legal rules, and relationships with other areas of the law. The course focuses on patent, trademark, and copyright law, but also investigates related areas such as trade secrets, the right of publicity, and privacy law. Patents protect inventions; copyrights cover expressive works such as visual artwork, literature, music, and computer software; trademarks protect symbols and slogans (e.g., brand names, and other identifying symbols). Students who complete the course may wish to enroll in other upper-level intellectual property courses, although this course is not a prerequisite for those courses.

Online Synchronous
Updated 10/20
B756 Race, American Society & the Law (3) – Brown

When the Supreme Court delivered its 1954 opinion in *Brown v. Board of Education*, it inaugurated the Desegregation Movement. Neither America nor her descendants from Africa had undergone the Civil Rights Movement, the Black Consciousness Movement, the Multicultural Movement, the Diversity Movement nor the Post-Racial Era. America has now lived with the Court’s opinion in *Brown* for over 65 years. In that time, Americans have witnessed significant progress in the battle against racial subordination. Nevertheless, blacks in the US still lag far behind non-Hispanic whites in terms of political, economic, educational, and social power. Thus, the almost always concomitant acknowledgment with regard to race in American society is that despite undeniable progress, there is still a long way to travel before we reach our ultimate goal.

At the heart of the struggle for racial equality is the legal system. In that regard, Justice O’Connor’s 2003 opinion for the Court in *Grutter v Bollinger* noted that the benefits of enrolling a critical mass of underrepresented minority students are substantial. As she wrote of the University of Michigan Law School’s affirmative action admission policy, “The Law School’s admission policy promotes ‘cross-racial understanding,’ helps to break down racial stereotypes, and ‘enables [students] to better understand persons of different races.’ These benefits are ‘important and laudable,’ because ‘classroom discussion is livelier, more spirited and simply more enlightening and interesting’ when the students have ‘the greatest possible variety of backgrounds.’”

This course shall further the educational benefit recognized by a majority of Supreme Court in *Grutter*. It will probe the meaning of racial equality by discussing racial issue through a Post Desegregation Awareness. The Post-Desegregation Awareness is the conscious awareness that important social phenomena—including racial phenomena—are more enlightening when they are comprehended from multiple perspectives or points of view.

In accomplishing its objectives, this course will present and discuss the legal history of American society with regard to its treatment of blacks, including slavery, segregation, and the rise and fall of school desegregation. It will also focus on other important contemporary racial issues, including affirmative action, definitions of race discrimination, religious and philosophical basis for dominant American culture, and the theoretical basis for African-American culture. In discussing contemporary racial issues this course will not only use legal cases, but also historical, philosophical and sociological writings with a particular emphasis on the writings and insights from critical race theory. In drawing upon critical race theory, the course will benefit from the comments of one of the original participants in the workshops that launched this intellectual movement.

In person
Updated 10/20

B760 Constitutional History Colloquium: Three Big Books on Visions of Equality at The Founding ## (3) – Conrad

This semester the Colloquium will be devoted to three books, each with a distinctive vision of “equality”: (1) *Our Declaration: A Reading of the Declaration of Independence in Defense of Equality*, by Danielle Allen, 2014, 315 pp.; (2) *The Radicalism of the American Revolution*, by Gordon S. Wood, 1992, 447 pp.; and (3) *The Framers’ Coup: The Making of the United States Constitution*, by Michael J. Klarman, 2016, 865 pp. Interested students are encouraged to go onto the internet to get a sense of each of those three books. The course will proceed routinely as a round-table discussion, albeit on Zoom. There will be several Writing Assignments. And students will be required to rewrite/revise some but not all of their written work. The course will be conducted entirely on Zoom synchronously.

In person
Updated 10/20
B771 Mediation \(^\wedge\wedge\) (2) – Stafford
This course explores mediation as a method of dispute resolution and lays a foundation for the development of advocacy skills in the mediation environment. Class sessions will explore real world mediation in many civil 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 Confidential Mediation Statement; a research paper; and preparation of two detailed mediation agreements. These written assignments will count for 80% of the course grade, with the remaining 20% of the course grade based on 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.

B782 Introduction to Environmental Law (3) – Fischman
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 federal environmental statutes. We will emphasize cross-cutting issues, such as federalism, rulemaking, permitting, public health protection, and cost-benefit balancing. We will cover the National Environmental Policy Act, Clean Air Act, Clean Water Act, the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Recovery Act ("Superfund").

Students interested in the Endangered Species Act should take Wildlife Law. Students interested in ecological conservation and natural resources development should take Public Natural Resources Law.

Students will be assessed with a take-home, final exam. There is no prerequisite required for this course, though Administrative Law (even taken concurrently) is very helpful.

The required casebook, Glicksman et al., Environmental Protection: Law and Policy (8th ed. 2019) (ISBN 9781454899617) is available in electronic format from the publisher, Wolters Kluwer. I don’t know whether it is cheaper to purchase only the electronic version, but that is fine with me if students prefer not to lug around a hardcover print edition.

B785 Patent Trial Practice \(^\wedge\wedge\) (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 10/20

**In person**

**B786 Crim Pro: Capstone (3) – Bell**
This course is intended to provide critical 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, and specialized courts. 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 little time and 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 guest speakers. Several different guest speakers will offer their real life experiences and anecdotes. 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.

**Online Synchronous**
Updated 10/20

**B793 Human Rights (3) – Istrabadi**
Description to be provided

**Online Synchronous**

**L521 Seminar in Property Law: Rethinking Thinghood ** (3) – Marinotti**
Bitcoins, Data, Diamonds, Films, Radio Frequencies, and Water. What do these things have in common? At the most basic level we can say that these are things that people own; perhaps you may also want to say that these are all types of property, governed by types of property law. But what exactly is property law and is it the best mechanism to manage each and every one of these resources? This seminar will compare and contrast the nature of various types of things to determine whether current legal regimes sufficiently address their respective needs for resource management. By drawing on theoretical analysis as well as functional approaches to private law, this seminar will also prepare students to analyze newly created types of digital and/or information assets to determine how the law should or
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.

The seminar will meet in one synchronous on-line session each week. 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.

L690 Seminar in Corporate Law: Law & Practice in the Intelligence Age ** (3) – Kim
In this course, we will consider the impact of the digital transformation on the legal frameworks and rules that are used to regulate and facilitate corporate activity. The learning outcomes of this course are: (i) to understand the forces that are driving this moment of evolutionary punctuation, and (ii) to design and discuss appropriate legal rules, processes, and practice to prepare for future opportunities and upheavals in the corporate world. While some background in (i) corporate and securities law and/or (ii) cloud computing, big data, the internet of things (IoT), and artificial intelligence (AI), smart contracts, and blockchain would be helpful, there is no formal prerequisite for this course.

L710 Seminar in Law & Society: Human Trafficking ** (3) – Van der Cruysse
This seminar will explore human trafficking from the perspective of the victim, and how laws and legal institutions succeed or fail in protecting them. We will discuss how human trafficking has earned the moniker of “modern slavery,” studying slavery, peonage, and involuntary servitude, and how modern trafficking of humans is similar to but also very different from those practices in our history.
Legal frameworks will be studied for their focus on victims of trafficking: what is the impact of trafficking on the legal status of the victim (immigration status, victim as a witness, economic repercussions, the victim arrested for crimes committed); what legal avenues are available to victims to help them restore their place in society (civil litigation, immigration protections), what access do victims have to international and domestic organizations (ranging from NGOs to federal and state government agencies) to find help and protection.
on their road to recovery. Our focus will be on the United States, but we explore the United States approach to human trafficking in an international context. Students will each write one substantial research paper on a topic of their choice related to any subjects of this course. The paper will be written in five stages, which will be reviewed individually with each student: précis, bibliography, outline, first draft and final paper. Grades will be based on class participation and the paper. This course has no prerequisites. Students who have taken Human Trafficking: Child Exploitation, are welcome to join the seminar. There will be little overlap in coverage, other than a brief introduction to the domestic and international legal frameworks.

**Online Synchronous**
Updated 10/20

**L712 Seminar: Making and Breaking States - Sovereignty, Secession, & Self-Determination ** (3) – Waters
This seminar will examine the process of creating new states. When should new states come into existence? When if should their borders be changed, or the state ended? What rules or practices determine the answer? Topics will include such issues as self-determination, colonialism and decolonization, remedial secession, the recognition of new states, territorial integrity, and the meaning of sovereignty, citizenship and territory. Students will write a seminar paper on a current or historical case study or on a theoretical, doctrinal, or political aspect of the law governing state formation.

**Online Synchronous**
Updated 10/20

**L763 Seminar in Environmental Law ** (3) – Weeks
The Seminar in Environmental Law aims for the participants to gain an in-depth understanding of the law as it applies to several environmental issues, laws, regulations or lawsuits of current public interest. Likely topics for Spring 2021 include the public trust doctrine, the Migratory Bird Treaty Act, the jurisdictional reach of the Clean Water Act, and the Maui decision and the definition of discharge under the Act. Each week, we read, critically analyze, and discuss materials such as briefs, opinions, and articles chosen for their relevance to the issues we are studying. In addition, by the third week of the semester, students will choose a topic in environmental law as the subject for their personal research, analysis, and writing. During the last few meetings of the Seminar, students will present the results of their work, as well as complete and turn in a polished and substantial paper of 20-30 pages on the topic they have chosen.

In person
Updated 10/20

**L770 Seminar in Comparative Inequality ** (3) – Brown
This Seminar will focus on forms of inequality based on immutable and unchosen characteristics throughout the world. However, due to the limitations of time, this time the Seminar will primarily focus on English speaking countries and will compare various forms of inequality based on concepts of race/ethnicity/caste/religion that exist the United Kingdom, India, and Palestine/Israel with those of the United States. In addition, it will look at the legal policies and practices instituted in these societies to attenuate the continuing effects of these forms of oppression. Students will be expected to write and present a research paper that discusses a particular oppressed group in a country. The paper must include the history of oppression, the basic rationale for the oppression, and the legal framework currently in place to address it. At least 3 students will have to deal with different aspects of oppression of Dalits in India.
For the past 60 years, the United States has struggled to address various forms of inequality based on race or ethnicity that are deeply rooted in our nation’s history. This history can be traced back to the Trans-Atlantic Slave Trade, which ended in 1807, and the Mexican-American War (1846-8). The general solution applied to these various forms of inequality is also deeply rooted in the history and traditions of American society. As stated in the Declaration of Independence, “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” More than any other country, America is dedicated to creating a society where individuals have the maximum liberty to choose how to live their lives unconstrained by the beliefs of others, but within the boundaries of recognizing the right of their fellow individuals to do the same. Thus, solutions to historic forms of inequality based upon immutable and unchosen characteristics like race or ethnicity in the United States tend to follow a path of either attempting to transcend (i.e. ignoring) such characteristics in favor of treating people with these characteristics as individuals or convert the identification with such characteristics into matters of choice or personal preference. In the context of discrimination based on race/ethnicity, for example, this means being colorblind and treating everyone as if race/ethnicity does not matter or providing the space for individuals to self-identify their racial/ethnic group. Given that the American culture is based upon the value of individual self-determination, there is also a moral imperative not to treat a person as a member of a racial or ethnic group without their consent. However, one of the negative consequences of this solution is that it works to dissolve the necessary cultural feelings of duties and obligations that bind these minority racial/ethnic group members to each other.

Other societies across the world also face the need to address various forms of inequality based on immutable and unchosen characteristics. For example, the conventional (though controversial) theory of Indian history is that around 1500 B.C.E., Aryans from Central Asia invaded the subcontinent and subjugated the Dravidian race, who were believed to be the original inhabitants. These new comers established a religion based upon a caste system, Hinduism. In traditional Hindu society, occupations and social roles were allocated among five different caste groups. The first three caste groups, which constitute about 15 percent of the population, continue to dominate Indian society. They are collectively referred to as ‘high caste’ or ‘forward caste’ or ‘twice-born’ Hindus. The religious duty of Shudras (or low caste Hindus) was to serve the other three castes. Beneath the Shudras are the Dalits (also pejoratively referred to as “outcastes” or “untouchables”). It could be argued, and probably proved, that Dalits are the most oppressed group in human history. Thus, when modern India became an independent nation in 1950, it had a legacy of oppression based upon the Hindu religion to address.

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

While the Old Testament teaches us that Moses led the Israelites to the Promise Land, the Roman general Pompey conquered Jerusalem in 63 BCE. The First Jewish-Roman War began in 66 CE. Eventually it led to the destruction in 70 CE of the Jewish Temple built by Herod on Mount Moriah or the Temple Mount (the place where Abraham was to sacrifice Issac). After putting down the Bar Kokhba revolt from 132-136, the Romans forced the remaining Jews to leave Jerusalem. The Romans eventually built a temple to Jupiter on the Mount. By 640 CE, much of Israel/Palestine was in the hands of Muslim rulers. Muslims built the Dome of the Rock on the Temple Mount, which they know as Haram Al Sharif (the Noble
Sanctuary). For many Muslims, it is from here that the Prophet Muhammad ascended into Heaven and came back with the requirement that Muslims must pray five times a day. The Dome of the Rock was initially completed in 691 CE. The modern day area of Israel/Palestine remained in Muslim hands until the collapse of the Ottoman Empire at the end of World War I, when the area came under British control. With the Balfour Declaration of 1917, Great Britain expressed its support for a Jewish homeland in Israel/Palestine. While some Jews had continued to live in this area, the British-at times-facilitated the return of even more Jews. The return of Jews accelerated in the years leading up to World War II and afterwards. After World War II, Great Britain turned its stewardship of Israel/Palestine over to the newly formed United Nations. On November 29, 1947, the United Nations adopted Resolution 181 providing for the division of Great Britain’s former Palestinian mandate into Jewish and Arab states. While the Jews accepted the division, the Arabs did not. In May 1948, the British mandate ended and the modern state of Israel was founded. Israel’s founding quickly led to a war with its Arab neighbors. But, the new nation emerged successful from the War. During the Six Day War in 1967, Israel conquered the entire area of Israel/Palestine. But during the 1990s, Israel and the Palestinian Leadership agreed to the Oslo Accords that embodied a Two-State Solution where Israel would allow the Palestinians to control the area now known as Occupied Palestine, consisting of the West Bank and the Gaza Strip. As a result, the Arab population of Israel/Palestine includes Arab Israelis who are a minority group within Israel, Palestinians in the West Bank, Palestinians in Gaza, and Palestinians who are refugees outside of Palestine. Due to concerns about security, Israel maintains very tight control over the movements and lives of the Palestinian people. The Israel/Palestinian conflict provides for multiple types of inequality rooted in Jewish, Muslim, and Christian religions that we will discuss.

The United States initially used quotas, then used race as a factor in its programs and policies to attack its long standing racial inequality. However, over the past 45 years, it has moved towards a Post-Racial/Colorblind approach that denies the relevance of race and ethnicity as factors in addressing continuing forms of racial oppression. In contrast, upon obtaining independence, India included a system of reservations in government employment and education in its Constitution—and an informal agreement of reservations for political representation—(i. e. quotas) to attack the oppression of Dalits based on untouchability. However, Britain, which adopted a new comprehensive Equality Act in 2010, has rejected any positive considerations of race is attacking its forms of racial oppression.

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

Online Synchronous
Updated 10/20

L782 Seminar in Admin Law: Lawyering in the Modern Administrative State ** (3) – Conrad
This semester this seminar will focus on the politics of Administrative Law, politics as manifested in all branches of government and in litigation strategies. Students are to develop Seminar Paper research topics accordingly. There are no prerequisites for this course. And this course does not serve as anything like a basic course in Administrative
Law. The book *Administrative Law Stories*, ed. Peter L. Strauss, 2005, 483 pp., will serve as common reading for the entire class, especially as the “stories” can serve as points of departure for discussion of the “politics” in question. The other textbook for the course is the classic *Line by Line: How to Edit Your Own Writing*, by Claire Kehrwald Cook, 1985, 219 pp., which will serve as a principal guide and reference for all students in the drafting and revision of the Seminar Paper. The Seminar will be conducted entirely on Zoom synchronously.

**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 ** **(3)** – Fuentes-Rohwer
The commonwealth of Puerto Rico raises many important questions about constitutional law, race and democratic theory. To take the most obvious one: what is Puerto Rico? Also, who are the people of Puerto Rico. Another: under what theory of constitutional obligation are the people of Puerto Rico bound to follow the US Constitution? These are not simple questions and the US Constitution does not offer clear answers. Through the example of Puerto Rico, the seminar will discuss many of the leading questions in constitutional law, including: congressional powers; the status of the U.S. Supreme Court as a member of the ruling coalition; equal protection; the inherent powers doctrine and its racist underpinnings; and birthright [statutory] citizenship. This seminar should interest students of American history, constitutional law, democracy theory and race.