

Spring 2023 Course Descriptions

12/6/2022

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

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

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

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

The Private Practice Externship provides an opportunity for second- and third-year students to receive academic credit for their work in a law firm, corporate, or other private practice setting.

- COURSE GOALS

The student will work with attorneys in a law firm, corporate, or other private practice setting, and gain insight into 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.

- PREREQUISITE(S)

Successful completion of the 1L curriculum.

- STUDENT ROLE

The student's 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 academic credit earned (*i.e.* 104 hours for two credits and 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.

- APPLICATION METHOD

For assistance with finding an externship, please 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).

Once you have secured a position, getting set to work for credit is a fairly simple process: You need to complete the Externship Permission Form on CareerNet, which can be found under the Externships tab on the left side of your homepage. We'll review and approve the externship, and then you'll enroll in the relevant course for the semester during Registration or during the Drop/Add period.

- MATERIALS

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

- **ADDITIONAL INFORMATION**

Before signing up for an externship course, please be sure review the [Faculty Policy on Field Placements](#).

For additional questions, contact Lauren Violi at lvioli@iu.edu.

NOTE: 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.

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

Updated 10/22

B526 Tax Policy Colloquium ## (1) – 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 3 presentations during this semester, made by professors from other schools, with 3 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 tax issues), see the Colloquium website at <http://www.law.indiana.edu/instruction/tax-policy/index.shtml> and click on the date links. If the Spring 2023 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. It is a 1-credit course that will meet synchronously via Zoom for the first 6 weeks of the semester. An additional 1 hour of time will be asynchronous content in the form of tax policy and other videos.

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 each article; 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 others interested in the topics, including Maurer alumni, tax faculty from other schools, and other tax experts. 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.

Updated 10/22

B534 Civil Procedure II (3) – Wallace

This three-credit course explores personal jurisdiction, subject matter jurisdiction, the Erie doctrine, service of process, venue, removal, and appeals, among other topics. Civil Procedure II addresses topics formerly covered in the second semester of our year-long

Civil Procedure course, and so may be fairly characterized as “foundational”--not just for prospective litigators, but also for aspiring non-litigators who, as corporate lawyers, tax lawyers, trusts and estates lawyers, real estate lawyers, intellectual property lawyers, and others, practice law in the shadow of civil litigation.

Updated 10/22

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 (HIPAA) Privacy, Security, and Data Breach Rules, health research laws and principles, the EU General Data Protection Regulation (GDPR), and the California Privacy Rights Act (CPRA) – as they relate to and impact health data.

The course will be taught in a phase-like approach. Phase one will involve basic understanding of health privacy principles and a review of several of the more significant laws and regulations that impact the health ecosystem, including reading and interpreting HIPAA, GDPR and U.S. State Laws (California, Virginia, Colorado), among others. Phase two will focus on application of our interpretation of the privacy legal requirements/obligations arising from these laws to traditional health-related activities, incorporating new issues like risks and benefits of artificial intelligence and machine learning, as well as healthcare issues in the pandemic.

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, pharma, and medical device industries. The class will take more of a manufacturer’s (medical device, pharma, personal tech) perspective than a traditional healthcare provider perspective. Although we will cover both. 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. 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.

Classes will be in-person and I’m looking forward to discussions on current events involving privacy and data protection – we will not have a shortage of topics to discuss!

Updated 10/22

B539 Bradley Fellows Colloquium (1) – Cho

This colloquium, limited to Bradley Fellows, is designed to encourage students to think broadly about the federal criminal justice system. The course begins with an overview and discussion of the principles of federal prosecution, and with a selection of readings about federal prosecutors, defendants, and defense lawyers. Students will become familiar with the practical aspects of a federal criminal case, including the initiation of an investigation; the federal grand jury; victims and witnesses; trials and sentencing; appeals; and plea and cooperation negotiations.

Students will engage with guest speakers who have expertise in these areas. Selected readings will explore the interesting, problematic, and positive aspects of the federal criminal justice system. Students should contribute to all discussions honestly and thoughtfully; as a law student and future lawyer, you should be able to engage in rigorous debate and critical evaluation while also demonstrating civility and respect for others.

Finally, students will begin to think critically about what interests them in the criminal justice system. They should come away from the course able to articulate, with authenticity and sophistication, the foundations of their interest in criminal law and the motivations they draw from that interest.

MEETING TIMES:

- This colloquium will meet 7 times this semester, on Thursdays from 4:30pm to 6:30pm: typically every other week.

EXPECTATIONS AND ATTENDANCE:

- This class is pass/fail. Grades will be based on class participation and a short written product toward the end of the semester.
- Students are expected to attend all 7 sessions.

Updated 10/22

B545 Criminal Law Externship ^^ (1-3) – TBA

The Private Practice Externship provides an opportunity for second- and third-year students to receive academic credit for their work at a prosecutor's or public defender's office.

- COURSE GOALS

The student will work with attorneys in a prosecutor's office, public defender's office, or other criminal law setting, and gain insight into how the organization runs 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.

- PREREQUISITE(S)

Successful completion of the 1L curriculum.

Some of these positions may require that a student be eligible for certification as a Certified Legal Intern (CLI) per Indiana Supreme Court Admission and Discipline Rule 2.1, which requires completion of half of the hours required for graduation and enrollment in or completion of the Legal Profession course. [Information regarding certified legal interns](#) and the [relevant forms](#) can be found on the Indiana Board of Law Examiners website. (Note: Other states have different requirements – e.g. Illinois Supreme Court Rule 711 allowing similar certification – so please make sure to look into whatever may be relevant for your externship depending on its location.)

- PARTICIPATING OFFICES

While a criminal law externship may be completed in numerous counties and offices, below is a list of employers with whom students have completed externships in the past: 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, and Monroe County Public Defender.

Some – but not all – of these offices post regularly on CareerNet. Please reach out to CSO if you are interested in or have questions about other employers.

- STUDENT ROLE

The student's 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 hearings, trials, and conferences.

Students are required to work 52 hours for each academic credit earned (*i.e.* 104 hours for two credits and 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.

- APPLICATION METHOD

For assistance with finding an externship, please 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).

Once you have secured a position, getting set to work for credit is a fairly simple process: You need to complete the Externship Permission Form on CareerNet, which can be found under the Externships tab on the left side of your homepage. We'll review and approve the externship, and then you'll enroll in the relevant course for the semester during Registration or during the Drop/Add period.

- MATERIALS

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

- ADDITIONAL INFORMATION

Before signing up for an externship course, please be sure review the [Faculty Policy on Field Placements](#).

For additional questions, contact Lauren Violi at lvioli@iu.edu.

NOTE: 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.

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

Updated 10/22

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

The Public Interest Externship provides an opportunity for second- and third-year students to receive academic credit for their work in a non-profit, legal service, local/state/federal government, or other public interest setting.

- COURSE GOALS

The student will work with attorneys in a non-profit, legal service, local/state/federal government, or other public interest setting, and gain insight into how the organization runs 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.

- PREREQUISITE(S)
Successful completion of the 1L curriculum.
- STUDENT ROLE
The student's 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 academic credit earned (*i.e.* 104 hours for two credits and 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.

- APPLICATION METHOD
For assistance with finding an externship, please 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).

Once you have secured a position, getting set to work for credit is a fairly simple process: You need to complete the Externship Permission Form on CareerNet, which can be found under the Externships tab on the left side of your homepage. We'll review and approve the externship, and then you'll enroll in the relevant course for the semester during Registration or during the Drop/Add period.

- MATERIALS
The Syllabus and any additional reading materials and assignments will be posted on this course's Canvas page.
- ADDITIONAL INFORMATION
Before signing up for an externship course, please be sure review the [Faculty Policy on Field Placements](#).

For additional questions, contact Lauren Violi at lvioli@iu.edu.

NOTE: 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.

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Updated 10/22

B550 Wildlife Law: Rights, Responsibilities & Conservation ## (3) – Fischman

This course meets the graduation requirement for an upper-level course in which writing is used as a means of instruction.

The course begins with the ethical foundations for wildlife law and how they inform distinctions among humans, pets, livestock, research/display animals, game, and other wild organisms. We contrast laws prohibiting animal cruelty with efforts to abolish property rights to animals (animal rights). The ethical issues recur in the class, from the first case we read (denying personhood to an elephant) to the last (an opinion of the International Court of Justice criticizing Japanese whaling). In between we spend considerable time on the acquisition (*e.g.*, through hunting & fishing) and extent of *property rights* in animals and the *responsibilities* they entail. About half of the course is devoted to federal wildlife statutes that aim to prevent extinction or restore abundance of wildlife. We spend most of that time examining and critiquing the complex regulatory framework of the Endangered Species Act. We consider the effectiveness of extinction prevention policies and the ethics of “rewilding,” or reviving extinct species through genetic engineering.

In dealing with these subjects, students will apply the ethics, common law, statutes, and regulations to problems (both hypothetical and real). The class also discusses the role of the natural and social sciences in public policy related to animals as individuals and as collectives (biodiversity). Most class sessions will be discussion-oriented.

Class grades will be based on a variety of assessments, emphasizing frequent, short writing assignments. There will be no final exam. Some O’Neill graduate students will take the same class under a different, cross-listed number. All required readings for the class will be provided through Canvas.

Updated 9/22

B551 IP Externship ^^ (1-3) – TBA

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, and 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.

Before signing up for an externship course, please be sure review the [Faculty Policy on Field Placements](#).

- APPLICATION METHOD

For assistance with finding an externship, please work with your CSO Advisor. Faculty approval prior to registration is required.

Once you have secured a position, getting set to work for credit is a fairly simple process: You need to complete the Externship Permission Form on CareerNet, which can be found under the Externships tab on the left side of your homepage. We’ll review and approve the externship, and then you’ll enroll in the relevant course for the semester during Registration or during the Drop/Add period.

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Updated 10/22

B554 Legislation (3) – Widiss

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

This course will provide a systematic introduction to the legislative process and to the rules and customs judges use to interpret statutes. The course provides practical training in the process of statutory interpretation and a deeper exploration of what theories of interpretation best serve our constitutional democracy. Students will be required to engage in a legislative drafting exercise and to complete other credit/fail assignments during the course of the semester. Grades will be based primarily on performance on an in-class open-book examination, but performance on the assignments and class participation may also be taken into consideration.

Updated 10/22

B558 Conservation Law Clinic ^^ (3) – Freitag

The Conservation Law Clinic is an opportunity for second and third year law students to serve as interns in the Conservation Law Center, a public interest law firm that represents non-profit and government clients who need legal assistance with natural resource conservation matters, with a focus on issues related to land conservation, freshwater ecosystems and water quality, and endangered species. 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 on issues of broad importance. 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 only, a seminar component on emerging conservation issues is included with the clinical work. Students interested in registering for two consecutive semesters are preferred. Independent study students are also considered. To apply, please send a statement of interest and a copy of your resume to Christian Freitag (cfreitag@indiana.edu) prior to registration.

Updated 9/22

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 like a small law firm extending its services into business advice, 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 often have opportunities to review and provide feedback on the business plans of actual startups.

Clinic interns meet with the Director in groups or individually to review project status and to discuss experiences and concerns. Clinic interns also attend a two-hour class each week.

The course surveys typical legal issues affecting entrepreneurial enterprises, including choice of entity issues; ownership and governance issues; employment issues; operational liabilities and insurance issues; financing issues; and employment issues.

Strongly suggested prerequisites for participation in the Clinic include Corporations, Corporate Taxation, and Business Planning, or equivalent preparations as determined by the Director. Per Indiana Supreme Court Rules, students participating in the Clinic must also have completed or be enrolled in a Professional Responsibility course. 3Ls or 4th-year JD/MBAs only. Enrollment in the clinic is limited, so students must, at or prior to enrollment, submit a current resume and a brief statement of interest to the Director by email. After registration, the Director will approve those students who will be enrolled in the clinic.
Updated 10/22

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 assignments designed to replicate pre-trial proceedings. The first set of assignments will be team writing exercises involving a complaint, answer, and discovery based around a movie chosen by each pair of teams. The second will be individual exercises centered around a mock deposition, with review of the students' performance by experienced lawyers.

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

Evidence is a prerequisite.

Updated 10/22

B564 Pretrial Litigation ^^ (2) – Tanford

Prof. Tanford's section of Pretrial Litigation is a simulation-based course in pretrial civil litigation procedure, practice and strategy. Students will be presented with one or more clients who have legal problems amenable to litigation which will require them to draft pleadings, organize and undertake fact investigation, prepare and respond to written discovery, take a deposition, file and argue a motion, and negotiate. All students will be assigned to small groups (law firms) and many of the projects will be group projects. You will be required to keep a record of your hours. Grades are based on work product, not an exam.

The assigned texts are TANFORD & KEELE, THE PRETRIAL PROCESS (3d ed. 2022) and THE PRETRIAL PROCESS: DOCUMENT SUPPLEMENT (2022 ed.), from Carolina Academic Press. You will need both. Simulation material will be distributed electronically throughout the course.

The course is designed primarily for students who may go directly into solo or small firm general practice, although it also may be useful to any student contemplating a career that includes litigation.

Updated 11/22

B565 International Criminal Law: Legal Responses to Mass Atrocity & War Crimes (3) – Waters

War and violence haven't been banished from our world, but the way we respond to them has changed. Increasingly, that response involves formal mechanisms – courts, and truth commissions that combine human rights, the laws of war, and criminal law. But why have we chosen this path? And what does it mean for criminal law to be international?

The course surveys the development of legal responses to war and atrocities, especially through principal international tribunals of the modern era, including courts for the Yugoslav conflicts, World War II, Central and West Africa, and others. Students will examine the institutions, processes, norms, and substantive commitments of international criminal law, in its broader context as one response (among many) to mass violence, and as a mechanism for the expression, and control, of values.

Updated 9/22

B571 Federal Habeas Litigation ^^ (2) – Ausbrook

Description not yet available

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), NIL (name, image, and likeness) and other IP 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.

Updated 10/22

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

This course examines the nature and scope of the most effective federal civil rights statute ever enacted: the Voting Rights Act of 1965. We will make sense of this iconic statute as both a historical artifact as well as legal tool. That is, we will situate the Act within its historical milieu, consider its purposes, and evaluate its effectiveness. We will also consider why the Act is dying.

Two overarching inquiries will anchor our discussion. First, as a structural question: what role do the federal courts and the political branches play in defining the meaning and extent of political rights? In thinking about this question, it is important to note that debates over the constitutionalization of political rights came into being during moments of Reconstruction, times when the country was trying to figure out what it meant to be free. This observation leads to a second question: what role have social movements played in this narrative? This is an important if ironic question. This course will help you think about some very interesting answers. And third: what role do race and racism play in the rise and fall of the Voting Rights Act? The answer to this question might surprise you.

Updated 10/22

B582 M&A: Entrepreneurship & the Small Deal (2) – Moore & Elmore

This co-listed course is designed to expose you to an area of business and law that is not often seen in business schools and law schools. It is geared towards a practical understanding of entrepreneurship through acquisition. This class uses real world examples to uncover a different way to engage in entrepreneurship – by acquiring and operating a small business.

The material in this course will incorporate aspects of finance, entrepreneurship, and management and build on the principles you have learned in other courses. In so doing, the course will expose you to the nuances, challenges, and excitement of the small business deal and small business management. The class follows the life cycle of a small deal: 1. Search, 2. Valuation & Offer, 3. Due Diligence, 4. Legal Documents, 5. Financing & Closing, and 6. Transition. You will also hear from guest speakers who have been or are currently search funders as well as those who have made the transition from corporate life to small business operator. Throughout the course you will evaluate real examples of potential deals in which the faculty teaching the course have participated as principals. You will be tasked with evaluating potential deals, valuing companies, coming up with offers, and structuring a deal.

Note: This course meets according to IU Kelley School of Business regulations and calendar.

Updated 12/22

B588 Strategies in Critical Reading & Writing: Media Law ## (3) – Conrad

This semester the course will be devoted to some materials on the practice of media law and to various perspectives on media culture. The main textbook will be a primer for in-house counsel at media organizations. But there will also be a variety of reading on media culture more broadly. Round-table discussion will be very important in the grading. There will be several short writing assignments, with some revision work required. And some of the course materials will focus on improving generic reading/writing skills.

Updated 10/22

B590 Entertainment Law (2) – Meitus

Entertainment law is a respected area of legal practice dealing with representation of both creative talent and business interests. Entertainment law has most notably been at the

forefront of popular culture as forms of media distribution have moved to the Internet in digital forms. This course will provide students with the opportunity to develop both a practical understanding of representing creative and business interests in the fields of music, film & television and literary publishing and a theoretical understanding of the broader IP and constitutional issues at stake with regard to control of creative media. The course is designed to be useful even if a student does not go on to practice directly in the entertainment or media law fields.

Either of the courses Survey of Intellectual Property Law or Copyright Law are recommended to be taken either prior to or concurrently with Entertainment Law (but are not required). The subject matter of Entertainment Law, though drawing on copyright law to some extent, does not significantly overlap with any other course to an extent that would preempt students from taking both.

Text: *Entertainment Law: Fundamentals and Practice*, Corey Field, Revised First Edition.
Updated 10/22

B591 Child Representation Practicum ^^ (3) – Vilensky / Marsh

The Child Representation Practicum provides law students an opportunity to represent youth aged 10 and older in the Indiana child welfare system. Supervising attorneys from Child Advocates, Inc. will work with law students to explain court proceedings, client rights, and case options to youth clients. Law students will gain experience researching issues regarding the CHINS (Child in Need of Services) or TPR (Termination of Parental Rights) case, investigating placement options at the client's direction, and advocating for the youth's wishes in case meetings. Alongside the supervising attorney, law students will prepare for hearings and zealously advocate in court for the wishes of the youth.

During the first 6 weeks of the semester, students will meet with adjunct faculty one time a week for 3 hours reviewing Indiana's child welfare system and best practices for representing youth. For the rest of the semester, the focus will be on clients and the class will only meet one time a week for 90 minutes.

Students must be certified legal interns or able to become certified at the beginning of the semester. Students must apply for the course by emailing rachel@childadvocates.net with their interest.

Updated 8/22

B602 Crim Pro: Trial (3) – Scott

This course covers the procedures that govern criminal cases after the initiation of formal legal proceedings. We will learn about trials, trial-related issues (such as the charging process, discovery, jury selection, and verdicts), and plea bargaining as a substitute for trials. We will also learn about post-trial appellate and habeas corpus review of criminal cases. We will give special attention to the right to counsel, and the meaning of the phrase, "due process of law." We will emphasize the role of the U.S. Constitution, as interpreted by the U.S. Supreme Court, in regulating criminal procedures. This course is one of three basic Bill of Rights courses offered by the law school (along with Constitutional Law II and Criminal Process: Investigation). As such, it is a fundamental part of a sound legal education, and covers topics that are frequently part of the bar exam. This course is vital for anyone contemplating a career in criminal law or a judicial clerkship. The only prerequisite is the first-year Criminal Law course. PLEASE NOTE that this course may be taken independently of Criminal Process: Investigation – neither course is a pre-requisite for the other one.

Updated 10/22

B608 Family Law Trial Practice ^^ (2) – Stafford

Very few cases end in a jury trial; many more cases end in a bench trial—a case tried in front of the judge. This is a bench trial advocacy class with pragmatic assignments focusing on the practice of law. We will take a family law scenario and work our way through the initial client consultation, discovery, negotiation, mediation, and litigation. We will learn about paternity, divorce, allocation of assets and debts, business valuation, negotiation, mediation, and litigation. We will address issues of racism, homophobia, domestic violence, and assisted reproduction such as surrogacy and IVF. Grading will be based on frequent role plays in the classroom and other written assignments. There will be no final exam.

Updated 10/22

B609 ^Reentry Clinic ^^ (3-4) – Waite-Jones

The Reentry Clinic is an innovative collaboration between the Maurer School of Law and Indiana Legal Services' Bloomington Office's Expungement Help Desk. With the assistance of Maurer Law School students, the Reentry Clinic provides post-conviction legal services to low-income Hoosiers across the state – in obtaining post-conviction expungements, eliminating court-ordered debt, and mitigating the collateral consequences of criminal convictions in Indiana.

Enrollment in the Clinic is limited to 6-10 students. Students must submit a Resume and a brief Statement of Interest to the instructor (asher.waite-jones@ils.net) to obtain permission to enroll. There are no prerequisites to enroll.

Students in the clinic will earn either 3 or 4 academic credits. The classroom component involves weekly meetings at the law school on Thursdays from 1:15-3:15pm, and students will be expected to read at least one article per week in preparation for class and to complete several written assignments during the semester. Students enrolled in the 3-credit course will be expected to work on clinical matters for approximately 8 hours per week, whereas students receiving 4 credits will work for approximately 12 hours per week. Case work includes attending at least one expungement hearing. Students will work at the ILS office pursuant to a regular set schedule and will submit weekly timesheets.

The Reentry Clinic course will be offered again in the fall semester. Students who took the spring clinic course may continue working in the fall on clinic matters for 1 or 2 additional academic credits, depending on their time commitment.

Updated 9/22

B615 Land Use Controls (3) – Stake

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

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

Students are expected to participate frequently on a voluntary basis. Students should note that computers may be used in the classroom only for the purpose of taking notes in a word processing program. The exam will certainly include multiple-choice questions, perhaps nothing else.

Updated 10/22

B620 Negotiations ^^ (2) – Ardery

Description not yet available

Note: 3Ls have priority for this course

B629 Alternate Dispute Resolution ^^ (3) – Wang

The vast majority of day-to-day disputes are resolved (formally and informally) without litigation. Over the last few decades, negotiation, mediation, and arbitration as the methods to resolve disputes have expanded significantly domestically and internationally. Historically, these methods were referred to as ADR for “Alternative Dispute Resolution.” Today, ADR is so popular in practice that its very name may in fact be a misnomer. This survey course focuses on introducing students to foundational knowledge of negotiation, mediation, and arbitration, and how they compare to and interact with trial and appellate processes. This course seeks to prepare students to select and carry out, in particular categories of cases, the most suitable methods of dispute resolution, and to help students recognize that conflict can present opportunities for significant change and growth, and that the best lawyering will strive to achieve such benefits.

A core component of this course is simulation exercises, in which students get the chance to try out various methods 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. The remainder of the course grade will be based on short written assignments and a final exam.

There are no prerequisites for this course.

Note: 3Ls have priority for this course

Updated 10/22

B639 Advanced Legal Research ^^ (2) – Moreland

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 section will meet in person every week for two hours. Students will have several opportunities to assess their progress in the course, through a combination of shorter and more in-depth research assignments. The process of researching these hypotheticals will provide students with an opportunity to review all the studied resources within the context of discreet substantive questions, 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.

Updated 10/22

B639 Advanced Legal Research ^^ (2) – Kiel-Morse

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. The process of researching these hypotheticals will provide students with an opportunity to review all the studied resources within the context of discreet substantive questions, 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, topical research quizzes, (2) research exercises distributed at the end of each subject or module, and (3) class participation. This course will meet for the first nine weeks of the semester.

Note: 3Ls have priority for this course

Updated 10/22

B639 Adv Legal Research: Foreign & International Research ^^ (1) – Dabney

Online (asynchronous) course; graded; no prerequisite (Advanced Legal Research recommended)

In this 1-credit specialized research course, students will learn how to find and use foreign and international legal materials. Topics will include different types of legal systems, locating resources for particular jurisdictions, international governmental organizations, and treaties. By the end of the course, students will know how to locate international treaties, primary and secondary sources for foreign jurisdictions, and how to use a variety of governmental websites, both international and national.

This course will be delivered asynchronously online and in a condensed timeframe during the first 8 weeks of the semester. Students will have access to a variety of instructional content including video lectures, readings, and tutorials. There will be no final exam for this course. Students will be assessed through discussions, assignments, and a capstone project.

Updated 10/22

B645 Trusts & Estates (3) – Gjerdingen

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

Topics include:

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

This is an introductory survey course. Students with a serious interest in practicing estate planning are encouraged to take additional courses, if offered, in Estate Planning (B740) as well as Gift & Estate Tax if offered.

Updated 10/22

B648 Securities Litigation ## (2) – C. Williams

This two-credit course focuses on securities litigation under Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5, which are major consumer protection laws seeking to ensure the integrity of the U.S. capital markets. Together these provisions create a federal cause of action for fraud for misstatements or omissions of material facts (and even in some cases opinions) in connection with the purchase or sale of securities, and they provide the basis for class action lawsuits that can run into the billions of dollars of damages. Fear of securities litigation is a feature of the U.S. capital markets that can shape every important statement every company makes to the markets, to its investors, and to the public. In today's context, securities litigation will become involved in addressing the collapse of cryptocurrency companies and exchanges, and can also ground greenwashing complaints that challenge the accuracy of companies' net-zero by 2050 "promises."

This course will be both doctrinal and policy-based, introducing the major elements of the principal federal cause of action for securities fraud, as well as discussing unresolved issues in the federal courts concerning market efficiency, who the "reasonable investor" is and what she cares about, and emerging trends in securities litigation. We will start by studying proxy litigation under Section 14(a) of the Exchange Act and Rule 14a-9, which can challenge companies' statements made in the context of shareholder voting. Given the social, environmental, and governance (ESG) matters that are now coming before shareholders for voting, and which are increasingly gaining large percentages votes, proxy statement accuracy is also of increasing importance.

Evaluation will be based primarily on three short writing assignments, one of which will be a group litigation assignment as well as two reflection papers. The course will satisfy the law school's upper-level writing requirement.

Updated 12/22

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. Grading will primarily be based on an open-book final exam.

Updated 9/22

B653 Corporations (3) – Henderson

This course is an introduction to business entities. The basic subject matter includes agency, partnership, limited liability companies (LLCs), and closely and publicly held corporations. Many people take this class because the material is tested on the bar exam. However, the content of Corporations (perhaps more accurately referred to as Business Associations) is eminently practical. This class is organized so that students with absolutely no business training will eventually be able to put themselves into a "business" mindset. This is important because over 60 percent of all lawyers serve business clients, either in a transactional or litigation context. This course places high expectations on enrolled students. Attendance and daily preparation, within certain parameters, are mandatory. The final grade is based on a combination of attendance/preparation, weekly quizzes, a written assignment and an eight-hour take-home exam.

Updated 10/22

B655 Data Privacy Practicum ^^ (2) – Werling

Today's attorney will encounter data privacy in many contexts: compliance, litigation, and contract negotiations. Personalized data is rapidly becoming more complex, with biometrics, surveillance, and predictive analytics frequently in the news. This course will address these concepts by integrating your studies with an active privacy program.

Your instructor will be IU's Chief Privacy Officer (CPO), an attorney who has also served as Lead Privacy Counsel in a large multi-national corporation. You will be exposed to privacy regulations across several data domains (e.g., financial, health, and law enforcement), as well as international data transfers. You will work with the CPO in client meetings, presentations, and program management. Guest speakers from both the U.S. and abroad will join the class to share insights from law firm and corporate perspectives. Grades will be based primarily on written assignments relating to client matters as well as a written examination covering material from the course readings and class discussions.

Updated 10/22

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, which in the past have included Microsoft, Consumer Reports, Eli Lilly, and NATO.

**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 Kelley School regulations and calendar.

Updated 10/22

B656 Corporate Finance (3) – Kovvali

This course explores a fundamental question for business organizations: how does a firm raise money to finance its operations? Topics include the time value of money, valuation of bonds and stocks, portfolio theory, market efficiency, and theories of capital structure. Particular attention will be given to understanding a firm's choice of capital structure (i.e. the mix of common stock, preferred stock, debt, options, and other convertible instruments) and the legal rights these financial instruments create. We will spend a significant portion of the class working through the contractual provisions and other legal rights associated with (i) a debt financing contract, and (ii) an equity investment through preferred stock.

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

Updated 10/22

B658 Higher Ed & the Law ^^## (2) – Gaines

Colleges and universities are like micro-cities. Many have their own police force, transportation, facilities, housing, dining and health care systems. Institutions of higher learning are governed by an overlapping, broad system of internal rules and policies as well as federal, state, local law, and administrative law. A wide variety of practice areas and subjects are applicable in the higher education setting such as: alternative dispute resolution; labor and employment law; contract law; constitutional law; civil rights law; risk management; and agency law. The Legal Aspects of Higher Education Course will introduce students to the legal and ethical issues American colleges and universities face.

By engaging in interactive exercises, readings, and class discussions, students will learn to: (1) identify legal issues and formulate solutions to the same orally and in writing; (2) describe key principles of higher education policy and apply the same to legal issues; (3) access and apply applicable federal and state law to solve legal problems; and (4) help university faculty and staff reduce legal exposure for themselves, their departments, and the university. A central theme of the course is how to navigate the tension between the competing rights and responsibilities of the institution, its employees, and its students. Students will complete three short writing assignments throughout the semester that are practical in nature (i.e., demand letter; memorandum in support of a motion; and interoffice memorandum).

This course helps fulfill the requirements for the JD Minor in Education Policy but is also open to all upper-level JD students.

Updated 11/22

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

This course prepares students to: 1) identify legal issues occurring in public PK-12 schools so that you can formulate, articulate, and defend alternative solutions; 2) describe and analyze key principles of school/district policy as well as federal and state law and apply them to real life scenarios; 3) increase awareness about the importance of legal literacy for administrators, educators, policymakers, and others; 4) access primary sources of law (i.e., federal and state statutes, regulations, and case law) needed to analyze and solve legal dilemmas and to stay abreast of evolving law; 5) collaborate with others to solve complex legal and ethical dilemmas; 6) communicate persuasively in oral and written form to advocate for themselves, colleagues, students, school, and district; and 7) analyze diversity, equity, inclusion, social justice, and ethical issues involving but not limited to: socio-economic status, race, ethnicity, national origin, language proficiency, disability, sexual orientation, gender identity, and sex. 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/joint-degrees/outside.html>). 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 the School of Ed regulations and calendar.
Updated 10/22

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

This course analyzes current school legal, ethical, and policy issues from a district-level perspective. School leaders and policy makers need an in-depth understanding of several legal and ethical issues that impact schools. The Prerequisite for this course is: *Legal Perspectives in Education* (B658 Education Law/A608) or equivalent with consent from instructor. In *Legal Perspectives in Education* (B658/A608), students explore legal issues from a building-level perspective. Specifically within B658/A608, students discussed legal scenarios focused on teachers and principals. *Advanced School Law* (B658/A615) goes beyond *Legal Perspectives in Education* to examine other complex school legal issues at the district-level, including public employment contracts; collective bargaining and unions; conditions of employment; school choice, governance, and employment discrimination. 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/joint-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 the School of Ed regulations and calendar.
Updated 9/22

B661 Law & Biomedical Advance (3) – Cripps

This course will examine the ways in which law relates to latest advances in biomedicine, including precision medicine; CRISPR technology; and bioinformatics: DNA and mRNA as carriers of encoded information. 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. Genetic modification and the cloning of genes, and indeed whole organisms, raise new questions for lawyers, whether they specialize in HIPAA or other aspects of privacy law; health insurance; or intellectual property law. Fascinating questions of constitutional law 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, in terms of the novel legal questions that it raises. The several intersections between biotechnology and digital technology will be examined, as will three parent embryos; chimeras and other related technologies which spark legal and ethical issues. 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 synchronously, with an online take home exam.

Updated 9/22

B663 Labor Law (3) – Dau-Schmidt

This course explores the basic law on unions and collective bargaining in the United States. Students will learn about the law governing union organizing campaigns, collective bargaining, strikes and lockouts, and enforcement of the collective agreement. The course is taught as a simulation in which the students are employees covered by the National Labor Relations Act and must organize and bargain with President Dau-Schmidt to receive fair treatment and a decent grade. Students also act as corporate counsel and aid President Dau-Schmidt in resisting union organizing and negotiating with the union. As a spur to organization, the simulated President Dau-Schmidt is an arbitrary and sometimes abusive employer (hopefully in humorous ways). To create opportunities for learning, the simulated President Dau-Schmidt sometimes violates the law. Students should not take the course if they are easily offended or would be hurt by such simulated abuse.

Updated 10/22

B668 Con Law II (3) – Conkle

This course will focus on the First Amendment. We will spend the first two thirds of the semester examining freedom of speech, including issues that arise from attempts to prohibit or regulate incitement to violence, "fighting words," defamation, racist speech, obscenity, pornography, offensive expression, and commercial speech. We also will discuss the regulation of symbolic conduct such as flag burning, the use of injunctions to restrict speech, and the constitutionality of permit requirements and other limitations on speakers' access to public property, including parks and streets. The remainder of the course will focus on the Supreme Court's rapidly evolving doctrine under the First Amendment's religion clauses, which forbid laws "respecting an establishment of religion, or prohibiting the free exercise thereof." Among other cases, we will consider the Court's decisions concerning prayer and religion in the public schools, legislative prayer, governmental sponsorship of religiously themed public displays or monuments, and the inclusion of religious schools and organizations in grant and voucher programs. We also will address the increasingly controversial issue of whether religious objectors should be exempted from otherwise applicable laws, including prohibitions on illicit discrimination.

We will be using Noah R. Feldman and Kathleen M. Sullivan, *Constitutional Law, Twenty-First Edition* (Foundation Press, 2022). (The book is brand new and up to date, so there will be no need to purchase a separate supplement from the publisher.) The course will include both lecture and discussion. Constitutional Law I (first-year Constitutional Law) is a prerequisite, although there is no direct connection between this course and any particular section of Constitutional Law I, and it does not matter who you had as your professor for that course.

This course covers issues that are important for any lawyer. Indeed, the First Amendment is a required subject at many law schools.

Updated 9/22

B670 Sales (2) – Sullivan

Why study sales? “Sales” are the fundamental building block of economic life. Apple had sales of \$366 billion last year. (Yes, billion.) Eli Lilly’s sales were \$28 billion. Given the sheer volume of sales in our economy, sophisticated systems have developed to expedite the transfer of the products sold and payment for them. Lawyers play a critical role in respect of the legal rules that regulate these systems.

The corporate lawyer (often called a “transactions lawyer”) helps his or her client structure a business plan that adheres to the legal rules governing such matters as warranties and risk of loss. The litigator is called upon when a sales transaction fails; we will study a great deal of litigation generated by such failures. If you go to work (or are already working) in business in a non-lawyer position, understanding this subject matter will help you understand the legal rules that most affect the top line of your enterprise’s income statement. And even if you don’t fall into any of these categories, this course should help you prepare for contracts questions on the bar exam!

This course will operate on two levels. First, we will study legal rules applicable to (1) the sale of goods, (2) the leasing of goods, (3) the international sales of goods, and (4) the sale of real estate. Second, we will compare these four sales “systems” with each other, examining where their rules correspond and where they differ. I think that you will find this comparative analysis will add a richness and depth not only to our understanding of the subject matter but to the way in which different legal “systems” interrelate.

Along the way, we will learn some other things as well. First, the sale and leasing of goods is largely regulated by state laws that, while adopted by each respective state, are uniform – they follow the Uniform Commercial Code (UCC). However, much of the law of real estate sales is governed by judge-made common law that can and does differ from state to state. And the international sales we will study are regulated by a treaty. So we will have a chance to compare the way in which statutory, common, and treaty law address similar issues. Second, enormous effort has been expended to make the UCC simple and clear. Even so, courts are still called upon to interpret its meaning. This gives us a particularly straightforward opportunity to study the way in which principles of statutory construction operate. And third, I plan to give some attention to the law of sales in the digital age: the sale (or licensing) of software and on-line commerce, including major changes to the Uniform Commercial Code just adopted this summer dealing with emerging technologies.

This class will be taught using the extensive problem sets contained in the text with particular students assigned in advance to lead the discussion in class.

This is probably my favorite of all the classes I teach – and many students who have taken a number of my courses tell me that it was their favorite as well. I would really like to have you in class. Let me know if you have any questions (fransull@iupui.edu). Text: Daniel Keating, “Sales: A Systems Approach” (Seventh Edition) (Wolters Kluwer) (ISBN: 978-1-5438-0448-5)

Updated 10/22

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.

Criminal Procedure required, Evidence and Criminal Procedure Trial highly recommended.
Updated 10/22

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

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

Updated 10/22

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 cryptocurrency 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 book lays out the law and then provide problem sets to allow students to test their mastery of concepts.

Aspen often offers a 40% discount on the electronic copy of this textbook to all Maurer students if you buy it directly from their website. But, this is an open-book, open-note examination so that may not be the optimal choice with the examination in mind.

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.

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 on 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.

Updated 10/22

B698 Judicial Field Placements ^^ (1-3) – TBA

The Judicial Field Placement provides an opportunity for second- and third-year students to receive academic credit for their work with a judge in chambers.

- COURSE GOALS

The student will work with judges, clerks, and court staff in a judicial setting, and gain insight into how a chambers runs and how the judge and their staff work together to serve the court. 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 what written and oral advocacy techniques are effective (and ineffective) from the judicial perspective. 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)

Successful completion of the 1L curriculum.

- STUDENT ROLE

The student's role in this course will first and foremost consist of working as an extern at their court. 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 hearings, trials, and conferences.

Students are required to work 52 hours for each academic credit earned (*i.e.* 104 hours for two credits and 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.

- APPLICATION METHOD

For assistance with finding an externship, please 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).

Once you have secured a position, getting set to work for credit is a fairly simple process: You need to complete the Externship Permission Form on CareerNet, which can be found under the Externships tab on the left side of your homepage. We'll review and approve the externship, and then you'll enroll in the relevant course for the semester during Registration or during the Drop/Add period.

- MATERIALS

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

- ADDITIONAL INFORMATION

Before signing up for an externship course, please be sure review the [Faculty Policy on Field Placements](#).

For additional questions, contact Lauren Violi at lvioli@iu.edu.

NOTE: 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.

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

Updated 10/22

B700 Corporate Tax (2) – Riffle

(Prerequisite class work: Introduction to Income Tax or, with the professor's permission, comparable academic or professional work)

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 include: choice of business entity; the tax consequences of corporate formations, distributions to shareholders, redemptions of stock and liquidation of a corporation; and basic mergers and acquisitions, both taxable and tax-deferred.

Class grades will be determined based on students' performances on a modified open book final exam. 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.

Assigned readings will be provided in the class session by class session syllabus. In response to last year's course evaluations, the readings will be narrowly tailored to focus on the materials actually to be discussed in class.

The pace of the course will be dictated by the speed with which the key tax topics are mastered by the students. Because the instructor maintains his 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.

Updated 10/22

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.

Note: 3Ls have priority for this course

Updated 10/22

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.

Note: 3Ls have priority for this course

Updated 10/22

B710 Ind. Clinical Project: Cybersecurity Clinic ^^ (3) – Nti Asare/Shackelford

The IU Cybersecurity Clinic is a first-of-its-kind initiative driven to enhance the cybersecurity of under-resourced stakeholders, including local municipalities, counties, school corporations, non-profits, and small businesses. The Clinic has dual goals of improving local and state cyber preparedness while training the next generation of cybersecurity professionals and leaders. The Clinic leverages Indiana University's strong tradition of applied, interdisciplinary cybersecurity leadership to provide a much-needed service across the Hoosier state, and beyond. Students participating in the Clinic will work directly with

clients to provide on-the-ground cybersecurity expertise to address pressing concerns and help instill legal, technical, governance, and managerial best practices. Alongside the project, students will take a 3-credit substantive course providing an overview of cybersecurity risk management frameworks, cybersecurity and privacy law, incident response management, and best practices for addressing common cybersecurity challenges for organizations. For Cybersecurity MS Students, the Clinic can fulfill any concentration requirement. For JD Students, the Clinic fulfills the skills requirement.

Note: This course meets according to Kelley School regulations and calendar.

Updated 10/22

B713 Administrative Law (3) – Hammond

This course is an introduction to the legal principles and procedures that define the administrative state. Administrative law reaches every corner of modern life. It guides the regulation of labor, immigration, the environment, financial markets, taxation, and prisons—not to mention consumer, occupational, and health safety. It also directs the eligibility and disbursement of public benefits like Social Security and Medicaid. Using this dizzying array of examples, we will study the sources of federal law for agency action and examine the ways in which American public law tries to reconcile the practical necessities of a powerful bureaucracy with a democratically accountable national government. We will explore the procedural and substantive constraints on agency adjudication and rulemaking, judicial review of agency actions, and the relationship of federal agencies to Congress and the President.

As for other information you requested, there are no pre-requisites and I will be doing an in-person exam, not a take home.

There is a required casebook: Mashaw, Merrill, Shane, Magill, Cuéllar, and Parrillo, *Administrative Law: The American Public Law System: Cases and Materials* (8th ed. 2019) (ISBN 9781640208896).

Updated 10/22

B720 Advanced Trial Practice ^^ (3) - Cook

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

Evidence and Trial Advocacy are prerequisites.

Updated 10/22

B722 Trial Advocacy ^^ (3) – TBA

Description not yet available

B723 Evidence (4) – A. Orenstein

Evidence law regulates the proof of facts at trial and reflects the construction of courtroom "truth." In this course we will examine the rules of evidence and explore some aspects of their practical application. The course will cover: relevancy, hearsay, privileges, character, impeachment, experts, authentication, and best evidence. We will look at the rules and

cases to analyze how evidence law may perpetuate and influence the cultural values, legal rules, and social norms that our society uses to assess credibility. The class is taught with a coursebook and case supplements on Canvas but will emphasize problems and a close reading of the rules. Students will occasionally be expected to submit written answers to problems in advance of class.

Updated 9/22

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

Bankruptcy is an extraordinarily rewarding area of practice. Even in large cities, the bankruptcy bar is a small subset of the legal community with a strong sense of collegiality, shared expertise, and their own specialized courts. Bankruptcy practitioners enjoy a pleasant mix of litigation and transactional practice centered around a unified code, which takes years of effort to fully master.

The course is taught through consideration of case opinions and solution of client-focused problems. The course grade is based primarily on a scheduled final examination.

There are no prerequisites for this course.

Updated 10/22

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) 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. Course requirements have not been finalized, but will most likely **not** be in-class exam during finals week. Instead, course requirements will likely be a combination of class participation, a short paper and presentation on a topic of each student's choosing, and a short anonymously graded take home exam that will be

distributed on the last day of class and due before the Exam Period starts. For more information on course requirements, please contact Prof. Tomain.

Updated 9/22

B734 Advocacy (Moot Court) (1) – L. McFadden

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; mooted Maurer's teams for national trial and moot court competitions; and similar work designing and carrying out advocacy events at the Law School. Enrollment for the spring semester requires the advance approval of Professor Lane McFadden (lanemcfa@iu.edu).

(Pass/Fail)

Updated 10/22

B734 Advocacy (Trial Team) ^^ (1) – L. McFadden

Students who plan to participate for credit on one of Maurer's teams in the American Association for Justice Student Trial Advocacy Competition, or a similar external trial team, should enroll here. Please feel free to contact Prof. Lane McFadden (lanemcfa@iu.edu) with any questions. (Pass/Fail)

Updated 10/22

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. Registration is not required for teams such as the IP moot court teams, which 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 Prof. McFadden or the relevant faculty advisor for that competition. Do not register for spring semester if you were enrolled in this same course in the fall. Credit is awarded on a pass/fail basis. For more information, please <https://law.indiana.edu/students/advocacy/external.html>. Please contact Prof. Lane McFadden (lanemcfa@iu.edu) with any questions.

Updated 10/22.

B734 Advocacy: AIPLA/INTA ^^ (1) – Janis

Description not yet available

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, 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 10/22

B734 Advocacy: Int'l Patent Drafting (1) – Hedges

This course is the for-credit component of students' participation on the National Patent Drafting Competition teams. Enrollment is by permission of the instructor only. Before enrolling under this course number, please confirm your participation with the CIPR Administrative Director, (cipr@indiana.edu).

Updated 10/22

B738 Cybersecurity Law II (3) – Lubin

Cyber insecurities affect the whole of society: from consumers who suffer cybercrimes on their internet connected devices, to media outlets whose websites are hacked or taken offline, to businesses whose intellectual property is plundered, all the way to states that undertake to defend against espionage and uses of force in cyberspace. Enhancing cybersecurity is thus a policy issue of critical importance. 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 explores the national and international legal frameworks that govern malicious and defensive actions in cyberspace, including laws related to data breaches, cybercrime, cyberespionage, and cyberwar. The course will consider legal questions within the context of broader debates about such topics as:

- (1) governance of cyberspace and the Internet and conflicts of laws in the information society.
- (2) the roles of governmental and non-governmental actors such as multinational corporations and cybersecurity firms.
- (3) Evolving understandings of privacy and data protection from both a domestic and regional perspectives.
- (4) The place for FTC and SEC enforcement in enhancing cybersecurity hygiene in society.
- (5) The anatomy of data breaches and their regulation under both state and federal law (including both statutory and common law frameworks).
- (6) The role of private ordering and the limits of such tools as cyber insurance.
- (7) The Computer Fraud and Abuse Act (CFAA) and other state and federal laws prohibiting and addressing hacking.
- (8) The ethical dimensions of hoarding of zero-day vulnerabilities by law enforcement and the utility of government vulnerability-equities-processes.
- (9) The international law rules that control cyber armed attacks, election interferences, cyber attribution, and cyber espionage.
- (10) Corporate risk assessment, the NIST framework, and other compliance mechanisms for cybersecurity enhancement.
- (11) New frontiers of cyber defenses, including in the context of malicious cyber-attacks on artificial intelligence and machine learning.

The objective of the course is to contextualize cybersecurity threats and responses within corporate, national security, and international law frameworks, while also recognizing the limits of current laws and debates. Students will thus be called to consider the need for further evolution of policy and the real-world impacts of different regulatory solutions.

Grades will be based on three short experiential assignments (cyber insurance lab, SEC disclosures lab, and cyber diplomacy lab), a single response paper to an academic article, and a take home open-book exam. The take home exam will begin on May 3rd at 8am and students will have until May 5th at 8pm to submit their answers. No casebook will be assigned for this course. No technical knowledge is required. Background or familiarity with

public international law, national security law, privacy law, cybersecurity law, computer science, and/or international relations is helpful, but not necessary.
Updated 10/22

B740 Estate Planning (2) – Retzner

This course will explore the various estate planning tools and options available to individuals to enable them to achieve their objectives with respect to the transition of wealth, to include the transition of interest in closely-held business as well as charitable giving. The planning discussed will include a range from the basic planning needed by most individuals and then expand into the advance planning techniques used by families of considerable wealth. The course will include an introduction into the Federal Gift, Estate and Generation Skipping Transfer Taxes as a necessary prelude into and driver of the advanced planning techniques. The course will also delve into estate and trust litigation, as well as a limited introduction to the field of “Elder Law.”

The emphasis of the course 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. One outcome of the course is the practical opportunity for students to utilize a standard set of documents for client intake and drafting of a full complement of estate planning documents for an individual.

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: Grades in the course will be determined, in a large part, by a final exam at the end of the course.

Updated 9/22

B745 Conflict of Laws (2) – Buxbaum

Transactions, relationships, and conduct of various kinds often have contacts with more than one state. For instance, a contract may involve a buyer and a seller in two different states; a couple may get married in one state and then move to another; a product manufactured in one state may cause injury in another. (Similarly, transactions, relationships, and conduct may have contacts with more than one *country*.) This reality generates a number of legal questions that are relevant both to transaction planning and to dispute resolution. To start with, what are the limits of a state’s (or a country’s) power to regulate a relationship or a dispute that is not purely local? If two states have that power, and both seek to apply their law (which may differ in substance) to the same relationship or dispute, how should we choose between them? Can the parties to a transaction avoid potential problems by simply choosing the applicable law themselves, and, if so, are there any limits to that form of party autonomy? Given the realities of interstate and international commerce, these issues are of obvious relevance to lawyers in many different fields of law practice. They also raise fascinating and complex questions about the limits of sovereignty and the policy considerations underlying the exercise of sovereign authority.

There are no prerequisites for this course, and it is equally useful for 2Ls and 3Ls.

Please note that this is a 2-credit class. It will be scheduled for 3 days per week (e.g., MTW 8:45-9:40 a.m.), but will not always meet, due to instructor travel.

Note: 3Ls have priority for this course

Updated 10/22

B751 IP Survey (3) – Marinotti

Intellectual property (IP) law permeates almost every aspect of modern society, whether we're talking about Apple (the company) or apples (the fruits). This survey course of IP law is designed to provide students with the foundational knowledge necessary to understand the legal nuances of modern culture and business. It covers the six foundational questions of IP law: what, who, where, when, why, and how. The course aims to give students a broad understanding of what kinds of assets can be protected, when are such protections granted, to whom are they granted, where do such protections apply, how are they enforced, and why IP law exists in the first place. The course focuses on copyright, trademarks, and patents, though trade secrets and rights of publicity, among other IP frameworks, will also be mentioned. There are no prerequisites for this course. It is appropriate for anyone who wishes to gain a broader understanding of IP, regardless of their background or career goal.

Updated 9/22

B757 Asylum Law ^^ (2) – Popp

This course will introduce students to United States' Asylum & Refugee Law and Policy and how it

relates to or is affected by international refugee conventions and agreements. The course will

introduce the laws, policies, and concepts of asylum law, in which students will have the opportunity to work through asylum cases with fellow classmates. Through exercises and simulations, the students will learn how to counsel and work with clients who not only have language and cultural barriers but who also may have experienced trauma; how to research and write client declarations and legal briefs in both the affirmative asylum process (before United States Citizenship and Immigration Services) and the defensive asylum process (before the Immigration Court); and how to present an asylum case before each administrative agency. By the end of the class, the students will understand the fundamentals of asylum law, know how to prepare asylum cases from start to finish, learn about working with clients in a culturally aware and compassionate way, and be familiar with new and cross-cutting areas of refugee law. This course will be graded in large part on written assignments including a final legal brief. Students may enroll in Asylum Law after completing the course in Immigration Law, or with instructor permission.

Updated 10/22

B758 Trademarks (3) – M. Mattioli

Description not yet available

B760 Constitutional History Colloquium: Contested Public Values at the Founding
(3) – Conrad Was _____, and if so how was _____, constitutionalized, or otherwise established, as a fundamental public value at the late-eighteenth-century Founding? We'll fill in that blank with such terms as these, respectively: *equality, liberty, property, family, Christianity, democracy, community, and truth*. And we'll sample some of the historical literature relevant to those keywords at the time. Round-table discussion is very important in the course grading. There will be several short writing assignments; and some revision exercises will be required.

Updated 10/22

B785 Patent Trial Practice ^^ (3) – Knebel

The Patent Trial Practice course will teach the basic skills of a patent litigator by providing experiences as close as practical in a law school environment to those of a practicing litigator. The class of no fewer than eight nor more than twelve students will be divided at the beginning of the course into a plaintiff's team and a defendant's team, which will

prepare and take to trial a hypothetical infringement case typically based on an actual United States patent. The hypothetical will be constructed to present generally balanced infringement, validity and/or damage issues. Team members will have the opportunity to participate in mock hearings, take and defend mock depositions, and participate in a mock jury trial before an actual federal judge. 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. On occasion, Prof. Knebel will act as "senior partner" with each team separately, helping to identify issues and develop strategies. 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 9/22

B793 Human Rights (3) – Istrabadi

Description not yet available

L637 Seminar in Intro to Biotech Innovation ** (3) – Cripps

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

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

Updated 9/22

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; and models of judicial review for protecting rights.
- II. Gender – constitutional mechanisms for assuring political representation for women; gender "mainstreaming"; conflicts between religious or cultural rights and gender equality; the incorporation of international law into constitutions and its use to promote gender equality.
- III. States of Emergency –the conditions under which the constitution authorizes actions or powers that would otherwise be unconstitutional; the concerns raised by such provisions and the limitations that can be used to cabin them.

Each student will write one long research paper on a topic of his or her choice related to the subjects of the course. Work on the paper will be due at stages during the semester. The final grade for the course will be based on the paper and on class participation. There are no

prerequisites for this course and students who have taken the other course on Constitutional Design are welcome to take this class, as there is little overlap in coverage.
Updated 9/22

L710 Seminar in Law & Society: Law & Social Psychology ** (3) – Quintanilla

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

Seminar papers will focus on themes that weave together several levels of analysis on problems of interest to students in the class. In general, these papers will focus on this problem of interest and analyze (1) how societal institutions shape the above social psychological concepts, and how this social psychology of persons, in turn, shapes legal decision-making, laws, or legal institutions, or (2) how laws or legal institutions shape the social psychology of persons, which in turn, influences societal institutions. We will be discussing these social psychological concepts in class, and a variety of laws or legal institutions. Students will be expected to research problems, laws, legal institutions of interest to them, and to study literature on the societal institutions (such as the workplace, family, prisons, schools, e.g.) that relate to the problems of interest to them.

Research seminars involve intensive student participation in the classroom (students often taking the lead in discussing and presenting material) and the completion of a substantial written product (usually a paper of between 20-30 pages). I will provide students with significant feedback on their written work while the work is in progress. This feedback will ordinarily include a written critique of an outline and a first draft of the research paper that the student prepares. As a three-credit course, students should be prepared to devote a minimum of 127.5 hours to their work in the seminar, taking into consideration time spent in-class, time spent on readings and other preparation in advance of class, and time spent on researching and writing the outline/abstract, first draft, and final draft of the research paper.

Updated 10/22

L714 Seminar in Judicial Conduct ** (3) – Geyh

This seminar explores judicial conduct with references to the law that regulates judicial behavior and the influences on judicial decision-making. The first part of the seminar

concerns how courts and judges are regulated, and include sessions on judicial ethics and discipline, judicial elections, judicial impeachment, and the roles of Congress and the President in promoting judicial independence and accountability. The second part of the seminar explores the influences on judicial decision-making. It will focus on perspectives from political science, psychology, and history, and explore the extent to which judges are subject to extrajudicial influences such as ideology, race, and threats to their reelection. The seminar seeks to synthesize the two parts by exploring whether and how the mechanisms discussed in the first part of the course can or should be employed to manage the influences on judicial decision-making that the second part of the course documents.

Updated 10/22

L766 Seminar in Criminal Law: Current Issues in Criminal Law & Procedure ** (3) – Hoffmann

This three (3) credit research seminar will explore selected topics of current interest in criminal law and procedure. Each week, the professor will assign readings (all readings will be available for free, either online or via Canvas) about issues such as: the evolving meaning of “consent” in sexual assault; recent Supreme Court decisions about mens rea in computer fraud and medical drug abuse; self defense and “stand your ground” laws; police use of deadly force; “big data” and AI in criminal justice; the impact of new technologies on criminal liability and personal privacy; genealogy searches; the extraterritorial reach of criminal law; preventive detention; and the death penalty. Some of these issues will include a comparative dimension, based on discussions with faculty and law students from Jagiellonian University in Kraków, Poland. The only pre-requisite is the mandatory 1L course in Criminal Law; however, students who have not taken Criminal Process: Investigation may need to do some additional reading in that area. Near the middle of the semester, after consulting with the professor, students will choose a topic in contemporary criminal law or procedure, and will begin to write a 20-30 page research paper on that topic. Collaborative papers are encouraged. Early paper drafts will be reviewed by both the professor and fellow seminar students. The final grade for the seminar will be based on the grade for the final research paper (80%) and a class participation grade (20%).

Updated 10/22

L782 Seminar in Admin Law: Lawyering in the Modern Administrative State ** (3) – Conrad

With respect to the jurisprudence, the politics, and the culture of the Administrative State in America: where are we and where are we going? We’ll read a variety of book excerpts and scholarly articles that bear on the question. And each student must submit, mid-semester, a draft of a substantial paper presenting thoughts/research that should enrich classroom discussion of the question. Also: we’ll routinely devote time to workshopping generic writing skills.

Updated 10/22

L782 Seminar in Admin Law: Democracy Between Elections ** (3) – Aman

This seminar will focus on administrative law as a democratic arena. Our starting point will be administrative agencies and the role they give the public in the formulation and implementation of their policies. Issues such as global climate change, public health and a variety of other regulatory policies will be discussed. In so doing, the seminar will especially examine three areas of administrative law: The delegation doctrine and its revival as the Major Questions Doctrine, judicial deference and the apparent, imminent demise of *Chevron v. NRDC*, and the separation of powers theories and approaches that underlie the role of the current Court in these various contexts. Are we witnessing the creation of a new version of the New Deal Court of the 30’s?

All students are eligible for this seminar whether or not they have taken Administrative law; there are no prerequisites. Prior coursework in administrative law is neither required nor expected. Students who have taken administrative law can now dig deeper into current issues. Those who have not yet taken administrative law will gain important familiarity with some of its basic concepts as applied to recent controversies.

This will be a three -credit seminar that meets once a week. A research paper of approximately 20 pages (double-spaced, 12 point font) will be required, as will be responsible class participation. . Research papers will offer students an opportunity to pursue independent topics reflecting their interest and experience in relation to what is today a highly dynamic area of the law, affecting some of the most important regulatory issues of our time. Grades will be based on the research paper and class participation

The final paper will be due on the last day of classes. With the exception of unpredictable emergencies, no extensions will be granted. Late papers will be subject to a reduction in the grade (for example, from A to A- or B+ to B) that otherwise might have been given. In the case of an emergency resulting in a late paper or unexpected absence during the term, please notify Professor Aman as soon as possible.

The readings for each week of the seminar will be drawn from selected chapters in Aman, Penniman, and Rookard *Administrative Law And Process* (4th edition, Carolina Academic Press, 2020), as supplemented online by recent cases and law review articles. Students are encouraged to stay current with developments involving the agencies or at the Court through their usual news outlets.

Updated 10/22

L799 Seminar in Con Law: Law & Democracy ** (3) – Almendares

Through judicial review, unelected judges can overrule choices made by the elected branches of the government. This “countermajoritarian difficulty,” has been a key issue in constitutional jurisprudence. This seminar examines the role of courts in a democracy. We will also look at the way law affects democracy and participation in government through things like campaign financing and political protest. Readings will consist of articles, book selections, and cases. Course requirements include active class participation and a writing assignment.

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WINTERSESSION (all courses are Satisfactory/Fail)

B536 Health-Care Law Practice: Representing Clients in Legal & Compliance Matters ^^ (1) – DuBose

This experiential course will introduce law students to healthcare law as it relates to representing clients in legal and compliance matters before state agencies and the court system. This 4-day course will combine components of administrative law, regulatory compliance, and civil litigation. Throughout the course, students will assume the role of counsel and advise clients on the legal and/or compliance issues presented by their cases and/or represent them in legal actions.

Note: 3Ls have priority for this course

Updated 10/22

B564 Pretrial Litigation: Criminal Practice ^^ (1) – Pryor

Description not yet available

Note: 3Ls have priority for this course

B564 Pretrial Litigation: Depositions ^^ (1) – Vaidik

Taking depositions is an essential discovery technique. Whatever area of law you choose, most of you, at some time, will take a deposition. In this learning-by-doing course, you will learn the techniques to take and defend a deposition from experienced lawyers in a fun, non-threatening atmosphere.

Note: 3Ls have priority for this course

Updated 10/22

B616 Modern Law Practice: AI & Automation in Commercial Contracting ^^ (1) – Mooz

Clients increasingly expect their lawyers to be able to handle large volumes of contracts, rapidly and efficiently. Lawyers who know how to use AI and other forms of automation to meet this challenge are in high demand. This course will take you through a real-life scenario where you will use a leading AI tool to help a company handle its contracting needs more efficiently. In the process, you will learn the basics of how commercial contracting gets done, best practices for automating the contracting process, and how to use AI in the review process.

Note: 3Ls have priority for this course

Updated 10/22

B616 Modern Law Practice: Family Office Practice ^^ (1) – Rompon

A family office is a privately held company that handles investment and wealth management for a wealthy family, generally one with over \$100 million in investable assets, with the goal of growing and transferring wealth across generations. Family offices are a rapidly growing sector, with estimated assets in excess of \$4 trillion. As a result, they have become important participants in sophisticated transactions that are traditionally the province of large companies or private-equity firms. This course introduces students to the structure and operation of the modern single-family office (SFO). Topics includes: the historical origins of SFO; reasons why many families continue to organize their financial and non-financial affairs through SFO structures; how SFOs are organized and legally regulated, organizationally structured, and operationally managed; and, importantly, how SFOs often incorporate non-financial considerations into their investment decision-making, thus complicating how they are structured. Using a blend of traditional investment theory and case studies, we will explore the methods SFOs use to manage risk, evaluate investment returns, and optimize tax to satisfy the financial objectives of the individual family members served by the SFO. A goal of the course is to enable students to engage substantively with the owners and professional staffs of SFOs regarding their investment-related activities.

Note: 3Ls have priority for this course

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