

##: 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 [Dean](mailto:anmcfadd@iu.edu) McFadden (anmcfadd@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 [Dean](#) McFadden at [anmcfadd@iu.edu](mailto:anmcfadd@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.

**B517 Advanced Patent Law ## (3) – Janis**

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

Typically offered every other year Patent Law B743 is a prerequisite, but no technical background is required or expected.

**B519 State Constitutional Law ## (2) – Fisher**

Description not yet available

**B526 Tax Policy Colloquium ## (2) – Lederman**

This course offers an opportunity for students to read and react to articles in progress on an array of tax topics. There will be 7 presentations during this semester, made by professors from other schools, with 5 short reaction papers required. This course satisfies the writing requirement for graduation. This course will be offered online. It is a 2-credit course that will meet synchronously via Zoom.

For information on the types of topics covered in past years (which span diverse tax law and policy 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 2024 speaker list is not yet posted there, you can email Prof. Lederman at [llederma@indiana.edu](mailto:llederma@indiana.edu) to request it.

Students will be expected to (1) read each article draft in advance of the presentation, along with background reading (and some short videos); (2) to write a short reaction paper in response to 5 of the articles; (3) to discuss the article draft and background materials in the class session prior to the presentation; (4) pose questions to most of the presenters about the article or talk; and (5) to participate in a synthesis discussion in the class session following the presentation. The presentation sessions (typically in 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 your registration day to obtain and sign the release form mentioned above. After doing so you will be given permission to enroll in One.iu.

### **B528 Adv App Advocacy: Moot Court Executive Board (2) – L. McFadden**

This course provides a structure and academic credit for the work of the Sherman Minton Executive Advocacy Board. Enrollment is limited to students on the Moot Court Executive Advocacy Board. 3L members of the "Competition Board" may instead enroll in B734: Advocacy (Moot Court) in Spring 2024. Executive Board members may enroll in this course again in the spring semester for two additional credit hours.

Executive Board responsibilities in the spring semester primarily focus on administration of the Sherman Minton Moot Court Competition. Additionally, Executive Board members will help moot members of our external competition teams as they prepare for spring competitions. Advance approval is required; Professor McFadden will transmit the names of all Executive Board members to the registrar. (Pass/Fail.)

### **B532 Federal Circuit Advocacy ^^^ (2) – Castanias**

The U.S. Court of Appeals for the Federal Circuit is an important but controversial part of the federal judicial system. It was formed by an Act of Congress in 1982 with the predominant goal of "strengthen[ing] the United States patent system in such a way as to foster technological growth and industrial innovation." In the intervening years, with the Federal Circuit becoming the exclusive appellate court for patent cases, the United States has indeed seen significant technological growth, but the court has also been widely criticized as being out of step with the Supreme Court—which has regularly reversed the Federal Circuit's patent decisions in recent years—with some judges and academic writers even calling for the court's ouster as the exclusive appellate venue for patent cases. More recently, the Federal Circuit has been the center of a highly public controversy centered on a judicial conduct and disability investigation involving the court's most senior judge.

Given its central role in administering the U.S. patent system—it has appellate jurisdiction over virtually every kind of patent-related case that a court or administrative agency could decide—it is critical for any practitioner (particularly, but not just, IP practitioners), whether a future litigator or otherwise, to possess a systematic understanding of the Federal Circuit, its history, procedures, doctrines, and dynamics. Through selected readings, vigorous class discussion, visits by former (and perhaps current) Federal Circuit judges, and a mock Federal Circuit argument (among other facets of the course), students should complete the class with a far better understanding of this unique court. No specialized knowledge of or background in IP or patent law is required for this course—the professor, who has appeared before the Federal Circuit more than almost any other lawyer in the country, majored in English and Philosophy, and never took an IP course in law school.

### **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 areas of law 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.

### **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), the California Privacy Protection Act (CPPA), other US State laws – as they relate to and impact health data. In addition, new laws governing Artificial Intelligence, such as those proposed in the EU and Canada, as well as the broader impact of AI on health privacy, will be considered.

#### Approach

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), and the EU AI Act, among others. Phase two will focus on application of our interpretation of the privacy legal requirements/obligations arising from these laws and principles to traditional health-related activities, incorporating new issues like risks and benefits of artificial intelligence.

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, except when I have an unavoidable travel conflict, in which case we will convene virtually. I’m looking forward to discussions on current events involving privacy and data protection – we will not have a shortage of topics to discuss!

#### Materials

There will be suggested prep reading for most classes; I will distribute it when relevant. I will generally teach from an outline. There is no textbook. If I use visuals or a PowerPoint deck, they will be available for download after the class.

#### Assessment

Grading will be based on a single take-home exam using formats of multiple-choice, short answer, and essay/tool development. Exam will be time-bounded in accordance with law school rules and student exam answers are blinded, however, consideration may be given to classroom participation and engagement when determining final grades.

Contact Information. You are welcome to schedule a time to meet with me virtually or contact me by e-mail ([stan@crosleylawoffices.com](mailto:stan@crosleylawoffices.com)) or at my mobile (317.753.9023) at any time.

### **B536 Health Law (3) – Oliva**

The American health care “system” is a vast enterprise that is subjected to a wide array of regulatory inputs, including common law rules, administrative regulations, statutes, constitutional provisions, federalism principles, market forces, traditions, and professional norms, just to name a few. This course will focus on issues concerning professional licensing and the accreditation of health care institutions, medical malpractice law, informed consent and the nature of the provider-patient relationship, legal obligations to provide care, discrimination and unequal treatment in health care, and confidentiality of healthcare information as well as introduce you to the many of the areas of law that relate to the regulation and structure of, access to, and quality and financing of health care delivery systems in the United States. This course will include a take-home examination.

### **B544 IP Transactions (2) – M. Mattioli**

Through case studies, class exercises, and in-class discussions, this course introduces students to the theory and practices of IP transactions. In addition, agreements adapted from practice and copies of publicly available deal papers will be used as the basis for in-class exercises. As the course progresses, the complexity and depth of these exercises will expand from discrete topics to fact patterns that take several sessions to work through.

Pre- or co-requisites: IP seminar, IP survey, or any foundational course in IP (copyright, trademark, patent)

### **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 Dean McFadden (anmcfadd@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 Dean McFadden (anmcfadd@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.

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

**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 Dean McFadden (anmcfadd@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 Dean McFadden (anmcfadd@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.

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

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

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. Law students will work on problems with graduate students studying public administration and environmental science (future agency officials and expert consultants). The graduate students take the same class under a different, cross-listed number and will be graded on a separate curve.

Class grades will be based principally on substantive class contributions and a final exam. All required readings for the class will be provided through Canvas.

### **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.



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

### **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.

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

The Conservation Law Clinic provides 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-profits, community groups, and government clients who need legal assistance with natural resource conservation and environmental protection matters. In particular, the clinic provides representation in matters related to land conservation, freshwater ecosystems, water quality, endangered species and environmental justice. Conservation Law Clinic interns, work closely with Clinic Attorneys and participate directly in the representation of Conservation Law Center clients. Clinical work is supplemented with readings and discussion that focus on practice skills including analysis of environmental and conservation laws; development of and commenting on new administrative rules; drafting legislation; and all aspects of litigation at the administrative, trial and appellate levels. Clinic interns report that they value the experience of representing real-world clients and working in a law firm setting on matters of broad importance. During the Fall semester only, a seminar component on emerging topics related to the practice of conservation and environmental law 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, a copy of your resume, and your law school transcript to Christian Freitag (cfreitag@indiana.edu) prior to registration.

### **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 general transactional law practice, advising entrepreneurs, or becoming entrepreneurs are typical candidates for participation in the Clinic.

The Clinic operates like a small law firm that extends its services into advice at the intersection of law and business, 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. The course is open to 3Ls and to JD+MBAs in their final year. Enrollment in the clinic is limited, so students must, prior to the start of registration, submit a current resume and a brief statement of interest to the Director by email. The Director will approve those students that will be enrolled in the clinic before registration begins.

### **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 depositions and summary judgment. 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.

### **B567 IP Practicum: Legal Aspects of Independent Filmmaking ^^ (2) – Dresden**

This course will provide students with experience acting in support of pro bono legal counsel on independent film production matters. Through readings, class discussions, and assignments, students will learn about the legal aspects of financing, developing, and producing independent films. Under the instructor's supervision, students will engage directly with filmmakers and work on multiple discrete projects, depending on the availability of matters during the semester.

The film practicum matters to be covered may include (1) drafting and negotiating agreements, including option and purchase agreements, cast and crew agreements, location agreements, and music licenses; (2) reviewing scripts and advising clients regarding IP (and related) issues such as fair use, public domain, clearance, privacy, defamation, and rights of publicity; and (3) reviewing agreements and advising clients on matters concerning the roles of consulting and management services, sales agents, and distributors in the independent film business.

### **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.

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

This course is designed to expose you to an area of business and law that is not often seen in business/law school. 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 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. While using underlying principles from other courses, this 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 that have been or are currently search funders and those who have made the transition from corporate life to small business operator.

This class differs from other finance and entrepreneurship classes that you may take in business school. Instead of focusing on coming up with a business plan and raising money, this class focuses on searching for and evaluating current operating businesses. Traditional Mergers and Acquisitions classes focus on large deals with many expensive advisors. This class focuses on the unique challenges and opportunities of small deals, doing the due

diligence and negotiations yourself, and managing the challenges of operating your own small to medium sized business.

Throughout the course you will evaluate real examples of potential deals that the faculty teaching the course have participated in 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 Kelley School regulations and calendar.

### **B588 Strategies in Critical Reading and Writing: Campus Free Speech & Legal Writing ## (3) – J. Applegate**

This semester the course will sustain a focus on just two textbooks, each facially simplistic, but each quite different from the other: CAMPUS FREE SPEECH (2023) by Han and Price; and THINKING LIKE A WRITER (Third Edition, 2009), by Armstrong and Terrell. Shop this elective course by scouting out both those books and by inquiring among Maurer students about experiences Maurer students have had in courses I teach. There will be several writing assignments. And students will be required to revise some but not all of their written work. The course will proceed routinely as a roundtable discussion; if you neither like talking in class nor want to learn to like talking in class, then spare yourself this course and spare those who take the course your unhelpful presence.

### **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 and artificial intelligent has become an important topic. 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). If a student has not taken either of those courses, instructor permission is required to enroll in Entertainment Law. 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

### **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](mailto:rachel@childadvocates.net) and explaining why they want to participate in the practicum and what life or academic experiences have prepared them to represent youth.

### **B601 Crim Pro: Investigation (3) – TBA**

Description not yet available

### **B602 Crim Pro: Trial (3) – Cho**

How do grand juries work? Under what circumstances can someone be detained before they are actually convicted of a crime? What is a “speedy trial”? When can someone fire their attorney and represent themselves? How do you litigate negative pretrial publicity? How do you pick a jury? What actually happens in a trial? What happens after the trial?

This course examines the answers to those questions and more, covering the criminal process after the police investigation ends. The course traces the path of a criminal case from the initial charging decision through post-conviction proceedings, with emphasis on the various formal court proceedings along the way. As part of the course, students will gain practical experience and understanding through simulations of federal court proceedings.

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) and covers topics that are frequently part of the bar exam. In addition, 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.

### **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 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 closed-book exam will certainly include multiple-choice questions, perhaps nothing else.

It is quite possible that this course will not be offered during the 2024-2025 school year.

### **B620 Negotiations ^^ (2) – Ardery**

NEGOTIATE BETTER...ENJOY IT MORE

Negotiation occurs when human beings collide over the division of limited resources of time, talent or treasure. We negotiate to get what we want or keep what we have. The class

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

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

You will do 4-6 negotiations with a partner and we will de-brief those negotiations. Class participation is 60% of the grade, but will include what you post on a Discussion link on Canvas that will include comments on: readings, personal negotiations, takeaways.

We will consider various readings on negotiation, neuroscience, philosophy, and sociology. We will look wherever we can to learn to negotiate in a principled and effective way.

Class purpose/goal: NEGOTIATE BETTER...ENJOY IT MORE...MAKE GOOD DECISIONS.

This is a class where we will consider a number of different topics, but all under the umbrella of negotiation. We will consider who does it best, specific tactics, ethics, and the conflict that underlies all negotiating, even our own internal conflicts.

Negotiation is a full body experience—intellectual, emotional and physical. We want to explore all facets of negotiation.

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

There is no text. I will distribute readings each week that will encompass what we will be doing the following week. These will include essays, book chapters, my own thoughts and fact patterns for negotiations in and out of class.

Because we do not have a text, you will be asked each week to post an observation of that week's reading and an observation or takeaway from the class. These posts will be part of your participation grade, which is 60% of the grade.

The time to post each week will open after the class that week and close at noon the day of the next class.

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

Contact information:

e-mail [sardery@lawbr.com](mailto:sardery@lawbr.com) (I DO NOT CHECK MY IU E-MAIL ADDRESS)

Phone: W 812-332-9295 C 812-322-8008 You may use my work or cell number, and texting is fine if there is an emergency or last-minute class absence issue. Normally email is best.

If you have trouble reaching me call (812) 332-9295 and ask for one of my legal assistants, Andrea Boruff or Robin Schapker

Hours: I will plan to be at class most weeks by 6:30 p.m. and will be happy to stay after class or meet at other times if needed. The best way to schedule a time to meet would be to email me, but you may call any of my phone numbers as well.

#### CLASS ORGANIZATION

NO LAPTOPS PLEASE. This is a participation and discussion class. Engagement with classmates and the professor will be more important than any note taking. There will be no test of particular subject matter except with a written paper and a final negotiation project. Class meets on Wednesdays from 6:40 until 9:00 p.m. This is longer than the basic two hour class so that we can complete the course in eleven sessions.

#### EXERCISES AND MEDIA

We will do exercises inside and outside of class. We may also review movie clips, portions of TED talks, podcasts, and other kinds of media to analyze and review negotiations that have already taken place, or consider ideas that affect how we think, act and negotiate. You likely will do at least one video negotiation with a partner, and I will give each of you individual feedback on that negotiation. You will sign up in class to do these negotiations on a schedule.

#### ATTENDANCE

This is a concentrated skills class where participation is a vital part of the learning process and the grade. ATTENDANCE IS MANDATORY. Failure to attend without excuse will have a substantial negative effect on the grade. If you need to miss class, it is expected that you will contact the professor before the meeting time and include the reason for the absence.

#### READINGS AND DATES

The readings and dates can change, so please touch base with me before you read ahead.

#### Grades

Attendance and Participation	60%
Midterm (reviewed but not graded) N/A	
Paper	15%
Final negotiation	25% (15% result/10% skills)

#### **B622 Principles of Law & Economics ## (3) – Ryan**

Why do we allow parties to a contract to breach their obligations? Do criminal law penalties adequately disincentivize certain behaviors? The Law & Economics academic movement sought to answer these questions, and more, and therefore test the boundaries of using legal policy to promote the efficient production and allocation of resources and consequently the maximization of social welfare. This course offers an introduction to the study of Law & Economics. Principally, we will focus on the core bodies of law taught to first-year law students—tort law, contract law, property law, and criminal law—as well as other areas in which the law impacts human behavior. For each of these bodies of law, the economic approach will be described in non-technical terms, and then this approach will be used to examine issues within that body of law. We will also develop some elementary economic techniques, guided by economic theory. By the end of this course you will be able to use these and other techniques to: assess the economic efficiency of legal rules; analyze how the legal regimes affect economic efficiency; and demonstrate how the assignment of risk alters perceptions of value, among other applications. But above all, you will be able to

apply them in three reflection papers on topics of your choosing, as well as a final presentation, which should go beyond mere description to apply the methods of Law & Economics to critically evaluate some rule, regulation, or customary legal practice.

### **B625 Commercial Arbitration: Int'l Business (3) – Marmolejo**

This course will analyze the institution of arbitration in its various aspects, both in its local and international commercial perspective, as well as through the various arbitration mechanisms established in the U.S.-Mexico-Canada Agreement (USMCA). The analysis will be conducted with a focus on international business (cross-border transactions) carried out within and through the North American Free Trade Zone, taking into consideration, among other provisions, what is established in Article 31.22 titled "Alternative Dispute Resolution" of Section B: Domestic Proceedings and Private Commercial Dispute Settlement of the USMCA.

That provision establishes a commitment to promote, facilitate, and encourage, through *education*, the use of arbitration, mediation, online dispute resolution, and other procedures for the prevention and resolution of international commercial disputes among private parties in the free trade zone. This is achieved through appropriate procedures that ensure compliance with arbitration agreements and the recognition and enforcement of arbitral awards and conciliation arrangements in those disputes. It also aims to facilitate and promote mediation procedures, in accordance with the provisions of the *Convention on the Recognition and Enforcement of Foreign Arbitral Awards*, done at New York on June 10, 1958, or the *Inter-American Convention on International Commercial Arbitration*, done at Panama on January 30, 1975.

Comparative law, case law, empirical experiences, artificial intelligence, law & economics, and relevant doctrinal studies shall be the ingredients of the methodology for this course. Assessments will include class participation, one or more graded simulation exercises, and a scheduled final examination.

The course will be taught by Dr. Miguel Marmolejo of Universidad Autónoma de Nuevo León, as part of the inaugural Fulbright-García Robles COMEXUS Mexico Studies Visiting Chair program.

### **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.

### **B639 Advanced Legal Research ^^ (2) – Ahlbrand**

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 (covered in greater detail in a separate 1-credit ALR course offered in the Fall). Special attention will be paid to effective and efficient research strategies, such as making smart use of secondary sources and practice aids when tackling unfamiliar areas of law. During the span of this course, 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 section 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 that will allow them to develop their skills not only at finding the best answers to research questions, but also 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 regular 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 (4) class participation.

### **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.

### **B639 Adv Legal Research: Indiana & Illinois Research ^^ (1) – Kiel-Morse**

Online (asynchronous) course; graded; no prerequisite (2-credit Advanced Legal Research recommended)

Planning to practice in Indiana or Illinois after graduation? In this 1-credit course, students will take a deep dive into Indiana and Illinois legal research. Topics will include a review of state legal research skills, with additional focus on state and local government research, legislative and administrative materials, practice materials, current awareness tools, and municipal research.

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 recorded lectures, readings, and tutorials. Students will be assessed through discussions, research exercises, and other material as assigned.

### **B643 Poverty Law ## (3) – Hammond**

This course offers an introduction to the substantive law and procedure of public benefit programs in the United States. The course will identify persistent controversies in poverty law, including means-test design, funding structure, federalism issues, and behavioral rules, as well as how poverty law interacts with other areas of law including immigration law and disability law. Throughout, we will examine to what extent the agencies that administer these public benefits are vulnerable to federal litigation and what remedies may result from such litigation.

After completing this course, students will be able to understand the basic contours of American welfare programs as well as how those programs vary among states, tribes, and territories; identify the legal sources of and recent controversies over public benefits in the United States; apply doctrinal, strategic, and practical considerations to the process of litigating both against and on behalf of welfare agencies in federal and state court; and demonstrate an understanding of the origins, opportunities, obstacles, and lacunae of legal aid and public interest practice.

### **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.

**B650 Intro to Income Tax (3) – Ryan**

This course introduces students to the principles and policies of federal income taxation, providing you with a framework for recognizing and dealing with tax issues and with tax-related strategies or transactions encountered in legal practice. You will leave the course with an understanding of the major theoretical and structural issues posed by an income tax, the policy considerations involved in resolving those issues, and the planning function provided by tax attorneys, as well as knowledge of the individual income tax treatment of various types of business and personal transactions and events, including: taxation of compensation and fringe benefits; taxation of various types of investment vehicles and debt-financed property transactions; issues related to capitalization and cost recovery; timing issues; and selected issues regarding taxation of the family. Above all, you will develop the skills necessary to engage competently in complex statutory interpretation, providing you with a necessary foundation for further legal studies—including a tax law program. Grades will be based on your class participation, and your performance on problem sets and a final examination.

**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, in-class quizzes, a written assignment, and a final exam.

**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.

**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.

### **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.

### **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; opinion letter; 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. The class will meet virtually on Wednesdays from 5:35-7:35 pm.

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

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 cross-listed course 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 courses that is required for the J.D. Minor in Education Policy (see <https://law.indiana.edu/academics/jd-degrees/joint-degrees/outside.html>). Any law student may enroll in this course, but preference is given to Minor in Education Policy students. Therefore, students who are interested in enrolling or interested in declaring the minor must contact Dr. Janet Decker ([deckerjr@indiana.edu](mailto:deckerjr@indiana.edu))

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

**B658 Law & Education: Advanced School Law (3) – Miller**

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](mailto:deckerjr@indiana.edu)) for further information about the course or the Education Policy minor.

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

**B658 Law & Education: Leadership in Special Education (3) – Rippner**

Special education is the most commonly litigated area in public schools today. Students will analyze legal, political, cultural, and leadership issues surrounding these disputes, as well as federal and state legislation and case law. Topics will include: student harassment based on disability; litigation surrounding discipline of students with disabilities; the evolution of the U.S. special education system; special education and school choice; alternative dispute resolution in special education; the Individuals with Disabilities Education Act's due process procedures; eligibility of students with disabilities; school-family relationships in special

education; and other special student populations (e.g., LGBT, gifted and talented, homeless students). This course is a School of Education course (EDUC-A675) 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 required for the Minor in Education Policy (see <https://law.indiana.edu/academics/jd-degrees/joint-degrees/outside.html>). Because there are limited spots available for law students, instructor permission to enroll is required. No later than one week prior to enrollment, please send an email expressing why you are interested in the course to Janet Decker [deckerjr@indiana.edu](mailto:deckerjr@indiana.edu)  
Note: This course meets according to School of Ed regulations and calendar.

### **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.

### **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 may be taken as either a writing course or an exam course. 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. Student writers 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, President Dau-Schmidt sometimes violates the law in the simulation. Students should not take the course if they are easily offended or would be hurt by such simulated "abuse" or lawlessness. Spring 2024 will probably be the last time Professor Dau-Schmidt teaches labor law as a simulation.

### **B665 Public International Law (3) – Waters**

International law regulates global order – sort of. It is a field whose 'lawness' is radically different from other types of law; a field whose rapid growth has made its contradictions more, not less, relevant; a field whose marginality makes it instructive for understanding the world order.

This survey course has two parts. The first examines the concepts and structures that make up the field – its history, sources (such as treaty and customary law), relevant actors (like

states and organizations), and interpretative methods. In the second half, the course explores how law addresses specific problems, such as use of force, environmental concerns, and regulation of the seas.

Throughout, the course considers the nature and function of law in the flat, anarchic environment of the inter-state system. The course includes lots of cases, but also perspectives taken from other disciplines, such as international relations, history, and political philosophy, to enrich students' understanding of a body of rules that is both essential to world order and on the frontiers of what we understand as law.

Exam is take-home.

### **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.

We will be using Noah R. Feldman and Kathleen M. Sullivan, *Constitutional Law, Twenty-First Edition* (Foundation Press, 2022). (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.

### **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.

States have begun to enact a new Article 12 (Digital Assets) and amendments to Article 9 (Secured Transactions). Because these are important, forward-looking provisions, we will discuss them in class.

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 work 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.



**B678 Sports Law (2) – Gordon / Bearby**

The purpose of the course is to gain a fundamental understanding of the variety of issues that arise in Sports Law. While we will touch on a few issues involving professional sports, most of our discussions will focus on Division I intercollegiate athletics.

For intercollegiate athletics, we will discuss regulating intercollegiate athletics, including the history of the NCAA, the relationship of the student athlete and the university, eligibility of student athletes, and the enforcement of NCAA rules. We will also cover various legal topics that arise in intercollegiate athletics, such as intellectual property law, antitrust laws, due process laws, labor and employment law, and issues involving equity, health and safety. This will include significant discussion on past impactful decisions involving Title IX, NIL, etc., and also current events.

For professional sports, we will cover an overview of the evolution of professional sports, the internal league governance structure, and the commissioner's authority. We will discuss labor law issues related to the development of free agency and the role of the players' associations, laws on drug testing for both recreational drugs and performance enhancing drugs, and the NFL concussion protocol.

**Course Requirements**

Preparation for, attendance at, and participation in class: 25% of grade. Advance reading and preparation of questions to be asked of guest speakers; discussion of hypotheticals raised in class; and participation in regular class discussions offering reasoned opinion based on the status of the law is expected. Students are expected to attend every scheduled class, except for excuses recognized by the law school's policies. Attendance will be taken. If you are going to miss a portion of a class (arriving late or leaving early), please let us know in advance via e-mail if at all possible so that we are aware of the situation.

Class Presentation: 25% of grade. More information forthcoming as the semester proceeds.

End of semester examination: 50% of grade. Format to be determined. More information forthcoming as the semester proceeds.

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

The course is structured for the practitioner who will advise their clients upon the formation, operation, and/or disposition of a partnership or LLC, or an interest therein. Topics covered include the tax treatment of contributions made in conjunction with the formation of partnerships and LLCs, the taxation of partnership and LLC business operations, the tax treatment of partnership and LLC distributions, and the taxation of transfers of ownership interests in partnerships and LLCs. Legislative proposals to overhaul Subchapter K will be discussed, as well as the U.S. Supreme Court's decision to hear *Moore v. U.S.* (Dkt.# 22-800) could upend the manner in which unrealized income is taxed. Introduction to Income Taxation is a prerequisite.

**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 Dean McFadden (anmcfadd@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 Dean McFadden (anmcfadd@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.

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

**B686 Civil Protection Order Clinic ^^ (3) – M. Williams**

Summary: The Civil Protection Order Clinic ("CPOC" or "the Clinic") is a public interest-based clinic that provides students with hands-on legal experience representing clients who need legal assistance obtaining or renewing civil protection orders ("CPO's"). CPOC, offered for three (3) credit hours in the fall 2023 semester, will meet in person for class on *Thursdays from 1:15 to 3:15 p.m.* The Clinic is available to eight (8) students in this semester. Students interested in enrolling should follow the instructions in last section of this course description entitled "Approval to Enroll."

Coordination with POP: There will be close coordination and collaboration between CPOC and the Protective Order Project ("POP"), with the Clinic professor participating in certain POP activities and the POP director attending Clinic classes, including teaching certain segments, and participating in case rounds.

Case Work: During the semester in the Clinic, the students will work in teams of 2 on each case accepted into the clinic. The goal is for each student to work on 2-4 cases during the semester. Student teams will have weekly supervision meetings with the Clinic director to review case progress and questions. Students will meet with clients and prepare their cases, assist with settlement negotiations (if appropriate), and attend court proceedings. Students who are qualified to serve as Certified Legal Interns ("CLI's) under Ind. Adm. & Disc. R. 2.1(1)(a) (generally 3Ls in the fall, and 3Ls and 2Ls in the spring) may register to serve as CLI's. Certification will give the students the chance to represent clients in court when their cases go to hearing. Students who are not CLI's are also expected to attend court hearings, both to assist and as part of their education in the Clinic. Students staffing a particular case will be expected to ask to be excused from any conflicting class for court hearings, regardless of whether they are CLI's.

Priority for Admission into the Clinic: Depending on demand, third-year students who have been participating in POP, and the current and past POP top leadership, will be given priority for admission into the Clinic. Any student who wishes to participate in the Clinic must be able and willing to work supportively with survivors of intimate partner violence and abuse (commonly referred to as domestic violence and referred to as "DV") and family violence.

Case Referrals: Cases will mostly be referred to CPOC through POP, although CPOC will also occasionally accept cases referred by social service agencies and courts. CPOC will represent litigants in Monroe County and surrounding counties. CPOC will prioritize representation of petitioners in CPO cases involving DV and family violence, and other high conflict family situations.

Conflicts: As many CPOC cases will be in Monroe County and surrounding counties, CPOC students may not clerk for or intern with the Monroe County or surrounding counties judges who regularly handle CPO cases during the semester(s) of their participation in the clinic. Any conflicts will be identified and addressed as they arise.

Weekly Classes: Class will meet for two hours once a week in a seminar format, to discuss the relevant statutes and important case law for CPO cases, as well as related family law; rules of court; litigation practice; best practices for working with survivors of sexual and relationship violence; considerations about DV; how to conduct DV screening; experiences with clients, attorneys, and courts; the intersection of the law for CPO's, other restraining orders, and criminal no contact orders; immigration issues; mental health issues; housing issues; and whether and when reaching compromise in CPO cases is appropriate.

In general, roughly one half of each class will be spent on the topic(s) assigned for the

week, and the other half on “case rounds”, in which students will discuss the CPO cases they are handling. Over the course of the semester, as the students become more involved in their cases, more time may be spent in case rounds.

Weekly Supervision Meeting: Student teams will meet weekly with the Clinic director to review case progress; typically, these meetings will take place before the weekly class. Additional supervision meetings will be scheduled as needed.

#### Writing Assignments:

1. Students will submit written *weekly case updates* 24 hours in advance of their weekly supervision meeting, along with their time log reflecting the time spent working on each of their cases.
2. Every other week, students will also submit *reflective essays* (2-4 pages, double-spaced) with their case updates, concerning their cases or some aspect of the clinic. These essays will be a chance for the students to reflect on and synthesize their experiences in the course, both in case work and in the classroom.
3. Students will submit a *final reflective essay* due at the end of the semester that will include an overall reflection on their work and progress over the semester. This final reflection will also address whether (and if so, then how) the students’ experiences over the semester (in and outside the classroom) have affected their ideas about how the civil justice system protects those affected by stalking, sexual abuse, and family violence; and whether they see structural, statutory, administrative, and/or social-cultural changes that might improve that system.
4. At the end of the semester, students will also submit their *final portfolio* consisting of their written documents—including memos, pleadings, client communications, summaries of interviews, substantive emails, motions, outlines of testimony, and other written materials prepared for their case work—that they would like to be considered in grading.

Grading and Evaluation: There is no final exam, nor is there a curve in the clinic. Grades will be based on:

1. The attentiveness, timeliness, and overall quality of each student’s case work and written assignments.
2. Preparation for class, and participation in both class discussions and case rounds.

Additional Requirement: As children may at times be involved in CPOC cases, all students who enroll in CPOC must consent to a criminal background check and sex offender registry check required by the Indiana University Policy for Programs Involving Children. More information about the policy and use of information obtained through these checks is at: <http://policies.iu.edu/policies/categories/administration-operations/public-safety-institutional-assurance/PS-01.shtml>. CPOC students will also be required to follow the IU Maurer School of Law Clinics’ Policy and Protocols relating to Children.

Approval to Enroll: Interested students should contact Maryann Williams by e-mail ([mw159@iu.edu](mailto:mw159@iu.edu)) in advance of 3L registration to request approval to enroll. Students may enroll in the Clinic after receiving approval from Maryann Williams.

### **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. 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 will be offered.

### **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, focused primarily in a business acquisition contract, though the skills are applicable in a range of transactional contexts. Through the lectures, in-class exercises, and homework assignments, students will learn how to identify risks and draft clear contract provisions that minimize ambiguity and control those risks. The course will also offer opportunities to experiment with the use of AI in problem solving and drafting. 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.

### **B709 Transactional Drafting ## ^^ (3) – Lloyd**

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, focused primarily in a real estate/business acquisition contracts, though the skills are applicable in a range of transactional contexts. Through the lectures, in-class exercises, and homework assignments, students will learn how to identify risks and draft clear contract provisions that minimize ambiguity and control those risks. The course will also offer opportunities to experiment with the use of AI in problem solving and drafting. 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.

### **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. It is probably helpful for understanding some of the material in this course to have taken or be taking Corporations or a similar business associations course, but that is not a prerequisite. The course is designed for students who are interested in a business transactions practice, but it is also useful for any students who plan to negotiate and draft contracts in any type of practice.

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

The IU Cybersecurity Clinic seeks 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 Indiana, the Midwest, and internationally. 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 client 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 Risk Management MS Students, the Clinic can fulfill any concentration requirement. For JD Students, the Clinic fulfills the skills requirement.

### **B713 Administrative Law (3) – Almendares**

"Bureaucratic policymaking is the hallmark of modern American government." This course studies the law related to that policymaking, that is, the law of government agencies like the Environmental Protection Agency (EPA), Federal Trade Commission (FTC), and so forth. The course focuses on what is legally and constitutionally permissible; administrative law sets the boundaries on what agencies can and can't do. Key issues in the course are the separation of powers, due process, judicial review of agency action, and standing. Assessment will be through an in-class exam.

### **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.

### **B722 Trial Advocacy ^^ (3) – Diekhoff/Orenstein**

Trial Advocacy is one of the core courses in the litigation curriculum. It covers the techniques, tactics and performance aspects of the trial; including opening statements, direct and cross-examination, exhibits, and closing arguments. There is also discussion of courtroom demeanor, relationships with judges and court officials, and ethical guidelines for courtroom practice. Students learn by doing, with every student performing in smaller practical sections most weeks. The final exam will be a mock trial.

Trial Advocacy is the second course in the trial practice sequence. Evidence is taken first, and is a prerequisite to Trial Advocacy. Trial Advocacy is taken second, and is a prerequisite to Advanced Trial Practice and Trial Competition. Trial Advocacy is also useful as preparation for clinical courses that involve litigation, such as Community Legal Clinic. Trial advocacy is taught by experienced trial lawyers and judges.

Please note that in addition to the sections managed by each of the respective instructors, the students from all sections meet at a separate time for a forty-five minute lecture.

### **B723 Evidence (3) – Oliva**

Evidence is critically important to the practice of law. Why? Evidence is not only central to every civil and criminal trial; evidence often determines the victor in any given legal dispute pre-trial. Evidence law regulates the proof of facts at trial and reflects the construction of courtroom “truth.” Evidence is also significant outside the courtroom. Transactional attorneys, in-house counsel, mediators, negotiators, and lobbyists consistently use evidence to analyze and advance their clients’ claims. In other words, evidence is vital to everything that lawyers do every day. This course examines the legal rules that govern the proof of disputed issues of fact during adversary proceedings. Emphasis will be placed on the rules that determine the admissibility of various types of evidence, including testimonial evidence (hearsay rules and impeachment of witnesses), documentary evidence, and scientific and expert evidence. The course also considers, among other things, judicial notice as substitute for evidence, character evidence, impeachment, and the effect of the jury trial on the rules of evidence. This course will include a final examination.

### **B725 Bankruptcy (2) – Carr**

This course will be taught by James M. Carr, JD 1975, judge of the US Bankruptcy Court for the Southern District of Indiana, sitting in Indianapolis. The course examines the nature of the legal relationship between debtors and creditors under the Bankruptcy Code as well as under non-bankruptcy law. It is a survey course that provides a general basis for advising consumer and business clients, considering filing for bankruptcy, or creditors, who want to avoid detrimental impacts of others’ bankruptcy filings. The course will provide knowledge to support subsequent advanced study of business reorganization under chapter 11 of the Bankruptcy Code. Subjects covered include debt collection procedures under state law, the underlying purposes and policies of bankruptcy law, 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 bankruptcy courts. The course will touch upon recent “crypto” bankruptcies, the increase in small business reorganizations under subchapter V of chapter 11, and the “third party release” issues raised by Purdue Pharma.

Bankruptcy can be a 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 its own specialized courts. Bankruptcy practitioners often enjoy a satisfying mix of litigation and transactional practice centered around a unified code, which can take years of effort to fully master.

The course is taught using a text, ELIZABETH WARREN ET AL., THE LAW OF DEBTORS AND CREDITORS, Rachel E. Barkow et al. eds., 8th ed. 2021, and solution of client-focused problems. The course grade is based primarily on a scheduled final examination.

There are no prerequisites for this course.

### **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.

### **B734 Advocacy: Moot Court Competition Board (1) – L. McFadden**

This course is the for-credit component of 3L students' work on the Sherman Minton Competition Boards. Members of the Executive Board should instead enroll in course number B528. Competition Board members in the spring semester will grade briefs written by competitors in the Sherman Minton Moot Court Competition. Competition Board Members will also have responsibilities for the administration of the Competition itself and may also assist in mooting our external competition teams.

### **B734 Advocacy: External Moot Court Teams ^^ (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. This course is eligible for "skills" credit. 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 contact Prof. Lane McFadden ([lanemcfa@iu.edu](mailto:lanemcfa@iu.edu)) with any questions.

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



This course is the for-credit component of student participation on one of the IP Moot Court teams, which include AIPLA, INTA, Oxford International IP Moot, and the International Patent Drafting Competition. Enrollment is by permission of the instructor only.

**B734 Advocacy: George Mason University Antonin Scalia Law School's Antitrust Invitational Moot Competition (1) - Wallace**

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.

**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).

**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 and broader debates concerning 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 within 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 industry self-regulation and 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 permissibility of lawful hacking, includiware.
- (9) The international law rules that control cyber armed attacks, election interferences, cyber attribution, and cyber espionage.
- (10) Corporate risk assessment and incident response, 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, botnet takedowns, and corporate hack backs.

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. Students will also explore critical race, gender, LGBTQ+, and Third World Approaches to International Law (TWAIL) theories in cyber regulation.

For in-person students: grades will be based on three short experiential assignments (FTC lab, cyber insurance lab, and cyber diplomacy lab), and one 3-hour open-book proctored exam.

#### **B740 Estate Planning (2) – Retzner**

This course will explore the various estate planning tools and options available to individuals. The goal of the course is to provide knowledge and practical tools to enable clients to achieve their objectives with respect to the transition of wealth, including the transition of interests in closely-held business, as well as charitable giving. The planning discussed will 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.

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

#### **B751 IP Survey (3) – Marinotti**

There are no prerequisites for this course. It is appropriate for anyone who wishes to gain a broader understanding of Intellectual Property (IP), regardless of their background or career goal. No prior knowledge of science, engineering, design, or anything else beyond your standard 1L law school subjects is necessary.

Intellectual property 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.

### **B758 Trademarks (3) – Janis**

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

### **B768 Water Law ## (3) – Fischman**

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

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

Most class sessions will be discussion oriented. Law students will work on problems with graduate students studying public administration and environmental science (future agency officials and expert consultants). The graduate students take the same class under a different, cross-listed number and will be graded on a separate curve.

Class grades will be based on a variety of assessments, emphasizing frequent, short writing assignments. There will be no final exam.

Most required reading will be from the case book, *LEGAL CONTROL OF WATER RESOURCES* (6th ed. 2018), by Thompson, Leshy, Abrams, and Zellmer, ISBN 978-1-68328-983-8.

### **B770 Native American Law ## (3) – D. Williams**

This course will examine the legal framework for Indian tribal self-government in the United States—the most important instance of cultural federalism in our legal system. The course will examine the general practice of cultural federalism from a constitutional design perspective to lay a foundation for considering Indian Law. It will then examine the materials of Indian Law from the perspective of narrative theory: as a story of the country, of individual tribes, and of individual cases, and the meaning that we make from those stories. Finally, the course will consider the difficulty in developing an over-arching

normative framework for governing the interaction of different cultures with different values. Each student will write a number of short papers which, combined, will form a larger project. The subject of the papers will be determined by consultation between each student and the instructor, but the default option will be for individual students to apply the frameworks from the class in a comparative way—to the stories of particular Indian tribes or to particular indigenous groups abroad.

### **B771 Mediation ^^ (2) – Stafford**

This class explores mediation as a method of dispute resolution and teaches negotiation and advocacy skills. We will consider mediation in many civil practice areas from the perspective of the client, the advocacy attorney, and the mediator. We will discuss whether and when to mediate, how to prepare the client, and how to draft mediated agreements. This course will cover relevant authority and rules governing mediation and will include frequent discussions on legal ethics in the mediation setting.

Written work will consist of five assignments: two Confidential Mediation Statements, and three Mediated Agreements. These written assignments will count for 80% of the course grade, with the remaining 20% of the course grade based on role playing exercises. There will be no end of the semester course examination. Frequent role-playing will explore and reinforce mediation skills.

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

### **B771 Mediation ^^ (2) — Applegate, A.**

This Mediation Course is geared to students interested in 1) learning the basics of how to mediate, the most utilized form of alternative dispute resolution in virtually all fields of law; 2) improving and enhancing communication skills that will be useful in many legal contexts; and 3) understanding general ethical requirements for mediators and how these can differ from ethical requirements for attorneys.

Class sessions will consist of discussions, problem-solving and other skill-based exercises, and simulated mediation role-playing exercises that build from the assignments in advance of class, including readings and recordings.

The text for the course is Douglas N. Frankel and James H. Stark, *The Practice of Mediation: A Video-Integrated Text*, 3<sup>rd</sup> Edition. There will be some supplemental materials in addition to the textbook.

Grading in the course will be based on (1) class attendance and the quality of preparation and participation in the class, including written assignments (counting for 50% of the course grade); and (2) performance as mediators (teams of 2 students will mediate 2 other students acting as parties) in a one hour videotaped simulated mediation (with these mediations counting for 50% of the course grade). The simulated mediations will take place during the reading period after classes end but before final exams start. Each student will serve as a mediator for 1 hour and as a mediation party for 1 hour. There will be no written final examination.

This course will be limited to 20 participants. This course is expected to teach law students the basic skills and ethics of serving as mediators.

(Contact Information: Students with questions about the course should contact Professor Amy Applegate by e-mail ([aga@indiana.edu](mailto:aga@indiana.edu).)

### **B783 Int'l Environmental Law: Energy Sustainability (2) – Marmolejo**

This course will explore the current energy disputes among Mexico, the U.S., and Canada. These disputes primarily stem from differing perspectives on their energy policies. Mexico, for one, is pursuing a new energy policy, known as "sovereign rescue," which grants preferential treatment to state-owned enterprises and fossil fuels. In contrast, the U.S. and Canada are focused on strengthening a free trade market with an emphasis on clean energy. Nevertheless, Mexico's prioritization of fossil fuels and its preferential treatment toward its utility company, Comisión Federal de Electricidad (Federal Electricity Commission), as well as its National Oil Company, Petróleos Mexicanos, could lead to market competition distortions. This may result in a disadvantage for foreign investment and potentially breach the fair and equitable treatment as outlined in the U.S.-Mexico-Canada Agreement (USMCA). However, it may be seen as a necessary radical action to rescue its companies.

Furthermore, we will analyze the role of the *Paris Agreement* and the UN Climate Change Conferences as cornerstones that shed light on the pursuit of a fair solution to energy disputes on a global scale.

Comparative law, case law, empirical experiences and relevant doctrinal studies shall be the ingredients of the methodology for this course. Assessments will include class participation and a scheduled final examination.

The course will be taught by Dr. Miguel Marmolejo of Universidad Autónoma de Nuevo León, as part of the inaugural Fulbright-García Robles COMEXUS Mexico Studies Visiting Chair program.

### **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.

### **B789 Feminist Jurisprudence (3) - S. Williams**

This class will explore a variety of feminist approaches to law. We will begin with a review of the development of several schools of feminist legal theory, including liberal feminism, cultural or relational feminism, dominance feminism, postmodernist feminism, and the intersection of feminist theory with critical race theory and queer theory. We will examine the perspectives offered by these approaches on central issues in the philosophy of law,

including the meaning of equality, the possibility of objectivity or neutrality, and the role of power. We will then apply these feminist theories to a range of legal issues, such as rape, sexual harassment and other employment discrimination, child custody, intimate partner abuse, the regulation of reproduction, and work/family conflict. The class will include both lecture and discussion. There will be one final examination which will be a take-home exam. Grades will be based on the final exam and on class participation.

### **B793 Human Rights (3) – Istrabadi**

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

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

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

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

This seminar will focus on the ways in which biotechnological developments, including RNA vaccines and 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. Consider, for example, 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.

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

### **L684 Seminar in Constitutional Design: Rights, Gender & States of Emergency \*\* (3) – Macia**

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.

### **L690 Seminar in Corporate Law: Current Debates \*\* (3) – Kovvali**

The “shareholder primacy” approach to corporate law suggests that corporate leaders should focus exclusively on shareholder welfare, generally by maximizing shareholders’ financial returns. The competing “stakeholder governance” approach acknowledges that corporate leaders should consider shareholders but suggests that they should also consider a broad range of other interests such as those of workers, the environment, and surrounding communities. This seminar will explore the debate. It will introduce the key concepts; draw out relationships with ongoing debates in other areas of business law, such as antitrust; discuss how corporate governance could be used as a policy lever to address labor, environmental, and inequality issues; use corporate governance as a lens for understanding problems in specific industries, such as finance; and examine the interaction between corporate governance and the political system. Readings will be drawn primarily from academic journal articles. Students will be required to complete a substantial research paper.

Prerequisite: Corporations (B653) is recommended, but not required.

### **L763 Seminar in Environmental Law \*\* (3) – Weeks**

The Seminar in Environmental Law aims for the participants to gain an in-depth understanding of the law as it applies to several environmental issues, laws, regulations or lawsuits of current public interest. Likely topics for Spring 2024 include the Sackett case and its impact on the Clean Water Act; litigation associated with the right to a healthy environment as recognized in state constitutions; and the case for rights of nature. Each week, we read, critically analyze, and discuss materials such as briefs, opinions, statutes regulations and articles chosen for their relevance to the issues we are studying. In addition, by the third week of the semester, students will choose a topic in environmental law as the subject for their personal research, analysis, and writing. During the last few meetings of the Seminar, students will present the results of their work, as well as complete and turn in a polished and substantial paper of 20-30 pages on the topic they have chosen.

### **L799 Seminar in Con Law: 2<sup>nd</sup> Amendment \*\* (3) – Madeira**

The Second Amendment, together with “gun rights” and “gun control” arguments, are in the news more than ever of late. This course will cover a) the Second Amendment’s history and original meaning, as well as subsequent judicial interpretation, and b) Second Amendment policy, including academic studies of firearms regulations and other materials, and c) how different understandings of the Second Amendment have radically different implications for a variety of social groups. Understanding the origins of American firearm policies and explicating how various institutions have elaborated and restricted firearms rights is an important step towards critically engaging with and evaluating the multiple perspectives on this controversial issue. No prerequisites are necessary.

## **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.

### **B564 Pretrial Litigation: Criminal Practice ^^ (1) – McCosky**

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

### **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.

### **B564 Pretrial Litigation: Courtroom Procedure ^^ (1) – Rodriguez**

The goal of this course is to provide an opportunity to learn and practice basic courtroom skills in the context of simulated problems in both a civil and criminal context. Each class session will focus on the skills used before, during and after any court appearance, with heavy emphasis on motion practice but, as time permits, into procedures utilized at trial. Students will be exposed to practical lessons on everything from how to file pleadings through getting the Judge's signature on a Proposed Order. The benefits students derive from this course will be strongly correlated to their level of investment. Each course session will include classroom discussions and student-run simulations of typical courtroom scenarios. Upon completion of this course, students will have confidence in their ability to prepare and present themselves effectively in Court.

### **B616 Modern Law Practice: Document Automation - From Creation to Control ^^ (1) – Thoreson**

Clients expect quick, efficient, and accurate services from their attorneys while pressuring them to control costs. Lawyers proficient in document automation have a significant advantage when striving to meet these expectations. This course will concentrate on instructing students in the practical aspects of document automation, including determining what to automate, selecting the appropriate platform for automation, preparing documents for automation, and managing a document automation program. You will gain insight into document automation and have hands-on experience creating your own automated templates.