

Fall 2024 Course Descriptions

8/21/2024

##: 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 requirement (Academic Regulations 2.1 (5))

B508 Legal Operations: Generative AI (3) ^^ - Kubicki, J.

This dynamic course is designed for 2nd and 3rd-year law students keen on understanding and applying generative AI (GenAI) in the legal domain. The curriculum is structured to impart practical knowledge and skills necessary for navigating the complexities of GenAI within legal contexts. Students will delve into the mechanics of Generative AI, as well as its implications throughout legal practice and the legal profession, as a whole.

The course begins with an introduction to AI, highlighting the transition from basic AI to ML, and then to more complex systems like GenAI and LLMs. Students will learn the differences between unsupervised and supervised learning, and the nuances of discriminative and generative models, with a focus on how these technologies are shaping the future of legal practice. Lawyers must understand how these models are built, what they are built with, and how to control them.

A significant portion of the course will be dedicated to hands-on training with Generative AI models, emphasizing their adaptability through fine-tuning for legal-specific tasks. Students will gain practical experience in prompt design and learn how to leverage these models to maximize efficiency and accuracy in day-to-day work, legal analysis and document generation.

The course will also provide a critical examination of the legal dilemmas posed by GenAI, including data privacy, copyright and intellectual property issues, the challenges of deepfakes as evidence, and the ethical considerations in AI deployment. Through case studies and real-world examples, students will engage with current and pressing legal debates, preparing them to address these issues competently in their future careers.

By the end of the course, students will possess a robust understanding of GenAI's working principles, be adept at utilizing them in various legal applications, and have a keen awareness of the legal and ethical challenges posed by AI technologies. They will leave the course not only with theoretical knowledge but also with practical skills and a personal prompt library, enabling them to effectively integrate GenAI tools into their legal practice responsibly and innovatively.

Final grades will be based on class participation, exercises and assignments (in-class and self-study), and a 5 to 10 page position final paper.

Visiting Lecturer Josh Kubicki teaches, researches, and speaks at the intersection of innovation and the practice of law.

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

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 McFadden \(anmcfadd@iu.edu\)](mailto: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](mailto:anmcfadd@iu.edu) at 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.

B528 Adv Appellate Advocacy: Moot Court Board (1) – McFadden, L.

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 fall semester include researching and writing the moot court case problem and drafting the bench memo. Students also serve as teaching assistants for the 2L Appellate Advocacy (B642) course by judging and critiquing practice oral argument rounds and providing some limited feedback on written assignments. Advance approval is required; Professor McFadden will transmit the names of all Executive Board members to the registrar. (Pass/Fail.)

B528 Adv Appellate Advocacy: Brief-Writing & Argument ^^## (2) – McFadden, L.

Building on the 2L Appellate Advocacy course, we will dive further into the organization and style of appellate briefs, with special attention on how to brief the types of problems commonly posed by law school moot court competitions. Working with past several problems, we will work on researching, structuring, and drafting appellate briefs. Later in the semester we will turn our attention to oral argument to further refine those skills.

As part of the class, you will write a complete appellate brief and present oral argument. There will also be several shorter written assignments, including outlines and drafts. You may be asked to help evaluate 2L students delivering their Appellate Advocacy practice arguments. There is no final exam. Your grade will be based on the successful completion of all assignments.

Enrollment is limited to 8 students and requires the advance permission of Professor McFadden. The class is intended for 3Ls, but 2Ls may enroll in exceptional circumstances. This course is intended for students who are (or will be) competing in an external moot court competition during the school year. Class will meet once a week, at a mutually convenient time established once the course roster is finalized. Please email Professor McFadden at lanemcfa@iu.edu if you are interested in enrolling or with any questions.

B534 Civil Procedure II (3) – Wallace, S.

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.

B538 Semester Public Interest Program ^^ (8) – Hughes, S.

Selected third-year students spend an entire semester in Washington, D.C as public interest interns with nonprofit corporations, trade associations, or federal, state, or local government agencies. The core of the program is a semester-long externship/field placement (B538) coupled with an on-site or video-enabled twice monthly in person seminar on lawyering in the public interest (B539).

Students must work at least 400 hours during the semester at the externship site for the eight B538 hours of credit. The externship work includes established and regular communication among the student, the supervising faculty member, and the supervisory attorney. Students work out their start-and-finish dates for these placements with their supervisors, not with Maurer faculty. We do recommend that students plan to be in DC from Labor Day to the end of the week before Thanksgiving. Many students continue to work into December if they want.

Students also write scheduled reflective essays, which focus not on particular (and often confidential) work products but more on the working of the host organization, its role in administrative, legislative or advocacy work, and on the types of specific challenges it faces in administrative law, legislative drafting and representation, litigation or advocacy from a more academic perspective. Depending on whether students have taken Administrative Law or Legislation before matriculating in B 538 and B 539, students should read selected portions of the Aman-Penniman treatise on Administrative Law, which is widely available from online sources as well as the Bloomington area textbook sellers. We will spend some of every class period in the B 539 course on Administrative Law and Legislation topics.

Students also will submit short papers over the course of the semester as the deliverables for the B539 course so that intensive writing and feedback on writing is a central feature of the B 538 and B 539 courses.

Students will be paired with Maurer grad mentors practicing in fields of mutual interest and, during the B 539 class session, will meet with distinguished Maurer alumni who specialize in federal practice areas that students enrolled express interest. Admission to the program requires special permission from Executive Associate Dean and the instructor.

The companion course, B 539, offers an additional three credits. Students are strongly encouraged to enroll in a separate, one-credit, online course on Advanced Legal Research on Federal Regulatory and Legislative Law subjects. Professor Jennifer Morgan will teach this specialized Advanced Legal Research course. This brings to the total number of credits available for the three courses to 12 credits. This 12-credit total should alleviate the need for students enrolled for Fall 2020 to fill out their credits for the semester with directed readings or independent research, and the choices that some students make to take heavy loads in the Spring Semester following their DC semesters.

Only students specifically admitted to the DC Semester Program may enroll. For more information on the pre-approval process, please see the course description for B 539, Lawyering in the Public Interest.

B539 Lawyering in the Public Interest ^^ (3) – Hughes, S.

This three-credit course works in tandem with B 538 (8 credits) to give students a full 11 base academic credits for the semester. Each student participating in the DC Semester Externships must enroll in B 539 as well as B 538. Students who need an additional credit are strongly encouraged to enroll in the specialty Advanced Legal Research course being offered online only with a focus on regulatory and legislative research tools. This online course will bring the total of credits designed for the DC Semester Program to 12 credits.

No student may enroll in B 539 or B 538 without express, advance permission from the Executive Associate Dean as well as the Instructor. We require applications from students interested in the DC Program to be submitted to Professor Hughes and she, along with the Associate Dean for Student Affairs and Professor Jennifer Morgan make eligibility recommendations to the Executive Associate Dean. We will make eligibility

recommendations on a rolling basis beginning in the Fall Semester of students' second years of law school for participation the Fall Semester of students' third years. Students interested in the Program should contact Professor Hughes in advance of submitting applications and should confirm with Director Katie Beck or Recorder Alexis Lanham that they have sufficient credits towards graduation and have met other curricular requirements in advance of submitting their applications. As of March 7, 2022, we are still taking applications for Fall 2022.

This course runs from the first Friday of the Fall semester until (roughly) the Friday before Thanksgiving.

- The first one or two meetings of B 539 may be conducted on Zoom because not every student will need to be in DC to start their B 538 placements until September 1.
- The in-person classes usually begin on the Friday after Labor Day and are held in a location convenient to Metro stops in downtown Washington, D.C. Class sessions tend to run four hours on Fridays every other week. Fridays are often telecommuting days for students' supervisors so this maximizes students' exposure to supervisors and allows the course to meet the ABA and Maurer requirements for three credits.

Students will have the opportunity to meet with Maurer graduates for instructional purposes across the semester. Lunch will be provided for all in-person class sessions. Students also will get at least one Maurer alum specially recruited to match students' needs with alumni(ae) expertise; this matching happens as the Fall semester begins.

This course has several components – six relatively short writing assignments that deal with aspects of the legislative and rulemaking processes, and Freedom of Information Act (FOIA) requests on subjects of each student's choosing. We cover a combination of advanced legal research tools aimed at federal legislation and rulemaking and the federal FOIA as well as some administrative law coverage (taught by Professor Hughes, other Maurer faculty on occasion, and Maurer faculty librarian, Professor Jennifer B. Morgan); student presentations about their written products; and interactions during each class period with one or more speakers drawn from alumni/ae working in the DC area in fields of interest to students enrolled for the particular semester. Gregory A. Castanias, a DC-based partner at Jones Day and Maurer alumnus, will join the class as often as his schedule of IP appellate litigation allows.

Students should leave this class with a portfolio of short written products suitable to share with potential employers. The written work in this portfolio should not require permission from supervisors or redactions. Assignments match the types of work projects that DC-based lawyers do on a routine basis if they represent clients before Congress, regulatory agencies, or need information from the Executive Branch or independent regulatory commissions. Students select the type of legislation or regulation and its subject matter. The written work needs to match the instructions given for each assignment.

Students will need to arrange their schedules with their host agencies and organizations to be free from meetings and deadlines during these bi-weekly class sessions.

Please advise Professor Hughes in advance if you have a schedule conflict – a hearing or deposition to cover, for example.

Students should expect that the six regular written assignments will be due by noon on the Thursday before the Friday in-person class meetings and should prepare to give presentations of their work during class meetings. These writing assignments will be in

addition to the “reflective essays” for B 538 that are required by ABA regulations in which the student shares his or her sense of their respective workplaces, work environments, ethical issues observed and resolved, or commentary on growth opportunities and challenges they encounter during their B 538 work during the semester.

Students are encouraged to read Professor Fred Aman’s short treatise on Administrative Law in advance of the semester’s start (inexpensive used copies often available on Amazon.com or from the SBA bookstore). Professor Hughes also recommends reading the ABA’s Networking for Lawyers (2006) (used copies generally available on Amazon.com and two in the Maurer Library), and one of the following newspapers to stay abreast of happenings in DC: The Washington Post, The Washington Times, Politico, or The Hill, and may wish to follow areas of interest on specialty online trade publications and blogs.

Professor Hughes will be available during the semester by email (sjhughes@indiana.edu) and by phone (812-855-6318) or (812-327-2083). She will hold the equivalent of “office hours” by arrangement and prior to or following the bi-weekly class sessions should anyone have need for them and have made time on Sunday afternoons if any student needs help remotely on Sundays. Professor Morgan offers advice on research tools via email (jlryan@indiana.edu) on weekdays by email and Zoom.

Students should register for the Fall semester courses that they would like to take if they do not participate in the DC Program. This includes students admitted prior to the registration period. The reason is that plans change – and they have changed over the past few years. Permission of the instructor is required to enroll in any course other than B 639 (Advanced Legal Research – Federal Legislative and Regulatory), B 539 (the academic course for the DC Semester Program), and B538 (the field placement/ externship credits).

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

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 ^^ (1-3) –

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.

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B548 Financial Institutions (3) – Hughes, S.

This course surveys U.S. laws pertaining to the regulation of financial services providers – commercial banks, broker-dealers, commodities brokers and exchanges, investment banks (also known as securities firms), hedge funds, investment advisors, and foreign providers and U.S. entities providing services abroad.

We will look at prudential regulation of these financial services providers as well as the business conduct, ethics, and governance rules that apply to providers that may differ from requirements placed on other corporations. We will compare the regulation of banking and securities, banking and insurance, derivatives, securitizations, and international regulation of financial services providers. We will discuss “hot topics” occurring during the semester. These are likely to include economic sanctions, the regulation of “fintech” companies, industrial loan companies, digital assets including cryptocurrencies and others, crowdfunding, and neo-banks, open banking and “challenger banks.”

This is an ever-changing field. Some of the most interesting issues pending with regulators include the scope of financial services professionals in terms of fiduciary duties to customers, their oversight of their customers’ behavior generally and customers’ compliance with laws here and abroad, including the Foreign Corrupt Practices Acts, anti-money-laundering and counter-terrorism-finance laws, sovereign-wealth movements, and anti-corruption, and what the United States and its partners and allies plan to do about cryptocurrencies and initial coin offerings (specifically and generally). We can spend some time on federal criminal laws that apply to financial service providers if students enrolled are interested in these “white collar” criminal laws depending on students’ interests.

This course will give you tools with which to participate in discussions about regulatory and compliance questions, to discuss structural options for start-ups, and should enhance your knowledge of administrative and constitutional law principles that arise in financial services practices.

Course Materials: Barr, Jackson, and Tahyar, *Financial Regulation: Law and Policy* (Foundation Press, 2019). This is available in an e-book format for a much lower price or find a used copy online. No statutory supplement matches this textbook. I will distribute a list of statutory and regulatory provisions to which students will need access as we go, in a mid-semester section list for students’ review purposes, and in a final section list for the examination. This textbook contains significant materials on policy choices as well as applicable laws. Our focus will be on law, not policy. That means we will not be reading every chapter or all of some chapters. But we will be reading lots of statutes and some regulations.

Class Participation and Final Examination Information: For each class period, I will provide advance notice to a few students that they will be on call. I plan to revise the slide decks I prepared for Fall 2020 and Fall 2021 to focus on the statutory provisions with which I hope you will become familiar. I will make these available enough prior to class to enable you to use them as guides to readings assigned pages and laws.

The final exam will be a timed exam in the Fall 2022 exam period after Thanksgiving. It will not be a take-home examination. The exam will be open note, open textbook, and open statute in format. Although I expect to administer this examination in-person at the law

school, after the past two years, we all know that it may be necessary to switch to a remotely administered examination that will be via Canvas insofar as I can predict in early March. Stay tuned for additional information about the final examination.

Before August 10th, please send me (via email sjhughes@indiana.edu) a brief statement of why you registered for this course including any background or future plans that involve banking or other financial services providers and their duties to their customers.

Note: the final exam for this course will be administered either in-person or remotely (if needed) during the regular Fall semester examination period. I will use your personal statements to shape some aspects of the course before the semester begins.

B551 IP Externship ^^ (1-3) –

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, D.

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, C.

The Conservation Law Clinic is an opportunity for second- and third-year law students to serve as interns in the Conservation Law Center, a public interest law firm that represents citizen groups, nonprofits, and government clients who need legal assistance with natural resource conservation and environmental matters. While we have traditionally focused on issues related to land conservation, freshwater ecosystems and water quality, and endangered species, an emerging focus of our work is to assist underserved communities in environmental justice matters. Conservation Law Clinic interns, working closely with Clinic Attorneys, participate directly in the representation of Conservation Law Center clients. Clinical work is supplemented with readings and discussion that will focus on practice skills. Clinic interns report that they value the experience of representing real-world clients and working in a law firm setting on issues of broad importance. Clinic matters have included analysis of conservation related laws, development of and commenting on new administrative rules, drafting legislation, and participating in all aspects of complex environmental litigation at federal and state administrative, trial, and appellate levels. Students may also have an opportunity to do research related to international conservation work, particularly issues in Costa Rica. During the Fall semester, a seminar component is included with the clinical work. In Fall 2024, the seminar will focus on emerging issues in the field of conservation, including public and private land conservation strategies, state water policy and Clean Water Act enforcement, landscape-scale conservation, and environmental justice, as well as issues related to CLC's ongoing litigation. Students interested in registering for two consecutive semesters are preferred. Independent study students are also considered. Prior authorization is required. Preference will be given to the first twenty students who request authorization. To get authorized to register, please send a statement of interest and a copy of your resume to Christian Freitag (cfreitag@indiana.edu) prior to registration.

B561 Elmore Entrepreneurship Law Clinic ^^ (3) – Need, M.

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

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

Clinic interns meet with the Director in groups or individually to review project status and to discuss experiences and concerns. Clinic interns also attend a two-hour class each week. The course surveys typical legal issues affecting entrepreneurial enterprises, but also focuses on typical funding strategies and procedures of VC-backable companies. Strongly suggested prerequisites for participation in the Clinic include Corporations, Corporate Taxation, and Business Planning, or equivalent preparations as determined by the Director. Per Indiana Supreme Court Rules, students participating in the Clinic must also have completed or be enrolled in a Professional Responsibility course. 3Ls or 4th-year JD/MBAs only. Enrollment in the clinic is limited, so students must, at or prior to enrollment, submit a current resume and a brief statement of interest to the Director by email. After registration, the Director will approve those students who will be enrolled in the clinic.

B564 Protection Order Litigation ^^ (2) – Applegate, A.

Basic Information: Protection Order Litigation (the “Course”) is an experiential learning course designed to complement and supplement the work of the Law School’s pro bono Protective Order Project (“POP”) and help students determine if they would like to enroll in the Civil Protection Order Clinic (“CPOC”). The Course is open to up to 16 second- or third-year students; students who have not previously completed POP volunteer training will need to do so at the beginning of the semester. Class will meet for two hours once a week in a seminar format on Wednesdays from 5:00 to 7:00 p.m.; that meeting time is open to discussion and adjustment, if possible, to fit interested class members’ schedules.

Coordination with POP: There will be close coordination and collaboration between the Course and the Protective Order Project (“POP”). While enrolled in the Course, students conducting intakes at POP will share their experiences with the other students.

Content of the Course: The Course will cover the relevant statutes and important case law for civil protection order (“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 Intimate Partner Violence and Abuse (IPV); how to conduct IPV screening; how to work 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; whether and when reaching compromise in CPO cases is appropriate; and ethical issues. There will be some simulated assignments using Indiana’s protective order form documents as well as POP’s form documents. The Course will also provide students with the chance to develop professional skills including interviewing clients and drafting pleadings and motions.

Pre-requisite for CPOC: Except in limited circumstances and with advance approval, students wishing to enroll in CPOC in a subsequent semester will be required to have completed the Course. That said, students who take the Course are not required to enroll in CPOC; they may or may choose to continue to volunteer for POP.

Grading and Evaluation: There is no final exam. Grades will be based on, among other things, the attentiveness, timeliness, and overall quality of each student’s written assignments; and preparation for class and participation in class discussions. Other criteria will be set out in the syllabus.

B572 Intellectual Property Clinic ^^ (1–4) – Hedges, N.

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.

B575 Constitutional Design in Multiethnic Countries ## (3) – Williams, D.

In the twenty-first century, more countries than ever before are searching for a constitution tailored to their own challenges and traditions, in the hope that proper constitutional design can improve their politics and social relations. This course will consider how such countries can design a constitution. It will consider the choices open to constitutional designers on a range of subjects, such as the different electoral systems, styles of federalism, and approaches to civil/military relations, and it will examine what we know (or think we know) about the likely consequences of the various choices. Students will then put this knowledge to work: in teams, they will choose a real country in the world and design a good constitution for it, through several short papers and one long paper written over the course of the semester. Extensive research into the constitutional history, traditions, politics, and social relations of the chosen country will be required, so as to draft a constitution closely tailored to conditions on the ground.

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

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

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

B582 Mergers & Acquisitions (3) – Williams, C.

This course provides an overview of state corporate and federal securities law structuring M&A transactions and the implications of each for shareholders' rights, either to vote or to challenge the transaction. We then look at the typical contract provisions that get negotiated for different stages of these transactions, and then we study the corporate and securities law doctrines relevant to the approval of, or defense to, mergers and acquisitions. Topics will include debates over the proper role of the board in defending against hostile attempted acquisitions; the role of hedge fund shareholder activists or private-equity firms in promoting transactions, and debates about those roles; and some current trends in antitrust enforcement that are affecting mergers and acquisitions. The course will be taught using a law textbook supplemented by problems and some contract drafting exercises.

Prerequisites: Corporations is a required pre-requisite; Securities Regulation is a suggested pre-requisite or co-requisite.

Evaluation: Final examination: 80%. Class attendance and participation: 20%.

B587 Cybersecurity Law I (3) – Cate, F.

Cybersecurity law and policy is one of the most rapidly changing and expansive fields of law today. It responds to the need in our increasingly data-dependent society to secure information and information systems from unauthorized access, destruction, alteration, and misuse. The field has grown so much that we cover it in two courses, Cybersecurity Law I and II. The courses don't have to be taken in sequence and no technical knowledge or prior courses or experience is required prior for either course. Cybersecurity Law I will provide an introduction to digital technologies and networks and the most pressing threats to data and systems. It will survey major domestic legal and practical tools for enhancing cyber resilience, and the policy issues they raise, in the context of individuals, corporations, not for profit organizations, and civilian government agencies.

B590 Entertainment Law (2) – Meitus, R.

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, the student should contact the instructor for permission 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, R./ Marsh, A.

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.

Ideally, students should be certified legal interns or able to become certified at the beginning of the semester. Non-certified students will be considered on a case-by-case basis. Students must apply for the course by emailing rachel@childadvocates.net and explaining their interest in the practicum and what life or academic experiences have prepared them to represent youth.

B600 Directed Reading (1) –

(1) A directed reading is an independent project in which a student, in consultation with a supervising faculty member, reads a collection of materials in an area of interest. The list of materials will be generated by the student in consultation with and subject to the approval of the supervising faculty member;

(2) J.D. candidates will be permitted to enroll for a directed reading only once for a maximum of one credit;

(3) A directed reading will require no substantial writing nor generate any writing credit; and

(4) A directed reading will be graded on a "Pass/Fail (F or C-)" basis.

B601 Criminal Procedure: Investigation (3) – Scott, R.

This is a constitutional law course concentrating primarily on the Fourth Amendment, with some examination of the Fifth and Sixth Amendments. We will read many of the latest pronouncements by the Supreme Court in Criminal Procedure, which is one of the most rapidly expanding areas of Supreme Court discourse. In doing so, the course probes the constitutional constraints that regulate the conduct of state and federal law enforcement officers conducting criminal investigations. In addition to clarifying the law in this complex area, this course places particular emphasis on realistically examining how lower courts, the police and others in law enforcement actually use the criminal procedure rules. Areas to be covered include (but are not limited to): searches and seizures of persons and property, stop and frisk, arrest, profiling, the exclusionary rule, roadblocks, confessions, wiretapping, and police interrogations.

B602 Criminal Procedure: Trial (3) – Cho, C.

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. Time permitting, 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.

B616 Modern Law Practice: Special Challenges Related to Family Office Investing and Operations ^^ (1) – Rompon

A family office is a privately held enterprise that many wealthy families establish to manage their investments and personal needs, often for multiple generations of the same family. Operating a family office can be costly and complex, so generally speaking, only families with at least \$250 million in investible assets establish one. Family offices control more than \$6 trillion globally; as wealth has continued to be concentrated in fewer people, the number of family offices being established has accelerated. As a result, they are now essential participants in sophisticated transactions that are traditionally the province of large companies or private equity firms. This course introduces students to the structure and operation of the modern single-family office (SFO). Topics include the historical origins of the single-family office (SFO); reasons why many families continue to organize their financial and non-financial affairs through SFO structures; how SFOs are organized and legally regulated, organizationally structured, and operationally managed; and, importantly, how SFOs often incorporate non-financial considerations into their investment decision-making, thus complicating how they are structured. Using a blend of traditional investment theory, case studies, and guest speakers, we will explore the methods SFOs use to manage risk, evaluate investment returns, and optimize tax to satisfy the financial objectives of the individual family members served by the SFO.

John Rompon (IU Law '88), Managing Partner of Marjo Investments, LLC is the course instructor. Classes will be held at the Chicago office of DLA Piper Law Firm, 444 West Lake Street, Suite 900, on Oct 14-17 (two days from 2 to 5:30 pm and two days from 5 to 8:30 pm, exact schedule TBA). Dinner will be provided for the two evening classes. A \$500 travel stipend (through an alumni gift) is available to make participation possible where it would otherwise not be. Enrolled students should contact Dean McFadden for details.

This is a 1-credit pass-fail course that counts toward the Law School's experiential education requirement. It includes 14 hours of instructional time and an expectation of an additional 28.5 hours of background readings, group assignments, and other projects completed outside of class (as required by ABA standards). Enrollment is capped at 20 students.

B620 Negotiations ^^ (2) – Hoeksema, J.

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

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

We will be using Getting to Yes (3rd Edition) by Roger Fisher and William Ury. Excerpts from texts other than the main book will also be used.

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

Grades determined as follows:

60% attendance and class participation;

15% final paper;

25% final negotiation.

B628 Applied Research Practicum: Legal Systems in Indiana (4) – Henderson, B.

This course is an applied research practicum focused on the health and functioning of Indiana's civil legal system. Applied research is designed to solve practical problems of the modern world, ideally to improve the human condition. Examples of applied research include rural sociology (increasing agricultural production), industrial/organizational psychology (improving worker productivity), and public health (reducing and preventing disease).

The first iteration of this practicum is designed to aid the Indiana Supreme Court's desire to better understand and improve the State's civil legal system, particularly concerning cost, efficiency, and access. The practicum will alternate between classroom instruction (e.g., reviewing data on the Indiana legal system, explaining the project's research design, meeting key stakeholders, learning basic research and reporting skills) and field research (e.g., observing courtroom proceedings in Monroe and six contiguous counties; running focus groups; assisting with intake with a legal aid organization to a close look at client need). The course capstone is a series of interconnected final presentations to an official committee or working group of the Indiana Supreme Court.

The course is part of a strategic initiative by the Law School and the University. As such, it is organized using team-based project management. Undergraduate students from various majors will be utilized as fieldworkers, with law students in the dual role of fieldworker and team manager. Because law students have substantial reporting duties to the IU faculty running the project, this is a 4-credit course.

Enrollment is capped at 18 law students.

Instructors and Principal Investigators: Professor William Henderson (Maurer Law) and Professor Angela Raymond (Kelley School of Business).

B634 Adv Con Law: Media Law in the Digital Age (3) – Fargo, A.

An examination of the theory and practice behind the development of free speech and free press law globally, with an emphasis on U.S. law. Topics discussed will include history of the First Amendment, First Amendment theory, freedom of expression in global human-rights contexts, limits on government regulation of media, including internet intermediaries, defamation, privacy, and access to information. Student research required.

Note: This class meets according to Media School regulations & calendar

B639 Advanced Legal Research ^^ (2) – deMaine, S.

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, A.

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 have the opportunity to participate in discussion board prompts on Canvas covering timely topics in law, such as the usefulness of generative AI in legal research. These discussion boards will form a substantial portion of their participation grade for the course.

Each student's course grade will be based on (1) research quizzes accompanying each module of the course, (2) a lengthier written research exercise, and (4) class participation.

B639 ALR: Legislative & Regulatory Research ^^ (1) – Morgan, J.

Online (asynchronous) course; Graded; no prerequisite

This course will focus on U.S. federal legislative and administrative law research skills. We will examine sources of federal statutory and administrative law, and we will research legislation, U.S. Congressional publications, legislative history documents, rulemaking documents, and agency regulations using a variety of resources. After completing this course, students will accomplish objectives under the following topics:

1. U.S. Congressional Documents and Legislative History
 - a. Explain the U.S. federal legislative process
 - b. Describe different types of U.S. Congressional documents and publications
 - c. Identify the major sources of federal legislative history
 - d. Distinguish the relative hierarchical values of different sources of legislative history
2. Federal Administrative Regulations and Regulatory History
 - a. Explain the U.S. federal rulemaking process
 - b. Describe the construction and publication of federal regulations in all forms
 - c. Utilize preambles and dockets for regulatory history research
3. Research Methods and Databases
 - a. Track and maintain awareness of federal legislative and regulatory planning and action, utilizing a variety of electronic and print tools
 - b. Formulate appropriate and effective research strategies
 - c. Demonstrate appropriate use of electronic legal and government resources

Evaluation: Student performance in the course will be assessed using various types of written assignments (online discussions, research exercises, citation exercises, and quizzes).

B642 Appellate Advocacy ^^ (1) – McFadden, L.

This class is focused on practical skills and is designed to prepare you for—and help you excel in—the 2025 Sherman Minton Moot Court competition or other moot court competitions. Registration for this course is *required* for participation in the Sherman Minton Competition. This course is for all 2Ls; 3Ls and graduate students require the advance permission of Professor McFadden.

Although appellate argument provides our frame, the skills that this course teaches—presenting complex facts and ideas to an audience confidently and concisely—are those used daily by lawyers in many types of practice. Jury trials, motion hearings, city-council debates, administrative hearings, and presentations to boards of directors will all draw on this same skillset. The course focuses on oral advocacy, but we will spend several weeks preparing you to write an appellate brief, by extending the persuasive brief-writing techniques you began to learn in LRW. We will examine the essential components of the appellate brief and learn how to structure a written argument when no single binding authority establishes the governing legal rule. We will discuss appellate standards of review, a more flexible approach to CREAC structure, and other theoretical issues associated with authoring an appellate brief.

The course is taught as a combination of asynchronous video and live lectures. For the live-lecture class sessions, you may enroll in either of the two sections that are offered. You will deliver two oral arguments (one on Zoom and one in-person). There is no final exam. Attendance will be required.

Please contact Prof. Lane McFadden (lanemcfa@indiana.edu) with any questions. (Pass/Fail)

B643 Poverty Law ## (2) – Boys, S.

We are experiencing a time of extreme political divide in the United States. One of the most intense areas of debate surrounds entitlement programs. In this course, we will follow current political events closely and discuss the potential impact of various policy initiatives.

In order to put today's legislative proposals in context, we will explore the history and impact of several social welfare programs, including TANF, Medicaid, and the Supplemental Nutrition

Assistance Program (formally "food stamps"). Causes of poverty will be examined in the context of the legal system, as well as other social institutions. Broad topics will include: the role of government in poverty prevention, housing, health care, hunger, minimum wage, work incentives, lending practices, access to education, and the criminalization of poverty.

Readings will include pertinent cases, as well as social science literature assessing how legislation is being implemented and the consequences for low-income Americans. The course will conclude with a one-hour exam. An understanding of poverty cannot be attained in a classroom environment alone, so the course will also involve an investigatory research project.

Dr. Stephanie Boys is a professor of social work at IU Indy and an alumnus of Indiana University Maurer School of Law.

B644 Energy & Climate Law (3) – Applegate, J.

The goal of this course is to prepare students to engage effectively as lawyers and policy makers in the complex regulatory environment at the intersection of the traditional regulation of energy production and consumption, and the emerging regulation of climate change. Energy and climate are pervasively and inextricably connected. The course covers the sources and impacts of energy production and consumption, including an introduction to the science and economics of energy and climate change; the regulatory system for electricity generation and transmission; the national and international regulation of the environmental consequences of electricity production and consumption; and the promise and peril of nuclear power as a response to climate change. Underlying themes of the course include market regulation, federalism, the transition to clean energy, and environmental and climate justice.

B645 Trusts & Estates (3) – Stake, J.

This course in Trusts & Estates will cover goals, methods, and effects of the law relating to donative transfers of assets, mostly across generations. Included will be purposes of donor control; intestate succession; execution, revocation, and revalidation of wills; creation, modification, and termination of trusts; construction of wills and trusts; the law relating to future interests, the Rule Against Perpetuities and other limitations on donative intent. The intricate rules and extensive doctrinal material covered will require a fast pace of presentation. Nonetheless, policy issues involving both fairness and efficiency will be considered.

The prerequisite for this course is a course on Property. This course should be taken prior to any advanced courses in Estate Planning. It is intended as a basic introduction to the trusts and estates area and as elemental preparation for students hoping to enter general practice or specialize in estate planning or fiduciary administration.

Extensive use of power point slides is anticipated. Class preparation is required. The exam will probably include only multiple-choice questions. The readings will be primarily, if not entirely, from the "Trusts and Estates, Second Edition" casebook written by Prof. Stake.

B650 Introduction to Income Taxation (3) – McMahon, S.

This course introduces the federal income tax law as it applies to individuals, families, and businesses. Topics covered in this course include: what constitutes income subject to tax and what is excludible; what is deductible; the tax treatment of gains and losses; and which income items are taxed at preferential rates. Learning to read and apply the Internal Revenue Code, Treasury Regulations, and other regulatory sources is an important focus of this course. This course also focuses on applying tax law to factual situations in ways that conform to professional lawyering conventions.

This course is a prerequisite for most other law school tax courses. For law students, this is an introductory course with no prerequisites. Graduate students from schools or

departments other than the law school may also enroll in this course if space is available; however, this course assumes that students are already familiar with legal case analysis and the other skills and topics taught in the required first-year law school curriculum. Grading will primarily be based on practice problems and an outline-only final exam. Each student's final grade will be subject to a maximum 1/3 letter grade adjustment, up or down, for classroom participation or lack thereof, respectively.

B653 Corporations (3) – Henderson, B.

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.

B658 Law & Education: Legal Perspectives (3) – Kelly, M.

This course prepares students to: 1) identify legal and ethical issues occurring in public PK-12 schools; 2) apply school/district policy and federal/state law to current legal/ethical dilemmas to formulate, articulate, and defend alternative solutions; 3) increase awareness about the importance of legal literacy for administrators, educators, policymakers, and others; 4) locate primary sources of law (i.e., federal/state statutes, regulations, and case law) needed to solve legal/ethical dilemmas and to stay abreast of evolving law; 5) collaborate with others to solve complex legal/ethical dilemmas; 6) communicate persuasively in oral and written form to advocate for themselves, colleagues, students, schools, and district; and 7) analyze diversity, equity, inclusion, and social justice issues related to socio-economic status, race, ethnicity, national origin, language proficiency, disability, gender, sexual orientation, and gender identity. This cross-listed course is a School of Education course (EDUC-A608) which will be taught entirely online and follow the School of Education calendar. 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](#). 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](#) by March 20 for summer semester and April 1 for fall semester enrollment permission.

Note: This class meets according to School of Education regulations & calendar

B658 Law & Education: Legal Aspects of Higher Education (3) – Murphy, B.

The purpose of this course is to introduce current legal issues occurring in higher education settings. Specifically, this course will prepare you to: 1) identify legal issues occurring in public higher education settings so that you can formulate, articulate, and defend alternative solutions; 2) describe and analyze key principles of higher education/college policy as well as federal and state law and apply them to real life scenarios; 3) increase your awareness about the importance of legal literacy for administrators, faculty, 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 issues; 6) communicate persuasively in oral and written form so that you can advocate for yourself, colleagues,

students, school, and district; and 7) analyze a variety of social justice and ethical issues involving socio-economic status, race, disability, sexual orientation, gender identity, and gender. This course is a School of Education course (EDUC-C705) 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 [J.D. Minor in Education Policy](#). Because there are limited spots available for law students, preference is given to law students who have declared the Minor in Education Policy. Therefore, students who are interested in enrolling or interested in declaring the minor must contact [Dr. Janet Decker](#) by the following dates: March 20 for summer semester and April 1 for fall semester enrollment permission.

Note: This class meets according to School of Education regulations & calendar

B663 Labor Law (3) – Velazquez, A.

This course explores the basic law on unions and collective bargaining in the United States. Labor law is the regulation of collective—as opposed to individual—rights. It is about what parties can extract (often forcefully) from the market, not about minimum standards. And in large part it all stems from a single federal statute, the National Labor Relations Act (“NLRA”). In this course, we will trace NLRA doctrine through the massive historical and political changes that have pushed its development and permeate its current condition. We will study the labor law rights that attach where there is no union in sight, where a group of workers seek to certify an agent to represent them in negotiations, and where a fully formed collective bargaining relationship already exists. We will also consider ways that the law allows unions and management to take benefits and concessions from each other (e.g. strikes, lock-outs, and hard bargaining) as well as tactics that are proscribed.

This course will be taught using lectures interspersed with role plays and negotiating simulations that will require students to use Artificial Intelligence tools. While there are no prerequisites for this course, the Professor will draw on concepts that students learn in business associations, employment law, and technology law classes to supplement the in-depth coverage of labor law. Students will be tested via an in-class exam. Professor Alvin Velazquez is joining the Maurer School of Law faculty after more than 15 years as an in-house attorney at the Service Employees International Union working on cutting edge organizing campaigns, negotiating collective bargaining agreements, and emerging technologies. He also worked extensively on Puerto Rico’s bankruptcy. Professor Velazquez has taught at the Georgetown University Law Center and worked at several large international law firms as well.

B668 Con Law II (3) – Macia, R.

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

B669 Immigration Law ## (3) – Krishnan, J.

This course will focus on immigration law from, respectively, a legal, political, international, public policy, social, and ultimately, moral and ethical perspective. We will address issues such as citizenship, migration, marriage, asylum, and many more areas that relate to immigration law. We will begin the process of trying to unpack the various layers of this debate.

There are different learning outcomes that this course will seek to pursue. To begin, in light of the current debate on immigration, we will explore how this discussion relates to issues such as class, inequalities, employment opportunities, and the history of who has been able to migrate to the U.S. and during what time periods – and who has not. We will also study the implications of the rhetoric that has been used by the various sides during the course of this debate and, in particular, how civil society has responded. Additionally, we will analyze how international law, international treaties, and international institutions have contributed to both the public discourse and to public policy as it relates to immigration. And thereafter, we will look at the empirical research and data on what is actually occurring in terms of immigration trends within and into the U.S.

In sum, the course will offer lessons so that the class will be familiar with:

- a). the historical context under which immigration policy in the U.S. has developed, and
- b.) current events and policy trends as they relate to the main immigration issues of today.

At the end of the semester, my hope is that we will each have a more detailed understanding of the complex nature surrounding immigration law and policy in the United States.

Required Texts:

- T. Alexander Aleinikoff, David A. Martin, Hiroshi Motomura, Maryellen Fullerton, Juliet Stumpf, and Pratheepan Gulasekaram *Immigration and Citizenship: Process and Policy* (West Publishing 9th ed. 2021)
- Statutory Supplement (2022) – available on line and in hard-copy
- Please also go to www.ssrn.com and sign up. It is free. This is a scholarly website where I will, on occasion, ask you to download articles to read.

Grading:

- The course will have 2 separate tracks to it. Up to 10 students will have the option of enrolling in a separate section of the course that will fulfill the advanced writing requirement, and students in that section will be assessed based on class attendance and participation (20%) as well as a lengthy writing project that will receive multiple iterations of feedback throughout the semester (80%). All other students will be assessed based on one final 3-hour exam that will be open book, open notes (80%) as well as class attendance and participation (20%). the targeted mean for the course will aim to be 3.3.

B672 Secured Transactions (3) – Ryan, C.

“Need funds fast? Call now!” At this point in your life, you have probably seen more than one billboard announcing a lender’s tantalizing loan scheme along these lines. Indeed, debt is a familiar concept for most of us who have financed our education with loans, have credit cards, and buy any manner of things “on credit.” You may have recently taken out a loan for a car or even a mortgage. But what makes a transaction “secured”? In the process of acquiring debt, we may agree that our creditors may take our property (“collateral”) if we do not pay our debt. If you have agreed to such a condition, you may be entitled to compensation—

kidding—but you have almost surely engaged in a secured transaction. This course will address a wide variety of commercial transactions, with a primary focus on Article 9 of the Uniform Commercial Code (UCC), as well as the interplay between Article 9 and the bankruptcy laws, other state- and federally-created liens (both statutory and judicial) and other types of financing structures. We will explore, in depth, the life-cycle of a secured transaction, including its creation, perfection, and the priority of a security interest under Article 9. In short, this course is designed for you to learn the statutory scheme that regulates security interests in personal or business property. The legal rules are not a mystery; they are printed in statute throughout the 50 states and in the UCC. In addition, because the UCC is part of a comprehensive set of rules regarding particular transactions, it is important to understand how the provisions of the UCC work together. In that respect, this course is a foundational course—and a bar-tested subject. Above all, in this course, you will develop the skills necessary to engage competently in complex statutory interpretation and application, providing you with a necessary foundation for further legal studies. Grades will be based on your class participation, and your performance on problem sets and a final examination.

B675 Public Natural Resources ## (3) – Fischman, R.

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

What does the United States owe to Native peoples violently evicted from the lands now designated national parks? How do national forests decide which trees to preserve and which to sell to loggers? Why does over 40 percent of U.S. coal production come from federally leased minerals? What is preventing more solar and wind power generation on federal lands? Can Pennsylvania ban fracking in the Allegheny National Forest? May I bike in the Deam Wilderness Area of the Hoosier National Forest by Lake Monroe? Does the federal government have the power to ban hunting on private land neighboring a national wildlife refuge?

Public Natural Resources Law answers these questions. It examines the tension between public control and private interests in resources on federal lands, such as national forests. It begins with a historical overview of the development of the patterns of resource ownership, policies toward resource development, and relevant legal doctrines. Building on this historical foundation, we will discuss federalism in resource regulation, proprietary management models, planning, separation of powers, and judicial review. We will study these issues in the context of the federal laws and policies governing mineral, energy, timber, recreation, and wildlife resources. Most of these issues involve the federal lands in the American West. We will address the fundamentals, such as environmental impact analysis and the Endangered Species Act, in the context of current controversies including state claims to control federal resources, energy permitting, and justice for dispossessed native peoples. Students seeking more detail on topics can [view an outline here](#).

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

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

There are no prerequisites required for this course, though Administrative Law is very helpful. Most required reading will be from the casebook, *Federal Public Land and Resources Law* (8th ed. 2022) ISBN 978-1-68467-240-0. Please make sure you get the 2022 edition. The older edition is terribly out of date!

B679 Student Legal Services Practicum ^^ (3) – Williams, St.

Instructor information: Stacey Williams (*she/her/hers*) (____) • 812-856-0385 • seevans@iu.edu

Other SLS staff attorneys

The Student Legal Services Practicum course provides 3 units of academic credit to students who have completed the application process and been selected as a Student Legal Services intern.

Description: Student Legal Services (IUSLS) is a busy, fast-paced law office conveniently located in the heart of the IU-Bloomington campus. Unlike most law offices, IUSLS is structured around our legal interns, meaning we make our interns' learning experience a priority. IUSLS legal interns develop their legal skills by practicing law on behalf of real clients under the supervision of licensed attorneys. IUSLS legal interns meet with clients directly, research relevant law, and work with licensed supervising attorneys to formulate case strategy. As legal interns gain more experience, they are encouraged to formulate case direction and strategy on their own, with supervisor approval. Students are asked to make a three-semester commitment to the IUSLS internship, with the summer counting as one semester. The Practicum course is offered only during the fall semester.

Course Format and Instruction: The class will be taught every other Thursday during the semester, 3:35pm -5:35pm, for a total of 7 classes and 14 hours of classroom instruction. Students will work an additional 10 hours per week on client intakes and cases, for a total of 150 hours of paid internship time over the course of the full semester.

Each class session will be taught by a team of IUSLS attorneys who will lead students in a discussion of readings and exercises based on hypothetical case scenarios. As the semester progresses, and students become more involved in substantive client case work, class discussions and exercises will become more vibrant and impactful as the course shifts from a focus on hypotheticals to actual client cases. The final class will consist of a case presentation by each student which demonstrates an understanding of the practice fundamentals introduced during the semester.

Students will receive a standard letter grade at the end of the semester based on their participation during classroom sessions and their overall performance in connection with work assigned during their fall semester internship.

Paid internship work: The work students perform as paid interns will be supervised by IUSLS attorneys throughout the semester. Each student is assigned a supervising attorney for the semester, and the student's work on client intakes and new client cases will be overseen by their attorney supervisor for that semester. The individual instruction students receive during their internship work is separate from, but is structured to coordinate with, the classroom instruction.

Goal: By the end of the semester, you will be able to conduct client interviews using recognized techniques to develop mutual trust and empathy between you and your clients. You will learn how to analyze client case descriptions, and from there how to develop questions to illicit the factual information crucial to beginning the work of case analysis and strategy. You will learn negotiation technique and strategy, and develop the tools necessary to reach a resolution with adverse parties without resorting to litigation. You will learn the fundamentals of litigation practice, including analysis and preparation of

pleadings, various motions, and discovery requests and responses. You will learn the steps to solving real-life client problems while developing your own style as a practitioner.

The learning outcomes for the SLS Practicum are for you to

- Apply recognized techniques for communicating effectively with clients, adverse parties, co-workers and others while maintaining an attitude of empathy and respect
- Develop an understanding of yourself as a professional, as a counselor, and as a colleague to the SLS staff and your intern peers
- Understand the real-world application of the rules of professional conduct for attorneys
- Continue to grow your skills in case management, case resolution, and problem solving to achieve client goals
- Understand the fundamentals of civil litigation practice from initial client interview to trial or alternate resolution

Resources:

Indiana Rules of Professional Conduct

Indiana Code

Indiana Rules of Trial Procedure

Monroe County Local Rules

Indiana Rules of Evidence

Indiana Rules for Small Claims

Indiana Practice Series

Binder, Bergman, Treblay & Weinstein, Lawyers as Counselors: A Client-Centered Approach, (3rd ed.)

Krieger & Neumann, Essential Lawyering Skills (ELS) (5th ed.)

Materials posted on Canvas, under "Modules"

B680 Employment Discrimination (3) – Widiss, D.

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

B684 Strategies for Legal Writing ## (2) – Goodwin, G.

This course is designed to enhance your success in law school and on the bar exam by further strengthening critical legal analysis skills, with a particular emphasis on information processing and written legal analysis for exams. Using bar-tested subjects, you will be provided with multiple opportunities to perform legal analysis and receive feedback on your work product. This course also will explore some of the most current research on learning, with the goal of identifying individual strengths and preferences – and developing new ones – to enhance memorization and information processing. By the end of the semester, you should be able to utilize best practices for learning new material, strategize for optimal

written exam performance, and effectively complete a bar exam performance test under timed conditions. Permission of the Office of Student Affairs is required.

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

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.

B700 Corporate Tax (2) – McMahon, S.

Prerequisite class work: Introduction to Income Taxation or, with the professor's permission, Introduction to Income Taxation as a co-requisite.

This course covers the fundamentals of the federal income tax as it applies to businesses life cycle from their formation through the distribution of businesses' earnings. Its focus is on the most common business entities: C corporations (which are taxed at the corporate level), partnerships (both general partnerships and limited partnerships), and S corporations (electing small business corporations, which generally experience pass-through taxation). This course is comparative, illustrating the pros and cons of entities' tax characteristics as among these three entity choices. Class grades will primarily be determined based on students' performances on several writing projects distributed throughout the semester. Each student's final grade will be subject to a maximum 1/3 letter grade adjustment, up or down, for classroom participation or lack thereof, respectively.

B706 Independent Research (1-3) –

A student may enroll in independent research that results in a substantial original written product under the supervision of a faculty member. The faculty member shall determine, after consultation with the student, the subject matter of the research, the scope of the project, the maximum number of credit hours that may be allowed, and the final date for submitting the final written product. A student may not register for a B706 credit research project without the written approval of a faculty supervisor.

Independent research will normally be awarded 2 credit hours and will require substantial written product of equivalent length and quality as is expected in a 3-credit seminar. With the written permission of a faculty member, a student may pursue independent research for 1-4 credits hours, with the expectation for the length and quality of the final written product adjusted accordingly.

Independent research for more than 4 credit hours is possible in unusual situations for third-year students for whom the research serve as a capstone experience. Such research should result in a substantial final written product of publishable quality or its equivalent. Students interested in pursuing independent research for more than 4 credit hours should prepare a written research proposal addressing:

- the nature, scope, and objective of the proposed research;
- a plan for completing the research;
- the intended outcome of the research, including publication plans;
- features of the research that would warrant additional credit (such as interviews, surveys, access to archives or other material, or other components that may require more time and effort or work outside of the Bloomington area);
- relevant coursework or other experiences that have prepared the student to conduct the research;
- how the research will provide a capstone experience; and

- compliance with any IRB or other applicable research requirements.

Independent research for more than 4 credit hours will require the approval of the supervising faculty member, the Executive Associate Dean for Academic Affairs, and the Assistant Dean for Student Affairs.

Regardless of the number of credit hours, a student engaged in independent research shall consult with the faculty supervisor with sufficient frequency to assure that the research is progressing satisfactorily and that it will be completed by the scheduled date. Independent research credit may not be used to compensate a student for work as a research assistant.

B707 Directed Research (1-3) –

A student may engage in collaborative research with a faculty member under the faculty member's supervision. Such research may facilitate a faculty member's work and may be on a topic identified by the faculty member, but must both involve independent research by the student and convey the fruits of that research through one or more papers, memos, or other written products prepared by the student. The intent is to provide an opportunity for substantive collaborative research with faculty. The faculty member shall determine and clearly convey to the student the subject matter of the research; the scope of the collaboration; the type, number, length, and due dates of written work; the number of credit hours; and the intended duration of the collaboration. A student may not register for a B707 directed research project without the written approval of a faculty supervisor. A student may complete Directed Research for 1-3 credit hours during or between semesters. Directed Research shall not satisfy any writing credit.

B708 Information Privacy Law I (3) – Tomain, J.

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 I (this course) covers the academic and constitutional background to privacy, the intersection of privacy and free speech, the intersection of privacy and law enforcement, and (time permitting) privacy considerations in national security. Information Privacy II (not this course) will focus on privacy issues involving government records, and commercial and international contexts. This class will most likely have a take-home essay exam that is distributed the last day of class and will be due before the exam period starts, instead of an in-class exam during exam period. Class participation is also a component of the final course grade. If you have questions, please contact Prof. Tomain: jtomain@iu.edu

B709 Transactional Drafting: Real Estate ^^ ## (3) – Need, M.

In this course, students will learn transactional drafting skills through a focus on mixed-use real estate acquisitions. Students will learn the relationship between business and legal aspects of a commercial real estate transaction through a "cradle to grave" review of a hypothetical transaction, from first review through due diligence and closing. Students will learn to value a mixed-use parcel from an income perspective and familiarize themselves with basic lender qualifying models, title insurance review, and the drafting and review of all aspects of the acquisition process, the acquisition contract, and triple net leases.

The drafting instruction starts with the "nuts and bolts" of contract drafting and proceeds through the process of incorporating deal terms into contract provisions. Students will study

both stylistic and legal conventions and their relationship to one another. Students will learn how to identify risks and draft clear contract provisions that minimize ambiguity and control those risks. The course is useful to any student who will be drafting and negotiating contracts in his or her legal career, whether in the real estate context or otherwise.

B710 Independent Clinical Project ^^ (1-4) –

The following requirements apply to all independent clinical projects:

- (1) The project must be supervised by a member of the faculty;
- (2) Up to three credit hours during the academic year or four credit hours during the summer may be arranged with the supervising faculty member, at a rate of 50-60 internship hours per credit hour; P/F or C- grading applies, unless special prior arrangements are made with the faculty member;
- (3) If the project involves client contact (other than an institutional client), the student must have completed successfully a course in the Legal Profession as a prerequisite and be supervised by a licensed attorney;
- (4) The project will not satisfy the School's research and writing graduation requirement;
- (5) The supervising faculty member is encouraged to visit the project site during the course of the project;
- (6) The student must provide a written description of the project. The supervising faculty member must sign the proposal. The signature constitutes the faculty member's certification that the project has a definite and explicit academic component; and
- (7) The student and supervising faculty member must follow a supervision protocol, developed by the Dean in consultation with the Educational Policy Committee, that assures compliance with ABA Accreditation Standard 305;
- (8) If the project is supervised by a faculty member in whose special field of expertise the project lies, the student and faculty member may substitute for the protocol described in paragraph (7) other evidence of compliance with the following requirements (the requirements of paragraphs (1) – (6) remaining in force) -
 - (a) The academic component must include the following elements:
 - (i) A procedural mechanism for facilitating critical thinking by the student about the lawyering process. The student should be required to keep a journal, attend regular discussion sessions with the faculty member, or engage in some equivalent regularized procedure;
 - (ii) The opportunity to reflect on one or more issues of ethics and professional responsibility;
 - (iii) A clearly defined academic agenda focusing on one or more aspects of the legal system, including interpersonal relationships, institutions, dispute resolution, and legal doctrines;
 - (iv) An opportunity for the student to acquire new lawyering skills or to improve upon skills already acquired;
 - (b) The project must include some established and regular communication among the supervising faculty member, student, and supervising attorney; and
 - (c) The supervising faculty member must consult with the supervising attorney in the evaluation of the student's academic achievement.

B710 Cybersecurity Clinic ^^ (3) – Bose, S.

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

legal, technical, governance, and managerial best practices. Alongside the project, students will take a 3-credit substantive course providing an overview of privacy and cybersecurity risk management issues and covering topics such as security frameworks, 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.

B712 Teaching Fellow (1-3) –

The Teaching Fellow course will award academic credit to upper-level students who serve as Teaching Fellows in classes they have already completed. The course will consist of two components: (1) a classroom component, organized by the instructor of record for the Teaching Fellow course (the "Fellowship Instructor"); and (2) an academic support component, supervised by the instructor for the class in which the Teaching Fellow provides support (the "Class Supervisor").

To complete the classroom component, students serving as Teaching Fellows will read assigned materials and meet periodically (approximately three times per semester) as a group with the Fellowship Instructor to discuss their activities, to reflect on their experiences, and to share advice with one another. The classroom component will require only approximately 10 hours of student work; students will earn most of their academic credit through academic support activities. The Fellowship Instructor will serve as a resource for Teaching Fellows and will work closely with Class Supervisors to evaluate Teaching Fellows' work.

To complete the academic support component, Teaching Fellows may perform a variety of support activities at the direction of the Class Supervisor. Examples include:

- reading assigned material for the class, along with students taking it;
- regularly attending class sessions to remain familiar with students' progress and questions;
- leading regular review sessions for students in the class during the semester, or in preparation for exams;
- assisting the Class Supervisor in assessing and providing feedback on practice exercises or other assignments that do not count toward the final grade;
- holding office hours (in addition to those held by the Class Supervisor) during which students are invited to meet and ask questions; or
- preparing review materials, in conjunction with the Class Supervisor, that summarize course content or otherwise assist with student learning.

B713 Administrative Law (3) – Applegate, J.

This course studies the law of decisionmaking by federal administrative agencies, such as the Environmental Protection Agency (EPA), the National Labor Relations Board (NLRB), and the Securities Exchange Commission (SEC). Government agencies make numerous types of decisions on innumerable subjects, so the course focuses on the boundaries set by the Constitution, legislation, and judicial decisions. We examine the largely constitutional questions of power and control by the political branches of government over agencies; the constitutionally and legislatively established internal structure and procedures of agencies; and finally the fundamental role of judicial review in the work of administrative agencies.

B720 Advanced Trial Practice ^^ (3) – Diekhoff, M.

Advanced Trial Practice is a limited enrollment course for third-year students who are especially interested in litigation. It provides students with an opportunity to refine their basic trial skills, as well as an opportunity to practice jury selection, presentation and cross-examination of expert witnesses, and impeachment. The development and improvement of advocacy skills and techniques are the focus of this class. Written assignments are designed

to complement specific advocacy skills and to assist the student in identifying and addressing litigation issues. The class utilizes a criminal case problem that presents a guilt-innocence question and challenges students to consider issues including witness and juror bias and the presentation of non-traditional experts. The final exam is a mock trial. Evidence and Trial Advocacy are prerequisites. Students enrolled in the class are encouraged to participate in trial advocacy competition.

B722 Trial Advocacy ^^ (3) – Diekhoff, M. / White, Q.

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

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

B723 Evidence (4) – Orenstein, A.

Evidence law regulates the proof of facts at trial and reflects the construction of courtroom "truth." In this course we will examine the rules of evidence and explore some aspects of their practical application. The course will cover: relevancy, hearsay, privileges, character, impeachment, experts, authentication, and best evidence. We will look at the rules and cases to analyze how evidence law may perpetuate and influence the cultural values, legal rules, and social norms that our society uses to assess credibility. The class is taught with a coursebook and case supplements on Canvas but will emphasize problems and a close reading of the rules. Students may be expected to submit written answers to problems and other short assignments in advance of class.

B726 IP Antitrust (3) – Knebel, D.

This course will focus on the interplay between the antitrust laws and laws protecting intellectual property such as inventions, works of authorship and trademarks. Although both sets of laws are ultimately intended to make our economy more innovative and productive, their distinct ways of accomplishing that objective often seem to put them at odds with each other and courts are routinely called upon to resolve those conflicts. In the process of looking at these conflicts and their resolution, the course will provide an understanding of basic antitrust principles that may be sufficient for students not intending to concentrate in that area.

No previous exposure to antitrust is expected or required. It is recommended that students have taken at least one intellectual property course, or be concurrently enrolled in one.

B727 Securities Regulation (3) – Nagy, D.

This course provides an overview of the federal securities laws and focuses primarily on the Securities Act of 1933. Topics include the definition of a security; underwriting and the registration process for public offerings; transactional exemptions such as private placements; secondary distributions; and civil and criminal enforcement as well as private rights of action for Securities Act violations. Transactional problems are used to explore the statutory provisions, SEC rules and regulations, federal court cases, and other sources of securities law (or "lore") referenced in the assigned reading. Students are expected to work

through specified problems in advance of class and to come prepared to discuss their answers/solutions. The transactions we cover run the gamut from start-up businesses seeking to raise capital from family and friends, to initial public offerings (IPOs), to new issues of securities by some of the world's largest public companies. Grading will be based on a final exam, as well as preparation for and participation in class.

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

B734 Advocacy: External Moot Court Teams ^^ (1) – McFadden, L.

Students competing in an intermural moot court competition during the 2024-2025 school year may enroll in this course. If your competition spans the fall and spring semesters, you may enroll in this course in either fall or spring (but not both). Registration requires the advance approval of Professor Lane McFadden; please contact him directly at lanemcfa@iu.edu to indicate that you would like to enroll. Enrollment typically happens during the first week of the fall semester (because many team members will not know during spring course enrollment whether they are competing in the following year).

Moot court teams that may enroll in this course include (but are not limited to): Jessup, the ABA's National Appellate Advocacy Competition, the Pace Environmental Law Competition, the Anderson Center Seventh Circuit Competition, the Gabrielli Family Law Competition, the Tulane Mardi Gras Invitational, the Chicago Bar Association Competition, the Prince Memorial Evidence Competition, and others with the approval of Professor McFadden. The Antitrust and IP competitions have their own course number and section, with different faculty advisors. All moot court competitions are eligible for one hour of academic credit per year, with the exception of the Jessup and Pace Environmental Law Competitions, which are eligible for two hours' credit.

Credit is awarded on a pass/fail basis. The course consists of meetings with Prof. McFadden and other faculty advisors to discuss the briefing topic (when competition rules permit), the preparation and filing of an appellate brief as part of your competition, and regular practice for oral argument.

For more information on moot court teams, please see <https://law.indiana.edu/students/advocacy/external.html> and contact Prof. Lane McFadden (lanemcfa@iu.edu) with any questions.

B734 Advocacy: IP Moot Court ^^ (1) – Janis, M.

This course is the for-credit component of students' participation on one of the IP Moot Court teams, which include AIPLA, INTA, PTAB, Oxford International IP Moot, IP LawMeets, and the International Patent Drafting Competition. Enrollment is by permission of the instructor only. Before enrolling under this course number, please confirm your participation on the IP Moot Court Team with the CIPR Administrative Director, Melissa Berry (berry@indiana.edu).

B735 Int'l Business Transactions (3) – Emmert, F.

This course is a practice oriented introduction to the legal aspects of international business transactions. After an overview of the legal frameworks governing IBTs, we analyze in depth the four corners of a documentary sale: The sales contract, the payment or financing contract, the shipping contract, and the insurance contract. The course finishes with an overview of typical problems related to transnational litigation and international commercial arbitration, the two dominant forms of enforcement of rights arising from IBTs. Prof. Emmert is bringing 30 years of experience as a transactional lawyer, international arbitrator, and law professor to the course and will be using his book "International

Business Transactions – Text, Cases and Materials” published by Carolina Academic Press, with dozens of check lists, model contracts and other study aids. No business or business-law background is required to take this course. The final exam will be a 24 hour take home.

B743 Patent Law (3) – Janis, M.

This class surveys United States patent law, with an emphasis on the decisions of the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office (USPTO), and the U.S. Supreme Court. The structure follows the basic steps of a patent infringement suit, addressing claim construction, validity, infringement, defenses and remedies. In general, we will draw on cases involving straightforward and sometimes even humble technological developments that illustrate fundamental patent law principles. We will learn how patent law arguments are developed and rebutted before the courts and the USPTO; how the institutions of the patent system operate and how they might be improved; and how changes to the patent law regime, including those enacted as part of the America Invents Act, affect a wide range of innovators, from start-ups to universities to multi-national tech companies. The exam is an open-book take-home exam.

B745 Conflict of Laws (3) – Sanders, S.

Imagine that a plane crashes in State A. The aircraft was assembled in State B, and owned by a company in State C, but the defective engine was manufactured in State D. The injured or deceased passengers are from ten different states. State laws vary on matters like availability of punitive damages and who may file a wrongful-death action. So, in our air crash example, which state’s law should apply to the tort claims? This is an especially knotty example of a conflict-of-laws problem, but it gives you a taste of what the subject is about – and why it is relevant to real-world legal practice.

Transactions or conduct may have contacts with more than one state. This reality generates a number of legal questions that are relevant both to transaction planning and litigation. For example, if two states have the power to legislate and regulate, and both seek to apply their law to the same dispute, how should we choose between them? Can the parties to a transaction avoid potential problems by simply choosing the applicable law themselves, and, if so, are there any limits to that form of party autonomy? Over the years, many different approaches have been developed to help guide lawyers and judges on these issues. We will examine those approaches and consider how they work in application. They also raise fascinating questions about the limits of sovereignty and the policy considerations underlying the exercise of sovereign authority.

The field known as conflict of laws comprises several sub-areas: (1) choice of law (the sort of problem illustrated by the air crash example); (2) requirements and restrictions on choice of law that are imposed by the U.S. Constitution and the realities of a federal system, including Full Faith and Credit, interstate enforcement of judgments, and the *Erie* doctrine; and (3) a sovereign’s ability to exercise personal jurisdiction. We will cover all of these topics, though the dominant focus of the course is choice of law.

There are no prerequisites for this course, though there is some overlap (in the areas of personal jurisdiction and *Erie*) with Civil Procedure II. It is equally useful for 2Ls and 3Ls, and may be especially valuable for students planning to clerk.

B751 IP Survey (3) – Mattioli, M.

Understanding intellectual property (IP) law is essential in today's knowledge-driven economy. This course offers a comprehensive introduction to the foundational principles of intellectual property (IP) law, making it ideal for students seeking a solid understanding of core IP concepts, even if they don't intend to specialize in the field. We'll delve into the

critical policy issues, legal frameworks, and connections between IP and other legal areas. The course focuses on patents (for inventions), copyrights (for creative works), and trademarks (for brand identifiers). Additionally, we'll explore related topics like trade secrets, the right of publicity, and privacy law. This course provides a strong foundation for further study in upper-level IP electives, although it's not a prerequisite for those classes.

B761 Law & Philanthropy ## (3) – Purcell, P.

Approximately 1,500,000 tax-exempt organizations in the U.S. provide an array of services, ranging from urban hospitals, major universities, nation-wide social service agencies and grant-making private foundations to “grassroots” homeless shelters, food pantries and health clinics. Nearly \$500 billion in charitable gifts donated each year support these services. Charitable giving takes a variety of forms – including outright gifts of cash or property, charitable endowments, bequests in wills or trusts, beneficiary designations of retirement plans or life insurance, gift annuities or charitable remainder trusts paying the donor a lifetime income, and complex charitable lead trusts. Most planning techniques offer significant savings in gift, estate, income and/or capital gains taxes.

This course will review the history and current state of nonprofit corporations and tax-exempt organizations, exploring issues related to their creation, operation and governance for the attorney who may counsel or work for such an organization. Charitable giving tax and other laws will be examined in detail, illustrating the various ways in which an attorney may advise his or her client to consider a charitable gift in the context of an estate plan. Finally, we will show how the field of service to tax exempt organizations offers attorneys a venue for a professional career and/or volunteer public service to fulfill the missions of these organizations.

Students will have an opportunity to meet and question staff and attorneys who counsel charitable organizations and their donors or clients in order to learn more about this unique “third sector” of American society.

No final exam.

The grade is based on:

1. Class participation,
2. Written analyses of case studies, and
3. Interview report (written report and oral presentation to class) of a meeting with an attorney serving the nonprofit field that I arrange on behalf of each student.

B771 Mediation ^^ (2) – Stafford, C.

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 six assignments: three 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.

B789 Feminist Jurisprudence (3) – Williams, S.

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.

B791 Advanced Legal Writing ## (2) – Goodman, S.

This course explores the core principles that underlie the most effective legal writing. Students learn to apply a systematic approach to their writing—regardless of document type—by analyzing actual legal writing and by completing short, weekly drafting and revision assignments, both with and without generative A.I. The assignments involve a wide range of document types, which may include letters, emails, contracts, statutes, jury instructions, judicial opinions, and briefs. The main part of each class session follows a workshop format, in which students draft or present their work and the group critiques it. Grades are based on the short weekly assignments, a few longer assignments, class presentations, and in-class work. Enrollment is limited. Offered fall and spring semesters. Prerequisites: LRW I and II (B542 and B543).

Seminars:

B592 Seminar in Law & Political Theory: Institutional Analysis of Social-Ecological Systems ** (3) – Cole, D.

This 3-credit seminar, which IU's Nobel Laureate Elinor Ostrom taught for many years, examines how, when, and why individuals engage (or fail to engage) in collective action to resolve (or not) the social and social-ecological problems that confront them. The seminar will focus, as it did when Professor Ostrom taught it, on the "Bloomington School of Political Economy" and its approach to Institutional Analysis, which she developed over the course of more than 40 years, along with her husband Vincent and colleagues in the Ostrom Workshop in Political Theory & Policy Analysis at Indiana University. Though the "Bloomington School" will be highlighted, we will also address other approaches, both complementary and competing, throughout the semester. The Seminar in Fall 2024 will be co-led by Professor Emeritus Michael D. McGinnis (Political Science) and Professor Emeritus Daniel Cole (Law & SPEA).

Institutions, including both formal laws and informal social norms, constitute the "rules of the game" governing social interactions, the outcomes of which affect both human societies and the natural environment. Institutional analysis, at its simplest, is the study of rules, rule-changes, and their social and ecological consequences over time. It encompasses various approaches to institutions from diverse disciplines, including (but not limited to) institutional economics (e.g., the economics of property rights and contracting), game theory, theories of rational and public choice, agent-based modeling, network analysis, and legal analysis.

This seminar is open to law students, PhD students and postdocs, as well as Visiting Scholars in the Ostrom Workshop. Faculty, too, are invited to participate in the seminar whenever they like. Master's candidates can apply to take the course by emailing either Professor McGinnis (mcginnis@iu.edu) or Professor Cole (dancole@iu.edu). The final syllabus for this fall's seminar will be uploaded to CANVAS a week or so before classes begin. Past syllabi are available from Professor Cole upon request.

Before the start of the semester, participants are expected to have read Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action* (Cambridge 1991). Weekly discussions will be based on a half dozen or so papers and book chapters, which will be made available on CANVAS. In addition to attending weekly seminar meetings, students taking the course for credit must:

(1) Write a short (2-3 page) biweekly memo to the instructor and other members of the class, reflecting on what they are currently reading, how they are progressing on their seminar paper, and related topics. These memos are not individually graded. However, they will factor into the final grade as part of class participation. The faithfulness and quality of the memos will be reflected in this part of the grade. In Week 1, Professors McGinnis and Cole will divide the students in class into two sections, A & B. Students assigned to Section A will complete the first set of memos, due a day before Week 2's meeting. Students assigned to Section B will complete their first memos for Week 3. And so on.

(2) Complete a final paper. Each student is expected to select either a type of problem (such as that of providing or conserving a particular type of public good or common-pool resource) or a type of decision-making arrangement (such as that of a legislature, a market structure, a cooperative organization or a common-property regime). The papers should include an analysis of how combinations of rules, the structure of the goods and technology involved, and cultural conditions combine to affect the incentives facing individuals, resulting in patterns of interactions that have social and/or social-ecological outcomes. Students may choose to focus more on ground-level interactions among individuals subject to rules, the policy-level where rules are made, or the constitutional-choice level, where the meta-rules of the game are determined. However, any significant linkages between these levels should be addressed. This paper assignment provides an excellent opportunity for students to do create research designs for a dissertation engaging in institutional analysis of a particular problem or problem-set. That said, any papers relating to dissertation or other research must be written exclusive for this class (submitting one research paper for credit in multiple courses is considered an act of plagiarism at IU). Papers written for this seminar by law students will qualify for the law school's advanced writing requirement. Students are encouraged to use this opportunity to write a first draft of a paper that eventually will be submitted for publication. The final week of the semester, the seminar will not meet. That week will be devoted, instead, to the completion of student papers.

At the end of the semester, after final papers have been turned in, we will convene the "Mini-Conference," a long-standing tradition of the Ostrom Workshop, usually held on the first Monday following the end of the semester. Instead of student presentations, at the Mini-Conference, faculty members will present and briefly critique student papers, followed by a response from student authors and general discussion. The virtue of having faculty members present the students' works is to help students understand how an intelligent

reader, not necessarily an expert in the topic of the paper, interprets what and how each student writes.

The Seminar will meet each Tuesdays during Fall 2024 from 3:00 pm to 5:00 pm in the Tocqueville Room at the Ostrom Workshop. A complete syllabus for the course will be made available on the CANVAS site around the start of August.

L664 Seminar in Information Privacy ** (3) – Cate, F.

We live in a world of ubiquitous data. Dramatic advances in digital technologies have greatly expanded the volume of personal data created as we engage in everyday activities. This expansion poses significant challenges for law. Nowhere is this more true than in the case of privacy. Defining the rules governing the use of personal data is a critical task with significant ramifications for individuals, institutions, government, commerce, security, and civil rights. This seminar will address those challenges. We will explore a handful of important, current privacy controversies, such as privacy and national security, privacy online and social networking, and privacy and AI—in the United States and other countries. The goal is not only for you to develop a deeper level of knowledge about these key areas, but also a deeper understanding of the dynamics of privacy law and policy debates more broadly. Grading will be based primarily on a research paper you will complete on one of the substantive privacy issues we discuss in class or another current, important privacy topic, and on your participation in those in-class discussions. At least one prior graduate course (whether in Law School or elsewhere) in privacy or security law/policy or significant relevant professional experience is a prerequisite.

L690 Seminar in Corporate Law: Climate Change & Corporate Accountability ** (3) – Williams, C.

Climate change touches on so many aspects of legal practice that it has become a new, rapidly emerging field of law. Almost every major law firm in the U.S. is adding capacity to advise companies on climate change and its business implications, to address voluntary and required climate and environmental, social, and governance (ESG) disclosure, and to represent companies in litigation. Conversely, an emerging global network of NGOs and public-interest law firms is using corporate and securities law to motivate changes in companies' behavior regarding climate change, collaborating with activist investors to use advocacy tools such as shareholder proposals, regulatory complaints, litigation, and books and records requests.

In this seminar, we will survey this emerging field, concentrating on studying (1) the evidence of climate change as a financially material risk; (2) analysis of the categories of climate change cases being brought in litigation in the U.S. and globally; (3) the SEC's climate disclosure rule, which was issued in March 2024 and is being challenged in litigation; and (4) specific corporate and trust law analyses under existing law that suggest considering climate change is part of officers,' directors,' and pension fund trustees' fiduciary obligations regarding strategy, risk management oversight, portfolio construction, and engagement.

Evaluation

Class participation: 10%. Attending regularly and participating based on reading and thinking about the reading will constitute excellent participation.

Paper: 90%. The paper for the seminar will qualify for upper-level writing credit for the J.D. students.

L710 Seminar in Law & Social Psychology ** (3) – Quintanilla, V.

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

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

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

L710 Seminar in Regulation of Vice ** (3) – Thusi, I.

This seminar examines the regulation of activities that have been described as moral “vices.” The course will focus on laws that have regulated sodomy, illicit drugs, marijuana, gambling, prostitution, and alcohol. The course examines what constitutes a vice, whether there is a continued role for morality legislation in modern society, and the policy implications of the various legal and regulatory schemes that impact so-called vices. The course considers the historical, legal, cultural, and political considerations that impact how vices have been regulated. Students will weigh the costs and benefits of criminalizing vices and draft model policies for the treatment of one of the vices discussed during the

course. This class is highly interactive and will require some group exercises to reinforce student learning. Before enrolling, students must submit a brief note explaining their interest in the course to Professor Thusi.

L713 Seminar in Law & Economics ** (3) – Ryan, C.

Why do we allow parties to a contract to breach their obligations short of specific performance? Do criminal law penalties adequately disincentivize certain behaviors? The Law & Economics academic movement sought to answer these questions 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. 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 to a final project of your choosing, which should go beyond mere description to apply the methods of Law & Economics to critically evaluate some rule, regulation, or customary legal practice.

In addition to the mostly theoretical discussion of Law & Economics in which we will engage, we will also engage in discussions of academic writing and commentary typical of advanced seminars. You will thus present your project to your peers, discuss other students' works-in-progress, and write a paper offering original Law & Economics analysis of an approved topic—all in service of preparing you for norms of professional discourse.

There are no prerequisites for the course, and you need not have training in economics to benefit from the course. However, we will occasionally use basic arithmetic and algebra.

L714 Seminar in Judicial Conduct ** (3) – Geyh, C.

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

L730 Seminar in International IP ** (3) – Leafer, M.

This Seminar has two goals. The first is provide students the opportunity to write a substantial paper relating to their interest in IP. The second goal is expose students to current developments in IP (with a pronounced international theme) and cutting-edge legal scholarship. In this regard, our class sessions will feature invited intellectual property law scholars who will deliver works-in-progress to the class for discussion and review.

L764 Seminar in Law & Technology: Space Law ** (3) – Janis, M.

Space exploration is fueling a new industrial revolution. Globally, commercial space is a \$500 billion business, with projections of double-digit growth in the years ahead. Some seventy countries have active space programs. In the U.S., public investment in the space program has topped \$50 billion in recent years, and the emergence of robust public/private partnerships has catalyzed new ambitions for U.S.-led spaceflight operations beyond low Earth orbit. Other major economies have similar aspirations.

This rising wave of activity presents a wealth of legal issues. Some are unique to spaceflight (for example, legal restrictions on launch activities), while others are challenging but familiar issues that have arisen whenever man has explored new frontiers (such as claims to ownership of lunar subsurface resources). In this seminar, we will analyze the foundational legal instruments on international space law, such as the Outer Space Treaty; we will study newer attempts to establish legal principles for the coming age of lunar exploration—particularly, the Artemis Accords; and we will survey U.S. domestic law applicable to commercial launch activities, as well as the application of various U.S. legal regimes to space activities (such as intellectual property law, for example).

In part, this seminar will operate in customary fashion: we will meet to discuss relevant materials, and students will write a seminar paper on a space law topic. We also may have the opportunity to host guest speakers involved in the practice of space law.

This seminar will also have a unique component. It will be offered in coordination with a graduate course in Space Law and Policy led by faculty of the Purdue University School of Aeronautics and Astronautics. Purdue faculty and students will provide instruction in the technical fundamentals of space operations, and Purdue students will be available to consult with Maurer students to support research and development of seminar papers.

No prior background in the subject matter is expected. Students interested in international law, corporate law, intellectual property law, cybersecurity law, or the law/technology interface generally may find the seminar of interest.

L766 Seminar in Children & the Law ** (3) – Levesque, R.

This course examines the law's response to the developmental understanding of childhood, with particular focus on distinguishing the rights of youth from those of adults. Much of our efforts center on understanding the myths and realities of legal doctrine governing childhood, particularly the transition to adulthood. To do so, students explore how the legal system responds to youth's needs in a variety of social contexts and institutions (e.g., families, media, intimate relationships, schools, and religious institutions) and sociolegal systems (juvenile, child welfare, medical, mental health, and criminal justice systems). Supreme Court cases serve as our main texts, although students do consult empirical research and substantive areas of law in their writing projects. Students' grades are based on class participation relating to assigned readings as well as oral and written presentations describing the results of independent research projects.

L782 Seminar in Administrative Law ** (3) – Hammond, A.

Seminar on State Administrative Law: This is a three-credit seminar that will satisfy the advanced research requirement. This course offers an exploration of state administrative law that is designed to complement the focus on federal law in the introductory administrative law course. Traditionally, administrative law courses taught at American law schools teach federal law to the exclusion of state law. But state agencies promulgate regulations and conduct adjudications across a variety of important domains of public law, including, but not limited to, consumer protection, employment, the environment, insurance, and welfare administration. State administrative law also affords a comparative perspective on both the leading and longstanding controversies in federal administrative law including procedural due process, judicial deference to agency statutory and regulatory interpretation, the independence of agency adjudicators, and the legislative veto. The primary goal of this seminar is to expose students to a wide range of these administrative law topics using the

often-overlooked state jurisdictions. The hope is that, through each student's research paper, they will also develop greater familiarity with a particular topic or subfield of administrative law as well as how to research and analyze state statutes and regulations.

This class has no pre- or co-requisites, although students may get more out of it if they have taken or are simultaneously enrolled in Administrative Law. Reading assignments and lectures will summarize the core administrative law doctrines that students must know to participate in the discussion, but prior or simultaneous study of those doctrines may offer students greater ease and nuance.

L796 Seminar in Law & Medicine ** (3) – Madeira, J.

This course addresses controversial issues arising from the interface and relationship between law and medicine, focusing in particular upon the nature of illness, legal dimensions of the doctor-patient treatment relationship, informed consent, experimental health care and biomedical advances, compelled treatment, reproductive rights and assisted reproductive technologies, death and dying, organ transplantation, pandemics/vaccinations, and the interface between religion, morality, and medicine. Class discussions will be devoted to these issues' legal, ethical and social implications and how the law can be of constructive use in clarifying debates and solving challenges. Grading will be based on participation, class assignments, and a seminar paper.

L799 Seminar in 14th Amendment & Race ** (3) – Fuentes-Rohwer, L.

Welcome to Law and Reconstruction: Race and the Fourteenth Amendment seminar. I am delighted and thrilled that you have signed up for this course. In this seminar, we will study the history, doctrine and conceptual understandings of the Fourteenth Amendment, with specific focus on the Equal Protection Clause.

Conceptually, we will examine the role of race throughout US history. We will specifically look at the founding; western expansion; and the First and Second Reconstructions. Doctrinally, we will consider the shift from an anti-subordination to an anti-classification approach to equal protection. We will also consider the rise of the intent standard. Institutionally, we will examine the role of the Court in American constitutional politics and, concomitantly, the question of congressional powers. We will also take a close look at the question of judicial behavior.

The question of historical memory will inform our discussion throughout the course. Specifically, I will ask you to consider who – if anyone – owns history and how we choose to remember the past. This question will rise squarely and forcefully when we discuss the role of public meaning originalism in constitutional interpretation.

In early July, I would have told you that we would take a close look at three cases: *Slaughterhouse*; *Brown*; *SFFA*. We will begin our course with a fourth: *Faculty, Alumni, and Students Opposed to Racial Preferences v. Northwestern University*, Case No. 1:24-cv-05558 (filed July 2, 2024).