



EMORY | LAW

FALL 2008 COURSE DESCRIPTIONS

Advanced Civil Trial Practice

Law 847, 06A

Preregistration Number: 1566

COURSE NOT OPEN TO STUDENTS WHO HAVE TAKEN CIVIL TRIAL PRACTICE: MEDICAL MALPRACTICE.

Credit: 2 Hours

Selection: Open Bidding

Instructor(s): Wellon, Robert G.

Prerequisites(s): Evidence, Trial Techniques

Grading Criteria: Class work

Enrollment Limit: 24

Description: Designed to build on the litigation techniques and skills first encountered in the Trial Techniques Program. Using a simulated case file in an employment case, the class will help develop the skills, strategies and tactics necessary to be effective courtroom advocates. The course will employ lecture, demonstrations, movie and video-tape simulations as well as regular participation by the students and constructive criticism and helpful hints from the course instructors, who are all very experienced litigators and judges. Invited guests who litigate regularly in this area of practice will also participate. Courtroom technology and visual aids will also be explored. The course will conclude with student teams conducting a trial in a real courtroom setting, which is now planned for **Saturday, November 22** where participation is mandatory.

Advanced Constitutional Law: Rights and Liberties

Law 601D, 08A

Preregistration Number: 5158

Credit: 3 Hours

Selection: Open Bidding

Instructor: Perry, Michael

Prerequisite(s): None

Grading Criteria: Take Home Final Exam

Enrollment Limit: 70

Description: In this course we will study controversies arising under the Bill of Rights and the Fourteenth Amendment. Special attention will be given to the perennially contested question of the proper role of the U.S. Supreme Court in resolving such controversies. The main topics to be considered will vary from year to year. My plan for 2008 is to focus on (1) the equal protection of the laws, (2) substantive due process, and (3) religious freedom. Special attention will be given to the constitutional controversies over same-sex marriage and abortion.

Advanced Issues in Election Law

Law 611A, 04A

Preregistration Number: 5181

Credit: 2 Hours

Selection: Open Bidding

Instructor: Kang, Michael

Prerequisite(s): None

Grading Criteria: Class participation and a final exam

Enrollment Limit: 20

Description: This weekly course will examine important election law cases from doctrinal and scholarly perspectives. It will cover the major topics in election law, including the right to vote, campaign finance, gerrymandering, voting rights, and direct democracy, among others. The class material will combine the key cases with connected legal scholarship, in a seminar-style format.

Alternative Dispute Resolution

Law 605, 04A (Allgood) Preregistration Number: 1562

605, 04B (Armstrong) Preregistration Number: 1563

COURSE NOT OPEN TO STUDENTS WHO HAVE TAKEN BUSINESS SCHOOL NEGOTIATIONS. THIS COURSE WILL BE OFFERED IN THE SPRING SEMESTER.

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Allgood, John and Armstrong, Phillip

Prerequisite(s): None

Grading Criteria: Take Home Final Exam

Enrollment Limit: 20 each section

Description: This course will explore Alternative Dispute Resolution (ADR) with an emphasis on mediation. Course objectives are: 1) to develop both a theoretical and a practical understanding of available options and strategies for using them effectively in

a legal practice; 2) to understand the ethical and legal implications of ADR; and 3) to develop a proficiency in mediation both as an advocate and as a neutral.

American Legal History: Workshop On Citizenship/Race Law 655A, 06A

Preregistration Number: 1655

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Cleaver, Kathleen

Prerequisite(s): None

Grading Criteria: 2 memoranda plus seminar participation

Enrollment Limit: 12 law students, 4 non-law students

Description: Participants in this workshop will examine the evolution of US citizenship as defined and interpreted by courts during the 19th and 20th centuries, with particular attention to the way race and the historical events that constructed race affected citizenship. Topics the workshop will research include the thirteenth, fourteenth and fifteenth amendments to the US Constitution, the 1866 Civil Rights Act, Reconstruction legislation, immigration restrictions imposed on Asians, legislation impacting the racial definition of Mexicans, statutes governing the citizenship of indigenous native peoples, racially based prohibitions against voting, education, and employment, and efforts to eliminate them manifested by the 1964 Civil Rights Act. Each student will select one or two topics and be responsible for writing one brief memorandum, and one more detailed, as well as an oral presentation to the seminar. Grading will be based on student participation in the discussion and the drafting of their research memoranda.

Antitrust

Law 702, 10A

Preregistration Number: 1708

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Arthur, Thomas C.

Prerequisite(s): None

Grading Criteria: Exam

Enrollment Limit: 70

Description: Federal regulation of competitive practices under the Sherman, Clayton, and Federal Trade Commission Acts. The course covers such antitrust problems as joint activities by direct competitors, including cartel price fixing, market division and boycott arrangements and productive joint ventures; monopolization by single firms; restraints imposed by manufacturers on their distributors; and mergers.

**Bankruptcy
Law 716, 2A
Preregistration Number: 1550**

THIS COURSE WILL BE OFFERED AGAIN IN THE SPRING SEMESTER.

Credit: 3 Hours
Selection: Open Bidding
Instructor(s): Tung, Frederick
Prerequisite(s): None
Grading Criteria: Exam
Enrollment Limit: 40

Description: An introduction to the law of bankruptcy. Covers issues relating to eligibility for bankruptcy; commencement of a bankruptcy case; administration of the bankruptcy estate; automatic stay and relief; use, sale or lease of property of the estate; assumption and rejection of executory contracts and leases; avoidance actions, including preference and fraudulent transfer litigation; appointment of trustees and examiners; and confirmation of a Chapter 11 plan. This course is a general survey course reviewing the basics of Chapter 7 liquidations, Chapter 13 wage - earner reorganizations and Chapter 11 business reorganizations.

**Business Associations
Law 500, 02A
Preregistration Number: 1541**

This course will be offered again in the spring semester.

Credit: 4 Hours
Selection: Open Bidding
Instructor(s): TBA
Prerequisite(s): None
Grading Criteria: Exam
Enrollment Limit: 85

Description: A study of basic concepts in agency, partnership (general and limited), and corporation law. Topics include choice of business form, formation, organization, financing, and dissolution, as well as the fundamental rights and responsibilities of, and the allocation of power between, the business entity, its owners, management, and other stakeholders. The course also considers the special needs of closely held enterprises, basic issues in corporate finance, and the impact of federal and state laws and regulations governing the formation, management, financing, and dissolution of business enterprises.

Capital Defender Workshop
Law 658, 03A
Preregistration Number: 1654

Credit: 3 Hours (pass/fail)

Selection: Interested students must submit a letter of interest & resume to Josh Moore, Office of the Georgia Capital Defender (Phone: 404.736.5151; Fax: 404.739.5155)

Instructor(s): Moore, Josh & Day, Therese

Prerequisite(s): None

Grading Criteria: Participation

Enrollment Limit: 5

NOTE: THIS WORKSHOP WILL REQUIRE A YEAR-LONG (two semester) COMMITMENT

Description: This is a three hour clinical course taught in partnership with the Office of the Georgia Capital Defender, the new state agency responsible for representing all indigent defendants statewide in capital cases at trial and on direct appeal. Second and third year law students from Emory, Georgia State, UGA, and Mercer will assist Capital Defender attorneys in all aspects of preparing their clients' cases for trial. Students will become involved in fact investigations, witness interviewing, legal research and drafting, and general preparations for trials and sentencing hearings. The great opportunity students have in this clinic—as opposed to clinics that focus on the appeal and post-conviction stages—is to be involved in the effort to save lives on the front end, on “making the case for life.” That means students will focus at least as much on mitigation, fact investigation, and interpersonal skills as on death penalty law and advocacy skills.

The course component of this clinic will meet for 2 hours each week at the offices of the Capital Defender in downtown Atlanta. In addition to attending class, students will work on client matters for 10 hours each week. The course is graded on a pass/fail basis only, and students who express willingness to commit for 2 semesters will be given preference at the pre-selection stage. Please indicate on your application whether you have taken any criminal procedure course(s) or the capital punishment course.

CHILD ADVOCACY: THE LAW, THE POLICY, AND THE PLAYERS
LAW 635, 04A
Preregistration Number: 1558

THIS COURSE IS REQUIRED FOR ALL STUDENTS ENROLLED IN THE BARTON CHILD LAW AND POLICY CLINIC UNLESS EXCEPTION GRANTED BY PROFESSOR (BASED ON STUDENT'S PAST EXPERIENCE IN CHILD ADVOCACY).

Credit: 2 Hours

Selection: Open Bidding

Instructor(s): Reimels

Prerequisite(s): Graduate Standing

Grading Criteria:

Attendance, site visit, class participation: 15%

Case Comment:
(10 page double spaced case comment) 35%

Legislative exercise: 15%

Oral Arguments: 20%

Written reflections:
(2-3 page paper) 15%

Total: 100%

Enrollment Limit: 20

Description: This course will explore the various factors that shape policies affecting abused and neglected children, including: the requirements of federal laws and regulations; the perspective of different disciplines working on these issues; public perceptions; and media coverage. Course will cover the role of the following professions in the prevention, investigation, and prosecution of child abuse and neglect cases as well as their role in the juvenile court process: medical, legal, law enforcement, social work, public health. Course will cover the role of federal, state, and local agencies and non-governmental organizations in addressing the needs of abused and neglected children and their families. Students will learn to identify and use resources from other disciplines to enhance their legal skills and will learn to analyze and evaluate the effectiveness of legal, legislative, and policy measures as a response to child abuse and neglect

Classes will consist of lecture, discussion, and advocacy exercises (in-class and out). Students will be required to participate in one site visit related to information discussed in class (i.e. juvenile court). Students will be required to provide written feedback about the site visit and guest lectures.

Barton Child Law & Policy Clinic: Public Policy Offering Law 635C, 08A

“A student is not permitted to enroll simultaneously in a field placement and a clinic. Exceptions to this may be granted by Associate Dean Jim Hughes in rare circumstances upon favorable recommendation of both the Director of Field Placements and the Clinic Instructor.”

Credit: 3 Hours.

Instructor(s): Reimels, Beth

Selection: Permission of the Instructor only.

Prerequisite(s): Students must have taken or be concurrently enrolled in the two-credit class, Child Advocacy: the Law, the Policy, & the Players, taught by Professors Karen Worthington and Mary Margaret Oliver. This requirement may be waived for students with demonstrable prior experience in child advocacy, including the Emory Summer Child Advocacy Program.

Description: The Barton Clinic is an in-house legal policy clinic dedicated to providing research, training, and support to the public, the child advocacy community, and the legislature in Georgia. Students work on issues before the state legislature, complete research for publication, participate in local and statewide advocacy events, and help inform the discussion on child welfare issues with their own ideas or projects. Approximately 4-8 law and other graduate students are selected each semester to participate in the clinic.

Applications are accepted prior to pre-registration (watch for notices of the application deadline). Students must submit a resume, a statement of interest, list of 2 references, the name of his/her LWRAP Instructor, an unofficial transcript, and a writing sample.

Detailed course information is on the Clinic web site, <http://www.childwelfare.net>.

Computer Law Law 631, 04A Preregistration Number: 1659

Credit: 2 Hours

Selection: Open Bidding

Instructor(s): Nodine, Lawrence K.

Prerequisite(s): Intellectual Property strongly recommended as a significant portion of the class will employ these principles

Grading Criteria: Exam

Enrollment Limit: 15

Description: This class will cover intellectual property protection for computers and software (primarily patent and copyright models), transactional issues relating to ownership and licensing of software and a variety of internet issues (including trademark issues related to domain names and copyright issues relating to the content of web pages).

Constitutional Litigation Law 675, 04A Preregistration Number: 1565

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Weber, Gerald

Prerequisite(s): None
Grading Criteria: Coursework
Enrollment Limit: 15

Description: Constitutional Litigation will explore the substantive, ethical and strategic issues involved in litigating civil rights actions. This course will allow students to both learn basic principles of governmental liability/defense and apply their knowledge of torts, constitutional law and civil procedure in a litigation setting. The course projects will center upon a case problem that may deal with free speech, police brutality, racial profiling, gay and lesbian rights or a current civil rights or civil liberties issue.

Students are expected to attend class and to be prepared to take an active part in class discussions of assigned materials. Students will have two projects for the semester. No independent research will be required for the projects. Students will utilize cases cited in the readings along with a list of supplementary cases. Students will draft a complaint and explanation of decisions made in drafting their complaint. This project will account for 50% of the student's grade. Students will also draft a short brief supporting or opposing summary judgment or a preliminary injunction. This project will account for 40% of the student's grade. The remaining 10% of the student's grade will be tied to participation in class discussions.

Copyright Law
Law 710, 12A
Preregistration Number: 1652

Credit: 3 Hours
Selection: Open Bidding
Instructor(s): Stadler, Sara
Prerequisites(s): None
Grading Criteria: Exam
Enrollment Limit: 80

Description: Copyright law offers protection for works considered to be within the "fine arts" (music, paintings, photographs, sculpture) and "literature" (books, stories, plays) as well as more mundane works, including commercial, i.e., applied art and even data directories. Copyright also covers architectural works and works reliant on technology, such as computer software. This course examines copyright law, its history, and its ability to respond to recent developments in technology. Course topics include the standards governing copyrightability; the exclusive rights a copyright confers; infringement; defenses, including "fair use"; and remedies.

Corporate Finance
Law 712, 08A
Preregistration Number: 5163

Credit: 3 Hours
Selection: Open Bidding
Instructor(s): Carney, William J.
Prerequisite(s): Business Associations
Grading Criteria: Exam
Enrollment Limit: 60

Description: This course introduces rudimentary elements of valuation, and examines legal issues relating to dividend policy in close and public corporations, the contracts and the law governing preferred stock and corporate debt, convertible securities, and capital structure.

Courtroom Persuasion/Drama I

Law 959,

10A Thurs. at 10:45a Preregistration Number: 1551

12A Thurs. at 12:30p Preregistration Number: 1552

Credit: 1 Hour
Selection: Open bidding
Instructor(s): Metzger
Prerequisite(s): Evidence & Trial Techniques
Grading Criteria: Class work
Enrollment Limit: 12 each section

Description: This course would introduce the students to the fundamentals of acting, staging, body language and speech. Specific exercises will be designed to help each person develop his or her maximum potential in using the courtroom as a stage for the most persuasive presentation possible.

Criminal Litigation

Law 851, 06A

Preregistration Number: 1567

Credit: 2 Hours
Selection: Open Bidding
Instructor(s): Rubin, Robert G.
Prerequisite(s): Trial Techniques, Criminal Procedure I
Grading Criteria: Class work
Enrollment Limit: 36

Description: This advocacy skills course emphasizes the procedures and practical problems of criminal trial practice from both prosecution and defense positions. It deals with factual situations representing trial problems. Students participate in hearings,

negotiation sessions, and discovery proceedings culminating in a mock trial. Class meets once a week in the evening for two hours.

Criminal Procedure: Investigations

Law 622A, 02A

Preregistration Number: 1544

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Levine, Kay

Prerequisite(s): None

Grading Criteria: Final Exam, class participation

Enrollment Limit: 70

Description: This course examines the role of the courts in regulating the police in the United States. Readings and discussion will address both (1) the Constitutional principles governing the law of arrest, search and seizure, and police interrogation, and (2) social science evidence and commentary on the behavior of police officers, lawyers, and judges.

Doing Deals: Accounting in Action

Law 659E, 04A

Preregistration Number: 4919

COURSE IS NOT OPEN TO STUDENTS WHO HAVE PREVIOUSLY TAKEN ACCOUNTING OR FINANCE COURSES.

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Reiland, Kathleen & Director, Toby

Prerequisite(s): None

Grading Criteria: Exam

Enrollment Limit: 50

Description: This course is designed for those liberal arts majors who know nothing about accounting and finance. Students will learn about the fundamental financial statement concepts. Then the course will turn to the study of how lawyers use those concepts in practice.

Doing Deals: Contract Drafting

Law 659A,

04A (Beaudrot) Mon. 4-7p Preregistration Number: 4915

04B (Fox) Wed. 4-7p Preregistration Number: 5160

04C (Stark) W 4-7p Preregistration Number: 5161
04D (Street) Thurs. 4-7p Preregistration Number: 5162

Credit: 3 Hours

Selection: Open Bidding

Instructor: Stark, Beaudrot, Street, Fox

Prerequisite: Business Associations (concurrent okay)

Grading Criteria: Coursework

Enrollment Limit: 12 each section

NOTE: Beginning Fall 2009, Contract Drafting and Deal Skills will be prerequisites to the Venture capital and the Private Equity courses. Additional courses may be added to this list.

Description: This course teaches students the principles of drafting commercial agreements. Although the course will be of particular interest to students pursuing a corporate or commercial law career, the concepts are applicable to any transactional practice.

In this course, students will learn how transactional lawyers translate the business deal into contract provisions, as well as techniques for minimizing ambiguity and drafting with clarity. Through a combination of lecture, hands-on drafting exercises, and extensive homework assignments, students will learn about different types of contracts, other documents used in commercial transactions, and the drafting problems the contracts and documents present. The course will also focus on how a drafter can add value to a deal by finding, analyzing, and resolving business issues.

Grades will be based on the graded assignments, good faith completion of the un-graded assignments, and class participation.

Doing Deals: Deal Skills

Law 659B,

04A (Newman and Rosenzweig) Mon. 4-7p

Preregistration Number: 4916

04B (Powell and Williams) Thurs 4-7p

Preregistration Number: 5164

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Newman/Rosenzweig and Powell/Williams

Prerequisite(s): Business Associations (concurrent NOT okay) Accounting (Concurrent Okay – can be waived by professor)

Grading Criteria: Course Work

Enrollment Limit: 16 each section

NOTE: Beginning Fall 2009, Contract Drafting and Deal Skills will be prerequisites to the Venture capital and the Private Equity courses. Additional courses may be added to this list.

Description: Deal Skills will introduce students to business and legal issues common to commercial transactions, whether a multi-billion dollar M&A deal, a license agreement, or the sale of a home. Among the topics to be covered are the lawyer's role as the translator of the business deal into contract concepts, negotiation, due diligence, opinion letters, closings, indemnities, transaction management, and ethical issues. The course will be conducted through workshop exercises, in class role plays, and lecture.

**Doing Deals: Venture Capital
Law 659C, 04A
Preregistration Number: 4917**

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): TBA

Prerequisite(s): Business Associations (concurrent NOT okay), Contract Drafting, Deal Skills, Accounting Financial Concepts - can be waived with permission of program director.

Grading Criteria: Course Work

Enrollment Limit: 16

Description: This course will study the business and legal issues in venture capital transactions. The course will be taught primarily through simulations.

**Doing Deals: Private Equity
Law 659D, 04A
Preregistration Number: 4918**

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): K. Furman and Professor N. Valerio (Goizueta Bus School)

Prerequisite(s): Business Associations (concurrent NOT okay), Contract Drafting, Deal Skills, Accounting Financial Concepts - can be waived with permission of program director.

Grading Criteria: Course Work

Enrollment Limit: 16 Law/16 Business

Description: This course will study the business and legal issues in private equity transactions. The course will be taught primarily through simulations.

**Doing Deals: General Counsel--The Multifaceted
Representation of the Corporate Client
Law 659F, 04A**

Preregistration Number: 4920

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Connell

Prerequisite(s): Business Associations (concurrent okay)

Grading Criteria: Course Work

Enrollment Limit: 20

Description: An in-depth survey of the complex and challenging issues specific to the role of general counsel with an emphasis on best practices. Exploration of these issues will include case studies, simulations and other skill-based exercises as well as panel discussions/presentations by various general counsels.

Employment Discrimination

Law 669, 10A

Preregistration Number: 1546

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Shanor, Charles

Prerequisite(s): None

Grading Criteria: Exam

Enrollment Limit: 70

Description: This course will focus on development of law and policy under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Equal Pay Act, and the Americans with Disabilities Act.

Energy Law

Law 660, 04A

Preregistration Number: 5296

Credit: 2 Hours

Selection: Open Bidding

Instructor(s): Crofton

Prerequisite(s): None

Grading Criteria: Exam Date of Exam: 12/8 2 p.m.

Enrollment Limit: 20

Description: The course examines state, federal and international regulation of energy markets and the development, production and distribution of energy. The course will emphasize the interrelation of energy policy with other legal and economic policy areas.

Environmental Advocacy Workshop
Law 697, 04A
Preregistration Number: 1553

“A student is not permitted to enroll simultaneously in a field placement and a clinic. Exceptions to this may be granted by Associate Dean Jim Hughes in rare circumstances upon favorable recommendation of both the Director of Field Placements and the Clinic Instructor.”

Course required for all students enrolled in the Turner Environmental Law Clinic. Interested students should complete the Workshop Pre-selection form at the end of this guide and submit to CELESTE KATZ BY NOON on FRIDAY, APRIL 4th. The professor will pre-select the students and a list will be posted.

This course does not meet the writing requirement.

Credit: 2 Hours

Selection: Preselection

Instructor: Grode, Michael and Sanders, Lawrence

Prerequisite(s): None

Grading Criteria: Workshop Projects, Simulations, and classroom participation

Enrollment Limit: 10

Description: The Environmental Advocacy workshop will include reading assignments, written exercises, seminar-like discussion, and simulations with an emphasis on client representation. The course will in a workshop setting develop students' abilities to function as successful environmental advocates in the context of client interviews, administrative proceedings, negotiations, and litigation. Other issues covered include environmental justice and advocating environmental protection through the legislative process.

Environmental Law
Law 624, 02A
Preregistration Number: 1713

Credit: 4 Hours

Selection: Open Bidding

Instructor: Buzbee, William W.

Prerequisite(s): None

Grading Criteria: Exam

Enrollment Limit: 70

Description: This course will focus on legal strategies to regulate and remedy environmental harms. The course is designed to prepare transactional lawyers, regulatory lawyers, government counsel and litigators as well as students interested in specializing in environmental law. A major goal of the course is to introduce students to the analytical skills necessary to understand and work in this and many other predominantly statutory and regulatory fields. The course will therefore frequently involve analysis of methods of interpretation of statutes and regulations and analysis of the central role of administrative agencies in environmental law. The course will briefly cover common law environmental claims and then focus for most of the course on portions of the federal National Environmental Policy Act (NEPA), the Endangered Species Act, the Clean Air Act, the Clean Water Act, and statutes pertaining to hazardous substances. We will also briefly cover state-federal relationships in regulating environmental harms. Since the Fall 1999 semester, this course has been offered as a four-hour course to allow greater flexibility to work on periodically distributed problems and well as discuss recent political developments. The reading load is not expected to vary in any significant way from the materials assigned in previous semesters when this was a three hour course.

Evidence

Law 632, 10A

Preregistration Number: 5165

Two sections of this course will be offered in the spring semester.

Credit: 4 hours

Selection: Open Bidding

Instructor: Seaman, Julie A.

Prerequisite(s): None

Grading Criteria: Exam

Enrollment Limit: 75

Description: A general consideration of the law of evidence with a focus on the Federal Rules of Evidence. Coverage includes relevance, hearsay, witnesses, presumptions and burdens of proof, writings, scientific and demonstrative evidence, and privilege. Must be taken in the second year.

Food & Drug Law

Law 680, 04A

Preregistration Number: 1564

Credit: 3 Hours
Selection: Open Bidding
Instructor(s): Kitchens, William H.
Prerequisite(s): None
Grading Criteria: Exam
Enrollment Limit: 20 Law/ 5 Public Health

Description: Food and drug law involves the statutory and regulatory framework governing the development and marketing of food, drugs, medical devices, biological products, and cosmetics. This introductory course serves as a starting point for understanding and appreciating how the U.S. Food and Drug Administration implements its statutory authority to protect public health and individual welfare and attempts to regulate in a way that fosters our national desire and need for innovation in science and medicine. In particular, the course will study how FDA and the courts have enforced and interpreted the Federal Food, Drug and Cosmetic Act to advance a contemporary course of regulation for a wide range of products and technology that affect our daily lives. Dialogue and questions on how food and drug law has confronted and adapted to technological changes, public health challenges, and policy-based perspectives will be encouraged. Additionally, the course will examine how the crafting and execution of regulatory strategies for these products may create tension with individual freedoms and affect product liability actions brought under state common law. Specific topics examined include: administrative rulemaking, government investigations and enforcement actions, basic regulatory controls for prescription and over-the-counter drugs, medical devices, biological products, food and dietary supplements, and carcinogens; human clinical trials and premarket approval of new drugs, implantable devices, biological products, and emerging medical technologies, such as human cellular and tissue products; marketing and advertising controls over these products; and access to experimental therapies.

Franchise Law

Law 650, 04A

Preregistration Number: 1689

Credit: 2 hours
Selection: Open Bidding
Instructor: Aronson, Morton
Prerequisite(s): None
Grading Criteria: Exam
Enrollment Limit: 20 Law/5 Business

Description: Legal and business considerations, including the pros and cons of franchising; the franchising role in the economy; the franchiser/franchisee relationship; disclosure requirements; relevant state and federal laws; essential elements in representing franchisers and franchisees; basic terms and issues with franchise agreements; legislative issues; trademark issues; encroachment issues; system

expansion issues; franchisee associations; new techniques in franchising; e.g. area development agreements, sub-franchising, niche franchising, master franchise agreements; international franchising; the role of alternate dispute resolution in franchising; product quality issues; legislative issues. Case studies of important franchise companies will be read and evaluated including Holiday Inns, McDonald's, Century 21, Pizza Hut and Dunkin Donuts. Prominent legal political and business franchising representatives will be guest speakers.

Professor Aronson requests that students interested in enrolling in this class submit, prior to the initial class, a resume to Celeste Katz. Your resume will be forwarded to Professor Aronson.

Fundamentals of Income Taxation

Law 640,

08A (Brown) Preregistration Number: 1714

10A (Abrams) Preregistration Number: 1741

THIS COURSE WILL NOT BE OFFERED IN THE SPRING SEMESTER.

Credit: 4 Hours

Selection: Open Bidding

Instructor(s): Brown, Dorothy

Prerequisite(s): None

Grading Criteria: Exam

Enrollment Limit: 70 each section

Description: Introductory study of the general structure of the federal income tax; nature of income; gross income, exclusions, deductions, exemptions; the tax consequences of property transactions; sales of business assets; the nature of capital gains and losses; basis and non-recognition.

Fundamentals of Innovation I

Law 890, 04A

Preregistration Number: 1560

Credit: 3 Hours

Selection: Permission of instructor only.

Instructor(s): Rector, Anne M.

Prerequisite(s): Intellectual Property

Grading Criteria: TBA

Enrollment Limit: 10

Description: Innovation and technological change are critical to wealth creation in today's global economy. However the process that often begins in the research lab

traveling a path towards product development, market development, product commercialization and life cycle management is uncertain and typically difficult. More often than not, ideas will “die the good death” well before given the opportunity to develop into profitable markets. Fundamentals of Innovation I is first of a two-course sequence on the various techniques and approaches needed to understand the innovation process within the context of technology commercialization. In the Fall semester, the course is focused on 1) helping students develop an understanding of innovation basics including the overall innovation process and roles and skills of various key players; 2) discussing patterns of technology change and alternate management processes for each; 3) organizing the innovation team and developing frameworks that foster team creativity; 4) understanding forms and protections afforded Intellectual Property; and 5) discussing early stage approaches to product definition (working models to engineering prototypes) and preliminary market definition.

The fall course and the companion course in the spring will provide the academic core to the student’s first year in the Technological Innovation: Generating Economic Results (“TI:GER”) program and will be taught as a series of learning modules. Each module and class session is lead by a faculty or guest instructor with in depth experience in that particular technology commercialization topic. Students will take each course as a “community of participants” and will participate on both an individual and team level. Innovation teams that are comprised of the PhD candidates, MBA and JD students, will be formed mid-semester and will participate both in in-class activities and cases, as well as in an “engaged learning” experience intended to simulate the technology commercialization process. The technology/research that will drive the innovation teams will be provided by the PhD candidates and their advisors.

Intellectual Property

Law 608, 10A

Preregistration Number: 1549

THIS COURSE IS A PREREQUISITE FOR COMPUTER LAW, ENTERTAINMENT LAW AND INTERNATIONAL AND COMPARATIVE PATENT LAW.

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Askew, Anthony

Prerequisite(s): None

Grading Criteria: Exam

Enrollment Limit: 60

Description: This course will serve as an introduction to patent, trademark, and copyright law. The course will explore the policy and legal foundations for these areas of law and the scope of protection which each affords. The requirements for protection will be examined and compared.

The framework for the administrative procedures, which support the patent and trademark systems, will also be discussed. In part, the course will direct attention to the question as to the legitimacy of these forms of property and appropriateness of protection. What constitutes infringement of intellectual property rights will be discussed. Methods for avoiding infringement and scienter with respect to infringement will also be discussed. Remedies and questions of civil procedure and appellate review will receive brief consideration.

International Criminal Law

Law 653, 10A

Preregistration Number: 1548

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Van der Vyver, Johan D.

Prerequisite(s): None

Grading Criteria: Exam

Enrollment Limit: 50

Description: On June 15 through July 17, 1998, The United Nations Diplomatic Conference of Plenipotentiaries on an International Criminal Court met in Rome and on the final day of the conference approved the Statute of the International Criminal Court (ICC). The ICC Statute required 60 ratifications for it to enter into force. That margin was reached on April 11, 2002, and the ICC became a reality on July 1, 2002 with its seat in The Hague, The Netherlands.

Earlier, the Security Council of the United Nations established the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), and subsequently ICTY offered its support for a criminal tribunal to prosecute international crimes committed in Sierra Leone, and for a judicial chamber to bring perpetrators of international crimes in East Timor and in Cambodia to justice.

The course on International Criminal Law is focused on provisions of the ICC Statute and on the jurisprudence of the Nuremberg Tribunals, the ICTY and ICTR. As far as the ICC is concerned, the course includes an overview of: The history of the establishment of international criminal tribunals; The subject-matter, territorial, personal and temporal jurisdiction of the ICC; The definitions of crimes within the jurisdiction of the ICC (genocide, crimes against humanity, war crimes, and the crime of aggression); The composition of the ICC and its organs; Trigger mechanisms for prosecutions in the ICC (the U.N. Security Council, States Parties, and a proprio motu prosecutor); General Principles of criminal justice to be applied by the ICC, including special provisions for victim protection and compensation; The rules of procedure and evidence for the ICC (those rules constitute a commendable mix of adversarial and inquisitorial elements);

The trial and appeals against convictions; and State cooperation, punishments, and the execution of sentences.

The United States was one of seven states that voted against approval of the ICC Statute in its present form. Special emphasis will be placed on reservations of the United States and others (including Israel, India and some Arab States).

International Human Rights Law 690, 02A Preregistration Number: 1557

Credit: 3 Hours

Selection: Open Bidding

Instructor: Van der Vyver, Johan D.

Prerequisite(s): None

Grading Criteria: Exam or Essay

Enrollment Limit: 70

Description: This course focuses upon international concern for the upholding of human rights standards in legal systems of the world. It deals in particular with mechanisms for the protection and promotion of human rights on three distinct levels: (a) globally, under auspices of the United Nations, with emphasis on the enforcement of international human rights standards enunciated in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights conventions and covenants sponsored by the United Nations; (b) regionally, under auspices of the Council of Europe, the European Union and the Helsinki Accord, the Organization of American States, and the African Union, with emphasis on jurisprudence of the European Court of Human Rights and the Inter-American Commission of Human Rights, especially judgments and opinions pertinent to the United States on issues such as the death penalty, juvenile executions and abortion; and (c) thematically, under auspices of specialized agencies such as the International Labor Organization and UNESCO. Special attention is given to topical issues, such as the non-self-executing status in the United States of international human rights provisions, the discourse on the universality or relativity of human rights, the right to self-determination of peoples, the doctrine of a margin of appreciation for the limitation of human rights as applied in the European system for the protection of human rights, and isolationism of the United States from international human rights scrutiny.

International Law Law 732, 02A Preregistration Number: 1542

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Bederman, David J.

Prerequisite(s): None
Grading Criteria: Exam
Enrollment Limit: 40

Description: Introduction to the law, methodology, and institutions of modern public international law. Among the topics covered are sources of international law jurisdiction, sovereign and diplomatic immunity, treaties, the domestic application of international law, the law of international organizations, settlement of disputes, limits on the use of force, human rights, and the law of the sea.

International Law and Ethics

Law 738, 12A

Preregistration Number: 1724

Credit: 3 Hours
Selection: Open Bidding
Instructor(s): Holzgrefe, Jeffrey L.
Prerequisite(s): None
Grading Criteria: Essays, Class Participation
Enrollment Limit: 30

Description: The course examines legal, ethical and political conflicts between group and human rights in the international system with the view of identifying legitimate ways of reducing or eliminating some of these conflicts. Topics covered include: group rights (state sovereignty, national self-determination and secession, indigenous and minority rights, and the right to wage war (aggression, self-defense)), human rights (civil, political, social, and economic rights, the rights to free movement, democratic governance, sustainable development, and the rights of individuals in war (non-combatant immunity, guerrilla war, terrorism and counter-terrorism)). The last part of the course examines issues arising from international law enforcement (sieges, blockades, and economic sanctions, belligerent reprisals, humanitarian intervention, preventive war, the International Criminal Court, and universal jurisdiction).

International Tax

Law 639, 12A

Preregistration Number: 5166

Credit: 3 Hours
Selection: Open Bidding
Instructor(s): Kaywood
Prerequisite(s): Fundamentals of Income Tax (concurrent NOT okay)
Grading Criteria: Exam
Enrollment Limit: 30

Description: With improved communications and transportation "making the world smaller", it is becoming increasingly difficult to find businesses that do not engage in some form of international commerce. International Taxation is a course aimed at the tax consequences of international transactions. The class will not be targeted solely at those who would be tax lawyers. Those who anticipate a commercial practice after law school should find value in this course. It is difficult to be an effective business lawyer without some understanding of the tax laws. The course focuses on the application of the federal income tax and tax treaties to nonresident aliens and foreign corporations and to United States citizens, residents and corporations, investing funds abroad or conducting business with foreign persons.

Islamic Law

Law 627, 08A

Preregistration Number: 5191

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Abdullahi [Abduh] An-Na`im

Prerequisite(s): None

Grading Criteria: Take Home Final

Enrollment Limit: 50

Description: The objective of this course is to introduce students to the nature, sources and techniques of Islamic Law (Shari`a), and its main concepts, principles and rules. However, class discussions will focus on the relationship between Shari`a and modern legal systems, as well as its social and cultural impact on present Islamic societies.

Following a discussion of the nature, sources and early development of Shari`a, we will review the main substantive aspects of this legal tradition, namely, property and transactions, family law, criminal law, and constitutional law and inter-communal, international law. The last section of the course will examine the relationship between Shari`a and the legal systems of modern states, especially in relation to international terrorism and international and humanitarian law in the aftermath of September 11, 2001.

Evaluation for the course will consist of the following components:

- 25% for a 3000 to 4000 words paper on the nature and development of Shari`a in relation to issues of its modern application.
- 75% for a 7000-8000 words paper on a topic agreed with the instructor. This final paper is due by first day of Law School examination period.

Jurisprudence

Law 670, 10A

Preregistration Number: 1657

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Terrell, Timothy P.

Prerequisite(s): None

Grading Criteria: Exam or (with permission) term paper

Enrollment Limit: 15

Description: This lecture/discussion course will explore some of the major historical tendencies in moral and political philosophy, relating them to Anglo-American and contemporary continental theories of law. The aim of the course is to provide the theoretical foundations necessary for conducting concrete critical, ethical, and political analysis of law and legal institutions.

We will initially examine the nature of the element common to all lawyering -- words -- and discover ways to use them as vehicles for revealing the structure of arguments in tough cases. We will then use these insights to investigate the nature of "law" itself, not as an empty semantic exercise, but to add to your sophistication as a legal problem solver. Finally, we will tackle the most abstract, but most important, topic toward which all your studies have been, and all your lawyering will be, aimed: "justice". Although, we will have the opportunity only to scratch the surface of this immense issue, your foundation for further inquiry will be strong.

Substantial readings per week, class participation, and an open book final exam or term paper.

Kids in Conflict with the Law

Law 699, 04A

Preregistration Number: 1692

Credit: 2 Hours

Selection: Open Bidding

Instructor(s): Waldman, Randee J.

Prerequisite(s): None

Grading Criteria: grades will be based upon in-class advocacy exercises, 2 short reaction papers, and a take-home final examination.

Enrollment Limit: 20

Description: The 2-credit course is a detailed study of the juvenile delinquency system. This course will trace the trajectory of juvenile justice in the United States over the course of the last century, from its birth as a separate system in the early 1900s, through the due process revolution of the 1960s and 1970s and the widespread punitive reforms of the 1990s, to the recent rulings on the juvenile death

penalty. It will explore critical issues such as search, seizure, and interrogation of minors; waiver from juvenile to adult court; the unique procedural mechanisms of juvenile courts; sentencing and confinement; and implications of emerging scientific research on adolescent development. Finally, the course will also explore the relationship between the juvenile delinquency and school systems.

Classes will consist of lecture, discussion, and advocacy exercises.

This course is open to all 2Ls and 3Ls and is a pre- or co-requisite for entry into the Barton Juvenile Defender Clinic.

Labor Arbitration Practice
Law 638, 04A
Preregistration Number: 1727

Credit: 3 Hours

Selection: Open Bidding

Instructor: Weisenfeld, David

Prerequisite: None

Grading Criteria: Coursework

Enrollment Limit: 18

Description: Labor Arbitration Practice is a simulation-based course that examines labor arbitration and has three distinct parts. Part I will explore the historical and legal development of labor arbitration and its relationship to collective bargaining. Part II will address common issues in arbitration, including evidence, discipline and discharge, and contract interpretation. Class materials will include mini-simulation exercises in which some students will formulate arguments on behalf of each of management and labor union, and act as arbitrators and make rulings. Part III will consist of three simulated arbitration hearings. In different simulations, each student will take on each of the roles of union counsel, management counsel, and arbitrator. Counsel will write post-hearing briefs and arbitrators will write awards (10 pages each).

Students are expected to attend all class sessions and to take an active part in discussions of assigned materials as well as the mini-simulation exercises. Student grades will be based on a combination of the three simulation cases (75% total) and class participation (25%). Grades for the simulations will take into account writing and preparation/effort.

Land Use
Law 695, 12A
Preregistration Number: 5297

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Nash

Prerequisite(s): None

Grading Criteria: Exam and Class Participation Date of Exam: 12/11 9 a.m.

Enrollment Limit:20

Description: This course examines the land development process. It explores the various legal tools used to regulate land uses as well as constitutional limits on government land use regulation. Attention will be given to the comparative advantages of different regulatory devices, as well as to the legal, political, and economic factors that influence public and private decisions about land uses. Final grades will be based upon performance on a final examination and on class participation.

Law & Economics

Law 628, 08A

Preregistration Number: 5167

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Shepherd, Joanna

Prerequisite(s): None

Grading Criteria: Final exam

Enrollment Limit: 75

Description: This course introduces students to the economic analysis of the law. Because economics provides a tool for studying how legal rules affect the way people behave, understanding economic analysis of legal problems has become an important part of a lawyer's education. The ability to predict the effects of legal rules helps the practicing lawyer furnish advice and make arguments before courts. It is also a prerequisite for the evaluation of legal policy. Over the last twenty-five years, the economic approach has grown in importance in academia as well as in legal and judicial practice. The course will explore several economic methods and concepts and apply them to illuminate and critique familiar areas of law, including criminal law, torts, contracts, property, and civil procedure. There are no prerequisites for this course; a background in economics is not necessary (or even very helpful).

Legal Profession

Law 747,

10A (Elliott) Preregistration Number: 1547

02A (Terrell) Preregistration Number: 5168

ONE SECTION OF THIS COURSE WILL BE OFFERED IN THE SPRING SEMESTER.

Credit: 3 Hours

Selection: Open Bidding
Instructor(s): Elliott, A. James/Terrell, Timothy
Prerequisite(s): None
Grading Criteria: Exam
Enrollment Limit: 75 each section

Description: Study of the ethical rules that govern the legal profession, including rules on the attorney-client relationship, conflicts of interest, appropriate advocacy, and other current topics.

Students considering a Litigation Field Placement in their third year are strongly encouraged to take Legal Profession in their second year.

Licensing
Law 613, 08A
Preregistration Number: 1543

THIS ACCELERATED CLASS WILL MEET DURING THE FIRST SEVEN WEEKS OF THE SEMESTER. THE FINAL EXAM WILL BE SCHEDULED FOR THE 8TH WEEK.

Credit: 1 Hour
Selection: Open Bidding
Instructor(s): Needle, William H.
Prerequisite(s): Intellectual Property
Grading Criteria: Exam
Enrollment Limit: 20

Description: This class will be geared toward the general practitioner. It will cover assignments and the licensing of IP by providing concrete drafting and negotiating advice through a clause-by-clause examination of patent, trademark, copyright and trade secret license agreements. There is no textbook for this course but there is a licensing course pack which contains copies of agreements, articles and other materials.

Negotiations
Law 656,
06A (Athens) Wed. Preregistration Number: 1561
06B (Barwick) Thur. Preregistration Number: 1725

COURSE NOT OPEN TO STUDENTS WHO HAVE TAKEN ALTERNATIVE DISPUTE RESOLUTION OR BUSINESS SCHOOL NEGOTIATIONS

This class will be offered in the spring semester.

Credit: 2 Hours

Selection: Open Bidding

Instructor(s): Athans, Michael and Barwick, Jane

Prerequisite(s): None

Grading Criteria: Class preparation/participation and written assignment – No Exam

Enrollment Limit: 16

Description: This hands-on skills course will explore the theoretical and practical aspects of negotiating settlements in both a litigation and a transactional context. The objectives of the course will be to develop proficiency in a variety of negotiation techniques as well as a substantive knowledge of the theory and practice, or the art and science of negotiations.

Each week during class, students will negotiate fictitious clients' positions, sometimes preceded by a lecture and followed by critique and comparison of results with other students. Each problem will be designed to illustrate particular negotiation strategies as well as highlight selected professional and ethical issues. Preparation for class will include development of a negotiation strategy, reflective written memoranda required.

Patent Law

Law 754, 04A

Preregistration Number: 1718

Credit: 3 Hours

Selection: Open Bidding

Instructor(s): Katz, M and Kirsch, G

Prerequisites(s): None

Grading Criteria: Exam

Enrollment Limit: 40

Description: The availability and parameters of patent protection is increasing in importance in the information age. The Internet, advances in biotechnology, and divergent court opinions are impacting this area in far-reaching ways. This course provides an overview of patent law for students interested in the area, including those without a technical or scientific background. Topics include patentable subject matter, utility, statutory bars to patentability, novelty, non-obviousness, disclosure and enablement, patent prosecution issues, infringement, remedies, and more.

Pretrial Litigation

Law 755, 06A

Preregistration Number: 1554

Credit: 4 Hours

Selection: Open Bidding

Instructor(s): Buckley, Timothy J.

Prerequisite(s): Third Years (Second Years with documented litigation or evidence course experience)

Grading Criteria: Written work and oral performance

Enrollment Limit: 28

Description: This is a civil case litigation skills/simulation course. The students work as two person teams forming a law firm under the direct supervision of a "senior partner". ("Senior Partners" are adjunct professors who are local premiere attorneys in active practice or judges currently on the trial/appellate bench.) The student's, aided and guided by their senior partner, represent their clients essentially as they would in actual cases, and learn the basics of preparing a case from investigation and initiation through discovery, making a record to support or defend a substantive motion-- the culminating exercise for the course. In addition, and related to the same course materials, the students engage in ADR culminating in a mediation with a neutral in an effort to reach closure through means alternative to traditional litigation.

An actual client, played by a person from outside of the course, is assigned to each firm. The student lawyers conduct intake interviews of their clients and witnesses then proceed to represent them. At all stages of the process, students receive active input from and evaluation by the distinguished slate of adjunct professors. The students determine what type of legal action to take, and will draft pleadings, conduct informal witness interviews, draft written discovery and take and defend depositions. Course faculty members provide guidance and instruction in their roles as teachers, judges and senior partners, with students taking primary responsibility for client representation and strategic decisions with regard to case direction.

Actors who are very familiar with their parts and who remain "in character" appear in some roles as parties and witnesses while students in the course serve alternately as counsel and witness in others. The cases culminate in major motion hearings. The faculty members present regular lectures and demonstrations about various aspects of pretrial practice which are presented hand-in-hand with the developing procedures and technology affecting the practice of law. Attendance is required for the lectures, but primarily the student teams work independently. Every student performance, written and oral, is observed, critiqued and graded by the faculty. There are no written examinations. There are submissions of written materials and use of technology through audio visual presentations at the mediation, hearings, etc. Students are graded on their class performances, written work product and development as "practicing attorneys."

Former students have described this course as a great source for practical experience with regard to client relations, litigation strategy and discovery tactics -- all guided by esteemed faculty from the bench and practicing bar. Many students use their course case materials, experiences and notes as a practice resource after they enter the practice of law. The course provides students an interesting and exciting window on the actual practice of law. Interested students with questions may contact Professor Buckley at tbuckley@finbuck.com.

Real Estate Finance

Law 616,
09A (Alexander) Preregistration Number: 5159
02A (Hughes) Preregistration Number: 1658

THIS COURSE WILL NOT BE OFFERED IN THE SPRING SEMESTER.

Credit: 3 Hours
Selection: Open Bidding
Instructor(s): Alexander, Frank/ Hughes, James
Prerequisite(s): None
Grading Criteria: Exam
Enrollment Limit: 70 each section

Description: This course first examines in detail the elements of basic real estate conveyances including the sales contract, instruments of conveyance and title assurance (recording acts, title insurance, warranties). The second half of the course is devoted to alternative methods of financing a real estate acquisition including various mortgage instruments, transfers of mortgaged property, and foreclosure questions.

Roman Law
Law 739, 04A
Preregistration Number: 5171

THIS ACCELERATED CLASS WILL MEET FOR 9 WEEKS.

Credit: 2 Hours
Selection: Open Bidding
Instructor(s): Bederman, David
Prerequisite(s): None
Grading Criteria: choice of either (1) a research paper (30 pages, text and notes) on a topic approved by the instructor, or (2) an in-class, open book examination
Enrollment Limit: 30

Description: Understanding and appreciating the legal system of the ancient Roman Republic and Empires (500 BC - 600 AD) can actually make you a better lawyer today practicing in a dynamic, global environment. The reason is that Roman law is the foundation for all legal systems and traditions in Europe (aside from England), Latin America, Africa, Asia, and even parts of North America (Louisiana and Quebec). The Romans developed a legal jurisprudence that was every bit as nuanced and sophisticated as ours is today in such areas as torts (delicts), contracts, and property. After a historical survey of the development of Roman law and its sources, the course will be devoted to an in-depth analysis of Roman law doctrines that are relevant to today's practice. Think of this class as a practical combination of legal history and comparative law.

There are no pre-requisites for the course, and absolutely no need to have earlier studied Latin or classics.

Special Topics in Technology Commercialization

Law 891, 04A

Preregistration Number: 1694

Credit: 3 Hours

Selection: Permission of instructor only

Instructor(s): Rector, Anne M.

Prerequisite(s): Intellectual Property

Grading Criteria: TBA

Enrollment Limit: 10

Description: This course will cover special topics in technology commercialization.

State and Multistate Taxation I

Law 940, 06A

Preregistration Number: 1568

Credit: 2 Hours

Selection: Open Bidding

Instructor(s): Glickman, Jeff

Prerequisites(s): None

Grading Criteria: Exam

Enrollment Limit: 30

Description: This course is an introduction to state taxation. No prior tax courses are required. Assigned materials and class discussions will cover primarily (i) issues regarding federal limitations on states' rights to tax under the Commerce Clause, the Due Process Clause, and the Equal Protection Clause of the U.S. Constitution and (ii) technical aspects of sales and corporate income taxation. We will also address contemporary issues, including common state tax planning techniques (and state responses to them) and state taxation in the e-commerce economy.

Survey of Employee Benefits

Law 914, 06A

Preregistration Number: 1555

Credit: 2 Hours

Selection: Open Bidding

Instructor(s): Pett, Craig

Prerequisite(s): None

Grading Criteria: Exam
Enrollment Limit: 30

Description: Study of the tax and non-tax ERISA aspects of employee benefits including "qualified" pension, profit sharing, deferred compensation plans, and health and cafeteria benefit plans.

Terrorism and the Law
LAW 796, 02A
Preregistration Number: 5172

Credit: 3 Hours
Selection: Open Bidding
Instructor: Shanor
Prerequisite: None
Grading Criteria: Final Exam or major research paper with permission of instructor
Enrollment Limit: 20

Course not open to those who have taken the Law and Terrorism Seminar.

Description: This course will examine criminal, civil, and military responses to terrorism. The criminal responses to terrorism materials will cover substantive criminal laws aimed at terrorism, problems of extraterritorial jurisdiction over and overseas apprehension of terrorists, distinctive practical difficulties with criminal prosecution of terrorists compared to other criminal prosecutions, and the relation of civil liberties to criminal enforcement mechanisms. Civil or non-criminal responses to terrorism include border control and immigration measures, economic sanctions, and compensation of those injured by terrorism and opposition to terrorism. Military responses to terrorism will focus on authorization to use military force, detention, interrogation, and treatment of suspected terrorists, and military trial and punishment of suspected terrorists.

Trusts and Estates
Law 674, 02A
Preregistration Number: 1540

Credit: 4 Hours
Selection: Open Bidding
Instructor(s): Pennell, Jeffrey
Prerequisite(s): None
Grading Criteria: Exam
Enrollment Limit: 120+

Description: Study of the law of intestate succession, limitations on testamentary powers, formalities necessary for executing or revoking wills, incorporation by reference

and the doctrine of independent legal significance, problems of construction of wills, and will substitutes. The course examines formalities for creation and termination of express trusts, with particular consideration of legal doctrines relating to settlor, beneficiary, trustee, and trust property. The course also devotes a limited amount of time to the use of future interests in trust, powers of appointment, and rules restricting perpetuities and accumulations.



EMORY | LAW

FALL 2008 SEMINAR DESCRIPTIONS

Seminar: Advanced Negotiation Skills And International Peace Making: Focus on Legitimacy Law 842, 04A

Preregistration Number: 5491

Credit: 3 Hours

Instructor(s): Zwier and Balian (Carter Center, Director of Conflict Resolution Program: for more on Conflict Resolution Center see

http://www.cartercenter.org/peace/conflict_resolution/index.html)

Grading Criteria: Paper

Prerequisites: None

Enrollment Limit: 15

Description:

After a review of strategies and styles in the two party disputes, this seminar will look at complex multiparty international negotiations, including but not limited to: Border Dispute between Bolivia, Chile and Peru: Selected issue in Middle East Peace-- the "Right of Return", compensation if right of return cannot be exercised, and "Water Rights" ; Sudan – CPA and Darfur; the Dayton Peace Accords. As basic understandings of dispute and conflict resolution techniques will have been covered in the prerequisite courses, we will consider an number of interdisciplinary readings including readings from Deutsch and Coleman's Handbook of Conflict Resolution, Theory and Practice, Roger Fisher's Coping with International Conflict, Mnookin's Beyond Winning and Kremenyuk's International Negotiations, which deal with research on the wide array of potential approaches to conflict resolution. (See syllabus.) The student's paper will be based either on 1) an in depth analysis of one of the class simulations, with a focus on the legitimacy (international law support) of any proposed solution, or 2) on the history, law, methods, practice and theory of an international dispute chosen in consultation with the professor.

Seminar: Housing Policy Law 834, 04A

Preregistration Number: 5173

Credit: 3 Hours

Instructor: Alexander

Grading Criteria: Paper

Selection: Preselection

Prerequisite: None

Enrollment Limit: 12

Description: This seminar will be a study of the lack of adequate housing in the United States and the multitude of governmental programs designed to meet housing needs. We will examine together the extent of the housing crisis, the current “mortgage foreclosure crisis”, and the range of public and private programs designed to facilitate access to housing. Each student will prepare a seminar paper (or a series of papers) on one aspect of housing programs and participate in teaching a class.

Seminar: Products Liability

Law 838, 04A

Preregistration Number: 1722

Credit: 3 Hours

Selection: Preselection

Instructor(s): Vandall, Frank J.

Prerequisite(s): Products Liability (recommended)

Grading Criteria: Paper

Enrollment Limit: 15

Description: This seminar provides an opportunity for a student to write a paper on a developing aspect of products liability theory. Topics considered and materials will vary from year to year. The course in Products Liability is recommended, but not required.

Seminar: Patents and Their Role in Global Economic Development and Access to Health

Law 826, 03A

Preregistration Number: 5175

Credit: 3 Hours

Selection: Preselection

Instructor(s): Vertinsky, Liza

Prerequisite(s): None

Grading Criteria: 30% participation; 60% presentation and paper

Enrollment Limit: 15

Description: What is the current debate over the role of patents in promoting or impeding economic development, and how will it evolve? How are international patent standards and norms shaped by this debate? What role can and should U.S. patent policy play in addressing issues of global development and access to health technologies? This seminar will begin with a survey of the basic framework governing international standards for patent protection and enforcement. We will then examine the ways in which patents and patent law impact global economic development and global access to health. The seminar will include the study of alternative methodologies for understanding and evaluating patent systems and their role in international development and global health as well as concrete case studies that question the current patent system and its impact. Students will be asked to develop and contribute their own views on the role(s) that patent policy should, could, or should not play in global economic development and global access to health.

Seminar: The Twentieth Century Constitution

Law 832, 04A

Preregistration Number: 5176

Credit: 3 Hours

Selection: Preselection

Instructor(s): Nourse, Victoria

Prerequisite(s): None

Grading Criteria: Paper

Enrollment Limit: 15

Description: This is a seminar in the history of the twentieth century constitution. Constitutional law is typically taught from the future backwards; one learns the prevailing precedent and from this one makes inferences about the past. This means that lawyers are typically taught to forget the constitution's history. This course challenges a number of the standard understandings of modern constitutionalism by reading the constitution forward, from its development from the late nineteenth century until the end of the twentieth. This view teaches us that (1) modern Supreme Court Justices did not always revere the text as they do today; (2) that the idea of "right" developed over the course of the century from a notion that was quite weak to something quite a bit stronger; and (3) that constitutional development reflects strong interaction between institutions, such as the Presidency and the Congress. Prerequisites include: the first year constitutional law course.