



Law School



Vanderbilt
University
2000/2001

Containing general information
and courses of study
for the 2000/2001 session
corrected to 15 July 2000
Nashville

The University reserves the right, through its established procedures, to modify the requirements for admission and graduation and to change other rules, regulations, and provisions, including those stated in this bulletin and other publications, and to refuse admission to any student, or to require the withdrawal of a student if it is determined to be in the interest of the student or the University. All students, full- or part-time, who are enrolled in Vanderbilt courses are subject to the same policies.

Policies concerning non-curricular matters and concerning withdrawal for medical or emotional reasons can be found in the *Student Handbook*.

ACCREDITATION

Vanderbilt University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane, Decatur, Georgia, Telephone number 404-679-4501) to award Bachelor's, Master's, Specialist's, and Doctor's degrees. Vanderbilt is a member of the Association of American Universities. The Vanderbilt School of Law is accredited by the American Bar Association and is a member of the American Association of Law Schools.

EQUAL OPPORTUNITY

In compliance with federal law, including the provisions of Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, Vanderbilt University does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its administration of educational policies, programs, or activities; its admissions policies; scholarship and loan programs; athletic or other University-administered programs; or employment. In addition, the University does not discriminate on the basis of sexual orientation consistent with University non-discrimination policy. Inquiries or complaints should be directed to the Opportunity Development Officer, Baker Building, Box 1809 Station B, Nashville, Tennessee 37235. Telephone (615) 322-4705 (V/TDD); fax (615) 343-4969.

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Law School Calendar 2000/2001

FALL SEMESTER 2000

Orientation and registration for first-year students / Thursday 24, Friday 25 August, and
Saturday 26 August

Classes begin / Monday 28 August

Thanksgiving holidays / Saturday 18 November to 26 November

Classes end / Friday 8 December

Examinations begin / Saturday 9 December

Fall semester ends / Friday 22 December

SPRING SEMESTER 2001

Classes begin / Monday 8 January

Spring holidays / Saturday 3–11 March

Classes end / Friday 20 April

Examinations begin / Monday 23 April

Spring semester ends / Saturday 5 May

Commencement / Friday 11 May

Student Records (Buckley Amendment)

The right to inspect and review their education records within 45 days of the day the University receives a request for access. Students should submit to the University Registrar written requests that identify the record(s) they wish to inspect. The University Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the University Registrar does not maintain the records, the student will be directed to the university official to whom the request should be addressed.

The right to request the amendment of any part of their education records that a student believes is inaccurate or misleading. Students who wish to request an amendment to their educational record should write the University official responsible for the record, clearly identifying the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the student will be notified of the decision and advised of his or her right to a hearing.

The right to consent to disclosures of personally identifiable information contained in the student's education records to third parties, except in situations that FERPA allows disclosure without consent. One such situation is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted; a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

The Buckley Amendment provides the University the ability to designate certain student information as "directory information." Directory information may be made available to any person without the student's consent unless the student gives notice as provided for below. Vanderbilt has designated the following as directory information: the student's name, addresses, telephone number, e-mail address, date and place of birth, major field of study, school, classification, participation in officially recognized activities and sports, weights and heights of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar information. Any student who does not wish disclosure of directory information should notify the University Registrar in writing. Such notification must be received by August 1st to assure that the student's address and phone number do not appear in any printed Vanderbilt directory. No element of directory information as defined above is released for students who request nondisclosure. The request to withhold directory information will remain in effect as long as the student continues to be enrolled, or until the student files a written request with the University Registrar to discontinue the withholding. To continue nondisclosure of directory information after a student ceases to be

enrolled, a written request for continuance must be filed with the University Registrar during the student's last term of attendance.

If a student believes the University has failed to comply with the Buckley Amendment, he or she may file a complaint using the Student Complaint and Grievance Procedure as outlined in the *Student Handbook*. If dissatisfied with the outcome of this procedure, a student may file a written complaint with the Family Policy and Regulations Office, U.S. Department of Education, Washington, D.C. 20202.

Questions about the application of the provisions of the Family Educational Rights and Privacy Act should be directed to the University Registrar or to the Office of University Relations and General Counsel.

Financial Information

TUITION for the academic year 2000/2001 is \$25,550 for all full-time students. Students registering for fewer than 10 credit hours pay tuition at the rate of \$1,277.50 per hour. Tuition is payable in two equal installments, at the beginning of the fall semester and at the beginning of the spring semester.

Rates for tuition and fees are set annually by the Board of Trust and are subject to review and change without further notice.

A nonrefundable fee of \$50 is due when the application for admission is filed. A \$250 deposit, required on acceptance of an offer of admission, is also not refundable but is credited toward tuition. The student health insurance plan carries an annual fee of approximately \$783. Students pay annual activities and recreation fees of approximately \$250. Students must complete registration on the first day of classes each semester. Students who fail to register by the designated time will be charged a \$10 fee for late registration. A \$25 charge is made for course changes after registration has been completed.

Payment of Tuition and Fees

Tuition, fees, and all other University charges incurred prior to or at registration are due and payable in full at registration. All charges incurred after classes begin are due and payable in full by the last day of the month in which they are billed to the student. If payment is not made within that time, the student will incur financial penalties.

Refunds of Tuition and Dormitory Charges

University policy for the refund of tuition and dormitory charges pro-

vides a percentage refund based on the time of withdrawal. Students who withdraw officially or who are dismissed from the University for any reason may be entitled to a partial refund in accordance with the established schedule shown below. Fees are not refundable.

Fall 2000 Withdrawal/Refund Schedule

Week 1	August 28–September 2	100%
Week 2	September 3–September 9	90%
Week 3	September 10–September 16	80%
Week 4	September 17–September 23	70%
Week 5	September 24–September 30	70%
Week 6	October 1–October 7	60%
Week 7	October 8–October 14	50%
Week 8	October 15–October 21	50%
Week 9	October 22–October 28	40%
Week 10	October 29–November 4	40%

No refund after November 4, 2000

Spring 2001 Withdrawal/Refund Schedule

Week 1	January 8–January 13	100%
Week 2	January 14–January 20	90%
Week 3	January 21–January 27	80%
Week 4	January 28–February 3	70%
Week 5	February 4–February 10	70%
Week 6	February 11–February 17	60%
Week 7	February 18–February 24	50%
Week 8	February 25–March 3	50%
Spring Break	March 4–March 10	
Week 9	March 11–March 17	40%
Week 10	March 18–March 24	40%

No refund after March 24, 2001

Tuition Payment Programs

Tuition payment programs are available through Tuition Management Systems (TMS). Pamphlets describing these plans are available on request from the Office of Student Accounts or the Office of Student Financial Aid.

Late Payment of Fees

Charges not paid by the first day of classes will be automatically deferred (the Office of Accounting may refuse to allow a deferment if in its judgment the deferment is unwarranted), and the student's account will be assessed a monthly late payment fee of \$1.50 on each \$100 that remains unpaid after the first day of classes (\$5 minimum). An additional monthly late payment fee will be assessed unless payment is received in full on or before the last day of the month in which the student is billed.

Late payment fees will continue for each month thereafter based on the outstanding balance unpaid as of the last day of each month. All amounts deferred are due not later than 30 November for the fall semester and 30 April for the spring semester.

Financial Clearance

Students will not be allowed to register for any semester if they have outstanding unpaid balances for any previous semester. No transcript, official or unofficial, will be issued for a student who has an outstanding balance from a previous semester. Transcripts will be released when the account has been paid. Diplomas of graduating students will be withheld until all bills are paid.

Activities and Recreation Fees

The required student activities and recreation fees entitle students to use the facilities of Sarratt Student Center and the Student Recreation Center. The fees also cover admission to certain social and cultural events and subscriptions to certain campus publications. Specific information on these fees is published annually in the *Student Handbook*. By payment of an additional fee, students and their spouses may use their identification cards for admission to athletic events.

Transcripts

Academic transcripts are supplied by the University Registrar on written authorization from the student. Transcripts are not released for students with delinquent accounts.

Employment

The study of law is demanding and is designed to occupy the student's full time. It is unwise to allow efforts to be diluted by outside work during the critical first year. The student is better advised to seek a loan for needed expenses than to impair the quality of preparation for the profession.

Opportunities for part-time work after the first year are available in the Law School, elsewhere in the University, and in Nashville. The American Bar Association Standards and Rules of Procedure state that a student may not work more than twenty hours a week while enrolled as a full-time student.

Financial Aid

An appreciable amount of financial aid is available to students in the School of Law. Except for named scholarships listed below and a small portion of Law School scholarship funds reserved for merit awards, aid is awarded and renewed on the basis of the student's need. The two principal forms of aid are scholarships and loans. Only the latter carry an explicit obligation to repay. Scholarship aid is normally confined to some portion of tuition, but this limitation does not apply to loan funds. A large portion of funds available for scholarship and loan purposes results from the generosity of law firms and alumni/ae.

To apply for financial aid, the applicant must complete the Free Application for Federal Student Aid (FAFSA), the College Scholarship Service (CSS) Profile form, and the Vanderbilt Law School Financial Aid Statement, sent to all applicants for need-based aid. The FAFSA may be obtained by calling 1-800-4FEDAID and should be completed no earlier than 1 January but as soon after that as possible, preferably by 31 January. Later submission of this information is likely to influence awards. Prospective law students must have a clear credit history in order to qualify for some of the loan programs available to professional school students.

Scholarships

In addition to the scholarships available from general Law School funds, the following specific scholarships are available to law students. Selection for these scholarships is made by the Law School except where otherwise indicated. Students who apply for financial aid by registration with FAFSA and CSS will automatically be considered for any of the following scholarships for which they may be eligible. No separate application is necessary except for the John W. Wade and Elliott Cheatham scholarships.

JOHN S. BEASLEY II SCHOLARSHIP. The John S. Beasley II Honor Scholarships were established to recognize the legacy established by John Beasley (J.D. 1954) during his service as associate dean and professor of law at Vanderbilt from 1962–72. A Beasley Scholarship is awarded to a member of an incoming class who has been selected as having the personal qualities, promise, and potential to make a mark upon the legal profession and the Law School. The recipient is chosen on the basis of merit without regard to financial need and receives a generous tuition scholarship award.

J. GILMER BOWMAN JR. MEMORIAL SCHOLARSHIP. A scholarship fund endowed by Mrs. J. Gilmer Bowman Sr. in honor of her son. Income from this fund is used to award scholarships on the basis of academic standing and financial need.

ENOCH BROWN SCHOLARSHIP FUND. A scholarship fund endowed by Mrs. Elizabeth Eggleston Brown in the name of her husband. Income from this fund is used to award scholarships in the Law School.

EDWARD R. BURR SCHOLARSHIP. Donated by Ruth Burr Puryear in memory of her father, a prominent Nashville banker from 1891 until his death in 1940. Income from this fund will provide scholarships to students who demonstrate high scholastic achievement and good citizenship.

ELLIOTT E. CHEATHAM SCHOLARSHIP. Established in honor of Professor Cheatham and funded principally by contributions from five of his former students and from past scholars, the scholarship currently provides an annual stipend of \$5,000 in addition to any other scholarship assistance for which the student is eligible. The recipient is selected primarily on the basis of academic record, demonstrated leadership ability, and aptitude for legal studies.

JUDGE ALLEN COX SCHOLARSHIP. Established in honor of Judge Cox, a 1909 graduate of Vanderbilt who served on the Federal Court of the Northern District of Mississippi for twenty-eight years. Income from the fund endowed by Judge Cox's grandson, Allen C. Dunstan (L 1973), is used for a scholarship awarded annually.

GANTT SCHOLARSHIPS. A scholarship fund endowed by Mr. Nicholas J. Gantt (L 1903) of Pine Bluff, Arkansas. Income from this fund is used for a scholarship awarded annually.

MARY POLK GREEN SCHOLARSHIP The Mary Polk Green Scholarship honors the memory and legacy of Vanderbilt Law School graduate Mary Polk Green (J.D. 1947) and her contributions to the school and the legal profession as director of the Vanderbilt law library. The income from this endowed fund is used to support students with financial need.

WILLIAM J. HARBISON MEMORIAL SCHOLARSHIP The William J. Harbison Memorial Scholarship was established to honor the memory of Vanderbilt Law School graduate Judge William J. Harbison (J.D. 1950) by his family, friends, and former law partners. The scholarship award is based on merit and financial need.

MARR SCHOLARSHIPS. Mr. William B. Marr, alumnus of the class of 1899, left the bulk of his estate to the Vanderbilt University School of Law, with directions that the income from it be used for scholarships to public-school graduates from Middle Tennessee. Several scholarships are awarded each year.

WILLIAM A. McDONNELL SCHOLARSHIP. A scholarship fund endowed by Mr. William A. McDonnell (B.A. 1916, LL.B. 1917), a former member of Vanderbilt's Board of Trust from Saint Louis, Missouri. Income from this fund is used for a scholarship or scholarships awarded annually to students with high academic promise and financial need.

EDDIE MORGAN SCHOLARSHIP. Established in honor of Professor Edmund M. Morgan, outstanding authority on the law of evidence and a member of the law faculty from 1950 to 1964, and supported in part by contributions from his friends and former students.

RAYMONDE I. PAUL SCHOLARSHIP IN TRANSNATIONAL LAW. A scholarship fund endowed by the Charles Ulrick and Josephine Bay Foundation, Inc. Income from this fund is used for a scholarship awarded annually to one student in the third-year class who has made an outstanding contribution to the Transnational Legal Studies Program.

GRANVILLE S. RIDLEY SCHOLARSHIPS. A bequest in Mr. Ridley's will makes possible scholarships awarded annually to recipients chosen by the Law School. Preference will be given to students from Rutherford County, Tennessee, where Mr. Ridley practiced following his graduation from the Law School in 1916.

JOHN BOLTON SHAPARD SCHOLARSHIP. Established in memory of John Bolton Shapard, a 1965 graduate of the Law School. Funds for the scholarship have been contributed

by Mr. Shapard's family and friends.

JUDGE LUTHER A. SMITH SCOTTISH RITE SCHOLARSHIPS. Established in honor of Judge Luther A. Smith, (L 1909), for many years Grand Commander of the Ancient and Accepted Scottish Rite, Southern Jurisdiction, U.S.A. Funds for the endowment have been contributed by the Scottish Rite Foundation, a number of local Scottish Rite organizations, and friends of Judge Smith. The income is used for several scholarships each year.

JOHN LEWIS TYE IV MEMORIAL SCHOLARSHIP. Established in honor of John Lewis Tye IV, (B.A. 1965), 1944–1966, by his parents in 1989. A member of the Class of 1968 from Cleveland, Tennessee, Tye had completed his first year of law school. Given to a first-year student, the scholarship also is awarded in the second and third year, contingent upon a demonstrated commitment to excellence in all facets of a well-rounded life. The scholarship, based on both merit and need, is awarded to a student from Tennessee or Georgia.

MILTON R. UNDERWOOD SCHOLARSHIPS. Two scholarships endowed by gifts from David and Lynda Underwood of Houston, Texas, and the Fondren Foundation, in memory of Milton R. Underwood, a 1928 law graduate and longtime trustee of Vanderbilt University. Awarded to a first-year student and renewed each year.

JOHN W. WADE SCHOLARSHIPS. The premier honor scholarship, awarded to three members of each class. The three-year full-tuition awards were established in honor of John W. Wade, Dean Emeritus and Distinguished Professor, Emeritus, of Vanderbilt Law School. Wade Scholars are chosen on the basis of superior achievement in all aspects of their lives. The founding gift for the Wade Scholarship was a bequest from Ucola Collier and Arthur Frank Katzentine. All applicants to the Law School are eligible to apply for the Wade Scholarship.

MARK WOODWORTH WALTON SCHOLARSHIPS. An endowed fund in memory of Mark Woodworth Walton, son of Mrs. John H. Stambaugh. The income from this fund is used for grants to needy and talented law students selected by the Law School.

PATRICK WILSON SCHOLAR'S SCHOLARSHIP. Established in 1994 by recipients of the prestigious Patrick Wilson Scholarships, premier honor scholarships awarded from 1967 to 1991. The scholarship provides full tuition and is endowed to ensure support in perpetuity. Recipients are chosen on the basis of superior academic records and personal qualities that reflect potential for contribution to the legal profession.

WALLER LANSDEN DORTCH & DAVIS SCHOLARSHIP. The Waller Lansden Dortch & Davis Scholarship in honor and memory of Philip G. Davidson III is a full tuition scholarship awarded to a student for the first year of law school and renewed each year. The scholarship is awarded on the basis of merit and without regard to financial need. The recipient is a student who has been identified as one who shows potential for contributions to the legal profession and whose character, ability, and leadership qualities reflect those of Philip Davidson (J.D. 1951).

Loan Funds

Vanderbilt University students participate in the Perkins Loan program, the Federal Subsidized and Unsubsidized Stafford Loan Programs,

the Law Access or Law Loans program. Information may be obtained from the Office of Admissions. Completion of the FAFSA and Vanderbilt Law School forms are required in order to certify eligibility for institutional loan programs.

In addition to loans available from general Law School funds, the following specific loan funds are available to law students:

PAUL J. HARTMAN LOAN FUND. Established in honor of Paul J. Hartman, Professor of Law, Emeritus. Loans are awarded by the Law School in instances in which an unexpected need has arisen and no other reasonable means of assistance is available. Funds for the loan fund are contributed by the Law School and by Law School alumni.

VANDERBILT EMERGENCY LOAN FUND. Small loans at no interest are available to assist students who encounter a financial emergency during the school year.

Honors and Awards

The Order of the Coif

The Order of the Coif, the national legal scholarship society, has a chapter at Vanderbilt. Election to membership in the order is limited to those students in the top 10 percent of the senior class who have earned at least 55 credit hours in residence at Vanderbilt.

Founder's Medal

The Founder's Medal, signifying first honors, was endowed by Commodore Cornelius Vanderbilt as one of his gifts to the University. It is awarded to the student in the graduating class who has attained the highest grade point average, having completed at least 55 credit hours in residence at Vanderbilt.

Other Medals and Prizes

JUNIUS L. ALLISON LEGAL AID AWARD. Awarded annually to the student adjudged to have made the most significant contribution to the work of the Legal Aid Society.

THE BANKS AWARD. Selected and awarded by the Jessup Moot Court competition team to the member who has made the greatest contribution to the team's overall success during the prior year. This award was established in memory of Thomas Cloney Banks (J.D. 1983).

BENNETT DOUGLAS BELL MEMORIAL AWARD. In the will of Mrs. Lily Cartwright Bell, dated 2 July 1938, there was the following provision: "The endowed memorial to my husband, Bennett Douglas Bell, I wish to be placed in the Vanderbilt School of Law, the interest from the endowment to be given annually to the student of the senior law class who is not only well versed in the law, but who shows the highest conception of the ethics of the profession and who would strive to 'Do justly, love mercy, and walk humbly with God,' as did the one in whose memory the prize is given and whose name it bears, Bennett Douglas Bell."

THE BUREAU OF NATIONAL AFFAIRS AWARD. The Bureau of National Affairs Inc. offers a year's free subscription to *United States Law Week*, given to the member of the senior class adjudged by the faculty to have made the most scholastic progress during the final school year.

NATHAN BURKAN MEMORIAL PRIZE. Awarded annually by the American Society of Composers, Authors, and Publishers for the best paper on copyright.

G. SCOTT BRIGGS TRANSNATIONAL LEGAL STUDIES AWARD. Awarded each year to the senior who has exhibited a high degree of scholastic achievement in transnational legal studies and who has made the most significant contribution to the development of international legal inquiry while a student of Vanderbilt Law School. This award was endowed by Mr. Briggs (J.D. 1969) in memory of his parents.

THE PHILIP G. DAVIDSON III MEMORIAL AWARD. The Philip G. Davidson III Memorial Award is presented annually to the student, chosen by the Vanderbilt Bar Association Board of Governors, who is dedicated to the law and its problem-solving role in society, and who provides exemplary leadership in service to the Law School and the greater community. The award has been endowed by Mr. Davidson's family and friends.

DEAN'S AWARD. Awarded to the student in the graduating class adjudged to have submitted the best research and writing project.

ROBERT F. JACKSON MEMORIAL PRIZE. Awarded to "that member of the second-year law class who has maintained the highest scholastic average during the two years." This prize was established in 1945 by Mrs. Robert F. Jackson in memory of her husband, who was for many years an esteemed member of the Board of Trust.

LIGHTFOOT, FRANKLIN & WHITE LEGAL WRITING AND LAWYERING AWARD. Awarded annually for Best Brief and Best Oralist in each of the six sections of the first-year Legal Writing & Introduction to Lawyering course. This award is sponsored by Lightfoot, Franklin & White of Birmingham, Alabama, to support the teaching of practical legal skills in the law school curriculum.

ARCHIE B. MARTIN MEMORIAL PRIZE. Awarded to the student of the first-year class who has earned the highest general average for the year. The late Mr. H. L. Martin of New York City made provision for the prize, which is given in honor of his son, who was a member of the first-year class when he died in 1923.

JORDAN A. QUICK MEMORIAL AWARD. Award given to the student judged to have made the greatest contribution to the quality of life at the law school through his or her leadership with the Vanderbilt Bar Association.

STANLEY D. ROSE MEMORIAL BOOK AWARD. Awarded to the law student who has submitted the best legal writing in the field of jurisprudence or legal history during each academic year.

CARL J. RUSKOWSKI CLINICAL LEGAL EDUCATION AWARD. Awarded to the student who, in his or her representation of clients in the Law School's clinical program, demonstrated excellence in practice of law and best exemplified the highest standards of the legal profession.

VANDERBILT SCHOLASTIC EXCELLENCE AWARD. Awarded to the student designated by the professor as receiving the highest grade in all courses except seminars and limited enrollment courses.

WELDON B. WHITE PRIZE. Awarded each year to the student who submits the best written study of an aspect of the law of the state of Tennessee.

Vanderbilt Journal of Transnational Law Awards

VANDERBILT JOURNAL OF TRANSNATIONAL LAW SECOND-YEAR STAFF AWARD. Awarded to the second-year staff member who has made the most significant contribution to the advancement of the *Vanderbilt Journal of Transnational Law* during the school year.

VANDERBILT JOURNAL OF TRANSNATIONAL LAW OUTSTANDING EDITOR AWARD. Awarded to the member of the third-year staff selected as having done the most outstanding work on the *Vanderbilt Journal of Transnational Law* during the academic year.

GRACE WILSON SIMS PRIZE FOR STUDENT WRITING IN TRANSNATIONAL LAW. Awarded to the student submitting the best piece of student writing for publication in the *Vanderbilt Journal of Transnational Law* during the school year.

GRACE WILSON SIMS MEDAL IN TRANSNATIONAL LAW. Awarded to the Editorial Board member, other than the editor-in-chief, who has done the most outstanding work on the *Vanderbilt Journal of Transnational Law* during the school year.

Vanderbilt Law Review Awards

LAW REVIEW CANDIDATE'S AWARD. Awarded by the second-year staff of the *Vanderbilt Law Review* to the third-year staff member, other than the editor-in-chief, who has made the most significant contribution to their development as staff members of the *Vanderbilt Law Review*.

LAW REVIEW ASSOCIATE EDITOR'S AWARD. Awarded annually to the associate editor among the third-year staff who has contributed most significantly toward the improvement of the *Vanderbilt Law Review*.

MORGAN PRIZE. A cash award, in honor of Professor Edmund M. Morgan, given to the student contributing the most outstanding piece of student writing published in the *Vanderbilt Law Review* during the school year. The winner of this prize is ineligible to receive the Dean's Award.

MYRON PENN LAUGHLIN RECENT DEVELOPMENT AWARD. Awarded to the student preparing the most outstanding recent development published in the *Vanderbilt Law Review* during the school year.

LAW REVIEW NOTE AWARD. Awarded to the student, other than the recipient of the Morgan Prize, who has contributed the best student note published in the *Vanderbilt Law Review* during the school year.

Moot Court Awards

BASS BERRY & SIMS MOOT COURT COMPETITION AWARD. Awarded to the semifinalists in the Intramural Appellate Competition.

JOHN A. CORTNER MOOT COURT COMPETITION AWARD. Awarded to the two members of the winning team in the Intramural Appellate Competition. The award was established by family and friends in memory of John A. Cortner, (J.D. 1985) as a memorial to his energetic commitment to the Moot Court program, in which he served as the Chief Justice of the Moot Court Board.

K. HARLAN DODSON MOOT COURT STAFF AWARD. An award to the senior member of the moot court staff, other than the chief justice, who rendered the most outstanding service during the year in all aspects of the moot court program.

Courses of Study



First-Year Courses

Civil Procedure. An introduction to federal and state court organization, jurisdiction, and procedure including pleading, joinder of parties and claims, pretrial discovery, pretrial disposition of cases, judgments, *res judicata*, collateral estoppel, and other subjects. Primary emphasis is on the Federal Rules of Civil Procedure and its counterparts which have been adopted by many states. SPRING. [4]

Constitutional Law I—Structural Questions, Federalism, and Separation of Powers. A basic study of the distribution of governmental powers between the federal government and the states, as well as the relationship among the three branches of the federal government and the role of the courts in the constitutional scheme. Issues include judicial review, standing, the enumerated powers of Congress, preemption, legislative veto, presidential power, and introductory aspects of constitutional interpretation. SPRING. [3]

Contracts. The agreement process; interpretation; consideration and its equivalents; illegal bargains; the statute of frauds; remedies for breach of contract; failure of condition; impossibility of performance and frustration of purpose; third-party beneficiaries; assignment of rights and delegation of duties; and discharge. Relevant sections of Article 2 of the Uniform Commercial Code are included in study of each topic. FALL. [5]

Criminal Law. Specific crimes at common law and under modern statutes; general principles of criminal liability; defenses; selected problems in criminal law administration from investigation and arrest through trial. SPRING. [3]

Legal Process and Institutions of Lawmaking. A study of the legislative, administrative, and judicial process, and the lawmaking institutions of government. Issues addressed include statutory interpretation, the structure of agencies and agency action, judicial review, theories of legislative and executive oversight and control, and judicial reasoning. FALL. [4]

Legal Writing I. Students learn the fundamentals of written legal analysis, citation, and written and oral advocacy. FALL. [2]

Legal Writing II. Continuation of Legal Writing I. SPRING. [2]

Property. A basic survey of the law of property with emphasis on real estate; estates in land; divided interests; adverse possession; introduction to future interests; landlord-tenant; commercial transfers of land, including the real estate contract, the deed, the recording system and title insurance, restriction of land use through private arrangement and public regulation. SPRING. [4]

Torts. Liability for intentional harm to person or property and for similar harm caused by negligent conduct. FALL. [4]

Second- and Third-Year Courses

The following courses are approved by the faculty. Offerings for each semester are announced in the Law School Schedule of Courses well in advance of the beginning of the academic year; changes and additions are announced thereafter when appropriate.

Accounting. Introduction to accounting theory, interpretation of financial statements, basic concepts of corporation and tax accounting, and legal consequences of an audit report. [2]

Administrative Law. The use of administrative agencies, including executive departments, to accomplish governmental purposes; creation and control of agency powers, with emphasis on constitutional and statutory provisions affecting administrative procedure, and judicial review of agency action; the quest for widely applicable concepts. Issues and principles of law are drawn from the experiences of various agencies, mostly federal. This course treats administrative law as a body of legal knowledge; it does not offer specialized study of any particular agency. [3]

Admiralty. An introduction to the law of admiralty—the business of transporting goods and passengers by water. Subjects covered include the sources of admiralty law; jurisdiction of state and federal courts over admiralty matters; limitation of liability; maritime liens; personal injury and wrongful death doctrines; contracts to charter a vessel; contracts for the carriage of goods by sea; salvage; general average; marine collision; and marine pollution liability. [3]

Advanced Corporate Problems. Seminar. A study of selected topics of interest to corporate lawyers. Students will be required to prepare written and oral presentations on approved topics of their choice. Prerequisite: Corporations. Limited enrollment. [3]

Advanced Environmental Law. This course will explore current topics in the design, administration, and enforcement of environmental law in the United States, with particular emphasis on enforcement. We will look at the changing relationship between regulators and the regulated, including experiments with more cooperative and collaborative regulatory approaches. We will also examine the role of federalism and intergovernmental conflicts in the administration of environmental regulation. Limited enrollment. [2]

Advanced Legal Research. This course will build upon basic legal research skills and expose the student to the book and electronic information sources utilized by researchers in several specialized areas of law. Following a basic review of research fundamentals, the course will then focus on specialized research materials in the areas of international law, taxation, securities regulation, and legislative history. In addition, instruction will be given on non-legal research in the social sciences, business and scientific fields, including the use of Nexis, the Internet, and Westlaw's Dialog gateway. Limited enrollment. [2]

Advanced Issues in Free Speech. A seminar that explores the different theoretical approaches underlying the constitutional protection of the freedom of expression. It will place particular emphasis on the impact of changes in political theory, current social problems, and changes in technology on free speech principles. Topics include civic republicanism, critical race theories of free speech, feminist theories of speech, campaign finance reform, government speech, hate speech, unconstitutional conditions, violence on television, and children's programming. Recommended: First Amendment Constitutional Law. Limited enrollment. [2 or 3]

Advanced Topics in Labor and Employment Law. A seminar focusing on significant practical and theoretical issues in labor and employment law. A research paper will be re-

quired. Topics covered vary from year to year, to reflect current concerns in the area. Prerequisite: Labor Relations, Labor Standards, Employment Discrimination Law, or Law of Work. Limited enrollment. [2 or 3]

Advanced Torts. Injuries to relationships, including such torts as misrepresentation, defamation, invasion of right of privacy, wrongful judicial proceedings, and interference with business relationships, family relationships, and political and other civil rights; and consideration of significant contemporary developments in other torts. [3]

American Legal History. Selected problems in the origin and development of private law in the United States from the colonial period through the middle of the nineteenth century. Topics to be studied include: the reception of English law, the formation of colonial legal institutions, the transformation of seditious libel, the growth of corporation law in the early nineteenth century, and the legal response to economic and technological changes. Some attention will be paid to the early nineteenth-century controversy over the character of law in a democratic society, especially the movement for codification. Emphasis will be on the interplay between law and the social values and political environment of the new nation. [3]

American Legal History Seminar. Development of law, legal institutions, and the legal profession (including legal education), from colonial times to the present day. Emphasis on contribution of lawyers to managing change in society, business, and government. Paper covering topic to be selected in consultation with instructor and presented to class in discussion format. Limited enrollment. [3]

Antitrust Law. Federal regulation of private economic activities under the Sherman Act, the Clayton Act, and the Federal Trade Commission Act to ensure maintenance of a competitive economy; examination of the major areas of antitrust law in the context of relevant economic concepts. [3]

Bankruptcy. A study of the rights of secured and unsecured creditors under state law and federal bankruptcy law, and the corresponding rights of debtors. Other areas covered include methods of collecting judgments, fraudulent conveyances, general assignments, garnishment, and attachment. Completion of Secured Transactions is helpful, but not required. [3]

Bioethics and the Law Seminar. Examination of emerging legal concepts reflecting the rapid developments in modern medicine and the moral concerns of society. Emphasis upon judicial decisions and philosophical analyses dealing with issues such as genetic manipulation, novel modes of procreation, human experimentation, nature of consent regarding medical procedures, control of drugs, definitions of death, implications of euthanasia. The third hour of credit may be earned by submitting a major research paper. Limited enrollment. [2 or 3]

Business Acquisitions and Mergers. An examination of the law relating to the acquisition of businesses through asset and stock acquisitions and corporate mergers. The course examines applicable state corporate law, federal securities and tax law, accounting methods and the structure of acquisition agreements. The course will give some emphasis to tax-free acquisitive reorganizations. Prerequisite: Corporations, Corporate Taxation, or Federal Tax Law. Corporate Tax is highly recommended. [2]

Business and Transactional Environmental Law. The course adopts the Environmental Protection Agency's "multimedia" approach to environmental law by focusing on current issues and topics that the business or transactional attorney is likely to encounter in practice. The course will be conducted in a seminar-style format, with "hands-on" experience review-

ing environmental reports and other documents. There is no prerequisite, although the basic Environmental Law class is highly recommended. [2]

Campaign Finance and Elections. This course explores constitutional, statutory, and political aspects of the American electoral system, examining campaign finance, the role of political parties, and redistricting. Topics addressed include the Federal Election Campaign Act, first amendment limits on campaign finance regulation, first amendment and associational issues related to political parties, and the equal protection clause as it applies to redistricting. Limited enrollment. [2]

Children and the Law. Discussion of the special social and legal role of children, including: constitutional allocation of power among children, parents, and the State; medical treatment of and experimentation on children; child abuse and neglect; termination of parental rights and substitute care for children; emancipation of children and age-based classifications; the juvenile justice process for adjudication and disposition of children as dependents, status offenders, and delinquents; and the right to treatment of incarcerated children. The course focuses on the sociological factors and implications of present practices and examines public policy reforms proposed to address these issues. Limited enrollment. [2-3]

Child and Family Law Policy Clinic. This course offers students the opportunity to explore the role of lawyers in shaping public policy through supervised fieldwork activity at the Child and Family Policy Center at the Vanderbilt Institute for Public Policy Studies. The course is structured around four primary areas of public policy lawyering: the state legislative session, activities of interest/advocacy groups concerned with child and family policy, public interest litigation, and the proactive public policy work of the Center. Students engage in a variety of tasks, such as analyzing and tracking legislation, preparing commentary and policy papers, drafting legislation, providing strategic advice and counseling on legislative action and other advocacy activities, and gathering and analyzing original data relevant to current child and family policy issues. Students also attend a series of classroom sessions related to their fieldwork and lawyering tasks. Three credit hours are awarded for the first semester, which includes fieldwork and class sessions; two additional credit hours are awarded for an optional semester of fieldwork only. All credit is awarded on a pass/fail basis. Maximum credit of 5 hours. [3-2]

Child Welfare: Law and Policy. This course will examine the history and development of current laws and policies related to child welfare in America. It will focus heavily on legislation, but will also include discussion of relevant case law. Additionally, it will incorporate materials from other disciplines, such as history, sociology, and education. Students will be evaluated based upon in-class presentations as well as a final research paper. [2 or 3]

Civil Practice Clinic. Introduction to civil law practice gained by representing clients through the Vanderbilt Legal Clinic, a legal aid office located in the Law School building. Students are supervised by clinical faculty during all stages of representation, from initial interviews through trials and appeals. The course emphasizes the techniques of client interviewing and counseling; fact-finding and formal discovery; negotiation; trial and administrative advocacy; and the role of the lawyer in the legal system. Either or both semesters may be taken. Three credit hours are awarded for the first semester in which the student is enrolled, which includes a series of introductory classes on the lawyering process and relevant issues of substantive law and procedure; 2 credit hours are awarded for the optional second semester. Maximum credit of 5 hours. [3-2]

Comparative Law. The institutions and legal underpinnings of the cultures, the historical background, legal method, and other characteristics by which the world's legal systems may be classified into major families, such as the Anglo-American, Roman-German, and

socialist families. Comparative study of selected legal concepts and institutions in an assortment of legal systems. Examples include contracts of adhesion, divorce, judicial review of constitutionality of legislation, and the emerging institutions of the European Union. [3]

Comparative Legal Studies Seminar. This course is an advanced study of one or more selected topics, varying from year to year, in comparative or foreign law. Students will be asked to write a research paper; the third hour of credit may be earned by submitting a major research paper. Limited enrollment. [2 or 3]

Conflict of Laws. The legal problems arising when an occurrence or a case cuts across state or national boundaries: jurisdiction of courts, enforceability of foreign judgments, choice of the applicable law. The policies, the rules of law, and the constitutional requirements in private interstate law. [3]

Constitutional Law II—Individual Rights. An introductory study of due process and equal protection as general constitutional restrictions on all government actions that affect individuals and an introduction to the structural role of the Supreme Court in enforcing those constitutional restrictions against the other units of state and federal government. [3]

Constitutional Law of U.S. Foreign Relations. An introductory study of the constitutional allocation of lawmaking power in the foreign affairs field, including a consideration of the related powers of the executive, Congress, and the judiciary in situations involving foreign elements. Specific subject matter areas include the treaty power, the war power, executive agreements, the allocation of powers to control international trading activities, the political question doctrine, protection of rights of aliens and the rights of foreign corporations, and the scope of state lawmaking power in private international matters. [3]

Constitutional Protection of Property Rights. This course will examine the constitutional protection afforded property and economic rights throughout American history. Among other topics, the course will cover colonial attitudes toward property ownership, the role of property rights in framing the Constitution, the early use of eminent domain, the growth of the contract clause, the evolution and application of due process, utility rate regulation, and changing interpretations of the takings clause of the Fifth Amendment. [3]

Constitutional Theory Seminar. A seminar offering in depth study of different approaches to constitutional interpretation and different conceptions of the role of the Supreme Court in the process of constitutional interpretation. Discussion will focus on a broad range of books and articles by prominent scholars in the field. Paper required. Limited enrollment. [2]

Constitutional Tort Litigation. Constitutional torts basically are claims for monetary judgments brought under 42 U.S.C. § 1983 in which citizens seek monetary damages from state actors for alleged violations of constitutional rights. The major focus of the course will be a critical examination of Section 1983 as a process of vindicating violations of constitutional rights. The subjects include the state action doctrine, liability of municipalities, the immunity doctrines, causation theories, *Bivens* actions against federal officials, limitations on monetary relief, and attorney's fees. [2]

Consumer Credit Protection Seminar. Examination of the history, concepts, terminology, and structure of consumer credit regulations. Written and oral presentations on selected topics required; opportunity for major research and writing project. Completion of Commercial Credit, Creditor's Rights, and Bankruptcy helpful, but not required. Limited enrollment. [2]

Contract Theory Seminar. This seminar will examine the reasons why the government enforces private agreements and the method of such enforcement. Emphasis will be placed on the various theories that have been offered to explain contract law. These include personal autonomy, efficiency, reliance, and perpetuating power relationships. A paper is required. Limited enrollment. [2]

Copyright. An intensive study of the law of literary and artistic property, with emphasis on mastering the technical intricacies of the 1976 Copyright Act. Subject matter treated will include literary characters; musical works; pictorial, graphic, and sculptural works; industrial designs; motion pictures; sound recordings; and computer programs. Throughout the course effort is made to clarify the relations between artistic property and industrial property (patent, trademark and unfair competition law) in the United States and at the international level. Students are encouraged to think critically about the policy issues left unresolved by the 1976 Act, issues that often reflect a larger, ongoing debate within the framework of the world's intellectual property system. [3]

Corporate and Securities Transactions. An examination of sophisticated business transactions. The course will focus on the interrelationship of corporation and securities laws with corporate finance and business strategy. It also will deal with the ways in which corporate and securities lawyers handle issues in other legal disciplines, such as commercial and tax law, in the transactional context. Case studies of actual transactions will occupy a significant portion of the class's attention. A consideration of negotiation techniques and legal and business ethics will be included. Corporations is a prerequisite and one of the Securities Regulation courses is a pre- or corequisite. [2]

Corporate and Partnership Taxation. This course will focus on the federal income taxation of domestic corporations and their shareholders and of partnerships (including limited liability companies) and their partners. Topics will include entity formation and capitalization; entity allocation and distribution of income to entity interest holders, including dividends; consequences to interest holders of transactions in the interests of entities, including mergers and spin-offs; and entity termination, including liquidations. Wherever appropriate, the course will employ a comparative approach and a transactional one, with the goal being for students to develop a rudimentary sense of entity tax planning. Prerequisite: Federal Income Tax. [4]

Corporation Finance. This course will examine a number of ways in which corporations finance themselves and the reasons—generally heavily tax influenced—for their choices. Among topics to be discussed will be notional principal contracts (derivatives), contingent payment debt instruments, asset securitizations, leveraged leases, REITs and UPREITs, and corporate tax shelters. Prerequisites: Federal Income Tax and Corporations. Co-requisite: Corporate and Partnership Tax. [2]

Corporations. A study of the modern business corporation, both publicly held and closely held enterprises, including the organization and financial structuring of corporations; the allocation of control among shareholders, directors, and officers; the responsibilities of management and controlling shareholders; and the issuance of corporate securities. [3]

Corporations and Business Entities. The primary focus of attention is a study of the modern business corporation, both publicly held and closely held, including the organization and financial structuring of the corporation; the allocation of control among shareholders, directors, and officers; the responsibilities of management and controlling shareholders; and the issuance of shares. Attention will also be given to alternative forms of business associations, such as partnerships, limited partnerships, and limited liability companies. [4]

Criminal Constitutional Law. Constitutional aspects of the criminal justice process prior to the commencement of formal prosecution, including right to counsel, arrest, search and seizure, electronic eavesdropping, entrapment, confessions, lineups, and the exclusionary rule. [3]

Criminal Practice and Procedure. A review of selected aspects of a criminal prosecution from the initial investigation through pretrial procedures and trial. Specific areas will include bail, grand jury, plea bargaining, speedy trial, and jury selection. Criminal Constitutional Law is suggested as an antecedent to this course. [3]

Criminal Practice Clinic. Students obtain experience in pretrial, trial, and post-conviction matters under the close supervision of clinical faculty. Students represent individuals charged with felonies from indictment through disposition—either trial or plea negotiation and sentencing—and, in some instances, on appeal. In addition, students handle post-conviction relief petitions on behalf of persons in prison. Criminal Practice and Procedure and Evidence recommended. Either semester or both may be taken. Three credits are awarded in the first semester in which the student is enrolled, which includes a series of introductory classes on the lawyering process and relevant issues of substantive law and procedure; 2 credits are awarded in the optional second semester. Maximum credit of 5 hours. [3–2]

Criminal and Scientific Evidence. This course examines how the legal system uses the law of evidence in criminal cases. Particular attention is devoted to the different rules and tests applied for admitting a broad range of scientific evidence and techniques, as well as the theories and policies that drive decisions regarding admissibility. This approach attempts to foster an understanding of scientific evidence that is relatively familiar in criminal case investigations (e.g., eyewitness testimony), in addition to evidence that is more cutting edge (e.g. DNA testing, the new “syndromes,” e-mail communications). Commonly, the course will discuss these evidentiary issues in the context of major criminal law cases and the roles of key players involved in them (prosecutors, defense attorneys, judges, and experts). Such a multidisciplinary, multi-party, framework highlights the conflicts between law and science and the ethical dilemmas that legal actors confront, particularly when the science involved is new and relatively untested. Limited enrollment. [2]

Current Constitutional Issues Seminar. In-depth study of selected constitutional cases or issues, with particular emphasis on cases or uses currently pending before or recently decided by the United States Supreme court. Attention will be given to the role and philosophy of the Supreme Court in current constitutional litigation, including different modes of judicial interpretation. Limited enrollment. [2]

Current Issues in Corporation and Securities Law. An in-depth focus on issues currently of concern to corporate and securities lawyers. Students will be asked to analyze and participate in discussions involving a series of hypothetically structured problems. Oral and written presentations will be required. There will be no final examination. The areas to be covered depend on which areas of corporation and securities law are developing the most rapidly, or are otherwise of the most current interest at the time of the course. Prerequisite: Corporations. Limited enrollment. [2]

Dispute Resolution Systems Seminar. This seminar will explore and evaluate the relative effectiveness of negotiation, mediation, arbitration, and traditional litigation as techniques for dealing with the typical legal dispute. Systems devised by other cultures to manage disputes also will be considered. The dynamics of a legal dispute, including the roles played by the various parties and their advocates, will be studied in detail. Some formal instruction in the actual use of non-litigation techniques such as mediation will be included. Limited enrollment. [2]

Domestic Violence Law Seminar. A seminar focusing on multidisciplinary issues of domestic violence, with a concentration on interdisciplinary approaches to a specific legal problem. Discussion will include the dynamics and psychology of domestic violence, criminal and civil law issues, and historical and social policies. A research paper or project will be required. Limited enrollment. [2]

Drafting and Analysis of Business Documents. This course will consider various documents commonly confronted by attorneys in a general business law practice. The course seeks to teach students how to evaluate such documents critically and redraft them in a way that effectuates the clients' objectives. Among the documents likely to be considered are a commercial lease, a partnership agreement, an employment agreement, and a private placement offering memorandum. No prerequisites. [3]

Employment Discrimination Law. A study of the legal protection against discrimination in employment on the basis of race, sex, religion, age, national origin, and handicap. The major emphasis of the course will be on Title VII of the Civil Rights Act of 1964. Other laws include the Equal Pay Act, the Age Discrimination in Employment Act, and the Rehabilitation Act. Subjects include theories of discrimination, defenses and proof; pregnancy discrimination; sexual harassment; affirmative action; and remedies for unlawful employment discrimination. [3]

Environmental Law. Introduction to the role of the legal system in addressing problems of environmental disruption, with special emphasis on problems of pollution. Discussion of traditional and evolving legal remedies for the control of pollution, including recent federal legislation. Analysis of federal statutory materials will focus on the Clean Air Act and its implementation. [3]

Estate Taxation and Planning. Fundamental concepts of estate, gift, and generation-skipping transfer taxation, as well as related estate planning techniques. prerequisite: Federal Tax Law and Wills and Trusts. [3]

Ethics and Public Policy. An examination of the place of values in the public policy process. In addition to raising methodological concerns, the course applies different approaches to ethical argumentation to specific public policy issues through the analysis of cases, statutes, regulations and public debate on governmental policy. [3]

Ethics and Public Policy Seminar. A seminar focusing on ethical analysis of selected public policy issues. A major research paper is required that addresses the role of values and approaches to ethics embedded in the cases, legislative debates, statutes, and regulations related to a particular public policy topic. Limited enrollment. [3]

European Legal Institutions. This course deals with the growth and development of European legal, economic, and political integration. It focuses on the European Community treaties and the legal institutions created by these treaties (i.e., European Council, Commission, Parliament, and Court of Justice). It also covers the decision-making processes of these institutions and the Community's financial practices. Finally, the course describes the transformation of the European Economic Community into a more fully developed European Union and assesses the prospects for the adoption of all-European policies in foreign, military, and domestic affairs. [3]

Evidence. A basic study of the Federal Rules of Evidence, including examination of witnesses, functions of judges and jury in determining admissibility of evidence, and principles of relevance, hearsay, and the admission of expert testimony. [3]

Externship Program. The basic requirements are: (1) Students may receive credit only for work supervised by faculty-approved fieldwork supervisors at faculty-approved placements. (2) Various types of externships may qualify, including placements with federal and state prosecutors and defenders, the state attorney general's office, state legislative offices, federal and state agencies, state and federal judges, and legal aid or other public interest programs. All placements must be in the Nashville area. Students may not receive credit for work for which they are paid. (3) The main course requirements are: a) 110 hours of field-

work (or approximately 8 hours per week over a 14-week semester); b) approximately 10 hours of classroom-type sessions, arranged by the faculty member in cooperation with the fieldwork supervisors; c) recording a journal of work experience, which will be reviewed periodically by the faculty member; d) submission of a written product to the faculty member at the end of the semester, either a copy of something prepared during the externship or prepared specially to meet this requirement. (4) The course carries 3 academic credits, awarded on a pass/fail basis. Students may continue with the same externship for a second semester for an additional 2 credits, for a maximum total of 5 credits per externship. Placements must be arranged by the student and approved by Professor Bloch no later than the end of the first week of classes. [3–2]

Family Law. The law applying to persons in their family relationships, including legal problems concerning marriage and divorce; the impact of constitutional rights regarding the decision whether or not to have children; the enforceability of private contracts governing intimate relationships in and out of marriage; and the legal standards governing decisions regarding alimony, property division, and child custody in the event of a divorce. The course includes an examination of the sociological implications of current marriage and divorce practices and legal changes proposed in response thereto. [3]

The Federal Courts and the Federal System. An advanced study of the power and role of the federal courts as defined by the U.S. Constitution, U.S. Supreme court cases, and U.S. statutes. Focus is primarily on the role of the federal courts in their relations with other branches of the federal government and the state governments. Subjects covered include standing; ripeness; mootness; power of Congress to define the scope of federal court jurisdiction; sovereign immunity and immunity of government officers; abstention; appellate and collateral review, including *habeas corpus*; and federal question and diversity jurisdiction. [3–4]

Federal Income Taxation of Trusts and Estates. The Internal Revenue Code recognizes four types of taxpayers: individuals; corporations; trusts; and estates. In the past, the law school curriculum has focused on the gift and estate tax, which is a wealth transfer tax based on the value of the estate or the gift rather than the income earned. This course covers Subchapter J of the internal revenue code, which contains the rules for the income taxation of trusts and estates. Due to a long history of changes in the gift and estate tax, many estates and trusts that are not subject to the gift and estate tax will be subject to an income tax. [1]

Federal Tax Law. The basic course on federal income taxation; operation of the federal tax system and its application to various types of taxpayers. Emphasis on such concepts as gross income, exclusion, deductions, assignment of income, capital gains and losses, and tax accounting problems. Tax problems arising in business activities, family arrangements, property transfers, and the tax planning relevant to dealing with them. [3]

First Amendment Constitutional Law. A basic constitutional law course focusing on the wide range of first amendment problem areas: political, artistic, and commercial speech; “symbolic” speech or expression; association rights; free exercise of religion; and the bar to government “establishment” of religion. [3]

Gender and Law Seminar The course will explore decisions across a range of substantive areas in which courts have struggled with claims of unequal treatment of men and women, or in which perceived gender differences have shaped the applicable legal doctrine. The course will identify the competing theoretical arguments offered by scholars to expose and remedy gender discrimination, and will study the manner in which the courts are assimilating and, perhaps, transforming those arguments. Discussion also will focus on the manner

in which law has supported gender roles and on whether law can, or should, provide mechanisms for eradicating various forms of gender discrimination. Limited enrollment. [2]

Government and Religion. This course explores issues in the law governing the relationship between religion and the state. It begins with the Establishment Clause and covers topics including religious expression in public schools, financial aid to religious organizations, and the role of religion in public life. It then turns to the Free Exercise Clause, with emphasis on the treatment of generally applicable laws that burden free exercise of religion. Finally, it addresses permissive accommodation of religious exercise. [3]

Government and Religion Seminar. This course explores issues in the law governing the relationship between religion and the state. It begins with the Establishment Clause, covering a range of topics that include religious expression in public schools and financial aid to religious organizations. It then turns to the Free Exercise Clause, with emphasis on the treatment of generally applicable laws that burden free exercise of religion. Finally, it addresses a subject that in some sense joins the two Religion Clauses—permissive accommodation of religious exercise. [2]

Health Law and Policy. This course will examine the legal rights and obligations facing the physician in the practice of modern medicine. These legal rights and obligations arise out of the physician's relationship with his or her patients, hospital, employer (HMO, etc.), fellow physicians, professional organizations, insurance providers, and various regulatory agencies. [3]

Health Policy Seminar. An overview of the health care system and an introduction to the market for health services. An analytical framework will be developed for considering the propriety, extent, and nature of governmental intervention. Topics that may be considered include: personnel issues (e.g., licensure); financing issues (e.g., public and private health insurance); regulatory issues (e.g., regulatory legislation, antitrust, fraud, and abuse); comparison of market and regulatory responses; the roles of health maintenance organizations and for-profit institutions in the health field; problems of cost containment; the value of human life; allocation of decision-making authority (e.g., *Baby Doe*). Limited enrollment. [2]

Immigration Law and Policy. The law on the entry of immigrants and other aliens into the United States is becoming increasingly important as larger numbers of people seek to settle in this country. This course examines such substantive and procedural aspects of immigration law as the application of immigration rules, the procedures to gain entry into the country, and the rights of aliens in this country after gaining admission. Students are expected to research specific problems. [2]

Independent Research and Writing Project. A student develops his or her own research project and writes a significant research paper under the supervision of a faculty member. A substantial written description of the project must be presented to the faculty member for approval before the first semester of the third year; specific agreement from the faculty member to supervise the project must be obtained before the student may enroll in this course. This course may be taken only once for credit. [2]

Industrial Injury Compensation. A survey of the principal systems of compensation for injured workers: tort actions, employers' liability acts, state and federal compensation acts. [1]

Insurance. Risks covered by the insurance contract, their selection and control; making, construction, and enforcement of the contract; negotiation and settlement of claims; misconduct of agents. [3]

Intellectual Property in International Trade. This course examines intellectual property in the context of international economic law. It focuses on the general principles of international trade law, particularly as contained in the basic provisions of the General Agreement on Tariffs and Trade, and the general principles of both international copyright law (under the Berne Convention) and of international industrial property law (under the Paris Convention). Pre- or corequisite: Copyright or Patents, Trademarks, and Know-How. [3]

International Civil Litigation. This course treats problems raised in civil litigation in international cases in U.S. courts. Included are cases and materials dealing with the acquisition of judicial jurisdiction over foreign defendants, problems of service of process abroad, gathering evidence in foreign countries, procuring foreign counsel, proof of foreign law in United States courts, and enforcement of foreign country judgments in the United States. Emphasis is placed on the Hague Service of Process and the Hague Evidence Conventions. Although some prior or concurrent study in Conflict of Laws is desirable, the course method does not presume such knowledge. [3]

International Environmental Law. An examination of the rules of public international law that bear on the rights and duties of states in regard to the world's environment. Many of the following subjects are studied: the structure of international environmental law; the duties of states to prevent environmental harm; the duties of states to cooperate in order to minimize environmental harm; rights and duties arising from sovereignty, common property, and common heritage principles; the roles of international organizations and nongovernmental organizations in protecting the environment; disposal and transportation of hazardous waste; marine and air pollution; deforestation; and nuclear pollution. It is recommended, but not required, that students have some knowledge of public international law. [3]

International Studies Seminar. This course is an advanced multidisciplinary study of a selected area, varying from year to year, of public international law. Topics have included the law of the sea, international human rights law, the international law of the environment, the law of international organizations, and the international law pertaining to nuclear material. In addition to substantive coverage of the subject selected for the seminar, attention is given to a study of the dynamics of international law and the functions which international law can serve in the international community. Students will be asked to lead seminar discussions and to write a research paper. The third hour of credit may be earned by submitting a major research paper. Recommended: Public International Law. Limited enrollment. [3]

International Trade Law. This course examines the legal system governing international trade at the multilateral, regional and national levels. It begins with a review of the economic underpinnings of the multilateral trading system, including recent insights into the theory of comparative advantage. The main multilateral institution governing international trade, the World Trade Organization (WTO), is examined in detail, including the GATT, GATS and TRIPS Agreement, and the Dispute Settlement Understanding (DSU). The course will focus on recent decisions of the WTO Appellate Body, such as the Shrimp-Turtles, Banana, Beef Hormones, and Canadian Generic Pharmaceutical cases. These decisions consider the relationship between trade and environmental rules, the way that developing countries interests are accounted for at the WTO, and the protection of intellectual property rights. Attention will be directed to the U.S. legal framework regulating international trade, examining the constitutional allocation of trade regulation authority (with reference to the fast track process and other mechanisms for authorizing and concluding trade negotiations), the institutional structure (USTR, Treasury, State, federal courts), and legislation providing trade remedies (e.g., Section 301, Special 301 and Section 337). Specific policy issues, such as those raised by China's prospective accession to the WTO and a new round of WTO negotiations, will be discussed. [2]

Intramural Appellate Advocacy Competition. This competition is a moot court tournament for second- and third-year students. Emphasis will be placed on feedback in written and oral presentations. This course may be taken only once for credit. Extracurricular credit. [1]

Jessup Competition Team. A team selected to compete with other law schools on a hypothetical problem in international law. Extracurricular credit. [2]

Journal of Transnational Law. Extracurricular credit for successful completion of work on the editorial staff of the *Vanderbilt Journal of Transnational Law*. No credit will be awarded for less than two semesters of work. [1–5]

Judicial Decisionmaking. This course brings together a small number of students who are then grouped into separate five-person “courts” with each student acting as a judge of a court. Each week the court will be given a hypothetical fact pattern, asked to vote on the case, and write a majority opinion, as well as any concurring or dissenting opinions. Later, class will be spent discussing the case, casting tentative votes, and discussing draft opinions to secure votes. When the court writes its opinion, the only permissible sources of citation are to the earlier opinions that the court has written. Typically, the cases presented to the court will be in areas of constitutional law not usually the subject of extensive study in other law school courses (e.g., the bill of attainder and ex post facto clauses, the Second Amendment, the incompatibility clause). Grading will be on the quality, persuasiveness, and integrity of each judge’s voting and writing, as well as on participation during the conferences of the court. Limited enrollment. [3]

Judicial Remedies. As survey of basic concepts and principles relevant generally to judicial remedies applicable to tort, contract, and restitution cases. [3]

Juvenile Practice Clinic. This course integrates substantive law and skills training with practical juvenile court experience to develop an understanding of the juvenile justice system not available from the traditional nonclinical courses. Initial classroom sessions cover the history of the juvenile court, major constitutional developments in juvenile law, competing and conflicting juvenile court philosophies, and present practices and procedures. With these classroom sessions as background, students represent children in juvenile court proceedings during all stages of representation, from intake through adjudication and disposition, under close supervision by clinical faculty. Later classroom sessions are primarily devoted to case reviews and further development of substantive knowledge and advocacy techniques in the context of cases that students are handling. Either or both semesters may be taken. Three credits are awarded in the first semester in which the student is enrolled, which includes a series of introductory classes on the lawyering process and relevant issues of substantive law and procedure; 2 credits are awarded in the optional second semester. Maximum credit of 5 hours. [3–2]

Labor Relations Law. Basic course relating to unionization and collective bargaining under the National Labor Relations Act and other federal and state statutes. [3]

Labor Standards. Legal problems raised by the concept of employment at will and by state and federal statutes regulating aspects of the relationship between employer and the individual employee; wage and hour laws; health and safety legislation; unemployment compensation. [2]

Landowners' Associations. An examination of legal issues arising from the creation and operation of various kinds of landowners' associations, such as those existing in the context of a condominium, subdivision, or planned unit development. [3]

Land Use Planning. Public controls on the use of privately owned land. The concept of property. The problem of accommodating potentially conflicting interests of landowners, neighbors, community, and region. Preplanning restrictions on private land use through nuisance law. Consideration of the zoning process, subdivision regulation, and limitations on government regulation imposed by the Takings Clause. [3]

Law and Economics Seminar. This seminar will cover the basic analytical construct of the economic analysis of law. It will examine the assumptions behind this construct and also survey advance topics such as behavioral economic analysis, game theory, finance, and contract theory. A research paper will be required. The third hour of credit may be earned by submitting a major research paper. Limited enrollment. [3]

Law and Psychology. An evaluation of the application of psychology and psychiatry to the law. The course will address the insanity defense, competence to stand trial, psychological defenses to crimes, child custody and related issues, and methods of conducting direct and cross examination of expert witnesses on these and other topics. In addition, the course will address psychological aspects of litigation, such as jury selection, witness credibility, and the wording of jury instructions, and the role of psychological research in developing societal responses to child sex abuse, mentally-disoriented criminal defendants, and other issues. [2]

Law/Divinity Joint Degree Seminar. This seminar is designed for students simultaneously pursuing degrees in the Law School and the Divinity School. The purpose of the seminar is to offer a directed opportunity for joint degree students to examine the relationship between law and divinity as disciplines and to address questions of particular interest to joint degree students. Topics may include the role of religion in legal ethics and judicial decision-making, church-state law, how religion affects the formation of law, medical ethics, natural law in legal philosophy and theology, and law in Scripture. Professors and practitioners in both law and divinity may be invited to speak during the seminar. Required for all JD/Div students except first-year law students. [1]

Law, Morality and Community Seminar. What is the relationship between law, morality, and community? Is the sole function of the law to protect individual rights, as some libertarians argue? Or should law also seek to reflect moral values, or the norms of the community, as communitarians believe? What implications do these questions have for such problems as the duty to rescue, capital punishment, hate speech, pornography, and laws regulating sex, marriage and reproduction? In this seminar, students pursue these issues by reading classic authors such as Aristotle, Kant, and Mill as well as contemporary writers like Ronald Dworkin, John Finnis, and Catharine MacKinnon. Limited enrollment. [2]

Law of Cyberspace. This course examines how substantive legal doctrine is changing in both private law and public law in response to new forms of social interaction occurring across the Internet. Areas of discussion may include the Internet and copyright law, trademark law, defamation, professional liability, international capital markets, criminal law regarding pornography and gambling, and constitutional law regarding speech and privacy. [3]

Law of Entertainment Industries. This course will examine the legal doctrines and statutes that provide the foundation and legal framework for the recording, music publishing, motion picture, television, theatre, and literary publishing industries in the United States and the economic business context in which those doctrines are applied. The examination will include legal issues common to many transactions in the entertainment industries, including the negotiation and enforcement of personal service contracts, employment of talent agents and managers, creation and protection of artistic property, protection and exploitation of celebrity names, images, and other personality rights and the transfer of rights in artistic properties.

The course will consider these and other issues in the context of significant contractual transactions in each of the entertainment industries, with emphasis upon the legal issues arising in each transaction. Prerequisite or corequisite: Copyright. [3]

Law of Work. This course surveys and examines a broad range of legal doctrines, statutes, and rules governing the relationship between employers and employees that are not controlled by collective bargaining agreements. We will examine a range of issues including the establishment of the employer-employee relationship, problems and issues arising during the course of the employment relationship, and legal protection of employee rights upon termination of the employment relationship. Some of the specific subjects to be explored include the employment-at-will doctrine, drug testing, polygraph testing, privacy in the workplace, employer regulation of off-duty activities of employees, and legislative regulation of the employment relationship. This is a survey course and not a substitute for other offerings such as Labor Relations Law and Employment Discrimination Law. [3]

Law Review. Extracurricular credit for successful completion of work on the editorial staff of the *Vanderbilt Law Review*. No credit will be awarded for less than two semesters of work. [1-5]

Legal Aid Society. Extracurricular credit for successful completion of work as a staff member in any of the several projects operated by the Legal Aid Society. [1]

Legal Problems of the Music Industry. Seminar. A study of the contractual, copyright, and unfair competition problems in the music industry. Problems considered include the structure of the music industry, securing and protecting copyright in musical compositions, recording contract negotiations, the mechanical and performing rights organizations, personal managers, booking agents, and industry labor unions. Prerequisite or corequisite: Copyright. Limited enrollment. [2]

Legal Writing Assistance for Credit. One or two hours of pass/fail academic credit may be earned by students who serve as assistants to members of the faculty in connection with the first-year Legal Writing course. A student assistant will be expected to aid a faculty member in researching possible writing assignments, to assist first-year students in the completion of the assignment, and such other tasks as may be assigned by the faculty member. Approval for enrollment is required by the individual faculty member whom the student is assisting. This course may be taken only once for credit. [1 or 2]

Legislation and the Legislative Process. A lawyer's time is increasingly consumed by the study of legislative materials. Lawyers find themselves as actors in the legislative process lobbying, testifying or representing clients before committees, or drafting legislation or legislative history. Lawyers must also read and interpret statutes in the context of litigation or when giving an opinion to a client. The purpose of this course is to introduce students to the legislative process and different theories of statutory interpretation. Course reading will include cases, statutes, and some secondary sources. The course will examine the contributions made by legal scholars as well as scholars in other disciplines (literary criticism and interpretation, critical legal studies, and public choice theory) and how these theories should or do affect the way in which courts interpret statutes. [3]

Legislation Seminar. While the seminar will examine the legislative process and judicial interpretation of statutes, the main focus will be legislative research and drafting techniques. Each student will be required to participate in the research and drafting of a statute, including the preparation of supporting memoranda. Limited enrollment. [2]

Life Cycle of the Corporation. This course covers all of the legal and financial issues surrounding the creation, financing, operation and death of a corporation. Students will learn about each of the stages in the life of the corporation so that they can acquire a deeper understanding of the issues surrounding this form of organization. The questions addressed in this course cross over the lines of several disciplines, including law, economics, and finance. Enrollment is open to all upperclass business students and to upperclass law students who have taken Corporations. [3]

Limited Liability and the Corporate Form. Most of corporations law focuses on internal relationships between shareholders, directors and officers. This seminar focuses on how those groups collectively use the corporate form to relate to (and sometimes take advantage of) outsiders. One recurring topic will be limited liability and the use of the separate corporate entity to transfer liability or obtain benefits in various contexts such as torts, workers compensation, tax, and government benefits. The semester will be divided into three parts. For the first six weeks or so the class will meet weekly for discussion based on readings provided by the instructor. During the middle part of the semester, class will not meet while participants prepare papers. During the last weeks of the semester class will again convene for student presentations based on the paper. These papers will be distributed to other students who will be asked to prepare a short critique of the paper. A second draft of the paper will be due at the end of the semester. The grade in the seminar will be based on the two drafts of the paper and class participation, including the written critiques of other papers. Limited enrollment. [2]

Litigating the Capital Punishment Case. A seminar on the practical aspects of litigating a capital case at the trial and the state and federal post-conviction stages. A research paper will be required. Topics will include competency to be tried, access defenses, mitigation at the sentencing phase, the relationship between guilt phase and sentencing phase defenses, jury instructions, ineffective assistance of counsel, and competency to be executed. Recommended: Criminal Practice and Procedure and/or Criminal Constitutional Law, and Post-Conviction Criminal Procedure. Limited enrollment. [2]

Litigation and Journalism: Client representation and ethical conduct in high visibility cases. This course would explore the roles of the First and Sixth Amendments in a free society, examining the impact of news media coverage on both criminal and civil cases. Topics of study would include: American Bar Association Model Rules of Professional Conduct, Rule 3.6 (A), setting ethical standards for lawyers communicating with the press, case law governing attorneys' extra-judicial statements to the news media, the risk to a fair trial posed by prejudicial publicity, a historical survey of high visibility cases covered by the news media, ranging from the trial of Aaron Burr through the trials of O.J. Simpson, courts' efforts to secure the fair administration of justice without limiting press freedom, the use of "litigation/public relations" by attorneys and the ethical concerns prompted by that practice, and the societal stake in news media coverage of the criminal courts. As Justice William Brennan noted in *Nebraska Press Association v. Stewart*, "Commentary and reporting of the criminal justice system is at the core of the First Amendment values, but the operation and integrity of that system is of crucial import to citizens concerned with the administration of government." Limited enrollment. [2]

Mass Torts. This seminar focuses upon the phenomenon of mass torts, a term understood to encompass tortious conduct that affects large numbers of people and that gives rise to recurring patterns of injury that may remain latent for extended periods of time. This course considers whether conventional processes of tort adjudication represent either a practical or a desirable mode, in whole or in part, for the resolution of mass tort disputes. In parsing these overarching questions, students will compare conventional tort adjudication to other

institutional alternatives, including action by regulatory agencies, privately initiated settlements through the vehicle of class actions, national legislation, and corporate reorganizations in bankruptcy. Several significant examples of mass tort litigation will be discussed, including lawsuits over asbestos, silicone gel breast implants, tobacco, firearms, and the diet drug combination known as fen-phen. Limited enrollment. [2]

Moot Court Board. Extracurricular credit for successful completion of work on the staff of the Moot Court Board. Membership on the Moot Court Board is based on participation in the Intramural Appellate Advocacy Competition. Maximum number of credits: 3. [1]

Moot Court Traveling Team. Each year the Moot Court Board holds a competition to select the students who will compete in two tournaments in which Vanderbilt enters teams. Extracurricular credit. [1]

National Moot Court Team. A team selected to compete in a national competition against teams from other law schools. Extracurricular credit. [2]

Negotiation. Negotiation will be taught as a one-credit, pass/fail, weekend long class on Friday through Sunday, October 6–8, 2000. Classes will meet from 3:30 to 5:30 p.m. on Friday; 8:00 to 5:00 on Saturday, and 2:00 to 4:00 on Sunday. The emphasis of the class will be hands-on experience conducting negotiation. Each class member will participate in two negotiation exercises, as well as attend sessions in which the results of the exercises are reviewed and other exercises are demonstrated by class members, faculty, and lawyers. There will be no more than 150 pages of readings, which will be distributed two weeks in advance of the weekend session. Students who wish to receive a grade for the course will be permitted to write a paper on a subject to be agreed upon between the student and the professor, after the weekend course is over. This is a limited enrollment course. However, since it is only one credit, third-year students will not use up their priority status by choosing this as their first choice. Wayne Hyatt, a Vanderbilt alumnus and prominent Atlanta lawyer, will be assisting Dean Syverud in teaching the course. Enrollment will be restricted to 32. [1]

Negotiation and Drafting. The materials used in this course consist of writings by lawyers, psychologists, and psychiatrists. Other materials, such as those chosen from social psychology, deal with the negotiation process only tangentially. The student will be required to engage in four or more mock negotiations. Students are required to draft as well as negotiate agreements. Classroom discussion will be devoted to an examination of specific negotiation and drafting situations in which a lawyer is likely to be involved. Among these will be personal injury litigation settlements, labor negotiations, commercial negotiations, and plea bargains. Separate classroom attention will be given to psychological factors that are present in all negotiations. The purpose of the negotiations is not only to give the student practice in the art of negotiation but also to permit examination of his or her own limitations. Limited enrollment. [2]

Partnership Taxation Seminar. This seminar will cover the tax planning considerations and tax consequences involved in the formation, operation, and dissolution of general and limited partnerships; the effect of at-risk and passive activity rules; the tax consequences of partial withdrawals and complete dissolutions, mergers, and consolidations; and the use of special forms of partnerships. Prerequisite: Federal Tax Law. [2]

Patents, Trademarks, and Know-How. The course covers the procurement, protection, licensing, transfer and other uses and misuses of industrial property rights under federal statutes and, where applicable, state statutes and common law. Included are the standards for patentability, the requirements for valid trademark protection, and the methods available for protecting know-how (business secrets and technological expertise). The principal focus of the course will be on domestic legal issues. [3]

Payment Systems. A study of the transactions relating to and the law regulating the various kinds of commercial paper, with particular reference to the Uniform Commercial Code. Areas covered will include negotiable instruments under Article 3 and bank deposits and collections under Article 4. [3]

Philosophy of Law. This is an introductory class in legal and political philosophy. It will address some of the basic yet vexing questions that lurk in the background of other courses, such as: What is law? Where does it (or should it) come from? What are its purposes and justifications? In what senses is law found or made, positive or natural, instrumental or moral, objective or subjective, neutral or political? The course will be organized around a review of how dominant Anglo-American theories of law, particularly those developed since the mid-nineteenth century, have addressed these and other questions. Readings will include the works of important philosophers and judges such as Holmes, Pound, Cardozo, Llewellyn, H.L.A. Hart, Dworkin, MacKinnon, and Posner. [3]

Post-Conviction Criminal Procedure. A study of the criminal process following trial including sentencing, appellate procedure, and postconviction remedies. The major emphasis will be on examination of prisons, prisoner rights, and penal theory in the United States. Recommended: Criminal Practice and Procedure. [3]

Products Liability and Mass Torts. A survey of modern American products liability law and the subfield of mass torts. Topics covered will include the history and theory of products liability law, the development of doctrine under §402A of the second Restatement and the third Restatement, special problems of mass product liability litigation, and state and federal product liability legislation. [3]

Professional Responsibility. In-depth study and discussion of selected aspects of the Code of Professional Responsibility, the 1983 Model Rules of Conduct, and the Code of Judicial Conduct. Topics include confidentiality, disqualification for conflicts of interest, limits of ethical advocacy, and public responsibilities of lawyers. As a prerequisite for graduation, students must satisfactorily complete this course. [3]

Public Choice: The Law and the Contribution of Mathematics. This course teaches law students the right sort of questions to ask when presented with certain legal issues that arguably involve mathematical components. They would be informed of the mathematics techniques being utilized, or that ought to be utilized in these settings. This would prove helpful in connection with litigation matters in such areas as voting rights, apportionment, and employment discrimination. It would also facilitate the application of game theory analysis to contract analysis and negotiation. Finally it would provide insight into questions of corporate governance as well as the valuation of various rights in business entities. [3]

Public Choice and Public Law. Lawyers need a theory of lawmaking institutions. What motivates those in public office to action? How does the institutional setting affect the quality of decision making? Where will an advocate seeking legal reform most likely succeed? This course introduces students to public choice and social choice theories that provide insight into lawmaking, and relates covered concepts to actual cases, statutes and legal doctrines.

After an introduction to interest group theory and Arrow's Paradox, the course explores their relevance to the analysis of a number of issues in the sphere of public law. Topics include state and federal legislative decision-making processes; judicial decision-making processes, including the doctrines of *stare decisis* and justiciability; federal judicial review; interest-group theories of constitutional and statutory interpretation; separation of public from private law; structural analysis of separation of powers and federalism; and the competing roles of efficiency and cycling on the evolution of legal doctrine. Specific coverage may vary. Each student must write a paper applying public choice or social choice theory to a legal issues, case, statute, or doctrine. Limited enrollment. [2]

Public Education Law. A study of the role of law in major issues in education. Emphasis is primarily on elementary and secondary education, with some attention directed toward higher education. Topics to be discussed include desegregation, freedom of expression, curriculum determination, religion and public education, and equal educational opportunity (financing, bilingual education, education for handicapped children). [2]

Public International Law. An introduction to public international law. The course examines the fundamentals of public international law, including the nature and structure of the international legal systems, how rules of international law are formed and enforced, the subjects of international law, and the status of international law in United States law. Rules of public international law that are studied include the law of treaties, the use of force, dispute settlement, the act of state doctrine, sovereign immunity, state responsibility and remedies, acquisition of territory, the law of the sea, human rights, the right of self determination, and extraterritorial jurisdiction. [3]

Public and Private Regulation of Toxic Substances. This course covers both the private regulation of toxic substances through privately-initiated tort actions and the public regulation of toxic substances through government regulation of the events leading to toxic exposure. Approximately two-thirds of the course will be devoted to "toxic torts," and approximately one-third to federal and state regulation. The objectives of the course are to (1) teach the substantive law of toxic torts and the current regulatory approaches to controlling toxic substance exposure; and (2) to compare and contrast the institutional framework of the private and public law systems so as to better understand their limitations, biases, and potential to reduce health and environmental harms from toxic substances. [3]

Race and the Law. This course examines the role and uses of the law to both perpetuate and eradicate racial injustice. Competing visions of racial equality that are reflected in civil rights legislation, case law, and non-legal materials will be identified. The topics to be explored include the historical origins of American racism, judicial, and legislative approaches that have evolved to remedy racial injustice in activities such as voting, public facilities, the administration of justice, civil disobedience, housing, and employment. Also, the course will provide an opportunity to explore some of the critical race jurisprudence. Limited enrollment. [3]

Race, Gender, and Representation in the Political Process. This course will examine how our institutions of representative democracy have accommodated differences of race and gender in our political community. Among the topics to be covered are the participation of racial minorities and women in the electoral process, electoral reforms and the effects of those reforms on representation and the legislative process, theories of representation, and representation of minority groups on juries. [3]

Real Estate Finance and Development. A study of modern mortgage law and an introduction to land financing institutions, secondary mortgage markets, evolving real estate financing formats, and property development. [3]

Real Property Seminar. A study of selected advanced issues in the area of real property law. Oral presentations and research paper required. Limited enrollment. [2]

Regulation of Financial Institutions. This course surveys the law governing banks and related financial institutions. It focuses on issues such as capital structure, competition and management activity, but not on the commercial law aspects of banking. The underlying theme of the course is the need for regulatory policy to move from separate (and often inconsistent) approaches along historical industry classifications to comprehensive regulation of financial institutions generally. Current legislative proposals relating to competition by non-banks (e.g., money market funds), repeal of the Glass-Steagall Act, interstate banking, etc., thus receive considerable attention. [2]

Regulation of Internet. This course will first survey the gamut of Internet-related legislation and then focus on a few of the leading current or recent legislative initiatives, such as the Digital Millennium Copyright Act, Digital Signature laws and related efforts to regulate online licensing agreements, proposed state and federal privacy legislation to regulate the flow of personal information, and international efforts to control domain name registration.

Related legislative developments that will be surveyed include: the Online Child Protection Act, the European Privacy Directive, the No Electronic Theft Act, the Internet Tax Freedom Act, the Electronic Communications Privacy Act, state law attempts to regulate junk e-mail, to install filtering devices in governmental workplaces and public libraries, and Internet gambling legislation. Prerequisite: Copyright Law or The Law of Cyberspace (students concurrently enrolled in Copyright Law may also take the class). [3]

Research Assistance for Credit. One or two hours of pass/fail academic credit per semester may be earned by students who serve as research assistants to members of the faculty in connection with a faculty member's research. Students may receive more than two hours credit for Research Assistance for Credit only by approval of the Associate Dean. A student may not count more than 6 credit hours of research assistance credit toward meeting the graduation requirements. After a faculty member approves the registration of a student as a research assistant in the program, the student will perform all such research for and on behalf of the faculty member. Students may not receive credit for research for which they are paid. [1 or 2]

Secured Transactions. A study of commercial and consumer credit with primary emphasis placed on Article 9 of the Uniform Commercial Code. Some time will also be devoted to a study of those provisions of federal bankruptcy law having the most impact on the rights of secured creditors. Completion of Bankruptcy is helpful, but not required. [3]

Securities Regulation. The focus of this course will be the regulation of capital formation under the Securities Act of 1933 and the disclosure provisions of the Securities Exchange Act of 1934, including a comparison of anti-fraud provisions in various federal statutes as they reflect the federal regulation of corporate transactions. This is a statutory course that emphasizes the wording of the law, the regulations promulgated by the Securities and Exchange Commission, and court interpretations of both. Case law is less important than in most traditional law school courses. An additional focus is the inter-relationship of the two primary federal securities statutes and the SEC's attempt to integrate securities regulations into a coherent regulatory system. A set of problems will be the focus of a significant part of class discussion. Regular attendance and preparation are expected. The grade for the course will be determined by exam with both objective and essay components. [3]

Securities Regulation: Securities Act of 1933. A survey of federal (and to a lesser extent state) regulation of the capital raising process. The definition of a security, regulation of the selling process in public offerings, disclosure obligations, exemptions from registration, and liability questions in both public and private offerings will be studied. Prerequisite: Corporations. [2]

Securities Regulation: Securities Exchange Act of 1934 and Investment Company Act of 1940. A survey of the obligations imposed by the federal securities laws on companies, their managers and shareholders, and those who work in the securities industry. The course will cover disclosure obligations for publicly traded companies, fraud and manipulation in the securities markets, insider trading and proxy regulation, and the regulation of securities markets and securities professionals. It will also provide an introduction to the regulation of mutual funds under the Investment Company Act. Prerequisite: Corporations. [3]

Selected Issues in Professional Responsibility Seminar. This seminar will examine selected issues in Professional Responsibility. The focus of the seminar will change each time it is offered. For example, an offering of the seminar may include any one or more of the following: professional liability of attorneys; professional responsibility issues in securities practice; law office management; or recent developments in professional responsibility. A research paper will be required. The Professional Responsibility course is a pre- or corequisite. Limited enrollment. [2]

Selected Topics in Evidence. A study of practical and theoretical issues in the law of evidence, covering topics or aspects of issues that are not covered in Evidence, such as privileges and scientific and expert testimony. Prerequisite: Evidence. [2]

Slavery and Constitutional Order. The course concerns the constitutional dimensions of slavery in the United States. Slavery is examined as an economic institution, a moral problem, a creature of law, and a subject of constitutional discourse. The course takes up two related sets of questions—one concerning the character of slavery in the United States, the other concerning the concept of constitutionalism. Limited enrollment. [2]

Social Legislation. Survey of Social Security and other social welfare problems. The course emphasizes the relationships between federal and state responsibilities for social welfare programs; procedural due process and other standards for administration; techniques of planning, evaluation, and reporting; policy and strategy alternatives available to public officials and to welfare recipient advocates. [2]

Soviet Law. An introduction to the legal system and laws of the Soviet Union, including an examination of the system's ideological and cultural base, the structure and working of Soviet adjudicative bodies, the organization of the Soviet legal profession, and a survey of major areas of Soviet substantive law. [2]

Special Project. Students develop a project of academic value that is not covered by an existing course and cannot be performed as an Independent Research and Writing Project. Project proposals must be approved by a faculty member and then submitted to the Associate Dean and Curriculum Committee for approval. A student may receive credit for Special Project only once. [1 to 5]

Sports Law. A study of the application of various bodies of law to amateur and professional sports. The course will consider the problems of governance of sports by public and private authorities, and of relationships among players, teams, leagues, agents, and labor organizations. [3]

Superfund. Study of the federal Comprehensive Environment Response, Compensation and Liability Act ("CERCLA" or "Superfund") and approaches typically taken by EPA and responsible parties in addressing sites under this act. Will include discussion of the impact of this act on other areas of law, including real estate and corporate transactions, bankruptcy, and insurance. [2]

Takings Seminar. This seminar examines the elements of physical takings (eminent domain) and regulatory taking (police power). The focus will be on both U.S. law, and on how selected countries (primarily Pacific-Asian, and England) deal with similar problems. Limited enrollment. [2]

Tax Policy Seminar. Study of the social, political, and economic implications of the federal tax system. Special attention will be given to recent trends in tax policy and analysis. Prerequisite: Federal Tax Law. Limited enrollment. [2]

Tax Practice and Procedure Seminar. This seminar focuses on issues arising in practice related to the Internal Revenue Code, including tax procedure before the United States Tax Court. Limited enrollment. [2]

Taxation of Transnational Operations. Study of United States taxation of domestic enterprises doing business in foreign countries and foreign enterprises doing business in the United States; taxation of U.S. citizens abroad; comparative tax treatment of foreign operations conducted by a U.S. entity through a branch, controlled foreign corporation (CFC), a non-CFC subsidiary, joint venture, or foreign licensees; utilization of the foreign tax credit; the effect of international tax treaties; and a policy analysis of the causes and control of international tax evasion. Final Exam. Prerequisite: Corporate Taxation. Limited enrollment. [3]

Telecommunications Law. This course will explore the manner in which advances in technology, economic/regulatory theory, and First Amendment doctrine are forcing Congress and the FCC to rethink telecommunications regulations. The course will begin with a critical overview of the regulatory scheme governing the traditional communications media: telephony, broadcasting, and cable. The course will then examine the problems posed by new forms of telecommunications, including digital broadcast satellites, wireless telephony, and digital television. Background in antitrust, law and economics, and/or First Amendment, while not essential, would be helpful. [3]

Theory of the Firm: Applications in Corporate and Securities Law. This course will focus on different theories of why firms organize production and marketing activities internally or within the market place. Beginning with Coase's article, "The Theory of the Firm," we will look at how the principles developed by Coase have been applied in a variety of different areas of the law, although primarily in the corporate and securities fields. The readings in the course will be derived largely from the law and economics literature about firm organizational structure. For example, we will study transaction cost economics, several different agency cost based models of the firm and the newly developed team production model of the firm. We will also examine the structure of "temporary firms," such as securities underwriting syndicates and plaintiffs' class action securities fraud consortiums. Students will write a research paper on a topic related to the course. They will also be responsible for making two or three short presentations to the class during the semester, based on articles in the reading. Limited enrollment. [2]

Tort Theory Seminar. This seminar will examine the theoretical foundations of tort liability by careful analysis of the writings of influential tort theorists such as Holmes, Posner, Epstein, Fletcher, Coleman, and Weinrib. A paper is required. Limited enrollment. [2]

Trial Advocacy. Lectures, presentations, classroom exercises, and mock trials designed to introduce students to the basic elements of trial practice. Subjects include jury selection, opening statement and closing arguments, direct and cross examination, presentation of expert testimony, introduction and handling of exhibits, trial preparation, courtroom etiquette, motion practice, and litigation ethics. Each section is limited to 12 students. All sections meet together on Monday from 4 p.m. to 6 p.m. In addition, each section meets weekly in a small group for two hours with the faculty member teaching that section. No examination; grading (pass/fail) based on preparations for and participation in weekly two-hour large group session (for first 11 weeks), weekly two-hour small group session (for first 10 weeks), and mock trials (during last three weeks of semester), and completion of all class assignments. No unexcused absences are permitted. Prerequisite: Evidence. [3]

White Collar Crime. This seminar highlights controversial issues in the prosecution of white collar crime. Readings cover topics including the proliferation of federal crimes, the liability of corporations and executives for the acts of agents, the federal sentencing guide-

lines and their effects on investigation and plea bargaining, substantive federal crimes (including mail fraud), asset forfeiture and parallel civil proceedings, grand jury secrecy, limits on grand jury subpoenas (including subpoenas to attorneys), multiple representation, and joint defense agreements. Class visits by local practitioners, judges, and other officials supplement the readings. Paper required. Former or concurrent enrollment in either Criminal Practice and Procedures or Criminal Constitutional Law recommended. Limited enrollment [2]

Wills and Trusts. The basic policies, concepts, and problem areas of interstate succession, wills, trusts, and fiduciary administration. Remedies and techniques available to beneficiaries, fiduciaries, and estate planners. [3]

Non-Law Electives

A student may, upon written petition, with approval of the Associate Dean of the Law School and with permission of the cooperating department, include in his or her degree program up to six credit hours of graduate-level work in non-law courses in the other divisions of the University. A proposed course will be approved only if the student demonstrates a reasonable relationship between the course and the study of law. Students who contemplate enrollment in a non-law course should consult the Law School Registrar or Associate Dean regarding policies for approval.

Joint degree and transfer student programs exhaust the six-hour non-law elective option; therefore, transfer students or students engaged in a joint program will not be allowed additional non-law elective credits.

Law School



KENT D. SYVERUD, J.D., Dean and Garner Anthony Professor
D. DON WELCH, JR. Ph.D., Associate Dean
NANCY J. KING, J.D., Associate Dean for Research and Faculty Development
PAULINE M. ARANAS, J.D., M.L.I.S., Assistant Dean for Library and Information Technology
SUE ANN SCOTT, Assistant Dean for Administration
SONYA G. SMITH, J.D., Ed.D., Assistant Dean for Admissions and Student Affairs
BRIAN S. THOMAS, M.B.A., Assistant Dean for Alumni & Development
ELIZABETH M. WORKMAN, B.A., Assistant Dean for Career Services
FRANK S. BLOCH, J.D., Ph.D., Director of Clinical Education
JUDY S. BENNETT, Registrar
KELLY D. SHARBER, B.A., Administrative Manager

Faculty

PAULINE M. ARANAS, Assistant Dean for Library and Information Technology, Law School; Associate Professor of Law
B.A. (California, Los Angeles 1976); J.D. (Southern California 1981); M.L.I.S. (California, Berkeley 1985) [1994]
ROBERT BELTON, Professor of Law
B.A. (Connecticut 1961); J.D. (Boston University 1965) [1975]
FRANK S. BLOCH, Professor of Law; Director of Clinical Education
B.A. (Brandeis 1966); J.D. (Columbia 1969); M.A., Ph.D. (Brandeis 1971, 1978) [1979]
JAMES F. BLUMSTEIN, Professor of Law; Centennial Chair in Law; Director, Health Policy Center, Institute for Public Policy Studies
B.A., LL.B., M.A. (Yale 1966, 1970, 1970) [1970]
C. DENT BOSTICK, Professor of Law, Emeritus; Dean of the School of Law, Emeritus
B.A., J.D. (Mercer 1952, 1958) [1968]
MARK E. BRANDON, Visiting Associate Professor of Law
B.A. (Montevallo 1975); J.D. (Alabama 1975); M.A. (Michigan 1986); Ph.D. (Princeton 1992) [2000]
LISA S. BRESSMAN, Assistant Professor of Law
B.A. (Wellesley 1988); J.D. (Chicago 1993) [1998]
SUSAN L. BROOKS, Associate Clinical Professor of Law
B.A., M.A. (Chicago 1983, 1984); J.D. (New York 1990) [1993]
REBECCA L. BROWN, Professor of Law; FDX Research Professor
B.A. (Saint John's [Maryland] 1978); J.D. (Georgetown 1982) [1988]
JON W. BRUCE, Professor of Law
B.A. (Hanover 1966); J.D. (William and Mary 1969) [1980]
DAVID L. CALLIES, Visiting Professor of Law
A.B. (Depauw 1965); J.D. (Michigan 1968); LL.M. (Nottingham 1969) [2000]
JONATHAN I. CHARNEY, Professor of Law
B.A. (New York 1965); J.D. (Wisconsin 1968) [1972]
ELLEN WRIGHT CLAYTON, Professor of Pediatrics; Professor of Law; Rosalind E. Franklin Professor of Genetics and Health Policy; Fellow, Institute for Public Policy Studies
B.S. (Duke 1974); M.S. (Stanford 1976); J.D. (Yale 1979); M.D. (Harvard 1985) [1988]

- ROBERT N. COVINGTON, Professor of Law
B.A. (Yale 1958); J.D. (Vanderbilt 1961) [1961]
- PAUL H. EDELMAN, Professor of Mathematics; Professor of Law
B.A. (Swarthmore 1976); Ph.D. (Massachusetts Institute of Technology 1980) [2000]
- JAMES W. ELY, JR., Professor of Law; Milton R. Underwood Chair in Free Enterprise; Professor of History
A.B. (Princeton 1959); LL.B. (Harvard 1962); M.A., Ph.D. (Virginia 1968, 1971) [1972]
- LAURA S. FITZGERALD, Visiting Associate Professor of Law
B.A. (Hollins 1984); J.D. (Yale 1987) [1999]
- E. GORDON GEE, Chancellor of the University; Professor of Law
B.A. (Utah 1968); J.D., Ed.D. (Columbia 1971, 1972)
- JOHN C. P. GOLDBERG, Professor of Law
B.A. (Wesleyan 1983); M.Phil. (Oxford 1985); M.A. (Princeton 1989); J.D. (New York 1991) [1995]
- DONALD J. HALL, Professor of Law
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