



# Law School



Vanderbilt  
University  
2006/2007

Containing general information  
and courses of study  
for the 2006/2007 session  
corrected to 15 August 2006  
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 2006/2007**

## FALL SEMESTER 2006

Orientation and registration for first-year students / Wednesday 16, Thursday 17, and  
Friday 18 August  
Classes begin / Monday 21 August  
Thanksgiving holidays / Saturday 18 November to 26 November  
Classes end / Friday 1 December  
Examinations begin / Monday 4 December  
Fall semester ends / Friday 15 December

## SPRING SEMESTER 2007

Classes begin / Monday 8 January  
Spring holidays / Saturday 3 March to 11 March  
Classes end / Friday 20 April  
Examinations begin / Monday 23 April  
Spring semester ends / Friday 4 May  
Commencement / Friday 11 May

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## Academic Regulations

THE Law School offers a program designed to educate lawyers for careers in many professional areas. The school encourages students to acquire a broad knowledge of law and a thorough understanding of the legal system. Emphasis is placed on the development of analytical ability and other intellectual capabilities. This kind of education is the best preparation not only for the variety of career opportunities available to law school graduates, but also for the changing character of American legal practice that can be expected in the future.

Legal education at Vanderbilt allows a high degree of individual choice and adaptability, centered on a basic core of fundamental subject matter, intellectual development, and legal skills.

### J.D. Degree Requirements

- The candidate for the degree of Doctor of Jurisprudence (J.D.) must
- \* have pursued full-time resident law school study for a period of six semesters, enrolled for a minimum of 10 credit hours each semester (or, in the case of students requiring more than six semesters, the equivalent);
  - \* have completed, with a grade point average of 2.0 or above, 88 semester hours of credit, no more than 5 of which may be earned by participating in credit-bearing extracurricular activities, with a minimum of 64 graded credits on the final transcript;
  - \* have completed the courses listed as required;
  - \* must have paid all financial obligations due the University;
  - \* meet the substantial research paper requirement;
  - \* be of good moral character;
  - \* receive the favorable recommendation of the faculty for the degree.

It is the sole responsibility of the student to plan a schedule that will ensure the accumulation of 88 semester hours and completion of all other requirements for the degree.

#### Required Work

*First Year.* A passing grade in all first-year courses is required.

*Professional Responsibility.* Completion of the course in Professional Responsibility with a passing grade is required.

*Substantial Research Project.* All students are required to complete a substantial research paper in order to obtain the J.D. degree. For most students, this requirement is to be satisfied by enrolling in and completing a course designated in each semester's official course listings as a Seminar.

If, however, a student has a special reason to pursue a topic outside the scope of available Seminars, the student may satisfy the requirement by enrolling in and completing the course listed in the course catalog as "Supervised Research Project."

In order to qualify as a substantial research paper, whether written for a Seminar or as a Supervised Research Project, the student's paper must present a fair, accurate description of the factual setting that gives rise to the issue being addressed, explain adequately existing law and doctrine, and develop a normative thesis that not only analyzes current doctrine but presents a reasoned view of how policy should respond to the presented issue. The paper must be well-researched with all sources cited properly (in Blue Book form or similar convention) and make appropriate use of relevant literature—primary sources and secondary literature. While rigid rules about the length of the papers are not warranted, an expectation exists that such papers would normally be at least 30–40 pages in length.

The Supervised Research Project course aims to provide students flexibility in pursuing topics that would otherwise not be available to them through Seminars during their second and third years. Although it demands less by way of scheduled class time, supervised research is otherwise meant to provide the student with the same experience of researching and writing a major paper as is provided by Seminars, which includes familiarizing oneself with existing scholarship on the chosen subject. Accordingly, any student who opts to satisfy the substantial research paper requirement by means of a Supervised Research Project must—in addition to producing a paper meeting or exceeding the above-stated standards—adhere to the following procedures and expectations in order to receive credit:

- The student must submit a written proposal outlining the research project for which he or she seeks supervision to a full-time faculty member no later than the last day of scheduled classes in the first semester of the student's third year of law school.
- The full-time faculty member must agree, on the basis of the proposal, to serve as supervisor. Only full-time faculty (including visiting faculty) may act as supervisors. Neither adjunct faculty nor legal writing instructors may act as supervisors.
- By the conclusion of the drop/add period each semester, the student must complete and return to the Registrar a supervised research form signed by the student and the faculty supervisor. The completed form must include a brief description of the proposed research project. Only after the form has been received by the Registrar will the course be added to the student's schedule.
- The faculty's expectation for a Supervised Research Project is that the student will work closely with the faculty supervisor in refining the research topic, identifying existing literature on the subject, and developing his or her own thesis. This process will typically

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involve the student turning in at least one complete draft of the research paper for comments from the supervising faculty member prior to submitting the final draft. A student will not satisfy this expectation if, after obtaining faculty approval, he or she has little or no contact with the faculty supervisor prior to submitting a paper for credit.

(Note: Students completing significant research papers should be aware of awards, prizes and competitions. A number of opportunities are available to achieve recognition and, in some instances, a financial award, for achievement in a research and writing project. Often a paper written in connection with a course or Supervised Research Project will be eligible for a prize. The deadline for papers to be considered for VULS awards and prizes is typically the last day of spring semester classes even if the deadline for the course is later.)

Students are encouraged to plan their legal education carefully, consult the faculty when appropriate, and study the course offerings and advisory documents made available each semester. Each individual student bears the responsibility for fulfilling all graduation requirements. The faculty, deans, registrar, and administrative personnel are available for consultation, but no official approval of courses are required after the first year. The Registrar meets with all third-year students in the fall semester to review their credits and discuss any necessary requirements for graduation.

#### **Good Moral Character Degree Requirement**

The student must meet the standard of personal and professional integrity traditionally associated with the profession of law (good moral character). The faculty, in accordance with established law school procedures, may remove a student from the J.D. program at any time for failure to meet the standard of good moral character required for the degree. Sanctions other than suspension or expulsion may be imposed by the faculty.

#### **Good Standing**

To remain in good standing, a full-time student must be enrolled each semester in a program of at least 10 credit hours, must receive a passing grade in at least 9 credit hours each semester, and must maintain a cumulative average of 1.7 or above. Failure to remain in good standing in any semester after the first semester results in automatic withdrawal from the school. Students must have a cumulative grade point average of 2.0 or above to graduate.

### Leave of Absence and Part-Time Status

Any student wanting to suspend temporarily the normal six-semester program without withdrawing from the school and any student wanting to register for fewer than 10 credit hours in a semester must submit a written statement explaining the reasons for the request and obtain the approval of the Assistant Dean for Student Affairs. Failure to do so may result in automatic withdrawal. Leaves of absence will be identified by a notation on the student's transcript. A student with part-time status must maintain a cumulative average of 1.7 or above.

### Transfer Credit

Vanderbilt students in their second- or third-year may transfer up to six course credits from other law schools toward their J.D. degree program if approved by the Assistant Dean for Student Affairs.

Students who transfer to Vanderbilt Law School at the beginning of their second year are limited to 29 credits transferred from their previous school. Four semesters of full-time work are required to receive a J.D. degree. Transfer students are not eligible for joint degree programs, but they may transfer six credits from among Vanderbilt non-law electives.

Students enrolled in joint degree programs are limited to the number of transfer credits allowed from work at their joint school.

### Joint Degree Programs

The Law School offers four formal joint degree programs: a J.D. and M.B.A. after a total of four years; a J.D. and M.T.S. (Master of Theological Studies) after four years; a J.D. and M.Div. (Master of Divinity) after five years; a J.D. and M.P.P. (Master of Public Policy) after four years; and a J.D. and M.D. after six years. In addition, arrangements between the Law School and the Graduate School allow J.D. students to pursue concurrent study in any discipline offering the M.A. or Ph.D. degree.

## LL.M. Degree Requirements

Candidates for the degree of Master of Laws (LL.M.) must have

- pursued full-time resident law school study for a fall and spring semester, in that order, during one academic year;
- earned at least 23 credit hours, not to exceed 25 total credits;
- for the thesis option, earned at least 17 credit hours, including 4-7 credits for a scholarly research project, not to exceed 25 total credits;
- completed Introduction to Legal Research and Scholarly Writing in the U.S. in the fall semester;
- maintained at least a 2.0 cumulative grade point average in the

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- paid all financial obligations due the University.

## Academic Policies and Procedures

### Registration

Students must register for each semester during the specified registration period. Students who register after the designated period may find courses unavailable to them. Students who attempt to register after the first five days of classes may be denied permission to register. Students may not register for overlapping classes.

### Adding, Dropping, Auditing Courses

During the first five days of each semester, students may add or drop open enrollment courses without obtaining permission. After this period, students will not normally be permitted to add courses to their schedules, and withdrawal from any course will require the approval of the Associate Dean and will result in a Course Change Fee. Courses dropped after the first week of classes will be recorded on the student's transcript as a W. This applies to individual courses as well as withdrawals or leaves of absence that occur after the first week of class.

For closed enrollment courses with limited enrollments, permission to withdraw requires the approval of the professor and may be denied for good reason, as when a student may have accepted responsibility for a seminar presentation or as a team member. It is the student's responsibility to be aware of different withdrawal policies for different courses at the onset of the course.

Students may audit courses with the consent of the instructor. Students enrolled for degree status may audit law courses without charge. The same regulations for adding and dropping courses apply to requests for audit of courses.

No course changes will be permitted after the examination period begins. All requests for course changes should be referred to the Registrar.

### Attendance

Regular class attendance is required. Excessive absences may result in automatic withdrawal from the course, exclusion from the final examination with a failing grade, or a reduction in grade, all at the discretion of the faculty member involved.

### Grading Scale

The grading scale of the Law School is as follows:

A+	4.3	B-	2.7	D+	1.3
A	4.0	C+	2.3	D	1.0
A-	3.7	C	2.0	D-	0.7
B+	3.3	C-	1.7	F	0.0
B	3.0				

### Rank and Grading Curve

Vanderbilt Law School does not rank its students. The recommended grading curve is as follows:

A+ and A	10%
A-	15%
B+	30%
B	25%
B- and lower	20%

### Other Regulations

Other regulations are stated in other chapters of this bulletin and in other documents and publications, such as the *Vanderbilt University Student Handbook*, as well as the *Law School Handbook*. Amendments and additions to academic regulations and other regulations may be enacted by the faculty or otherwise instituted by appropriate authority at any time.

### Commencement

The University holds its annual Commencement ceremony following the spring semester. Degree candidates must have completed successfully all curriculum requirements and have passed all prescribed examinations by the published deadlines to be allowed to participate in the ceremony. A student completing degree requirements in the summer or fall semester will be invited to participate in Commencement the following May; however, the semester in which the degree was actually earned will be the one recorded on the diploma and the student's permanent record. Students unable to participate in the graduation ceremony will receive their diplomas by mail and should make arrangements through the Registrar's Office.

### The Honor System

Vanderbilt's students are bound by the Honor System, which was inaugurated when the University opened its doors. Fundamental responsibility

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for preservation of the system inevitably falls on the individual student. It is assumed that students will demand of themselves and their fellow students complete respect for the Honor System. All work submitted as a part of course requirements is presumed to be the product of the student submitting it unless credit is given by the student in the manner prescribed by the course instructor. Cheating, plagiarizing, or otherwise falsifying results of study are specifically prohibited under the Honor System. The system applies not only to examinations but also to written work and computer programs submitted to instructors. The student, by registration, acknowledges the authority of the Honor Council of the Law School.

The University's Graduate Student Conduct Council has original jurisdiction in all cases of non-academic misconduct involving graduate and professional students. Students are expected to become familiar with the *Vanderbilt University Student Handbook*, which is available on-line at the time of registration.

#### **Student Records (Buckley Amendment)**

Vanderbilt University is subject to the provisions of federal law known as the Family Educational Rights and Privacy Act (also referred to as the Buckley Amendment or FERPA). This act affords students certain rights with respect to their educational records. These rights include:

- *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 education records believed to be inaccurate or misleading.* Students who wish to request an amendment to their educational record should write the University official responsible for the record, clearly identify 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 have some control over the disclosure of personally identifiable information from their education records.* While such information is not generally disclosed to third parties without a student's written consent, there are situations in which 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.

In addition, the Buckley Amendment provides the University the ability to designate certain student information as "directory information," which 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 must 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.

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## Financial Information

**T**UITION for the academic year 2006/2007 is \$36,000 for all full-time students. Students registering for fewer than 10 credit hours pay tuition at the rate of \$1,800 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 \$2,200. Students pay annual activities and recreation fees of approximately \$325. Students must complete registration on the first day of classes each semester. 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 Other Charges

University policy for the refund of tuition and dormitory charges provides 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 2005 Withdrawal/Refund Schedule*

Week 1	August 21–August 26	100%
Week 2	August 27–September 2	95%
Week 3	September 3–September 9	85%
Week 4	September 10–September 16	80%
Week 5	September 17–September 23	75%
Week 6	September 24–September 30	70%

Week 7	October 1–October 7	60%
Week 8	October 8–October 14	55%
Week 9	October 15–October 21	50%
Week 10	October 22–October 28	45%

*No refund after October 28, 2006*

#### *Spring 2006 Withdrawal/Refund Schedule*

Week 1	January 8–January 13	100%
Week 2	January 14–January 20	95%
Week 3	January 21–January 27	85%
Week 4	January 28–February 3	80%
Week 5	February 4–February 10	75%
Week 6	February 11–February 17	70%
Week 7	February 18–February 24	60%
Week 8	February 25–March 2	55%
<i>(Spring Break</i>	<i>March 3–March 10)</i>	
Week 9	March 11–March 17	50%
Week 10	March 18–March 24	45%

*No refunds after March 24, 2007*

#### **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 November 30 for the fall semester and April 30 for the spring semester.

#### **Financial Clearance**

Students will not be allowed to register for any semester if they have outstanding unpaid balances for a previous semester. No transcript, official

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or unofficial, will be issued for a student who has a delinquent account balance. 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 to students with delinquent accounts. As of Fall 2003, all new students are charged a one-time transcript fee of \$30. There is no charge to alumni for transcripts.

### 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 Law School. 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

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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 Need Access form, and the Vanderbilt Law School Financial Aid Statement, sent to all applicants for need-based aid. Forms should be completed no earlier than January 1 but as soon after that as possible, preferably by February 15. 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 Need Access 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, Elliott Cheatham, John S. Beasley, Patrick Wilson and Harold Stirling Vanderbilt scholarships.

**MICHAEL S. BARNES SCHOLARSHIP.** Established in 1992 by members of the graduating class of 1969 to honor the memory of their classmate, Michael S. Barnes.

**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.

**THOMAS W. BEASLEY SCHOLARSHIP.** Thomas W. Beasley (J.D. '73) established this scholarship to be awarded to deserving law students who are veterans of the armed forces of the United States and, in appropriate cases, to students who continue on active service in the military after starting law school at Vanderbilt.

**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.

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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.

JOE H. AND MARTHA O. FOY SCHOLARSHIP. Martha and Joe Foy (J.D. 1950) established this endowment in 2000 to fund annual scholarships for deserving law students.

GANTT SCHOLARSHIP. 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.

ROBERT R. KRIVCHER SCHOLARSHIP. The Krivcher Scholarship was endowed by Sonya A. Krivcher in memory of her husband, Robert Russell Krivcher, (B.A. 1942, J.D. 1947). Robert Krivcher served in the U.S. Army during World War II, graduated first in his law school class, and was a founding partner in the Memphis-based firm, Krivcher & Magids, PC. A need-based scholarship, the Krivcher Scholarship is awarded annually to a second- or third-year law student who demonstrates strong academic achievement and is of high moral character.

MARR SCHOLARSHIPS. Mr. William B. Marr, alumnus of the class of 1899, left the bulk of his estate to the Vanderbilt University Law School, 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.

PHIFER SCHOLARSHIP. Michael L. Phifer (J.D. 1983, A&S 1979) of Houston, Texas established this endowment in 1997 in honor of his parents, Cliff and Mildred Phifer, to fund annual scholarships for deserving law students.

**TOM H. PROCTOR SCHOLARSHIP.** Established in 1997 by Tom H. Proctor, Jr. (B.A. 1949, J.D. 1951) to provide scholarship assistance to students in the law school.

**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.

**PAUL H. SANDERS SCHOLARSHIP.** This scholarship honors Professor Paul H. Sanders, a member of the law faculty from 1948 to 1974. The scholarship fund was established by a gift from his estate and by contributions from his colleagues, family and friends.

**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.

**DAVID SMITH SCHOLARSHIP.** The Vanderbilt University Law School Class of 2000 established this need-based scholarship in memory of classmate David Smith. Preference will be given to students who have shown a dedication to community service and great character by overcoming personal hardships or obstacles in their life.

**JUDGE LUTHER A. SMITH SCOTTISH RITE SCHOLARSHIPS.** Established in honor of Judge Luther A. Smith, (Law 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.

**M. LEE SMITH SCHOLARSHIP.** Established by M. Lee Smith (B.A. 1964, LL.B. 1967) to provide financial assistance to law students who demonstrate high academic achievement and good character.

**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.

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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.

### 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



## Dean's List

Students in the top 20 per cent of their class, as based on the semester GPA, receive Dean's List honors. The cutoff GPA for the top 20 percent of each class is published at the end of each semester.

## 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 per cent of the third year 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.** Established by Lily Cartwright Bell, in 1938, to honor her husband, and awarded to the graduating student who is not only well versed in the law, but who, in the words of the donor, "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 DAMALI A. BOOKER AWARD.** Presented annually to the third-year law student who has a keen dedication to legal activism and a demonstrated commitment to confronting social issues facing both Vanderbilt Law School and the greater Nashville community.

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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.

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, and WHITE LEGAL WRITING AWARDS. Awarded annually for Best Brief and Best Oralist in each of the eight sections of the first-year Legal Research and Writing 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.

LL.M. RESEARCH PRIZE. Awarded for outstanding achievement in the completion of the LL.M. scholarly research and writing project.

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.

NATIONAL ASSOCIATION OF WOMEN LAWYERS' OUTSTANDING LAW STUDENT AWARD. Awarded to the student whose Law School involvement best fulfills the goals of contributing to the advancement of women in society and promoting women's issues in the legal profession, and who has exhibited tenacity, enthusiasm and academic achievement while earning the respect of others. The Association provides an honorary membership for a year, which includes receipt of its publications and other membership benefits.

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, in fulfillment of the Law School's advanced writing requirement.

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 to the student in the graduating class who submitted the best paper in fulfillment of the Law School's advanced writing requirement.

### *Vanderbilt Journal of Entertainment Law and Practice Awards*

VANDERBILT JOURNAL OF ENTERTAINMENT LAW AND PRACTICE OUTSTANDING SERVICE AWARD. Awarded to the student, other than the editor-in-chief, who has made the most significant contribution to the advancement of the *Vanderbilt Journal of Entertainment Law and Practice*.

VANDERBILT JOURNAL OF ENTERTAINMENT LAW AND PRACTICE STUDENT WRITING AWARD. Awarded to the student submitting the most outstanding piece of student writing for publication in the *Vanderbilt Journal of Entertainment Law and Practice*.

### *Vanderbilt Journal of Transnational Law Awards*

VANDERBILT JOURNAL OF TRANSNATIONAL LAW THIRD-YEAR 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.

VANDERBILT JOURNAL OF TRANSNATIONAL LAW SECOND-YEAR EDITOR 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.

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.

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.

### *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 EDITOR'S AWARD. Awarded annually to a third-year editorial board member who has made the most significant contribution to 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 Weldon B. White Prize.

MYRON PENN LAUGHLIN RECENT DEVELOPMENT 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.

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### *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

**603. 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. [4]

**608. 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. [3]

**606. 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. [5]

**613. 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. [3]

**612. 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. [4]

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

**615. Legal Writing II.** Continuation of Legal Writing I. [2]

**620. 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. [4]

**621. Torts.** Liability for intentional harm to person or property and for similar harm caused by negligent conduct. [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 as necessary.

**653. 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]

**913. Advanced Copyright Seminar.** This course supplements the basic copyright course by examining advanced U.S. copyright issues, particularly in the context of new media and digital technologies. After examining some core copyright issues in greater depth, the course will then focus on the creation, protection and use of music, movies and other content in the Internet development. It covers cases, such as those involving Napster and DeCSS, as well as pending litigation. Attention is also paid to general policy issues, as well as recent legislative proposals, concerning rights, uses, licensing, technological protection and liability. Prerequisite: Copyright Law; Intellectual Property (or the equivalent Introduction to Intellectual Property) or faculty approval. Enrollment limited. [3]

**900. Advanced Corporate Problems Seminar.** This is a classic seminar in which students pick a topic and research it, then do a class presentation and a paper. Students may use the paper to satisfy the senior writing requirement if the paper fulfills the general requirements for senior papers. During particular semesters, topics may focus on different specialized areas, such as corporations or securities, but students may take the seminar only once. Prerequisite or corequisite: Corporations, or another course that includes the study of corporations. Enrollment limited. [3]

**903. Advanced Corporate Problems Seminar – Securities.** Prerequisite or corequisite: During semesters when the above seminar focuses on securities, a securities regulation course is also a pre- or corequisite. Students may only take the seminar once. Enrollment limited. [3]

**869. Advanced Estate Planning and Drafting.** This course will offer students an in-depth study of estate planning, with an emphasis on drafting of estate documents. The course will explore both the practical and theoretical aspects of representing clients who are engaged in complex estate matters. Topics to be discussed include: Planning for the Surviving Spouse in the Traditional Family; Planning for the Surviving Spouse in the Non-Traditional Family; Planning for Children and Grandchildren; Making Gifts; Planning for Life Insurance and Retirement Plan Assets; Special Issues in Planning for Real Estate and Business Interests; Charitable Planning; and Clients with Diminished or Questionable Capacity. Grading will be based on participation in one class discussion dealing with one specific topic and preparation of an estate plan using standard estate planning documents. Prerequisite: Estate Planning and Taxation. [2]

**782. Advanced Evidence and Trial Advocacy.** This course will explore selected complex issues in evidence law that are not covered in Evidence. This exploration will be accomplished through the use of simulations that present these issues in the context of complicated litigation. Thus, while learning to analyze sophisticated evidentiary issues, students

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will also be able to expand the basic trial skills they acquired in Trial Advocacy. Students will be graded on a paper that explores a complex evidentiary issue as well as on class participation and preparation. Prerequisite: Evidence and Trial Advocacy. Enrollment limited. [2]

**852. 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. Pass/Fail. Enrollment limited. [2]

**916. Advanced Technology and Entertainment Law Seminar.** In this seminar, the content of which will vary from year to year, the class will focus on selected topics at the forefront of technology and entertainment law. Enrollment limited. [3]

**970. Advanced Topics in Labor and Employment Law Seminar .** A seminar focusing on significant practical and theoretical issues in labor and employment law. A research paper will be required. Topics covered vary from year to year, to reflect current concerns in the area. Prerequisite: Labor Relations, Employment Discrimination Law, or Law of Work. Enrollment limited. [3]

**951. Advanced Topics in Race, Gender, and Representation in the Political Process Seminar.** This seminar will examine partisan politics and campaign regulations. It will cover the recruitment of candidates, the procedures and processes for running for office, the special hurdles for political and racial minorities, and the expected policy outcomes in state and national legislatures. Enrollment limited. [3]

**940. Advanced Topics in Torts Seminar.** This class will examine emerging topics in torts law. Subjects may include: important pending court decisions or legislation, emerging areas of tort litigation and tort 'reform', and recent scholarships on tort law. Enrollment limited. [3]

**670. 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]

**941. Advising Corporate Boards Seminar.** This seminar introduces students to many of the issues facing directors today, addressing topics such as: fiduciary duties of directors and the roles of corporate counsel in the board room; new legal requirements under Sarbanes-Oxley and stock exchange listing requirements; corporate codes of ethics as a way to build a stronger company rather than as a boilerplate exercise; the special duties and responsibilities of audit committees; the role of outside auditors, and their relationship with the board; "internal controls" and pre-empting fraud or misconduct; responding to shareholder activists; averting crises through good succession planning; and responding to hostile takeover proposals and derivative suits. Prerequisite: Corporations or Corporations and Business Entities. Enrollment limited. [3]

**713. American Corporate Governance System.** An examination of the failures of the United States corporate governance system in recent years and the various responses that have been used. Areas of principal focus will be private corporate structures such as the board of directors including board room dynamics; legal regulation, particularly the Sarbanes-Oxley Act of 2002; the place of self-regulatory organizations such as the New York Stock Exchange and other non-governmental players in the corporate governance arena, and the role of markets, such as the securities market and the market for executive compensation. [2]

**901. 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. Enrollment limited. [3]

**681. 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]

**720. 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]

**899. Bioethics and the Law.** 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. Enrollment limited. [2]

**870. Black Feminist Thought and Critical Race Feminism.** This course focuses on black feminist thought and critical race feminism, an offshoot of Critical Race Theory that focuses on the status of women of color under the law. The course addresses the role of the law in responding to the unique challenges affecting Black women because of their intersecting race and gender status. It is an interdisciplinary course, including the disciplines of history, sociology, education, and literature. The course traces the historical background and context for the development of black feminism, and explores sociological texts and arguments addressing the issue of intersecting status. The course will focus on a particular case study that illustrates the complexity of addressing race, gender, and class issues within existing social, cultural, legal, and political frameworks. [2]

**842. 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 or Corporations and Business Entities. [3]

**630. Business Law Clinic.** This course affords law students the opportunity to represent clients in a business setting, and would assist start-up businesses that do not have the resources to hire attorneys. The clinic provides law students interested in business and transactional practice with a course of study that educates them about the role of the lawyer and exposes them to the practical legal and business realities of start-up and early stage businesses. Students advise clients on transactional matters only—including choice of entity, registration and leases. Through collaboration with the Owen School's entrepreneurship clinic, clients receive both legal assistance from law students in the clinic as well as business advice from Owen students. Issues include: advice on choice of entity, entity formation, preparation of basic business documents (e.g., services might include trademark registration, review of commercial contracts and other appropriate matters). Prerequisite: Corporations or Corporations and Business Entities. Pass/Fail. Enrollment limited. [3]

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**729. Business Law Clinic – Advanced.** A second semester course is available. Maximum of five Clinic credits. Pass/Fail. Faculty approval required. [2]

**684. 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. Enrollment limited. [2]

**696. 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. The semester includes fieldwork and class sessions. Pass/Fail. Enrollment limited. [3]

**791. Child and Family Law Policy Clinic – Advanced.** Two additional credit hours are awarded for an optional semester of fieldwork only. Maximum of five Clinic credits. Pass/Fail. Faculty approval required. [2]

**923. Child Welfare Seminar: 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. Enrollment limited. [3]

**911. Children and the Law Seminar.** 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. Enrollment limited. [3]

**936. Choosing Legal Regimes Seminar.** The rapid growth of interstate and international travel and business dealings has made it more possible for people and businesses to choose the law that will govern their transactions and relationships. A corporation can choose its own internal affairs law by choosing the place that it will incorporate. It can also choose the law that governs many of its activities by entering into contracts with choice-of-forum and choice-of-law provisions. Lenders can relocate branch offices to circumvent usury laws. Internet vendors incorporate choice-of-law and forum provisions into their online boilerplate contract language. Companies that deal with consumers can use choice-of-forum provisions to attempt to eliminate the possibility of class action lawsuits against them. People can place their assets into trusts that would not be recognized in some jurisdictions. Same-sex partners can enter into marriages valid in some but not many U.S. jurisdictions. Native American Indian reservations are better able to attract outside businesses by

committing to resolve any contractual disputes in non-reservation fora. Nations with undeveloped laws and unreliable court systems are able to attract investment activity into their countries with similar provisions. This seminar will explore the extent to which party choice-of-law and dispute resolution fora are desirable and the extent to which such choices should be limited. Enrollment limited. [3]

**939. Civil Litigation Capstone Seminar.** This year-long seminar focuses on civil litigation and settlement in theory and practice. It is intended for students who wish to pursue advanced, in-depth study of civil litigation and dispute resolution. Prerequisites: Complex Litigation and five additional credits as designated by the professor. Enrollment limited. [7]

**676. 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. Pass/Fail. Enrollment limited. [3]

**728. Civil Practice Clinic – Advanced.** Two credit hours are awarded for an optional second semester. Maximum credit of five Clinic credits. Pass/Fail. Faculty approval required. [2]

**660. Commercial Law: Sales.** This course examines the sale of goods, with some consideration of issues related to international sales, leases, and new technologies. The substantive law is primarily UCC Articles 1 and 2 (both current and revised versions) and the Magnuson-Moss Act, with some limited coverage of the Uniform Electronic Transactions Act, the Electronic Signatures in Global and National Commerce Act, and UNCITRAL Convention on Contracts for the International Sale of Goods. [2]

**663. Commercial Law: Payment Systems.** This course will focus on non-cash payment systems, such as checking, credit cards, debit cards, and wire transfers, and also will examine the law of negotiable instruments and the role of new technologies. The substantive law will include UCC Articles 3, 4, and 4A as well as relevant federal statutes (e.g., the Electronic Funds Transfer Act, the Expedited Funds Availability Act, the Truth in Lending Act, Check 21 Act) and regulations (CC, E, J, and Z).[2]

**690. Commercial Law: Sales Transactions & Payment Systems.** (Proposed for Spring 2005) This course will consider contracts for the sale of goods and the available methods of payment, including checks, credit cards, debit cards, electronic fund transfers, and letters of credit. Accordingly, the course covers Articles 2,3,4, and 4A of the Uniform Commercial Code as well as federal statutes and regulations governing payment systems. [4]

**760. Common Law Regulation of the Employment Relationship.** Although Congress and state legislatures have taken significant steps to intervene in the workplace, these federal statutory schemes operate against the backdrop of the common law rules governing the employment relationship. This course will focus primarily on common law regulation of the workplace, beginning with employment at-will and exploring various contract and tort theories that have modified the impact of the at-will rule. Through an examination of these doctrines, we will explore how the law responds to interests that employees seek to protect through the law—interest such as job security, dignity and privacy—and the competing needs of employers for flexibility and control over the work process. Although the focus will be common law doctrines, references will be made throughout the course to

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various statutory interventions in the workplace, and some attention will be paid to the interaction between different sources of regulation. [1]

**634. Community and Economic Development Clinic.** The Community and Economic Development Clinic represents low income communities in forming entities and finding creative legal solutions to economic and legal issues. Students provide transactional legal services that help an individual, group, or organization to initiate operation, continue operation, or address a particular legal problem. The Clinic does not provide any legal assistance in initiating or defending litigation. The Community and Economic Development Clinic provides transactional legal services for client groups engaged in different kinds of neighborhood-based community development. It represents and helps organize small non-profits and businesses, and tenants' associations in the public and private sectors, all of whom share the goal of developing different kinds of resources for greatly underserved urban communities. Through participation in the Clinic, students enhance their understanding of business concepts through the representation of traditionally underserved clients. Students also have the opportunity to examine the ethical and social change issues involved in group transactional representation as an innovative approach to poverty law practice. Prerequisite: Corporations or Corporations and Business Entities. Pass/Fail. Enrollment limited. [3]

**726. Community and Economic Development Clinic—Advanced.** An optional second semester is available. Maximum credit of five Clinic credits. Pass/Fail. Faculty approval required. [2]

**831. Comparative Constitutional Law.** This course will focus on different approaches to the protection of individual rights. The course will examine the roles of bills of rights, treaties and other sources of protection of individuals from the acts of their own governments, combining theory and experience to examine both judicial and non-judicial roles in the enforcement of rights in a variety of cultures. [2]

**982. Comparative Constitutional Law Seminar.** This seminar will focus on three topics in comparative constitutional law: federalism, separation of powers, and the role of courts. Enrollment limited. [3]

**921. Comparative Constitutional Law Seminar: The U.S. and South Africa.** While the Constitution of the United States and South Africa share similar legal traditions and social histories with respect to race, the interpretation of fundamental rights in these countries has not followed the same course. For example, the judiciaries in these countries have defined concepts like the right to equal protection under the law quite differently. Are these ways of understanding rights distinctions that there make a real difference? This course examines aspects of constitutional law in both countries to determine why these differences might exist and how they affect the adjudication of constitutional disputes. Are the differences traced simply to institutional structures, judicial philosophy, or social context? Enrollment limited. [3]

**764. Comparative Corporate Governance.** Comparative corporate governance has become a hot topic in academic debate. A major issue in this contemporary debate is whether national governance systems can be expected to converge into a new internal governance system, comprising best practices from diverse systems. While many commentators support this position, others take the view that major underlying legal and cultural differences between jurisdictions will ultimately prevent such convergence. This course will examine recent trends in comparative corporate governance and discuss fundamental differences in structure, and the interplay of governance techniques, in a variety of different jurisdictions, such as the US, UK, Germany, Japan and Australia. Different approaches to fundamental issues in corporate governance will be explored, including: board structure;

director's duties; disclosure; fairness between shareholders; the role of institutional investors; the role of employees; executive remuneration and takeovers. Enrollment limited. [2]

**952. Comparative Corporate Governance Seminar.** Comparative corporate governance has become a hot topic in academic debate. A major issue in this contemporary debate is whether national governance systems can be expected to converge into a new international governance system, comprising best practices from diverse systems. While many commentators support this position, others take the view that major underlying legal and cultural differences between jurisdictions will ultimately prevent such convergence. This course will examine recent trends in comparative corporate governance and discuss fundamental differences in structure, and the interplay of governance techniques, in a variety of different jurisdictions, such as the US, UK, Germany, Japan and Australia. Different approaches to fundamental issues in corporate governance will be explored, including: board structure; director's duties; disclosure; fairness between shareholders; the role of institutional investors; the role of employees; executive remuneration and takeovers. Prerequisite: Corporations or Corporations and Business Entities. Enrollment limited. [3]

**786. Comparative Jurisprudence.** This course is structured around two issues: (1) the notion of law as a discrete entity—law, that is, as something separate from both politics and from other academic disciplines, and (2) the question of what makes for good judicial decision-making. The course begins by considering the ideas of two European legal positivists—Hans Kelsen and H.L.A. Hart—and then moves to an analysis of American legal realism. Finally, students examine the sorts of responses that the positivist and realist traditions have provoked, and the shared jurisprudential dilemmas and concerns at the heart of European and American legal theory embodied in these responses. [1]

**775. Comparative Land Use Planning.** Selected aspects of the legal systems that exist in various countries for controlling land use will be examined and compared. Topics considered will involve issues arising in such areas as planning, zoning, community expansion, historic preservation, housing, and regulatory takings. [2]

**691. 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. [2]

**724. Comparative Legal Institutions.** Most American law students have little opportunity to become acquainted with the approaches to law followed outside of the United States. This course fills that gap by offering an introduction to the major approaches to law practiced in other parts of the world. It focuses in part on the Civil Law tradition, which represents the most common legal system in the world today, paying particular attention to France and Germany. It also examines the Common Law tradition as practiced in England and the Commonwealth. The primary focus is on legal institutions rather than on any particular area of substantive law. Possible topics include the approach to legal education, judicial procedure, sources of law, and how concepts such as judicial review and the separation of powers are implemented. [2]

**835. Comparative Tort Law.** This course will focus on similarities and differences between European and American tort law. It will cover both doctrinal issues concerning the scope and extent of liability (e.g., rules pertaining to proximate cause and damages), as well as broader issues concerning the role played by tort litigation in different legal systems. The goal

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of the course is to gain a deeper appreciation of the choices reflected in American tort law and to assess what we can learn about the possibilities for intelligent reform of that law. [2]

**733. Complex Litigation.** This course will focus upon the major procedural and substantive issues that arise in the context of nationwide complex civil litigation. The major focus will be on class actions, including the requirement for class certification, dual federal and state class actions, the manifold issues that arise in class settlements, and the determination of class attorneys' fees. In addition, alternatives to the class action mechanism will be discussed, including coordination by the judicial panel on multi-district litigation. There are no prerequisites for the course. Grades will be determined based on a six-hour take-home essay examination. [3]

**692. 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]

**848. 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]

**694. 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]

**980. 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. Enrollment limited. [3]

**743. 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 attorneys' fees. [2]

**788. Consumer Credit Protection.** Examination of the history, concepts, terminology, and structure of consumer credit regulations. Written and oral presentations on selected topics required. Completion of Bankruptcy is helpful, but not required. Enrollment limited. [2]

**699. Copyright Law.** "Copyright Law" studies the most important aspects of copyright protection in the United States. It provides a framework for analyzing the federal Copyright Act and for answering such questions as: What creative works are copyrightable? Who is an author and who is a copyright owner? What exclusive rights does a copyright owner enjoy and how are those rights exercised? How does a copyright owner prove infringement of a copyright? What defenses, such as fair use, may be asserted against a claim of copyright infringement? The course includes real world hypotheticals and in-role problems to help students understand the laws and policies of copyright protection in the United States. [2]

**701. Copyright Law.** 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]

**959. Copyright Theory Seminar.** Copyright has historically been justified by three rationales: the promotion of economic and social welfare, the need to foster democratic self-governance, and the Lockean notion that individuals have a moral right to the fruits of their labors. In recent years, a fourth line of scholarship has emerged that emphasizes the role that artistic creation plays in individual self-realization. This seminar will explore each of these theories, paying particular attention to the newest of these theories by exploring it through the work of German philosophers, including Marx, Nietzsche, Hegel, Schopenhauer, and Schiller. The seminar will also analyze possible ways that these various considerations can be integrated into a coherent whole. Enrollment limited. [3]

**703. 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. Prerequisite: Corporations or Corporations and Business Entities; Prerequisite or corequisite: one of the Securities Regulation courses. [2]

**750. Corporate Finance.** A study of the basis for financial decisions of corporations and the shareholders, including an introduction to basic techniques of investment decisions, valuation and financial structure, valuation in mergers, and tender offers and corporate takeovers; and an introduction to security analysis. Prerequisite or corequisite: Corporations or Corporations and Business Entities. [3]

**712. Corporate Governance and Control.** This course entails an in-depth study of the principal issues involved in creating appropriate governance and control systems for large publicly-held corporations. It focuses on questions of corporate structure, voting rights, duties of directors, derivative suits, indemnification, and transfers of control, viewed from legal, economic, and societal perspectives, and critically evaluates current proposals for dealing with these matters. Recommended: A corporations course. [1]

**937. Corporate Governance and Executive Incentives Seminar.** This seminar will focus on several different advanced topics in corporate law and finance, including domestic, international, and comparative corporate governance systems, executive compensation, and theories of the firm. A research paper will be required. Enrollment is open to all upper-class Owen and Law students. Enrollment priority will be given to students who are completing a Certificate in Law and Business. Prerequisite: Corporations or Corporations and Business Entities. Prerequisite or corequisite: Introduction to Accounting and Introduction to Finance or Introduction to Corporate Finance for Lawyers. Enrollment limited. [3]

**700. Corporate Restructuring.** This course focuses on the legal, business, and litigation issues that a corporation confronts when it encounters financial distress. Preliminary, the course will address issues regarding the pre-bankruptcy fiduciary obligations of the Corpo-

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**734. Corporate Restructuring under Chapter 11.** (Proposed Spring 2005) A study of corporate restructuring under Chapter 11 of the Bankruptcy Code. On the legal side areas covered include Chapter 11 procedure and business operations, sale of assets, DIP finance, and Chapter 11 plans of reorganizations. On the business side areas covered include business valuations, business turnaround management, insolvency accounting, and tax issues. [3]

**702. Corporate Taxation.** A basic study of federal income taxation of domestic corporations and shareholders, with a limited and comparative treatment of the taxation of partnerships and partners, including the mechanisms for and consequences of corporate formation and capitalization; cash dividends and property distributions; common and preferred stock dividends, complete and partial liquidations; redemptions; accumulated earnings tax; personal holding companies; collapsible corporations; and "Subchapter S" corporations. Prerequisite: Federal Tax Law. [3]

**708. 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]

**742. 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]

**719. 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]

**918. Criminal Law Seminar.** A seminar focusing on selected issues in special problems in criminal law. Topics will include substantive, procedural, and constitutional aspects of a criminal case. Prerequisite: Criminal Constitutional Law or Criminal Practice and Procedure. Enrollment limited. [3]

**722. 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]

**657. 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. Pass/Fail. Enrollment limited. [3]

**721. Criminal Practice Clinic – Advanced.** Two credits are awarded in the optional second semester. Maximum credit of five Clinic hours. Pass/Fail. Faculty approval required. [2]

**874. Current Constitutional Issues.** 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. Enrollment limited. [2]

**845. Defamation and Privacy.** This course examines the law governing tort actions for defamation (libel and slander) and for invasion of privacy (appropriation of likeness, false light invasion of privacy, intrusion upon seclusion, and publication of private facts). Particular attention is paid to the interplay of common law, statute, and constitutional law in these areas. [2]

**993. Democracy and Religious Conviction Seminar.** In this seminar, students critically engage issues pertaining to the role (if any) of religious and moral conviction in democratic discourse and policymaking. The first half of the course will be spent working through key texts and arguments from central figures such as John Rawls, Thomas Nagel, Bruce Ackerman, Robert George, Nicholas Wolterstorff, and Robert Audi. In the second half, the seminar will be visited by distinguished guests from outside the Vanderbilt community representing a variety of positions on the issues. Either two conference-length (3500-4000 words) papers or one term paper engaging the issues, arguments, and figures examined in the course will be required. Enrollment limited. [3]

**678. Domestic Violence Clinic.** Under the close supervision of a faculty member, students in the Domestic Violence Clinic represent victims of domestic violence in civil matters. Representation focuses on obtaining orders of protection and on divorce and custody matters. Through their representation, students learn about and experience interviewing and counseling, negotiation, investigation and discovery, advocacy techniques and the role of the lawyer in the legal system. Students also gain insight into the sociological and psychological aspects of domestic violence by working collaboratively with other service providers to victims of domestic violence. Prerequisite or corequisite: Domestic Violence Law. Pass/Fail. Enrollment limited. [3]

**738. Domestic Violence Clinic – Advanced.** A second optional semester is available. Maximum credit of five Clinic credits. Pass/Fail. Faculty approval required. [2]

**718. Domestic Violence Law.** A course 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. Enrollment limited. [2]

**710. Economics of Regulation and Antitrust.** The purpose of this course is to examine the economic tools lawyers and economics experts use in analyzing antitrust and regulatory policy issues. The emphasis will be on economic principles for sound government policies in these areas as opposed to cases. The course is intended to provide a comprehensive analysis across a wide spectrum of topics pertaining to regulatory and antitrust policies.

Previous background information contained.

**672. Empirical Legal Research.** This course provides an understanding of the empirical research process, including the design, implementation, and analysis of empirical research. The course will focus on the derivation of legal principles from empirical research.

**727. Employment Law.** This course provides an understanding of the major employment laws, including the National Labor Relations Act, the Fair Labor Standards Act, and the Equal Employment Opportunity Act. The course will focus on the application of these laws to the workplace.

**961. Energy Law.** This course provides an understanding of the economic and legal aspects of the energy industry. The course will focus on the regulation of the energy industry, including the role of the Federal Energy Regulatory Commission and the Department of Energy. The course will also cover the environmental law aspects of the energy industry.

**859. Entertainment Law.** This course provides an understanding of the legal aspects of the entertainment industry. The course will focus on the regulation of the entertainment industry, including the role of the Federal Communications Commission and the Copyright Clearance Center. The course will also cover the intellectual property aspects of the entertainment industry.

**732. Environmental Law.** This course provides an understanding of the legal aspects of the environmental law. The course will focus on the regulation of the environment, including the role of the Environmental Protection Agency and the National Environmental Policy Act. The course will also cover the constitutional and federalism aspects of the environmental law.

**969. Environmental Law.** This course provides an understanding of the legal aspects of the environmental law. The course will focus on the regulation of the environment, including the role of the Environmental Protection Agency and the National Environmental Policy Act. The course will also cover the constitutional and federalism aspects of the environmental law.

Previous background in economics is beneficial but not essential. The course is self-contained. [3]

**672. Empirical Methods for Legal Analysis.** This course will provide students with an understanding of the quantitative tools commonly used in public policy decisions, legal decisions, and legal scholarship. These tools will be used to critically evaluate empirical research and to conduct independent quantitative research. Emphasis will be placed on applications and interpretation of quantitative values rather than on the mechanics of deriving the values. [3]

**727. 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]

**961. Energy, Economics, and the Environment Seminar.** This seminar will focus on economic and environmental aspects of competition in the electric power industry, with a particular focus on their implications for the legal and regulatory system. As federal regulators and some states deregulate electric power, what are the implications of competition for traditional regulation? Will the historical allocation of federal-state power be able to effectively deal with the problems presented by competitive markets? What role will antitrust laws play in new electric power markets? How will regulators balance environmental concerns with competition goals in new markets? In order to explore these questions, the seminar will introduce students to traditional public utility regulation, its interplay with antitrust and environmental laws, and the challenges it faces with competition in electric power. Enrollment limited. [3]

**859. Entertainment Industry Transactions: Negotiation and Drafting.** This short course is an introduction to the responsibilities, functions, and business concerns of entertainment industry attorneys through mock negotiations and contract drafting exercises. The class includes lectures, guest speakers (such as entertainment industry executives, artist managers, and recording artists), simulated negotiations, and contract drafting and analysis. Primary areas covered are the motion picture, television, and music industries. Prerequisite: Copyright Law. Pass/Fail. Enrollment limited. [1]

**732. 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 legislation and administrative regulatory reform initiatives. Analysis of statutory materials will focus on the principal federal statutes and their implementation. [3]

**969. Environmental Regulation Capstone Seminar.** This capstone year-long seminar will examine the legal, economic, and social influences on the environmental behavior of private corporations. Environmental regulation imposes economic costs as high as \$200 billion per year, and achievement of regulatory objectives is essential for long-term global sustainability. Yet the public and private regulatory incentives faced by corporate firms are complex, and surprisingly little is known about the factors that influence the environmental decision-making of firm managers. A better understanding of these incentives will benefit lawyers who work in private practice, government agencies and nongovernmental organizations, as well as business managers and policymakers. The seminar will explore the current state of knowledge regarding corporate environmental behavior and will engage



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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. The course for Nashville area placements carries 3 academic credits. Placements must be arranged by the student and approved by the Director of the Clinic no later than the end of the first week of classes. Pass/Fail. Faculty approval required. [3]

**806. Externship – Full Semester.** Students wishing to pursue an externship for an entire semester must submit a proposal, endorsed by a full-time faculty member, to the Associate Dean for Clinical Affairs six weeks prior to the end of the semester preceding the one in which the externship will take place. The externship requirements are a) 560 hours at the externship placement (or approximately 40 hours per week over a 14-week period) for a pass/fail grade; and b) completion of a significant research paper (35-40 pages) on a topic related to the externship which will be graded work. The paper does not satisfy the writing requirement for graduation. If a student participates in a semester-long externship, no additional externship credits may be counted toward graduation requirements, and only in the instance of a semester-long externship can the six-credit limit for externship credits be exceeded. Students may not receive credit for work for which they are paid. [10]

**802. Externship - Summer.** Students wishing to pursue an externship program away from Nashville must submit a proposal to do so, endorsed by a full-time faculty member, to the Curriculum Committee no later than six weeks prior to the end of the term preceding the term when the program would be undertaken. The proposal must provide that all relevant requirements of the American Bar Association Standards are met. Pass/Fail. Faculty approval required. [1 to 6]

**812. Faith, Politics, and War.** The intersection between religion and politics, especially its form within local communities of the South, is the subject of this multidisciplinary seminar. The course bridges the social sciences and humanities to investigate how local cultural and religious forces propel citizens toward political decisions and actions, providing an empirical as well as theoretical foundation to the analysis. A number of topics will be pursued with primary focus on the problem of war. The course is team taught by faculty from the Law School, College of Arts and Sciences, Divinity School, and Peabody College. Enrollment limited. [3]

**737. 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]

**740. 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 and other justiciability questions; power of Congress to define the scope of federal court jurisdiction; state sovereign immunity; abstention; interjurisdictional preclusion and injunctions; and appellate and collateral review, including habeas corpus. Prerequisite or corequisite: Constitutional Law II - Individual Rights. [3]

**744. Federal Courts and the Federal System.** The four-credit option of the above course. [4]

**746. 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]

**769. Federal Tax Law.** The four-credit option of the above course. [4]

**757. Financial Instruments.** This course will explore the structure and problems relating to various types of financing transactions. It will begin with an overview of the financial markets and the determinants of market interest rates. As part of this overview, the course will investigate the breadth and sophistication of both the money and capital markets. The course will then focus upon selected financial instruments in each of the money and capital markets, an exploration of the transactions that those instruments represent, an analysis of the motivation of the parties to those transactions, and an inquiry into some of the legal and business problems arising from them. It will include treatment of securitization transactions and the use of derivatives. Prerequisite or corequisite: Introduction to Accounting and Introduction to Finance or Introduction to Corporate Finance for Lawyers. [2]

**745. 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]

**748. Foreign Affairs.** 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. This course was formerly taught as Constitutional Law of U.S. Foreign Relations. [3]

**954. Globalization and Foreign Investment Seminar .** This seminar will focus on the increasingly global nature of rules governing securities markets and foreign direct investment. Two general sets of questions will be addressed in the course. First, what are the major vehicles for, as well as institutions and legal frameworks governing, foreign investment and financing, and how are they adapting to the free(er) flow of capital across national boundaries? Second, what are the drivers behind and implications of increasingly global rules for international financings? How are they affecting the social and economic welfare of developed and developing countries alike? The first half of the course will focus on legal regimes for foreign direct investment such as bilateral investment treaties and integration arrangements such as GATS, NAFTA, and ASEAN. The second will center on capital markets and their regulation by private and public authorities (e.g., exchanges and national securities regulators). The seminar should be of particular interest to students planning careers in international business transactions, international finance, and public policy work in economic development. Enrollment limited. [3]

**998. 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. Enrollment limited. [3]

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**774. 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]

**828. Health Policy.** 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). Enrollment limited. [2]

**840. Health Policy.** The three-credit option of the two-credit course. [3]

**640. Human Rights Law and World Politics.** Human Rights Law and World Politics provides an overview of the law and politics of human rights protection. This mini-course critically assesses the rules, institutions, and theories of international law that seek to guarantee basic liberties to all human beings. It emphasizes (1) specific "hot button" subjects within human rights law (such as the death penalty, women's rights, and lesbian and gay rights); (2) the international bodies that create, interpret, and monitor legal rules relating to these subjects; and (3) the public and private actors who seek redress for individuals whose rights have been violated. Includes an in-role human rights treaty negotiation exercise. [1]

**741. 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]

**850. Independent Study.** A student develops his or her own project, to be carried out under the supervision of a full-time faculty member. A faculty member's approval of the academic merit of the project, and agreement to supervise the project must be obtained in writing before the student may enroll in this course. A written work product must be included among the elements of the project that the faculty member evaluates. This course may be taken only once for credit. Pass/Fail. Faculty approval required. [1-2]

**752. 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]

**807. Intellectual Property.** An introduction to the law of patent, copyright, trademark, unfair competition, trade secret, and other regimes through which the legal system extends protection ideas, their use, or their expression. Students who have completed another course in any one of these fields should consult with the instructor before enrolling. [3]

**830. International Arbitral Process.** This course is designed to acquaint students in the understanding of both public and private international law rules from an arbitral perspective. Special emphasis will be made on international economic law. Inquiry is made into the sources of international law and will include related bodies of rules involving more than one legal and political system. Hence, particular reference will be made to new sources of global law such as the *Unidroit Principles for international commercial contracts* and

lex mercatoria. The focus will be on the understanding of doctrines, institutions and applications using historical, political and jurisprudential perspectives. The topics employed to explore these themes include the following: a) Sources of international law; b) the European Community Law experience; c) the Hague Peace system for intergovernmental dispute settlement and ICJ; d) WTO and economic disputes; e) Mixed arbitration; State contracts; ICSID, the Iran-US Claims Tribunal and UNCC; f) Transnational commercial arbitration. [2]

**739. International Business Transactions.** This course is intended to prepare students to represent business clients in a variety of transactions having international elements. Through the careful analysis of these problems, the principles central to the successful structuring of international business transactions will be developed. The problems will involve sales of goods abroad, directly and through distributorships; financing of international sales; export regulation, including U.S. government licensing of sensitive technology, anti-boycott regulations, bribery, and restrictions on trade in services; transfers of technology, particularly the licensing and protection of intellectual property; foreign direct investment, notably risk analysis, investment in the EU, the role of trade agreements such as NAFTA, project finance, protection against threats to established investments and operating businesses, and the handling of Third World debt; and appropriate form of entity for investment and for conducting operations abroad and in the U.S. [3]

**756. 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]

**755. International Criminal Law.** This course provides a survey of the field of international criminal law through a study of international criminal courts, hybrid tribunals, and the domestic implementation of international crimes. Focusing on the International Criminal Court, and the international criminal tribunals such as those conducted in Nuremberg and Tokyo, and for the former Yugoslavia and Rwanda, the class explores the legal and political dimensions of the developing system of international criminal law with a particular focus on the procedural and substantive tools needed to practice in this field. It is recommended, but not required, that students taking this course have completed Public International Law. [3]

**957. International Criminal Law Seminar.** This seminar provides an intensive exposure to the field of international criminal law through a study of international criminal courts. Focusing on the International Criminal Court, and the international criminal tribunals such as those conducted in Nuremberg and Tokyo, and for the former Yugoslavia and Rwanda, the class explores the legal and political dimensions of the developing system of international criminal law. The course combines elements of public international law, international humanitarian law, comparative criminal law, and human rights law. It is recommended, but not required, that students taking this seminar have completed Public International Law. This course was previously Legal Responses to Mass Atrocity Seminar. Enrollment limited. [3]

**763. 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 nongovern-

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mental 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]

**882. International Law Practice Lab.** The field of international law is one of the most dynamic areas of legal practice, and its principles are increasingly applied by practitioners addressing complex problems on behalf of their clients. This three-credit course will analyze the development and implementation of international norms by emphasizing the relationship between the theoretical foundations of international law and the pragmatic skills needed to succeed in this evolving and interdisciplinary field. Students will learn specific lawyering skills such as treaty negotiation, research relating to international law and the intersections of international and domestic law. An overarching course goal will be to develop strategies for advocacy of particular legal and policy positions in different venues such as international institutions, domestic government agencies, and international tribunals. Pre- or Co-requisite: Public International Law, International Civil Litigation, International Protection of Human Rights, International Trade, International Criminal Law Seminar, or other international law-related courses, at the discretion of the instructor. Enrollment limited. [3]

**953. International Legal Theory Seminar.** This seminar examines selected problems in the theory and practice of international law. The weekly sessions will alternate between (1) readings analyzing political science, economic, empirical, and other theoretical approaches to international law, international institutions, and international litigation, and (2) presentations of works in progress by leading scholars of international law and international relations from around the country. Students are required to write essays with critical comments and questions about each work in progress. They are also expected to participate fully in the workshop sessions. Students will be evaluated on the quality of their written work and their participation in the seminar discussion. Enrollment limited. [3]

**836. International Protection of Human Rights.** This course studies and critically assesses the rules, institutions, and legal and political theories that seek to protect basic liberties for all human beings. The course emphasizes (1) specific "hot button" subjects within human rights law (such as the death penalty, hate speech, women's rights, and lesbian and gay rights); (2) the judicial, legislative, and executive bodies in international and domestic legal systems that interpret and implement legal rules relating to these subjects; and (3) the public and private actors who seek redress for those whose rights have been violated. [3]

**631. International Trade Law.** This course provides an introduction to the public international law of international trade and the major issues raised by contemporary international trade policies. Students examine the multilateral and regional trade treaties and associated law of the General Agreement on Tariffs and Trade (GATT) and the World Trade Organization (WTO), as well as the European Union and the North American Free Trade Agreement (NAFTA). The course also includes a survey of the United States trade law, including U.S. custom laws and import relief laws. Within the basic theme of globalization, the course examines the relationship between the international trade regime and third world or developing states, the nexus between trade and environment, and the tensions among trade, labor, and human rights. [3]

**820. International Trade Law.** This is a one-credit option for the above course. [1]

**590. 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. Pass/Fail. [1]

**686. Introduction to Accounting.** A study of the basic concepts and limitations of financial accounting. Covers the financial reporting process and the development of financial statements for external users, such as investors and creditors. [2]

**698. Introduction to Corporate Finance for Lawyers.** This course provides an introduction to the basic skills needed to understand and evaluate corporate securities, transactions, and financing arrangements. Most of the course is devoted to developing skills for valuing expected cash flow streams, including discounted present value analysis, risk assessment, ratio analysis, and an introduction to forward contracts and options. The course also examines some of the legal issues involved when investors invoke their enforcement or control rights. Introduction to Accounting and Financial Statement Analysis or its equivalent is prerequisite for this course, unless the student has appropriate background. It is recommended that students take Corporations and Business Entities prior to, or simultaneously with, this course. [3]

**687. Introduction to Finance.** An analysis of the basic problems in corporate financial management. The course is organized around the theme of asset valuation. Topics include stock and bond valuation, capital budgeting, cost of capital, market efficiency and company valuation. [2]

**639. Introduction to Law and Economics.** There is an economic logic that underlies the law of property, torts, and contracts. This course explores the elementary economic concepts underlying those subjects, emphasizing how these relatively simple concepts help to further a student's understanding of and ability to explain the law. In addition, the course examines the fundamentals of valuation, including the elements of discounting and use of present values. [1]

**668. Introduction to Law and Economics.** This course will introduce the basic concepts of law and economics. Economics has become an increasingly influential lens with which to view the law and it has become an important tool to understand the effect that legal rules have on people's behavior. We will focus on applications of economics to the areas of tort, property and contract, but will also explore the way economics can be used to understand the workings of the legal system itself. The course will not assume any prior familiarity with economics; all the relevant concepts and techniques will be developed in class. The student's grade will be based primarily on a final examination. [3]

**931. Introduction to Legal Research and Scholarly Writing in the United States.** This fall semester course is required for all LL.M. students, and only they may enroll in it. It aims to prepare them for the spring semester LL.M. Research and Writing Project. They will focus first on learning to conduct legal research in the United States effectively and efficiently. Second, the students will examine fundamental, generally accepted conventions of written legal analysis and citation. Finally, they will learn a basic vocabulary of American legal literature. [2]

**990. Islamic Law Seminar.** This course attempts to give students a broad overview of what they would study if they got degrees from two different colleges at a middle eastern university that is: a general understanding of Islamic law and Islamic jurisprudence as they would study if they were in a degree program in a college of Sha'ria as well as some sense of law in Islamic countries as they would study in a degree program in a college of Law. Thus the course strives for breadth rather than depth while still introducing students to key concepts and concerns. Knowledge of Arabic not required. [3]

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

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**579. Journal of Entertainment Law and Practice.** Credit for successful completion of work on the editorial staff of the Vanderbilt Journal of Entertainment Law and Practice. Four semesters of membership are usually required for any credit to be awarded. No credit will be awarded for less than two semesters of work. An additional credit is awarded for some Board positions. Extracurricular credit. Pass/Fail. [3-4]

**647. Journal of Entertainment Law and Practice Publication Note.** Academic credit for a note of publishable quality. Credit is awarded in the fall semester of the third year. Pass/Fail. [1]

**577. Journal of Transnational Law.** Credit for successful completion of work on the editorial staff of the Vanderbilt Journal of Transnational Law. Four semesters of membership are usually required for any credit to be awarded. No credit will be awarded for less than two semesters of work. An additional credit is awarded for some Board positions. Extracurricular credit. Pass/Fail. [3-4]

**648. Journal of Transnational Law Publication Note.** Academic credit for a note of publishable quality. Credit is awarded in the fall semester of the third year. Pass/Fail. [1]

**716. Jurisprudence.** This two unit class is a study of the theories and values that underlie doctrinal legal discourse. With a focus on understanding legal argument and exploring the possibility of the rule of law, the class will survey legal intellectual history and its various schools of thought: natural law, positivism, formalism, legal realism, process theory, law and economics, feminist legal theory, and the various spurs of contemporary critical legal studies. [2]

**924. Juvenile Justice Seminar.** Juvenile justice, or the law's treatment of young people accused of misconduct, exists at the intersection of substantive criminal law, criminal procedure, family law, law and psychology, and children and law. This complex and ever-changing area of law is heavily influenced by empirical accounts (for example, as to whether and why juvenile crime is increasing) and by policy considerations (for example, the proper role of schools in preventing and controlling misconduct). The course, therefore, will examine both legal doctrine and the historical and policy contexts within which it has developed. Enrollment limited. [3]

**680. 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 non-clinical 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. Pass/Fail. Enrollment limited. [3]

**765. Juvenile Practice Clinic – Advanced.** A second optional semester is available. Maximum credit of 5 Clinic credits. Pass/Fail. Faculty approval required. [2]

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

**770. 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]

**942. Law and Business Seminar.** This seminar will feature distinguished legal and business scholars presenting their research on current important issues in the corporate and securities fields. Students will read and prepare written critiques of the papers presented. They will learn about important corporate and securities topics as well as develop an understanding of the empirical techniques commonly employed by academics and practitioners in these fields. A research paper will be required. Prerequisite: Corporations or Corporations and Business Entities. Prerequisite or co-requisite: Introduction to Accounting and Introduction to Finance or Introduction to Corporate Finance for Lawyers. Enrollment limited. [3]

**834. Law and Development in Emerging Economies.** This course will focus on the legal issues that surround the economic development of emerging economies. It will concentrate on such topics as how does the law impact on agricultural transformation and rural change? What are the important legal issues surrounding foreign trade, international finance and direct foreign investment? Can legal structures assist or impede growth and improved standards of living for broader population groups? Students will learn some basic economic concepts but are not expected to have any prior economic training. [2]

**964. 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. Enrollment limited. [3]

**771. Law and Finance of Equity Markets.** The course, one of the Law and Business Program's jointly taught courses for students in the Law School and the Owen Graduate School of Management, will meet twice a week for 90 minutes each during Owen's fourth module, basically the last half of the Law School semester. There will be several additional meetings just for law students prior to the beginning of the course, so that the class meetings will adjust to two semester hours of credit. Evaluation will be based on a final examination and (1) a series of five quizzes; or (2) assignments for the students to complete in teams that include both law and business students. The course covers the market structure of the New York Stock Exchange, the NASDAQ national exchange, and other world exchanges (e.g., profit vs. non-profit; mutual vs. stock); the economics of trading costs, particularly the bid-ask spread, and how government regulates the trading process, including whether the trading patterns present indications of collusion; the impact of Securities and Exchange Commission Order Handling Rules and government and exchange rules about trading halts; and current issues such as decimalization and other issues of market regulation. [2]

**857. Law and Finance of Mergers and Acquisitions.** This course draws on financial economics and legal principles to develop an understanding of mergers and acquisitions. Since the course includes students and faculty from the Law School and the Owen Graduate School of Management, both common business school techniques (case studies, group projects and presentations) and common law school techniques (analysis of decided cases and cold calling) are used. Case groups include both law and business students. Integration of financial and legal methods is facilitated by using a number of finance cases in the first half of the semester (Mod. I) that establish important legal precedents, which are at the core of the legal analysis developed in the second half of the course (Mod. II). Law students should recognize that there are quantitative aspects to this course, for valuation is a core part of any M&A deal, and Owen students should recognize that understanding legal

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opinions is a core element in structuring and executing such deals. Prerequisite: Introduction to Finance or Introduction to Corporate Finance for Lawyers; prerequisite or corequisite: Introduction to Accounting; Securities Regulation; and Federal Tax. [3]

**987. Law and Politics Seminar.** This course is a workshop in which students from law and political science directly engage current research by prominent scholars in these two disciplines. Students will analyze ongoing research of prominent scholars, reading their current work and then responding to the scholars' presentation of the work to the class. The course is designed to: (1) facilitate cross-disciplinary dialogue between law and political science, (2) expose students from each discipline to the methodology of the other, (3) encourage students in law and political science to utilize the insights of both disciplines in their own research, (4) socialize students in the process of academic dialogue and constructive criticism on matters of current interest to active researchers, and (5) introduce Vanderbilt students to prominent scholars in law and political science from other elite institutions. Enrollment limited. [3]

**907. Law and Positive Political Theory Seminar.** Positive political theory has had strong influence on legal policy debates in recent years. The theory predicts legal outcomes and procedural rules as a consequence of rational policy actors' choices. These choices depend on the preferences of citizens, elected officials and government civil servants and the design of relevant political and legal institutions. By providing a positive theory of the link between policy institutions and legal outcomes, positive political theory generates important policy implications for how we design our laws and our government institutions. Enrollment limited. [3]

**946. Law and Poverty Seminar.** This seminar will focus on how law addresses (or doesn't address) matters of particular concern to the lower income population. The seminar will approach this topic from two different perspectives. First, it will examine selected laws or rules of law that have a special impact on low-income persons and communities. Second, it will look at various structural and legal process issues relevant to this group, including access to justice and the delivery of legal services. Students will be asked to lead seminar discussions and to write a substantial research paper. Enrollment limited. [3]

**784. 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]

**928. Law and Social Justice Seminar.** This seminar will focus on the role of the law in creating, perpetuating, and eradicating hierarchies of power and privilege in our society, particularly those based on racial, ethnic, gender, social, and economic status. The seminar will approach this topic from two different perspectives. First, it will look at various structural issues in the legal system and the legal profession relevant to representing clients in this setting. Second, it will examine selected areas of law that have a special impact on these communities. Students will be asked to lead seminar discussions and to write a substantial research paper. [3]

**965. Law, Biology, and Human Behavior Seminar.** This seminar considers the extent to which recent advances in biology can usefully contribute to our understanding of—and thus to our effective regulation of—behaviors that are relevant to law. Specifically, the seminar

explores the extent to which integrating insights from life sciences (particularly behavioral biology) with insights from the social sciences (such as psychology and sociology) may ultimately yield improved ability to pursue the various tasks that society routinely assigns to the legal arena. The seminar begins with both a general inquiry into the relationship between law and behavior and an introduction to relevant and accessible themes of behavioral biology. The seminar then turns to explore the appropriate roles, if any, for behavioral biology in the context of legal thinking. Contexts examined typically include, for instance, those relevant to criminal law (such as reducing the incidence of violence), those relevant to family law (such as reducing domestic abuse), and those relevant to employment law (such as reducing discrimination). Readings are drawn from current scholarship in law, biology, psychology, and anthropology. Enrollment limited. [3]

**778. 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]

**856. 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 Law.[3]

**773. 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. [2]

**789. Law of Work.** This is the three-credit option of the two-credit course. [3]

**575. Law Review.** Credit for successful completion of work on the editorial staff of the Vanderbilt Law Review. Four semesters of membership are usually required for any credit to be awarded. No credit will be awarded for less than two semesters of work. An additional credit is awarded for some Board positions. Extracurricular credit. Pass/Fail. [3-4]

**649. Law Review Publication Note.** Academic credit for a note of publishable quality. Credit is awarded in the fall of the third year. Pass/Fail. [1]

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

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**725. Legal Interviewing and Counseling.** This course will focus on the skills and legal principles involved in interviewing clients and witnesses and counseling clients in the course of litigation and dispute resolution. Topics will include information gathering, decision making, and developing the lawyer-client relationship. Students will participate in simulations of interviewing and counseling sessions and will have an opportunity to do independent research on the ethical and legal issues underlying the lawyer-client relationship. Enrollment limited. [2]

**905. Legal Scholarship Seminar.** This seminar is intended principally to introduce prospective law teachers to various kinds of contemporary legal scholarship. It may also prove useful to editors of student publications and to students with an avocational interest in scholarly writing. The seminar will explore the extent to which, and the various ways in which, professors of law may usefully contribute to legal analysis and important public debates through academic publications. It is therefore intended both to offer students a sustained examination of the scholarly side of legal academics and to offer students an opportunity to prepare a work of legal scholarship that may proceed toward eventual publication. Enrollment limited. [3]

**781. 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. Pass/Fail. [1-2]

**844. Legislative Drafting.** While the course 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. Pass/Fail. Enrollment limited. [2]

**838. 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. Prerequisite: Enrollment is open to all upper-class business students who have taken Introduction to Law and Business, and to upper-class law students who have taken Corporations or Corporations and Business Entities, Introduction to Accounting, and Introduction to Finance. [3]

**780. Litigating the Capital Punishment Case.** A course 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. Enrollment limited. [2]

**803. Litigation and Journalism: Client Representation and Ethical Conduct in High Visibility Cases.** This course will 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 importance to citizens concerned with the administration of government." Pass/Fail. Enrollment limited. [1]

**925. LL.M. Research and Writing Project.** This spring semester course is required for all LL.M. students. In it, they work under a faculty adviser's supervision on a substantial scholarly research and writing project. [4-7]

**766. Local Government Law.** The direct effect of government on our daily lives often varies inversely with its level in our federal hierarchy, but local government decisions are rarely considered in law school courses. To what extent can should local governments act? This course explores the sources and potential limits of local government power as found in state and federal statutes and constitutions. The importance of centralization and diffusion of authority and the line between public and private provision of goods and services will also be considered. Topics will include issues related to the formation, alteration, organization, and operation of municipal and county government. Specific applications may include, but are not limited to, local government regulation of land; taxation, and revenue decisions; law enforcement and prison overcrowding; waste disposal and environmental regulations; antitrust limits on municipal activities; and citizen litigation against local governments. [3]

**948. Mass Torts Seminar.** 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. Enrollment limited. [3]

**808. Mediation.** Mediation is a consensual dispute resolution process in which a neutral third party called a mediator attempts to facilitate a negotiated outcome between two disputants. This intensive course will provide students with a focused introduction to the theory and practice of mediation. It will be valuable both to the large group of students who will represent clients in the mediation process as well as the smaller group of students who might have some interest in serving as mediators in the future. [1]

**846. Mergers and Acquisitions Deal Dynamics.** In this intensive short course, students will be exposed to the most important elements of a typical merger-and-acquisition transaction. The course will take an interactive, practical approach, and will center on a hypothetical M&A scenario, involving friendly "merger of equals," the consummation of which is endangered by the emergence of a hostile bidder. The real-world scenario will be used to illuminate the legal and practical context in which mergers and takeovers are negotiated and voted upon, the core contractual provisions of merger agreements, the interests of the various constituencies involved and the dynamics of balancing those interests, and the relevance of key legal principles to the strategic and tactical business decisions that must

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be made in the course of a fast-moving M&A transaction. Among the specific subjects to be covered will be: (1) deal structure and timing issues; (2) contractual provisions relating to merger consideration, including collars and walkaways; (3) deal protection lock-up measures, including termination fees, no-shop and no-talk clauses, and lock-out provisions; and (4) representations, warranties and covenants, including material adverse change ("MAC") clauses. At various times during the course, students will be asked to address these topics from the perspective of various players (e.g., the legal and business advisors to the target company, friendly merger partner, and hostile bidder, respectively) in the merger negotiation and litigation process. The course is designed as a complement, not a substitute, to the full-semester course on mergers and acquisitions. Prerequisite: Corporations or Corporations and Business Entities or the equivalent; Law and Finance of Mergers and Acquisitions; Prerequisite or corequisite: Introduction to Accounting and Introduction to Finance or Introduction to Corporate Finance for Lawyers. Securities Regulation would be helpful, but is not a prerequisite. [1]

**853. Methods and Ethics of Information Gathering.** This course has three components: first, students learn specific techniques for gathering information in an effective and legal manner. Students learn how to gather information from human sources, from written documents and from the World Wide Web. Second, students study the legal restrictions on information gathering. Among the topics discussed will be the legal restrictions provided by intellectual property law, the role of evolving rights of privacy and the interplay of these and other restrictions with the First Amendment. Finally, students study the ethics of various information-gathering techniques. They will examine real-life ethical dilemmas faced by lawyers, businessmen, and others when trying properly to obtain information. [2]

**582. Moot Court Board.** 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. Extracurricular credit. Pass/Fail. [1]

**584. 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. Pass/Fail. [1]

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

**912. National Security Law Seminar.** This seminar examines the concentration of foreign policy-making powers in the executive branch, and the domestic consequences of that concentration for the executive branch's relationship with Congress and the federal courts, the federal government's relationship with the states, and the people's relationship with the government as a whole. The seminar is organized historically by crisis. Topics to be covered include the Founding and immediate post-Founding understandings of national security powers under the Constitution; emergency powers and the fate of individual liberty during the Civil War, WWI, and WWII; disputes over the President's power to wage war without explicit congressional authorization during the Korean, Vietnam, and Gulf Wars; security/loyalty procedures during the Cold War; covert operations and intelligence gathering; the disclosure of classified and unclassified information; attempts to seek executive accountability through the court system; international terrorism and crime aboard; sexual orientation as a disqualification for government service; and the domestic legal consequences of September 11. Enrollment limited. [3]

**801. Negotiation.** This intensive short course will focus on the theory and practice of negotiation. Course topics will include conflict style, adversarial negotiation, and problem-

solving negotiation. The course is limited to 40 students, and a "no drop" policy will be in place after drop/add ends for the semester. The course will be graded on a mandatory pass-fail basis. Attendance is required. Failure to attend any of the sessions will result in a failing grade in the course. Due to overlap in content, students who enroll in this course will not be eligible to take the three-credit Negotiation course. Pass/Fail. Enrollment limited. [1]

**796. Negotiation.** All attorneys - whether litigators, deal-makers, prosecutors, criminal defense attorneys, or in-house counsel - spend much of their professional lives negotiating with clients, co-counsel, opposing counsel, and others. This class will focus on the theory and practice of negotiation. During each of the three-hour sessions, we will learn about negotiation through traditional lecture and discussion, but we will spend most of the time conducting demonstrations, exercises, and simulations. Grades will be based on a variety of factors, including papers, performance on simulations, and attendance and participation. Due to the nature of this course, one student's absence will adversely affect at least one other student's classroom experience. Thus, attendance is mandatory, and failure to attend will have an adverse, perhaps even catastrophic, impact on the absent student's grade. On the plus side, however, there are no prerequisites for this course. Because of some overlap in content, students who enroll in this Negotiation course will be precluded from taking the Dispute Resolution Seminar and from taking the one-credit Negotiation course. Enrollment limited. [3]

**864. Non-Litigation Strategies for Change in Public and Social Policy.** This course will teach students how to approach the task of developing a strategy for problems that require social and political change within an emphasis on approaches other than litigation. It will include a review of alternative frameworks, models and other analytical tools for assessing alternative approaches, and then apply them to several case studies. Enrollment limited. [2]

**854. Partnership Taxation.** This course 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. [3]

**822. Patent Litigation.** An intensive course examining the basics of litigating intellectual property disputes in a United States District Court, with particular emphasis on patent litigation, from the drafting of the Complaint, through "Markman" claims construction proceedings, fact and expert discovery, international discovery practice, dispositive motions practice, trial, and post-trial proceedings. Prerequisite or corequisite: Intellectual Property. [1]

**851. Patents 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 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. [2]

**805. 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]

**847. 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

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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]

**747. Pre-Trial Litigation.** This course will focus on the study of the legal principles, techniques, strategies, and skills which pertain to civil pretrial practice. Topics included are professional and ethical considerations, case selection, case investigation, development of a case theory, pleading, discovery, pretrial conferences, motion practice, the settlement process, and alternative dispute resolution. [2]

**777. Private Environmental Law and Voluntary Overcompliance.** Much regulation of behavior that affects the environment occurs in the shadow of environmental law. Increasingly, "regulation" takes place outside the confines of the law itself through actions that are voluntary or are the product of extra-legal social norms. This course will examine three of the principal areas in which this private ordering of activity occurs: commercial transactions, informal social control and environmental management systems. The commercial transactions portion of the course will begin with a brief overview of the public environmental laws around which private parties negotiate. We will then review the impact of this public law construct on the environmental provisions included in merger and acquisition agreements, credit agreements and real property agreements. The commercial transactions portion of the course will include lecture and class discussion, along with several mock negotiations in small group and one-on-one settings. The second part of the course will examine the role of informal, extra-legal social control on corporate, government, and individual behaviors that affect the environment. Oftentimes, these extra-legal institutions lead to voluntary reductions in pollution beyond any legal requirement. The material will be reviewed through lecture, class discussion and business cases. A range of concepts will be examined, including the implications for environmental quality of social meaning, social norms, and patterns of behavior that may not arise from norms. The current and future roles of public agencies, private entities, and the media in influencing informal social control will be examined. The third part of the course will examine the growing role of environmental management systems in shaping the environmentally-relevant behavior of corporate and government entities. Domestic and international standards for environmental management will be discussed. The legal, policy and business implications of environmental management systems will be considered. Several case studies will be used to examine how firms have implemented environmental management systems in their organizations. [2]

**819. Private Environmental Law and Voluntary Overcompliance.** This is the 3-credit option of the above course. [3]

**793. Professional and Ethical Considerations in Corporate Practice.** The course addresses ethical considerations in representing corporations, with particular emphasis on issues that arise in securities practice. Topics include conflicts among constituencies, conflicts of multiple representation, resignation issues, responsibilities under the Securities Act of 1933 and the Securities Exchange Act of 1934, and rule 102 of the SEC's rules of practice. [2]

**798. 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]

**697. Protection of Property Rights: A Comparative Approach.** This course is designed to acquaint students with the protection afforded property ownership in different legal cultures. Topics considered will involve issues arising in such areas as eminent domain, contractual freedom, definitions of property, limitations of ownership rights through governmental regulation, and the relationship between private property rights and individual liberty. [2]

**947. Public Choice and Public Law Seminar .** 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 seminar 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 issue, case, statute, or doctrine. Enrollment limited. [3]

**799. 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]

**813. 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]

**837. Public International Law.** This course covers the same core materials as the three-credit course, but also includes more in-depth analysis of (1) competing theoretical approaches to international law and international relations, and (2) several specific subject areas or other current topics of importance, such as mechanisms to promote compliance with international law, litigation before international courts, tribunals, and arbitral bodies, the role of nonbinding norms in the international legal system, and the enforcement of treaties and customary law by courts in the United States. [4]

**641. Public International Law.** This is the one-credit option for the above course. [1]

**992. Public Policy and Legislation on the State Level Seminar .** This year-long seminar will study some aspect of public policy on the state level. Enrollment limited. [7]

**915. Race and Public Policy in America Seminar.** This seminar uses books, documentary films, law review and social science articles to provide students with an overview of contemporary race relations. The course starts with a look at the black civil rights movement, covers the historical development of affirmative action policies and the rise of contemporary demands for slave reparations, and ends with an examination of the growth of white nationalism. As it relates to the above issues and concerns, the course includes a limited discussion of immigration laws and policies. Enrollment limited. [3]

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**683. 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. Enrollment limited. [3]

**855. 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]

**962. Rawls Legacy Seminar.** Prerequisite: This course is open to students who have completed the Reading Rawls Seminar. Enrollment limited. [3]

**960. Reading Rawls Seminar: Philosophy, Politics, Economics, and Law.** This class will concentrate on primary texts, particularly A Theory of Justice and Political Liberalism, as well as works by some of Rawls' s most prominent critics. Students enrolled in the class will be expected either to write regular (e.g., bi-weekly) papers on the readings, or a substantial research paper. If a law student plans to meet the J.D. degree writing requirement, their paper must be supervised by the law faculty member on the teaching team. Enrollment limited. [3]

**815. 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]

**711. Realities of Commercial Lending.** This short, intensive course is designed to expose students to the realities of modern commercial lending practices. The course is designed around a complex loan transaction, and the students will confront issues such as how the loan is structured, what the loan agreement should cover, how the representations, covenants, events of default and financial and repayment terms interrelate, and how security documents fit into the mix. To ensure that enrolled students have an adequate opportunity to participate, enrollment will be limited to 20 students. Prerequisite: Secured Transactions. Pass/Fail. Enrollment limited. [1]

**817. Regulation of Financial Institutions.** This course surveys the law governing banks and related financial institutions. It provides an introduction to the business of banking and to the variety of financial services that may be provided by banks and their affiliates. Special emphasis is placed on the rich legal and political history of banking law as the foundation upon which future statutes, administrative actions, and judicial decisions will rest. This course does not cover the commercial law aspects of banking (e.g. matters pertaining to the Uniform Commercial Code). [2]

**922. Regulation of the Internet Seminar.** 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 or corequisite: Copyright Law. Enrollment limited. [3]

**818. 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. An approval form to register for the course is available in the Registrar's Office. 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. Pass/Fail. Faculty approval required. [1 or 2]

**933. Responsibility, Liability and Punishment Seminar.** This seminar will consider ways in which different facets of the law, particularly tort and criminal law, express, refine, and sometimes depart from ordinary moral notions of agency, responsibility, and desert. Topics covered will include the different ways in which blame, shame, and culpability affect determinations of liability, responsibility and punishment in the law. Readings will consist primarily of standard legal materials (e.g. judicial opinions) and works by Bentham, Hart, Holmes and other prominent theorists. Enrollment limited. [3]

**688. 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]

**824. 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. 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. Regular attendance and preparation are expected. The course grade will be based on an exam and problems. Students taking this course cannot take Securities Regulation Act of 1933. Prerequisite: Corporations and Business Entities or Corporations. [3]

**825. Securities Regulation.** This is the four-credit option of the above course. [4]

**792. Sex Discrimination.** This class examines sex discrimination and the legal prohibitions on its practice. These issues will be considered in both modern and historical context, with particular emphasis on the two major periods of feminist organization in the United States and the ways in which the law has responded, or failed to respond, to feminist claims. Topics to be covered include: women's legal status before and after the rise of the first organized woman's right movement; the rise of the second women's movement and the emergence of heightened constitutional scrutiny for sex-based distinctions; the question of when, if ever, sex-based differences authorize differential treatment; the constitutional status of facially neutral laws that have a disproportionate impact on women; and statutory protection against sex-based discrimination. Students have the option of taking an exam or writing a course paper. [2]

**636. Sexual Orientation and the Law.** This course explores selected legal issues related to sexual orientation. Emphasis is placed on constitutional issues, but also includes other issues such as family law and employment law. Prerequisite: Constitutional Law II [2]

**861. Small Business Management.** This course covers effective management practices for small to medium-sized organizations (5 to 500 employees). The course will introduce

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students to the demographics of small to medium sized business (SMBs), and examine the sharp contrasts in business operations (sales, marketing, finance, manufacturing, R&D, and human resources) and execution strategies between these organizations and very large enterprises. The course work will include some case studies and a term project. There will be some guest lecturers. Prerequisite or corequisite: Introduction to Accounting & Introduction to Finance or Introduction to Corporate Finance for Lawyers. Enrollment limited. [2]

**814. Social Choice, Fairness, and the Law .** 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]

**843. Social Security Law and Practice.** This course offers a comprehensive review of Social Security law and practice, with special concentration on the core programs of the Social Security Act: Old Age, Survivors, and Disability Insurance (OASDI) and Supplemental Security Income (SSI). The course will examine the key eligibility requirements for benefits, the administrative decision making process, administrative practice, and the interaction among legislative, administrative and judicial actors in setting and implementing Social Security law. [3]

**875 – 881. Special Topics.** Each semester different topics are taught in intensive courses by visiting faculty. In 2006/2007, these include: Emerging Issues in Complex Litigation: Mass Torts, Class Actions, and Aggregation Alternatives; International Organizations; International Trade and Commerce: Drafting and Negotiating International Commercial Agreements; Capital Investment and Financial Distress; Liability Insurance; Animals and the Law; and Ethics in Multiparty Litigation. [1]

**779. 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. [2]

**809. Sports Law.** The three-credit option for the above course. [3]

**637. Structuring Venture Capital & Private Equity Transactions.** This course examines structuring issues confronted in venture capital and private equity transactions, including leveraged buy-outs. There is a heavy tax emphasis, but relevant corporate law issues are addressed as well. Topics to be considered include: (1) tax and corporate law consequences of different entity structures (partnerships, limited liability companies, S corporations, C corporations), both for portfolio companies and for investment funds; (2) methods for reconciling the competing interests of entrepreneurs venture capitalists, and passive investors; (3) the tax effects of leverage and rules related to the deductibility of interest expense; (4) executive compensation (including stock options, restricted stock, stock appreciation rights); (5) the tax consequences of financial distress (including cancellation of indebtedness income, limitations on the use of net operating losses); and (6) drafting considerations (i.e., an examination of corporate charters, partnership operating agreements, asset and stock purchase agreements). [3]

**914. Supervised Research Project .** A student develops his or her own research project and writes a substantial research paper under the supervision of a faculty member who agrees to supervise the paper. The criteria for a "substantial research paper" are provided

in the course catalog's description of the requirements for the J.D. Degree. The procedures for enrolling and completing the supervised research course are also described there. This course may be taken only once for credit. Faculty approval required. [2]

**849. Tax Practice and Procedure.** This course focuses on issues arising in practice related to the Internal Revenue Code, including tax procedure before the United States Tax Court. Enrollment limited. [2]

**827. Taxation of Non-Profit/Tax Exempt Organizations.** A number of organizations that generate revenue are afforded tax-free or tax-exempt status by the federal, state, and/or local government. Why is this the case and what qualifications must an organization have to be afforded this status? This course will introduce the student to the world of tax-exempt organizations. After an introduction to the history, purpose, and theory of why we have organizations that are exempt from taxation, the course will explore the main rules and issues that surround this status. The course will also look at the increased coverage being given to tax-exempt organizations by the Internal Revenue Service. Topics will include, but not be limited to, types of tax-exempt organizations; requirements to obtain tax-exempt status; rules and procedures for maintaining tax-exempt status; unrelated business income; college savings plans; corporate sponsorships; sanctions; and unfair business competition issues. [3]

**832. 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. Enrollment limited. [3]

**935. Theories of Civil Litigation Seminar .** Lectures, This seminar examines the major theoretical accounts of civil litigation. Questions for consideration in the seminar include: Do cases selected for trial differ systematically from cases that settle in the pre-trial phase and, if so, what are the implications of those differences? What explains the phenomenon of so-called frivolous litigation, and what can the civil justice system do about it? What are the strategic effects of preclusion doctrines on the conduct of civil litigation? Is the high level of settlement in civil litigation a desirable thing? To what extent does the tendency toward settlement alter the role of judges from neutral umpires to case managers, and are those alterations desirable? In what ways do modern rules of civil procedure encourage or discourage the foregoing trend? Should the aggregation of civil lawsuits—for instance, through consolidations or class actions—alter the probability of settlement and/or the ways in which courts approach the adjudication of such lawsuits? What role does, or should, the adversarial nature of the American civil justice system play in all of these questions? Enrollment limited. [3]

**682. 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 after noon. 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. Pass/Fail. Enrollment limited. [3]

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**955. White Collar Crime Seminar.** This seminar examines issues in the prosecution and defense of white collar crime. Coverage includes the liability of corporations and executives for the acts of agents, the federal sentencing guidelines and their effects on investigation and plea bargaining, substantive federal crimes (including perjury, mail fraud, and obstruction of justice), parallel civil proceedings, internal investigations, grand jury investigations, multiple representation, and joint defense agreements. Class visits by local practitioners, judges, and other officials supplement the readings. Additional information is available on the White Collar Crime classroom Web page. Former or concurrent enrollment in either Criminal Practice and Procedure or Criminal Constitutional Law recommended. Enrollment limited. [3]

**860. 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]

**866. Wills and Trusts.** This is the four-credit option for the above course. [4]

**858. WTO Dispute Settlement.** The newest, the busiest, and, arguably, the most effective system for resolving international commercial disputes is the dispute settlement system of the World Trade Organization, which includes 146 countries and covers 95 per cent of all world commerce. This intensive two-week course will focus on the historical evolution, the legal process, and the actual practical experience of dispute settlement during the first decade of the WTO. The course will include case studies of several of the most celebrated -- and most controversial -- disputes that have been addressed by the Appellate Body of the WTO. It will be taught by a former Chairman of the Appellate Body. Prerequisite or corequisite: Either International Trade Law or Public International Law. [1]

## Approved Non-Law Courses

**Mgt 511. Accounting for Mergers and Acquisitions.** A study of advanced topics in financial accounting. Emphasis is on accounting for business combinations, including purchase and pooling of interests, consolidated financial statements, cash flows, translation of foreign financial statements, and other selected issues. Prerequisite or corequisite: Introduction to Accounting and Introduction to Corporate Finance for Lawyers. [2]

**Mgt 432a. Corporate Value Management.** This course will focus on corporate valuation. Topics covered include the use of financial statements in developing cash flow forecasts, estimating the cost of capital, financing policy, tax effects, investment options, and managing companies to add value. Applications include capital budgeting, mergers and acquisitions, and corporate restructuring. Prerequisite or corequisite: Introduction to Accounting and Introduction to Corporate Finance for Lawyers. [2]

**Mgt 432b. Corporate Financial Policy.** This course examines major financial decisions and policies of a corporation. The topics considered are dividend policy, security issuance and repurchase decisions, management compensation plans, optimal capital structure, uses of various financial instruments, bankruptcy and reorganization, going public and going private. Prerequisite or corequisite: Introduction to Accounting and Introduction to Corporate Finance for Lawyers. [2]

**Mgt 457. Fast Growing Businesses.** An examination of the many challenges unique to fast-growing businesses such as franchise networks, high technology firms, and biotechnology firms. Topics will include company expansion strategies, acquisitions, outsourcing, corporate culture, preventing bureaucracy, the art of delegation, the critical role of leadership, managing the numbers, cash management, raising capital, competition strategy, and initial public offerings. [2]

**Mgt 411. Financial Accounting.** Objectives are to gain a knowledge of the functions and challenges of financial accounting and to develop the capability to evaluate critically and understand financial theory and practice. Includes the study of financial accounting theory, the formulation of accounting principles, and the structure of generally accepted accounting principles. Prerequisite or corequisite: Introduction to Accounting and Introduction to Finance or Introduction to Corporate Finance [4]

**Mgt 554d. Launching the Venture.** This course follows and extends the half-semester course, "Fast Growing Businesses." "Launching the Venture" combines all of the functional disciplines of business while stretching your creativity and inventiveness. Studies include the critical post-business plan, post-funding, and pre-revenue stage of a start-up venture—whether the venture is independent or part of a larger going concern—an extremely busy time in the start-up venture's life. It is the time for the venture to pull itself together and get up and running in time for opening day. The course focuses on the execution of the venture including product or service development, developing your go-to-market strategy, company and product/service positioning, identifying the market influencers and developing effective strategies to win them over, company introduction to the market, building your revenue forecast, strategic business partnerships, product and service introduction, and most importantly, building your 12-month business forecast (revenue - expenses). [2]

**Mgt 431. Securities and Portfolio Analyses.** This course considers the price behavior of risky securities and the investor's portfolio optimization problem. Topics include bond evaluation, optimum portfolio selection, and an introduction to options pricing. Prerequisite: Introduction to Finance or Introduction to Corporate Finance [2]

**Mgt 453. Small Business Management.** (This course will not be offered under a Law number, Fall 2006. See the description under that title.)

## 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.

# Law School



EDWARD L. RUBIN, Dean and John Wade–Kent Syverud Professor of Law  
JOHN C. P. GOLDBERG, Associate Dean for Research; Professor of Law  
CHRIS GUTHRIE, J.D., Associate Dean for Academic Affairs; Professor of Law  
SUSAN L. KAY, J.D., Associate Dean for Clinical Affairs; Clinical Professor of Law  
D. DON WELCH, JR. Ph.D., Associate Dean for Administration; Professor of Law; Professor of Religion  
MARTIN J. CERJAN, J.D., M.S.L.S., Assistant Dean and Law Library Director; Assistant Professor of Law  
CYNTHIA L. CARLSON, B.A., Program Manager, Ph.D. Program in Law and Economics  
BEVERLY JEFFERSON, B.S., Manager, Event Services  
G. TODD MORTON, A.B., Ed.M., Ed.D., Assistant Dean for Admissions  
MARILYN Y. O'DELL, M.A., M.S., School Registrar  
JULIE K. SANDINE, M.A., J.D., Assistant Dean for Student Affairs  
SUE ANN SCOTT, Assistant Dean for Personnel Services  
KELLY D. SHARBER, B.A., Administrative Officer  
ELIZABETH M. WORKMAN, B.A., Assistant Dean for Career Services

## Faculty

JAMES BACCHUS, Visiting Professor of Law  
B.A. (Vanderbilt 1971); M.A. (Yale 1973); J.D. (Florida State 1978) [2004]  
DOUGLAS G. BAIRD, Visiting Professor of Law  
B.A. (Yale 1975); J.D. (Stanford 1979); LL.D. (Rochester 1994) [2006]  
ROBERT BELTON, Professor of Law  
B.A. (Connecticut 1961); J.D. (Boston University 1965) [1975]  
MARGARET M. BLAIR, Professor of Law  
B.A. (Oklahoma 1973); M.A., M.Phil., Ph.D. (Yale 1989) [2005]  
FRANK S. BLOCH, Professor of Law  
B.A. (Brandeis 1966); J.D. (Columbia 1969); M.A., Ph.D. (Brandeis 1971, 1978) [1979]  
JAMES F. BLUMSTEIN, University Professor of Constitutional Law and Health Law and Policy; 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, Professor of Law; Professor of Political Science; Director, Constitutional Law and Theory Program  
B.A. (Montevallo 1975); J.D. (Alabama 1978); M.A. (Michigan 1986); Ph.D. (Princeton 1992) [2000]  
LISA SCHULTZ BRESSMAN, Professor of Law; Co-Director, Regulatory Program  
B.A. (Wellesley 1988); J.D. (Chicago 1993) [1998]  
MICHAEL B. BRESSMAN, Assistant Clinical Professor of Law  
B.A. (Vanderbilt 1989); J.D. (Harvard 1992) [2005]  
SUSAN L. BROOKS, Clinical Professor of Law  
A.B., A.M. (Chicago 1983, 1984); J.D. (New York 1990) [1993]

REBECCA L. BROWN, Professor of Law; Allen Chair in Law  
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]

CHRISTOPHER J. BRUMMER, Assistant Professor of Law  
A.B. (Washington 1997); Ph.D. (Chicago 2001); J.D. (Columbia 2004) [2006]

W. JONATHAN CARDI, Visiting Assistant Professor of Law  
A.B. (Harvard 1991); J.D. (Iowa 1998) [2006]

MARTIN J. CERJAN, Assistant Dean; Director, Alynne Queener Massey Law Library;  
Assistant Professor of Law  
B.A. (Michigan 1975); J.D., M.S.L.S. (North Carolina 1988, 1990) [1999]

WILLIAM G. CHRISTIE, Frances Hampton Currey Professor of Finance; Professor of Law  
B.S. (Queens 1978); M.B.A., Ph.D. (Chicago 1980, 1989) [2005]

ELLEN WRIGHT CLAYTON, Rosalind E. Franklin Professor of Genetics and Health Policy;  
Professor of Pediatrics; Professor of Law; Director, Genetics Health Policy Center  
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]

ALLISON M. DANNER, Professor of Law  
B.A. (Williams 1993); J.D. (Stanford 1997) [2001]

ANDREW F. DAUGHETY, Professor of Economics; Professor of Law  
B.S. (Case IT 1969); M.S. (Case Reserve 1971); M.A. (Southern California 1975);  
Ph.D. (Case Reserve 1972) [2003]

PAUL H. EDELMAN, Professor of Mathematics; Professor of Law  
B.A. (Swarthmore 1976); Ph.D. (MIT 1980) [2000]

JAMES W. ELY, JR., Milton R. Underwood Chair in Free Enterprise; Professor of Law;  
Professor of History  
A.B. (Princeton 1959); LL.B. (Harvard 1962); M.A., Ph.D. (Virginia 1968, 1971) [1972]

HOWARD M. ERICHSON, Visiting Professor of Law  
A.B. (Harvard 1985); J.D. (New York 1990) [2005]

NITA FARAHANY, Assistant Professor of Law  
B.A. (Dartmouth 1988); J.D., N.C., M.A. (Duke 2004) [2006]

CHARLES O. GALVIN, Centennial Professor of Law, Emeritus  
B.S.C. (Southern Methodist 1940); M.B.A., J.D. (Northwestern 1941, 1947); S.J.D.  
(Harvard 1961); LL.D. (hon., Capital 1990) [1983]

GORDON GEE, Chancellor of the University; Professor of Law  
B.A. (Utah 1968); J.D., Ed.D. (Columbia 1971, 1972) [2000]

TRACEY E. GEORGE, Professor of Law  
B.A., B.S. (Southern Methodist 1989); J.D. (Stanford 1992) [2004]

DONI GEWIRTZMAN, Vanderbilt Fellow and Instructor in Law  
B.A. (Wesleyan 1993); J.D. (Berkeley 1998) [2006]

JOHN C. P. GOLDBERG, Associate Dean for Research; Professor of Law  
B.A. (Wesleyan 1983); M.Phil. (Oxford 1985); M.A. (Princeton 1989); J.D. (New York  
1991) [1995]

CHRIS GUTHRIE, Associate Dean for Academic Affairs; Professor of Law  
B.A. (Stanford 1989); Ed.M. (Harvard 1991); J.D. (Stanford 1994) [2001]

DONALD J. HALL, Professor of Law  
B.S. (Florida State 1965); J.D. (Florida 1968) [1970]

LAURIE HAUBER, Visiting Assistant Clinical Professor of Law  
B.A. (Harvard 1991); J.D. (Boston University 1998) [2004]

LAURENCE R. HELFER, Professor of Law; Director, International Legal Studies Program  
B.A. (Yale 1987); M.P.A. (Princeton 1992); J.D. (New York 1992) [2004]

JOAN M. H...  
A.B. (Bro...

JONI HERS...  
B.A. (So...

STEVEN A...  
B.A. (Wis...

[1998]

JENNIFER...  
B.A., B.C...

ALEX J. HU...  
A.B. (Ha...

OWEN D. J...  
B.A. (Am...

ALLAIRE U...  
B.A. (We...

SUSAN L. K...  
B.A. (Wil...

NANCY J. K...  
B.A. (Ob...

L. HAROLD...  
B.B.A., L...

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JANET K. L...  
A.B. (Pri...

STEFANIE A...  
B.A. (Urs...

HAROLD G...  
B.A., J.D...

TERRY A. M...  
B.A. (Ob...

JOHN B. M...  
B.A., LL...

THOMAS R...  
B.S. (Xa...

BEVERLY I...  
A.B. (Vas...

RICHARD A...  
Director,

A.B. (Sta...

ERIN ANN G...  
B.A. (Ro...

ROBERT K...  
Law and

B.A. (Loy...

YOLANDA F...  
B.S. (Mia...

JENNIFER...  
B.A. (Ob...

JIM ROSSI...  
B.S. (Ari...

EDWARD L...  
A.B. (Pri...

- JOAN M. HEMINGWAY, Visiting Associate Professor of Law  
A.B. (Brown 1982); J.D. (New York 1985) [2006]
- JONI HERSCH, Professor of Law and Economics  
B.A. (South Florida 1977); Ph.D. (Northwestern 1981) [2006]
- STEVEN A. HETCHER, Professor of Law  
B.A. (Wisconsin 1983); M.A. (Chicago 1989); Ph.D. (Illinois 1991); J.D. (Yale 1993) [1998]
- JENNIFER G. HILL, Visiting Professor of Law  
B.A., B.C.L. (Sydney 1976, 1979); B.C.L. (Oxon 1981) [2003]
- ALEX J. HURDER, Clinical Professor of Law  
A.B. (Harvard 1967); J.D. (Duke 1975) [1991]
- OWEN D. JONES, FedEx Research Professor of Law; Professor of Biological Sciences  
B.A. (Amherst 1985); J.D. (Yale 1991) [2003]
- ALLAIRE URBAN KARZON, Professor of Law, Emerita  
B.A. (Wellesley 1945); J.D. (Yale 1947) [1977]
- SUSAN L. KAY, Associate Dean for Clinical Affairs; Clinical Professor of Law  
B.A. (Williams 1976); J.D. (Vanderbilt 1979) [1980]
- NANCY J. KING, Lee S. and Charles A. Speir Professor of Law  
B.A. (Oberlin 1983); J.D. (Michigan 1987) [1991]
- L. HAROLD LEVINSON, Professor of Law, Emeritus  
B.B.A., LL.B. (Miami [Florida] 1957, 1962); LL.M. (New York 1964); J.S.D. (Columbia 1974) [1973]
- JANET K. LEVIT, Visiting Associate Professor of Law  
A.B. (Princeton 1990); M.A., J.D. (Yale 1994, 1994) [2006]
- STEFANIE A. LINDQUIST, Associate Professor of Political Science; Associate Professor of Law  
B.A. (Ursinus 1985); J.D. (Temple 1988); Ph.D. (South Carolina 1996) [2004]
- HAROLD G. MAIER, David Daniels Allen Professor of Law, Emeritus  
B.A., J.D. (Cincinnati 1959, 1963); LL.M. (Michigan 1964) [1965]
- TERRY A. MARONEY, Assistant Professor of Law  
B.A. (Oberlin 1989); J.D. (New York 1998) [2006]
- JOHN B. MARSHALL, Professor of Law, Emeritus  
B.A., LL.B., LL.M. (Yale 1951, 1954, 1967) [1969]
- THOMAS R. MCCOY, Professor of Law  
B.S. (Xavier 1964); J.D. (Cincinnati 1967); LL.M. (Harvard 1968) [1968]
- BEVERLY I. MORAN, Professor of Sociology; Professor of Law  
A.B. (Vassar 1977); J.D. (Pennsylvania 1981); LL.M. (New York 1986) [2001]
- RICHARD A. NAGAREDA, Tarkington Chair in Teaching Excellence; Professor of Law;  
Director, Cecil D. Branstetter Litigation and Dispute Resolution Program  
A.B. (Stanford 1985); J.D. (Chicago 1988) [2001]
- ERIN ANN O'HARA, Professor of Law  
B.A. (Rochester 1987); J.D. (Georgetown 1990) [2000]
- ROBERT K. RASMUSSEN, Milton Underwood Chair in Law; Professor of Law; Director,  
Law and Human Behavior Program  
B.A. (Loyola, Chicago 1982); J.D. (Chicago 1985) [1989]
- YOLANDA REDERO, Visiting Assistant Clinical Professor of Law  
B.S. (Miami [Florida] 1983); M.A. (St. Thomas 1983); J.D. (Minnesota 1999) [2002]
- JENNIFER F. REINGANUM, Bronson Ingram Professor of Economics; Professor of Law  
B.A. (Oberlin 1976); M.S., Ph.D. (Northwestern 1978, 1979) [2003]
- JIM ROSSI, Visiting Professor of Law  
B.S. (Arizona 1988); J.D. (Iowa 1991); LL.M. (Yale 1994) [2006]
- EDWARD L. RUBIN, Dean of the Law School; John Wade-Kent Syverud Professor of Law  
A.B. (Princeton 1969); J.D. (Yale 1979) [2005]

- ADAM F. SCALES, Visiting Associate Professor of Law  
B.A. (Massachusetts 1991); J.D. (Michigan 1993) [2006]
- HERWIG J. SCHLUNK, Professor of Law  
B.A., M.S., M.B.A., J.D. (Chicago 1981, 1982, 1986, 1990) [1999]
- JEFFREY A. SCHOENBLUM, Centennial Professor of Law  
B.A. (Johns Hopkins 1970); J.D. (Harvard 1973) [1977]
- SUZANNA SHERRY, Herman O. Loewenstein Chair in Law  
A.B. (Middlebury 1976); J.D. (Chicago 1979) [2000]
- THEODORE A. SMEDLEY, Professor of Law, Emeritus  
B.A. (Illinois College 1935); J.D. (Northwestern 1938) [1957]
- CRAIG T. SMITH, Associate Professor of Law; Director of Legal Writing  
B.A. (William and Mary 1985); J.D. (Michigan 1991); LL.M. (Potsdam [Germany] 1995) [1998]
- CAROL M. SWAIN, Professor of Political Science; Professor of Law  
B.A. (Roanoke 1983); M.A. (Virginia Polytechnic and State 1984); Ph.D. (North Carolina 1989) [1999]
- C. NEAL TATE, Professor and Chair of Political Science; Professor of Law  
B.A. (Wake Forest 1965); Ph.D. (Tulane 1968) [2003]
- RANDALL S. THOMAS, Professor of Management; Professor of Law; John Beasley II  
Chair in Law and Business; Director, Law and Business Program; Director, Vanderbilt in  
Venice Program  
B.A. (Haverford 1977); Ph.D., J.D. (Michigan 1983, 1985) [1999]
- ROBERT B. THOMPSON, New York Alumni Chancellor Chair in Law; Professor of Law;  
Professor of Management  
B.A. (Vanderbilt 1971); J.D. (Virginia 1974) [2000]
- HERMAN L. TRAUTMAN, Professor of Law, Emeritus  
LL.B., B.A., J.D. (Indiana 1937, 1946, 1946) [1949]
- JENIA I. TURNER, Visiting Assistant Professor of Law  
B.A. (Goucher 1999); J.D. (Yale 2002) [2006]
- MICHAEL P. VANDENBERGH, Professor of Law; Co-Director, Regulatory Program  
B.A. (North Carolina 1983); J.D. (Virginia 1987) [2001]
- W. KIP VISCUSI, University Distinguished Professor of Law, Economics, and Management  
A.B., M.P.P., A.M., Ph.D. (Harvard 1971, 1973, 1974, 1976) [2006]
- D. DON WELCH, JR., Associate Dean for Administration, Law School; Professor of Law;  
Professor of Religion  
B.A. (Baylor 1969); M.A., Ph.D. (Vanderbilt 1975, 1976) [1984]
- DAVID H. WILLIAMS II, Vice Chancellor for University Affairs, General  
Counsel, and Secretary of the University; Professor of Law; Adjunct Professor of  
American and Southern Studies  
B.S., M.A. (Northern Michigan 1969, 1970); M.B.A., J.D. (Detroit 1979, 1982); LL.M.  
(New York 1984) [2000]
- STEPHEN F. WOOD, JR., Visiting Assistant Clinical Professor of Law; Adjunct Professor  
of Management  
B.S. (Indiana 1983); J.D. (Vanderbilt 1991) [2002]
- INGRID B. WUERTH, Visiting Professor of Law  
B.A. (North Carolina 1989); J.D. (Chicago 1994) [2006]
- CHRISTOPHER S. YOO, Professor of Law; Director, Technology and Entertainment  
Law Program  
A.B. (Harvard 1986); M.B.A. (California, Los Angeles 1991); J.D. (Northwestern 1995) [1999]
- NICHOLAS S. ZEPPOS, Provost and Vice Chancellor for Academic Affairs; Professor of Law  
B.A., J.D. (Wisconsin 1976, 1979) [1986]

Affiliated  
LAWRENCE  
B.A., J.D.  
ROGER W.  
B.A., M.E.  
PAUL W. AN  
B.A. (Ch  
H. LEE BAR  
B.A., J.D.  
TURNER P.  
B.A. (Me  
CYRUS I. B  
A.B. (Ha  
ROBERT S.  
B.A. (Ke  
GARY M. B  
B.A., J.D.  
JOE B. BRO  
B.A., J.D.  
ELIZABETH  
A.B., J.D.  
SHEILA D.  
B.A., J.D.  
JAMES H. C  
A.B. (Du  
WILLIAM M  
A.B. (Ru  
ROGER L. C  
B.A. (Ob  
ROBERT E.  
B.A. (Pri  
S. CARRAN  
B.E. (Var  
DELTA ANN  
B.A. (De  
KARL F. DE  
A.B. (Co  
C. DAWN D  
B.A. (Co  
WILLIAM H.  
B.S. (Au  
GREGG M.  
B.A., M.A.  
C. J. GIDEC  
B.A. (Du  
NANCY HA  
B.A. (Pfe  
KRISTIN J.  
B.A. (Lou  
JANET R. H  
A.B. (Eas  
J.D. (Vill



## Affiliated Faculty

- LAWRENCE R. AHERN III, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1969, 1972) [2004]
- ROGER W. ALSUP, Instructor in Law  
B.A., M.B.A. (Vanderbilt 1979, 1982); J.D. (Washington and Lee 1990) [1995]
- PAUL W. AMBROSIUS, Adjunct Professor of Law  
B.A. (Chicago 1993); J.D. (Columbia 1997)
- H. LEE BARFIELD II, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1968, 1974) [2000]
- TURNEY P. BERRY, Adjunct Professor of Law  
B.A. (Memphis 1983); J.D. (Vanderbilt 1986) [2006]
- CYRUS I. BOOKER, Instructor in Law  
A.B. (Harvard 1978); J.D. (Georgetown 1981) [2003]
- ROBERT S. BRANDT, Adjunct Professor of Law  
B.A. (Kentucky 1963); J.D. (Vanderbilt 1966) [2006]
- GARY M. BROWN, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1977, 1980) [1994]
- JOE B. BROWN, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1962, 1965) [2006]
- ELIZABETH J. CABRASER, Adjunct Professor of Law  
A.B., J.D. (Berkeley 1975, 1978) [2006]
- SHEILA D. CALLOWAY, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1991, 1994) [2000]
- JAMES H. CHEEK III, Adjunct Professor of Law  
A.B. (Duke 1964); J.D. (Vanderbilt 1967); L.L.M. (Harvard 1968) [1999]
- WILLIAM M. COHEN, Adjunct Professor of Law  
A.B. (Rutgers 1973); J.D. (Georgetown 1976) [2003]
- ROGER L. CONNER, Adjunct Professor of Law  
B.A. (Oberlin 1969); J.D. (Michigan 1973) [2006]
- ROBERT E. COOPER, Adjunct Professor of Law  
B.A. (Princeton 1979); J.D. (Yale 1983) [2005]
- S. CARRAN DAUGHTREY, Adjunct Professor of Law  
B.E. (Vanderbilt 1986); M.S. (Wisconsin 1990); J.D. (Vanderbilt 1994) [1998]
- DELTA ANNE DAVIS, Instructor in Law  
B.A. (Denison 1977); J.D. (Vanderbilt 1981) [1990]
- KARL F. DEAN, Adjunct Professor of Law  
A.B. (Columbia 1978); J.D. (Vanderbilt 1981) [1991]
- C. DAWN DEANER, Adjunct Professor of Law  
B.A. (Columbia 1993); J.D. (George Washington 1996) [2004]
- WILLIAM H. FARMER, Adjunct Professor of Law  
B.S. (Austin Peay State 1971); J.D. (Tennessee 1974) [1987]
- GREGG M. GALARDI, Adjunct Professor of Law  
B.A., M.A., Ph.D., J.D. (Pennsylvania 1979, 1985, 1990, 1990) [2005]
- C. J. GIDEON, JR., Adjunct Professor of Law  
B.A. (Duke 1975); J.D. (Vanderbilt 1978) [1996]
- NANCY HALE, Adjunct Professor of Law  
B.A. (Pfeiffer 1976); J.D. (North Carolina 1983) [2006]
- KRISTIN J. HAZELWOOD, Instructor in Law  
B.A. (Louisville 1996); J.D. (Washington and Lee 1999) [2006]
- JANET R. HIRT, Librarian, Alyne Queener Massey Law Library; Lecturer in Law  
A.B. (Eastern 1964); M.A. (Allegheny 1969); M.A. (Villanova 1973); M.S. (Drexel 1977);  
J.D. (Villanova 1987) [1997]

- RANDY J. HOLLAND, Adjunct Professor of Law  
B.A. (Swarthmore 1969); J.D. (Pennsylvania 1972); LL.M. (Virginia 1998) [1999]
- CHRISTIAN A. HORSNELL, Adjunct Professor of Law  
B.S. (Chapel Hill 1971); M.Ed. (Memphis 1975); J.D. (Vanderbilt 1979) [2006]
- KENT A. JORDAN, Adjunct Professor of Law  
B.A. (Brigham Young 1981); J.D. (Georgetown 1984) [2003]
- STEPHEN R. JORDAN, Librarian, Alyne Queener Massey Law Library; Lecturer in Law  
B.S., J.D. (Memphis 1976, 1980); M.S.L.S. (Tennessee 1987) [1999]
- ROBIN MITCHELL JOYCE, Adjunct Professor of Law  
B.F.A. (Florida 1975); J.D. (Yeshiva 1984) [1999]
- ANDREW M. KAUFMAN, Adjunct Professor of Law  
B.A. (Yale 1971); J.D. (Vanderbilt 1974) [2004]
- DOROTHY N. KEENAN, Instructor in Law  
B.A. (Tulane 1973); J.D. (Harvard 1978) [2002]
- SUZANNE KESSLER, Adjunct Professor of Law  
A.B. (Brown 1986); M.A., J.D. (Stanford 1989, 1994) [2005]
- E. CLIFTON KNOWLES, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1973, 1977) [2000]
- BRADLEY A. MACLEAN, Adjunct Professor of Law  
A.B. (Stanford 1973); M.A.T. (Emory 1974); J.D. (Vanderbilt 1981) [1993]
- WILL MARTIN, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1965, 1968) [2004]
- GILBERT S. MERRITT, Adjunct Professor of Law  
B.A. (Yale 1957); LL.B. (Vanderbilt 1960); LL.M. (Harvard 1973) [2003]
- W. MICHAEL MILOM, Adjunct Professor of Law  
B.S. (Middle Tennessee State 1964); J.D. (Vanderbilt 1971) [1973]
- KELLY L. MURRAY, Instructor in Law  
A.B. (Stanford 1988); J.D. (Harvard 1991) [2005]
- WILLIAM L. NORTON III, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1975, 1982) [2003]
- MARK J. PATTERSON, Adjunct Professor of Law  
B.S. (Cornell 1973); J.D. (Florida 1980) [2005]
- JOSHUA E. PERRY, Assistant Professor, Center for Biomedical Ethics and Society;  
Adjunct Professor of Law  
B.A. (Lipscomb 1997); M.A., J.D., (Vanderbilt 2002) [2006]
- BRENDA PHILLIPS, Instructor in Law  
B.A. (Memphis 1982); J.D. (Texas 1985) [2004]
- C. MARK PICKRELL, Adjunct Professor of Law  
A.B. (Harvard 1988); J.D. (Tennessee 1992) [2003]
- MARY MILES PRINCE, Associate Director, Alyne Queener Massey Law Library; Lecturer  
in Law  
A.B. (Randolph-Macon Woman's 1973); M.L.S. (Peabody 1976); J.D. (Nashville School  
of Law 1988) [1976]
- STEVEN A. RILEY, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1974, 1978) [2004]
- BARBARA A. ROSE, Instructor in Law  
A.B. (Brown 1978); M.A.T., J.D. (Vanderbilt 1980, 1986) [1995]
- LINDA ROSE, Adjunct Professor of Law  
B.A. (Farmington State 1975); M.L.D. (Boston University 1978); M.P.H., J.D. (Hawaii  
1982, 1986) [2002]
- ABBY RUBENFELD, Adjunct Professor of Law  
B.A. (Princeton 1975); J.D. (Boston University 1979) [2003]

- WILLIAM M  
B.A. (Wil  
LEO E. ST  
B.A. (Del  
WENDY S.  
B.A., J.D  
WILLIAM M  
B.A. (Bir  
[1987]  
TIMOTHY V  
B.A. (Var  
ROBERT C  
B.A., J.D  
JUSTIN P. V  
B.A. (Sta  
THOMAS A  
B.A. (Wa  
MARIAH A.  
B.A. (Fis

WILLIAM M. STERN, Adjunct Professor of Law  
B.A. (Williams 1983); M.P.A. (Harvard 1991) [2005]

LEO E. STRINE, JR., Adjunct Professor of Law  
B.A. (Delaware 1985); J.D. (Pennsylvania 1988) [2002]

WENDY S. TUCKER, Adjunct Professor of Law  
B.A., J.D. (Tulane 1989, 1992) [2000]

WILLIAM M. WALKER, Librarian, Alyne Queener Massey Law Library; Lecturer in Law  
B.A. (Birmingham-Southern 1969); J.D. (Tennessee 1972); M.L.S. (Vanderbilt 1987)  
[1987]

TIMOTHY WARNOCK, Adjunct Professor of Law  
B.A. (Vanderbilt 1984); J.D. (Tennessee 1987) [2005]

ROBERT C. WATSON, Adjunct Professor of Law  
B.A., J.D. (Vanderbilt 1967, 1974); M.S. (Auburn 1981) [1991]

JUSTIN P. WILSON, Adjunct Professor of Law  
B.A. (Stanford 1967); J.D. (Vanderbilt 1970); LL.M. (New York 1974) [2002]

THOMAS A. WISEMAN III, Adjunct Professor of Law  
B.A. (Washington and Lee 1979); J.D. (Vanderbilt 1982) [1996]

MARIAH A. WOOTEN, Adjunct Professor of Law  
B.A. (Fisk 1972); J.D. (Tennessee 1978) [1994]

