



Law School



Vanderbilt
University
2009/2010

Archived 2009/2010
Law School Catalog

Containing general information
and courses of study
for the 2009/2010 session
corrected to 15 September 2009

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, Title VI of the Civil Rights Act of 1965, 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, gender identity, or gender expression, 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 (VTDD); fax (615) 343-4969.

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Law School Calendar 2009/2010

FALL SEMESTER 2009

Classes and orientation for first-year and LL.M. students / Monday 17 August
Classes begin for upper-level JD students/ Monday 24 August
Thanksgiving holidays / Saturday 21 November to Sunday 29 November
Classes end / Friday 4 December
Examinations begin / Monday 7 December
Fall semester ends / Friday 18 December

SPRING SEMESTER 2010

Classes begin / Monday 11 January
Spring holidays / Saturday 6 March to Sunday 14 March
Classes end / Friday 23 April
Examinations begin / Monday 26 April
Spring semester ends / Friday 7 May
Commencement / Friday 14 May

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Academic Regulations

THE Vanderbilt University 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 for 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;

- * 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 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 University Law School at the beginning of their second year are limited to 30 credits transferred from their previous school. Four semesters of full-time work are required of transfer students 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 six 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; a J.D. and M.D. after six years; and a J.D. and Ph.D. in Law and Economics 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 27 total credits;
- for the thesis option, earned at least 17 credit hours, including 4-7 credits for a scholarly research project, not to exceed 27 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 required work, and receive the favorable recommendation of the faculty for the degree; and
- 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 professor 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	A	4.0	A-	3.7
B+	3.3	B	3.0	B-	2.7

C+ 2.3	C 2.0	C- 1.7
D+ 1.3	D 1.0	D- 0.7
F 0.0		

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 Student 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 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 infor-

mation 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

TUITION for the academic year 2009/2010 is \$43,700. Students registering for fewer than 10 credit hours pay tuition at the rate of \$2,185 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 \$500 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 \$2,021. Students pay annual activities and recreation fees of approximately \$374. 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.

<i>Fall 2009</i>	<i>Official Withdrawal Date</i>	<i>Percent Refunded</i>
Week 1	August 26–August 29	100%
Week 2	August 30–September 5	95%
Week 3	September 6–September 12	85%
Week 4	September 13–September 19	80%
Week 5	September 20–September 26	75%
Week 6	September 27–October 3	65%
Week 7	October 4–October 10	60%
Week 8	October 11–October 17	55%

Week 9	October 18–October 24	50%
Week 10	October 25–October 31	40%
<i>No refunds after October 31, 2009</i>		

<i>Spring 2010</i>	<i>Official Withdrawal Date</i>	<i>Percent Refunded</i>
Week 1	January 13–January 16	100%
Week 2	January 17–January 23	95%
Week 3	January 24–January 30	85%
Week 4	January 31–February 6	80%
Week 5	February 7–February 13	75%
Week 6	February 14–February 20	65%
Week 7	February 21–February 27	60%
Week 8	February 28–March 5	55%
<i>Spring Break</i>	<i>March 6–March 14</i>	
Week 9	March 15–March 20	50%
Week 10	March 21–March 27	40%
<i>No refunds after March 27, 2010</i>		

Tuition Payment Programs

Vanderbilt University is pleased to present our students and families with the VANDY Plan monthly payment option, administered by Sallie Mae. Information on this interest-free payment plan is available at www.vanderbilt.edu/stuaccts.

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 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. 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 law 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 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.

BARNEY D. BYRD ANNUAL SCHOLARSHIP. Established in 2006 by Barney D. Byrd (J.D. 1979) to provide scholarship assistance based on merit to deserving students who might not otherwise have the opportunity to attend the law school.

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.

RANA B. DIORIO SCHOLARSHIP. Established in 2007 by Rana B. DiOrio (J.D. 1991) to provide scholarship support for third-year students enrolled in the law school who plan on pursuing a law and business track.

M. DOUGLAS DUNN SCHOLARSHIP. Established in 2007 by M. Douglas Dunn (J.D. 1970) to provide scholarship assistance to deserving students in the law school who would otherwise be unable to attend.

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.

JAMES G. LEWIS SCHOLARSHIP. Established in 2006 by James G. Lewis (J.D. 1990) to provide assistance to Vanderbilt University Law School students who have demonstrated high academic achievement.

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.

THOMAS R. MCCOY SCHOLARSHIP. Established in 2007 by law alumni and friends to honor Thomas R. McCoy and his teaching legacy at the law school upon the occasion of his retirement and to provide need-based scholarships for law students who demonstrate outstanding intellectual and analytical ability in the field of constitutional law.

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.

HUGH JACKSON MORGAN SCHOLARSHIP. Established in 2004 by former Vanderbilt University Board of Trust member Hugh J. Morgan Jr. (LL.B. 1956) to honor his father and provide scholarship assistance to students enrolled in the law school.

SALLY BAUM NORDLUND AND D. CRAIG NORDLUND SCHOLARSHIP IN LAW. Established in 2005 by Sally Baum Nordlund (B.S.N. 1974) and D. Craig Nordlund (J.D. 1974) to provide scholarship assistance to deserving students enrolled in the law school.

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.

ETHEL AND CECIL ROBERTS SCHOLARSHIP. Established in 2005 by Stephanie E. Parker (J.D. 1984) in honor of her grandparents to provide financial assistance to law students who are current residents of the state of Georgia and who demonstrate high academic achievement and good citizenship.

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.

SCHLESINGER FAMILY SCHOLARSHIP. Established in 2008 by Dr. Leonard A. Schlesinger and Dr. Phyllis F. Schlesinger of Wellesley, Massachusetts, in honor of their daughter, Emily (J.D. 2005), and in appreciation of the education she received at the Vanderbilt Law School. The scholarship provides assistance to deserving students in the law school who would otherwise be unable to attend.

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.

SHAW, PITTMAN, POTTS & TROWBRIDGE SCHOLARSHIP FUND. Established in 1983 by Stephen D. Potts (B.A. 1952; LL.B. 1954) to provide scholarship assistance to deserving students in the law school.

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.

KENT SYVERUD SCHOLARSHIP. Established in 2004 by alumni, faculty, and friends to honor Dean Kent Syverud and to provide scholarship assistance to deserving students in the law school.

ALFRED WELCKER TAYLOR SCHOLARSHIP. Established in 2003 by A. Alexander "Alec" Taylor II (J.D. 1978) of Chattanooga, Tennessee, to honor the memory of his late father Alfred Welcker Taylor (B.A. 1948, J.D. 1950) and to provide scholarship grants to students who meet the requirements for honor scholarship recipients.

JOHN LEWIS TYE IV MEMORIAL SCHOLARSHIP. Established in honor of John Lewis Tye IV, (B.A. 1965), 1944-1966, by his parents in 1969. A member of the Class of 1968 from Cleveland, Tennessee, Tye had completed his first year of law school. Given to a first-year student, the scholarship also is awarded in the second and third year, contingent upon a demonstrated commitment to excellence in all facets of a well-rounded life. The scholarship, based on both merit and need, is awarded to a student from Tennessee or Georgia.

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

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

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

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

WOMEN'S LEADERSHIP SCHOLARSHIP. Established in 1999 by Andrea Goetze Wilkes (J.D. 1992), with support from additional members of the Class of 1992, to recognize student excellence in advancing the interests of women and gender equality. The scholarship is awarded to a second- or third-year law student who has demonstrated leadership in the Women's Law Student Association

Loan Funds

Vanderbilt University students participate in the Perkins Loan program, the Federal Subsidized and Unsubsidized Stafford Loan Programs, and the Graduate PLUS Loan 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 federal student 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.

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Honors and Awards



Dean's List

Students in the top 20 percent 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 percent of the senior class who have completed at least 75 percent of their law studies (66 class hours) as graded class hours. Graded courses are those for which grades in the A+ through F range are awarded and are recorded on the transcript. Courses taken on a pass-fail basis are not included. Because Vanderbilt accepts transfer credits but not grades, it is unlikely a transfer student can meet the 75 percent rule to qualify for the Order of the Coif.

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 and five full-time semesters 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 PRIZE. 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.

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 a 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 and Technology Law Awards

VANDERBILT JOURNAL OF ENTERTAINMENT AND TECHNOLOGY LAW 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 and Technology Law*.

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

Vanderbilt Journal of Transnational Law Awards

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

VANDERBILT JOURNAL OF TRANSNATIONAL LAW MASAMICHI YAMAMOTO 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 academic year. This award was endowed in 2008 by Mr. Masamichi Yamamoto (J.D. 2007), who served on the editorial staff in 2005–06 and 2007–07, in memory of his mother, Michiko Yamamoto.

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*.

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

Moot Court Awards

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

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

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

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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. [4]

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]

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]

605. Life of the Law. This class introduces students to the study of law. It is designed to give students the knowledge and skills that will prepare them for their other first year courses. Topics covered will include a review of American history and civics, the place of law among methods of ordering behavior, an overview of the American legal system, legal methodologies, legal concepts, theoretical frameworks for law, and the role(s) of law students and lawyers. Pass/Fail. [1]

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]

610. Regulatory State. This course introduces students to statutes and agency decisions and the central role they play in modern government. The course covers the nature of statutes and agency regulations, how they are generated, and how they are interpreted. [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.

717. Actual Innocence. This course explores the legal landscape of wrongful conviction of the factually innocent. Students review empirical evidence of its prevalence; examine its most common causes, including false confessions and faulty eyewitness testimony; dissect the legal procedures by which it may be discovered and corrected, including state post-conviction relief and standards for accessing DNA testing; and evaluate compensation schemes and reintegration programs for those determined to have been wrongly convicted. Pre-or-co-requisite: one of the following: (1) Criminal Procedure: Investigation; (2) Criminal Procedure: Adjudication; or (3) Criminal Procedure: Social Science Perspectives. The pre-or-co-requisite may be waived on the basis of adequate exposure, through work experience, to advanced criminal law and procedure. [3]

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]

704. Advanced Copyright. The goal of this course is to add to the understanding of copyright gained in the introductory course. This goal will be accomplished by reading and discussing case materials that were not covered in the introductory copyright course, reconsidering some of the core topics covered in the introductory course in greater detail by reading new cases in the same line, along with materials that apply these doctrines to new settings such as those of user-generated content, social networks and virtual worlds, and by engaging in an in-depth discussion of the major theoretical writings on core copyright topics covered in the introductory course. Prerequisite: Copyright Law or IP Survey. [2]

NOTE: Students who took the Fall 2008 seminar in advanced copyright—User-Generated Content, Social Networks and Virtual Worlds—may not take this course.

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 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, IP Survey, or Law of Cyberspace. Enrollment limited. [3]

Note: Students cannot take both Advanced Copyright Seminar and Advanced Copyright.

782. Advanced Evidence and Trial Advocacy. This course will explore selected complex issues in evidence law that are not covered in the basic Evidence course. This exploration will be accomplished through the use of simulations that present these issues in the context of complicated litigation. While learning to analyze sophisticated evidentiary issues, students will also be able to expand the basic trial skills they acquired in Trial Advocacy. Prerequisites: 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 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]

891. Advanced Topics in Juvenile Justice. This short course will focus on advanced topics in the law of juvenile justice, including delinquency cases and criminal cases in which the juvenile is tried as an adult. Using the lens of psychology and the mind sciences, we will explore issues including the infancy defense, diminished culpability, waiver of Miranda rights, competence to consent to searches, competence to communicate with counsel and participate in one's defense, and rehabilitative treatment. Pre- or co-requisite: Criminal Procedure: Investigation. Enrollment limited. [1]

970. Advanced Topics in Labor and Employment Law Seminar. A seminar focusing on significant practical and theoretical issues in labor and employment law. Topics covered vary from year to year, to reflect current concerns in the area. Prerequisite: Labor Law (formerly Labor Relations Law), Sports Law, 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]

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]

875. Alternatives to the Civil Justice System: The Federal 9/11 Victim Compensation Fund. This course will use the 9/11 Victim Compensation Fund as a vehicle to initiate a broader assessment of the arguments for and against administrative, no-fault compensation regimes, like the 9/11 Fund, as alternatives to tort litigation. The course will introduce students to advanced tort doctrine as well as public policy arguments and pragmatic considerations arising from the actual operation of the 9/11 Fund. Enrollment limited. [1]

723. American Legal History. This class focuses on a number of crucial themes in American legal history: the transformation of the Constitution from slavery to freedom to Jim Crow and the legal system's adjustments in the aftermath of Civil War; the evolving social role and self-image of lawyers and the emergence of the modern legal profession; and the legal regulation of the economy, labor, race relations, immigration, the family, gender roles, and crime in an increasingly urban, industrial and pluralistic society. In exploring these themes, we can better

understand the role of law in shaping American society and culture, as well as how the law in turn has been shaped by social, cultural and political forces and the efforts of individuals, groups and their lawyers. The bulk of the course will cover the period between Reconstruction and the Civil Rights Era, roughly 1865–1965, a period in which the dynamics of American legal culture assumed a fundamental form that resonates to this day. In addition to introducing students to historical methods of legal analysis, this course will examine the continuing power of history in American law. [3]

901. American Legal History Seminar. Development of law, legal institutions, and the legal profession (including legal education), from colonial times to the present day. The emphasis is on the contribution of lawyers to managing change in society, business, and government. 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]

681a. Antitrust Law. This short course is designed to cover some of the major topics of a full-length antitrust course. It will ground students in current antitrust policy and introduce them to the basic principles and modes of analysis that U.S. antitrust lawyers use on a daily basis. After discussing the purpose, policy, U.S. legal structure, and economics of antitrust law, students will explore: cartels and agreements; mergers and acquisitions; single firm conduct; interaction and conflicts between antitrust law and other law and policy; foreign competition law and agencies; and hot topics for current practitioners. The course seeks to provide students with enough policy and practical antitrust knowledge to be able to contribute to any project they may encounter as a first-year associate. [1]

889. Appellate Advocacy. This course will teach students the basics of federal appellate advocacy. The focus will be on the requirements of the Federal Rules of Appellate Procedure, although some case law and scholarly commentary will be referenced. Students will be evaluated based on the presentation of an appellant's oral argument on a case to be argued in the Eighth Circuit (permitting the students to compare their performances with the tape of actual oral argument), and on writing an appellee's brief in that case, in response to an appellant's brief filed in the Eighth Circuit (putting the student in the realistic posture of responding to a real brief based on a real record, and again permitting the students to compare their efforts with the actual appellee briefs later filed). Pass/Fail. Enrollment limited. [1]

675. Appellate Litigation Clinic. The Appellate Litigation Clinic provides students with an intensive supervised litigation experience in the federal and state courts of appeals. The clinic will accept cases primarily in the United States Court of Appeals for the Sixth Circuit, the Board of Immigration Appeals, and the Tennessee state appellate courts. *Amicus curiae* work in the United States Supreme Court or other Courts of Appeals is also possible. It is anticipated that the clinic will be appointed as counsel to or *amicus curiae* in support of *pro se* parties who cannot otherwise afford representation by the courts in which it practices. The clinic will also work with national advocacy organizations to accept appellate work for indigent clients in appropriate cases. Cases taken by the clinic will not focus on any particular area of substantive law; rather, the emphasis of study will be on the appellate posture that unifies the cases. It is strongly suggested, but not required, that students concurrently enroll in Appellate Practice and Procedure. Enrollment limited. [3]

NOTE: Because of the student practice rules in some of the courts in which the clinic will take cases, the clinic is for 3Ls only.

675a. Appellate Litigation Clinic—Advanced. A second semester course is available. Maximum of five clinic credits. Pass/Fail. Faculty approval required. [2]

892. Appellate Practice and Procedure. This course will provide in-depth inquiry into the many substantive and procedural issues central to practice before the federal and state courts of appeal. Beginning with a brief examination of the history and development of appellate courts, students will then consider the modern courts' essential functions and limits upon appellate decision making. Topics will include appellate jurisdiction, finality and appealable orders, standards of review, and harmless error and issue preservation. Appellate procedure will be examined through study of the federal rules. Finally, students will consider questions of professional responsibility unique to appellate practice and other aspects of effective appellate advocacy. Enrollment limited. [3]

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

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]

632. 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]

632a. Business Law Clinic—Advanced. A second semester course is available. Maximum credit of five clinic hours. 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 advocating as well as in shaping public policy on behalf of children and families in a broad range of fora including the courts and legislature. The course is structured around three primary areas of advocacy and public policy lawyering: (1) legislative advocacy, focused upon the state legislative session; (2) mediation of child- and family-related matters; and (3) community education /street law. Direct representation of individual clients occurs on a limited basis, as part of broader advocacy efforts. Students engage in a

variety of tasks, such as drafting legislation, analyzing and tracking legislation, co-mediating child- and family-related matters, and developing and implementing community education and street law projects. The semester includes fieldwork and class sessions. Pass/Fail. Enrollment limited. [3]

696a. Child and Family Law Policy Clinic—Advanced. Two additional credit hours are awarded for an optional semester of fieldwork only. Maximum credit of five clinic hours. Pass/Fail. Faculty approval required. [2]

863. Child Welfare Law and Policy. This course will examine the history and development of current laws and policies related to child welfare in America. It will focus heavily on legislation, but will also include discussion of relevant case law. Additionally, it will incorporate materials from other disciplines, such as history, sociology, and education. [2]

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]

676a. Civil Practice Clinic—Advanced. Two credit hours are awarded for an optional second semester. Maximum credit of five clinic hours. Pass/Fail. Faculty approval required. [2]

762. Climate Change Justice. This course focuses on the challenge of reducing the risk of catastrophic climate change while addressing problems of social justice, with an emphasis on the potential structure of a global climate change agreement. The rationales for achieving global climate and justice goals, the major sources of stocks and flows of greenhouse gases, and the relationship between greenhouse gas emissions and poverty will be explored. Proposed public and private policy architectures and measures for reducing carbon emissions and alleviating poverty will be evaluated. [2]

811. Collective Management of Copyright. This short course will look at the history, organization, functions and future role of collective management organizations, including Performance Rights Organizations (ASCAP, BMI, and SESAC in the United States and their foreign counterparts) and other copyright collectives, including Copyright Clearance Center, Inc. and the Authors' Registry, which will administer the Google Book Settlement. Representatives from one or more copyright collectives will be invited to speak. [1]

879. Commercial Real Estate Transactions. This short course will expose students to how a real estate acquisition is accomplished using the prototypical office building as an exemplar of the major elements of a modern commercial real estate deal. The course will involve the negotiation of a term sheet; its incorporation into a formal purchase contract; the negotiation of a lease that is a component of the acquisition; and the mortgage financing of the property. Students will see the interrelation of the various documents and will have the opportunity to role play as purchaser/landlord/borrower and seller/lender/tenant. Priority will be given to those students who have taken Real Estate Finance and Development, but this is not a prerequisite to enrollment in the course. Pass/Fail. Enrollment limited. [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]

NOTE: To be eligible for services, the group must either have a mission to serve a traditionally underrepresented group or must be composed principally of persons who fall within the federal poverty guidelines. The group also must have no other reasonable alternative for attaining quality legal counsel. Students enrolled in the Community and Economic Development Clinic attend the weekly clinic classes with students in all clinics. These classes focus on issues common to all legal representation such as negotiation, interviewing, and ethics. In addition, transaction-oriented topics are incorporated into the existing clinic classroom sequence. Although Corporations is a prerequisite, it can be waived by the professor and clinic director.

634a. Community and Economic Development Clinic—Advanced. An optional second semester is available. Maximum credit of five clinic hours. 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]

841. Comparative Copyright. This course examines comparative regulatory responses for emerging copyright and copyright-related issues. Representative topics are as follows: the regulation of copyrightable online content (particularly user-generated content) against the background of the regulation of online service providers (the statutory catch-all term that would include Web sites such as Google, FaceBook, MySpace, YouTube, etc.); the regulation of online data gathering against the background of privacy regulation; comparative strength of opt-in versus opt-out rules for automated online systems such as are employed by internet mega-sites; and how inherently global, internet-dependent business models can adapt to conflicting regimes. [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 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 U.S., 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]

842. Comparative Perspectives on Counterterrorism. This course offers a comparative analysis of the national approaches of, inter alia, the United States, Israel, Spain, Russia, and India. This multidisciplinary course focuses on the dual interlocking axes of legal norms [flowing from international as well as national perspective] and the accompanying political and operational imperatives. Counterterrorism is a global cooperative phenomenon, and the study of its practice entails the use of case law, legislation, international law, and national policy directives and operational decisions. Students will be exposed to case law from a number of jurisdictions, occasionally reaching contradictory results. The course will also entail extended use of scenario driven exercises. [2]

839. Comparative Property. Selected aspects of property systems that exist in various countries will be examined and compared. Topics considered will involve issues arising in such areas as property conceptualization, interests in land, landlord-tenant, real estate transactions, adverse possession, and governmental regulations/takings. [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. [3]

692. Conflict of Laws. This course will examine the legal problems that arise when an occurrence or a case cuts across state or national boundaries: jurisdiction of courts, enforceability of foreign judgments, and choice of applicable law. The focus is on the policies, the rules of law, and the constitutional requirements in private interstate law. [3]

984. Constitution and the Family Seminar. For more than 100 years, the Supreme Court of the United States has engaged in "constitutionalizing" the family. That is, the Court has treated family as an institution possessing constitutional status and providing a ground for constitutional judgment. This seminar aims to examine both the manner in which the Court has

proceeded and the substantive stakes of the Court's commitments. The substantive stakes are, to borrow from Justice Douglas, older than the Constitution. They extend to the earliest values and practices of human civilizations. The stakes are also fundamental. They implicate people's material well-being, their conceptions of morality, and their preparation for citizenship. Several questions grow out of the aims of the seminar. Some of these questions are ancient, others more recent. For example, who is a family, and who may decide? What roles, if any, does family play in the relationship between individual and state? To what extent should familial values or practices be exempt from regulation by government? What is the relation between family and gender (a status)? Between family and sex (an act)? What do a liberal culture and a capitalist economy do to the form and function of family? What is the constitutional status of marriage? What, if anything, does the Constitution say about the rearing of children? Does the Constitution require, permit, or prohibit official recognition of same-sex partnerships? Enrollment limited. [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]

783. Constitutional Law of Crime and Punishment. This course will explore the constitutional constraints on crime and punishment, with an emphasis on federal constitutional law and U.S. Supreme Court jurisprudence. The focus will be upon constitutional limits on the definition, classification, and grading of crimes, and the limitations on the government infliction of punishment. [3]

748. Constitutional Law of US Foreign Relations (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 is also taught as Foreign Affairs. [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]

694a. 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 impact of the Civil War, the evolution and application of due process, utility rate regulation, early land use controls, and changing interpretations of the takings clause of the Fifth Amendment. It will conclude with a look at the status of property rights in modern American society. [1]

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. This seminar will focus on judicial review in times of crisis. Readings will include Supreme Court cases, as well as various

articles, from different perspectives, discussing how courts should protect constitutional rights against the stress of war and danger. Completion of Constitutional Law II is recommended, but not required. 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]

606a. 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. Enrollment limited to LL.M. students. [3]

701. 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. [2-3]

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. Corporations or Corporations and Business Entities is recommended. [1]

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 Corporation's Board of Directors and Management. The main focus of the course will be the legal financial and litigation obstacles faced by a Corporation during a Chapter 11 case in which the parties in interest dispute whether the Corporation should be sold or emerge as a reorganized entity. The course will draw upon actual pleadings and case studies to illustrate the legal issues raised by such a dispute and the litigation strategy employed by the primary parties. Some of the areas covered will be "first-day papers," debtor in possession financing, bidding procedures, asset sales, assumption and rejection of executory contracts and confirmation of reorganization plans. Pre or Co-requisite: Bankruptcy. Corporations or Corporations and Business Entities would be helpful. [1]

926. Corporate Separateness in a Global Environment Seminar. The American legal system authorizes private actors to create separate legal entities with only ministerial approval of the state in filing incorporation papers. These separate entities can then be used to allocate risks and liabilities in contract settings or to avoid tort liability or to gain some governmental benefit. Subsequent litigation to pierce the corporate veil to police externalization that may

occur is the most litigated issue in American corporate law. Other legal systems do not accord private ordering the same deference. This seminar will focus on selected topics arising from American law and explore differences with alternative legal regimes. Enrollment limited. [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]

944. Corporate Voting: Practice, Theory, and Research Seminar. This seminar will examine corporate voting at American public corporations. Students will explore in depth the voting practices used today and the problems that they have created for companies and shareholders, legal rules in this area, underlying theory, and the more recent analyses of this issue. Enrollment limited. [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]

NOTE: Students cannot take both Corporations and Corporations and Business Entities.

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]

NOTE: Students cannot take both Corporations and Corporations and Business Entities.

974. Criminal Law and Behavioral Science Seminar. This seminar will explore the two primary issues that behavioral scientists are asked to address in criminal cases: culpability and dangerousness. The course begins with a review of the criminal law doctrines that define these issues, such as the insanity defense, situational excuse, death penalty jurisprudence, parole decision-making, and sexual predator laws. It then examines behavioral science research about mental illness, “syndromes,” and predictions of violence that might be relevant to those doctrines and the evidentiary rules, including Daubert and Frye, that govern the admissibility of expert testimony aimed at answering the law’s questions about past mental states and future risk. Students should come away from this course with a deeper understanding of the theoretical underpinnings of criminal justice, the scope of evidence law, and the nuances of behavioral science information. Students will write a paper about a topic recommended by the professor that meets the seminar writing requirement. Enrollment limited. [3]

918. Criminal Law Seminar. A seminar focusing on selected issues in special problems in criminal law, procedure and policy. Topics will include substantive, procedural, and constitutional aspects of a criminal case. Prerequisite: Criminal Procedure: Investigation or Adjudication (formerly Criminal Constitutional Law or Criminal Practice and Procedure). Enrollment limited. [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. 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. Evidence and Criminal Procedure Adjudication are recommended. Pass/Fail. Enrollment limited. [3]

657a. 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]

722. Criminal Procedure: Adjudication. (This course was formerly taught as 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. [3]

719. Criminal Procedure: Investigation. (This course was formerly taught as 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]

973. Criminal Procedure: Social Science Perspectives Seminar. This course will examine insights that social science can provide criminal procedure policymakers. The course will focus on the rationale and methodologies of social science and explore social science literature which examines various criminal procedure topics, including expectations of privacy and the impact of the exclusionary rule under the Fourth Amendment, the efficacy of Miranda, the most effective way of constructing identification procedures, the fairness of jury decision-making, the validity of risk assessment at sentencing, and the impact of habeas review. Student team presentations will describe original social science research on a criminal procedure topic. Enrollment Limited. [3]

873. Critical Race Perspectives on Public Education. This course is intended to introduce students to critical race theory and its application to law and legal institutions focusing, in particular, on critical race perspectives on the public education system. Pass/Fail. Enrollment limited. [1]

838. Current Issues in Transactional Practice. Using current issues and both real and hypothetical transactions to frame the inquiry and dialogue, this advanced course will explore the transactional process from a business lawyer's perspective. The course objectives include not only more advanced attention to the substantive laws, regulations and legal principles that affect today's complex business transactions, but also how the business lawyer may effectively use his or her mastery of the legal issues as well as process to his or her client's advantage. What are the relevant substantive and procedural legal considerations for the transaction and how do they affect the structure and execution of the transaction? How are legal issues and business objectives synthesized? How is the transaction closed? What role does the lawyer play in the process? How can business lawyers enhance the likelihood that their clients' business objectives will be realized? Topics will include identifying and minimizing legal risks ("due diligence"), structuring, negotiating and documenting the transaction, and closing and post-closing tasks. The course will meet twice per week throughout the semester and for one weekend "immersion session." Significant written work and class participation will be required, including a mid-semester examination and an end-of-the-course term paper or project. Prerequisites/co-requisites: Corporations or Corporations and Business Entities, Introduction to Corporate Finance, Federal Tax, Securities Regulation and Secured Transactions. Graduating 3Ls (2Ls only with permission). [4]

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]

865. “The Democratic Constitution.” An introduction to the profound role that elected officials and the American people play in shaping constitutional values. This short course will address two themes. The first concerns the ways in which social and political forces shape Supreme Court decision making. In addition to the appointments and confirmation process, the Court sometimes takes into account the views of elected officials and the American people when deciding constitutional cases. The second theme concerns the power of elected officials both to frame the issues before the Court and to respond to Court decisions they disapprove of. This circular process (elected government action-Court decision-elected government response) underscores that Supreme Court decision making is but one moment in an ongoing constitutional dialogue. This course will examine such topics as privacy, race, war powers, and federalism. [1]

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. Enrollment limited. [3]

945. Digital Copyright and Music Seminar. This seminar provides an in-depth legal and policy analysis of the global music scene and the management of music rights, whether individually or by collectives such as ASCAP and BMI. Students will examine applicable laws, including domestic and international copyright law and the role of the Copyright Office. Exploring legal, commercial, technological and social perspectives, students will consider available options for the development of viable future markets for music both in the United States and internationally. 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. Pass/Fail. Enrollment limited. [3]

678a. 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. Enrollment limited. [2]

932. Drafting and Analysis of Business Documents Seminar. This course is designed for students who are in the last semester of their law school careers and plan to be involved in a transactional practice. The objective of the course is to prepare students to deal effectively with the documents they are likely to encounter in the early years of their transactional practice at a firm. In addition to gaining a considerable familiarity with the structure and typical provisions of a variety of commonly-used documents such as shareholders agreements, employment agreements, deeds, and appraisals, students will also be regularly exposed to the

process by which transactional documents should be carefully analyzed. Prerequisites: Corporations & Business Entities or Corporations. Federal Tax Law is helpful but not a prerequisite; Graduating 3Ls. Enrollment limited. [6]

NOTE: While not a traditional seminar, this course will satisfy the research and writing (seminar) requirement required for graduation. Transactionally oriented students who may already have completed their seminar requirement are encouraged to enroll.

847. Drug Law and Policy. This course examines government regulation of illicit drugs, including marijuana, cocaine, and heroin. The course will start by briefly surveying select state, federal, and foreign laws governing the use of drugs. The course will then address some of the most important and controversial legal, moral, and policy questions surrounding such laws, including: What is the normative basis for banning drug use? What are the costs (physical, social, financial, etc.) associated with drug use? What are the costs of the war on drugs? How effective is our current federal drug policy? What are the alternatives? What are the promises and pitfalls of drug legalization? The class will conclude by discussing drug reform proposals currently being considered by Congress and various state legislatures. Readings will be drawn from law, economics, sociology, and political science. Take home examination. Enrollment limited. [1]

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

829. Emerging Technologies and the Law. This course will study the legal response to emerging technologies such as nanotechnology, personalized medicine, biotechnology, human enhancement technologies, surveillance technologies, neuroscience, synthetic biology, and virtual reality. The course will examine how the legal system attempts to manage the risks, promote the benefits and address social and ethical concerns presented by these various new technologies. While exploring and drawing on specific examples from each of these technologies, the course will seek to draw some general lessons on how the legal system as well as individual attorneys can best address such new technologies. Some of the generic lessons that will be considered include the need to make decisions about uncertain risks, develop more flexible and innovative governance models, balance expert versus public perceptions, incorporate a broader range of factors and concerns into regulatory decision-making, and address issues on a global scale. [1]

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), simulated negotiations, and contract drafting and analysis. Primary areas covered are the motion picture, television, and music industries. Prerequisite: Copyright Law or IP Survey. Pass/Fail. Enrollment limited. [1]

821. Environmental Annual Review. This course will enable students to identify the environmental articles in law journals that present the best policy-relevant ideas and publish a one-issue student-edited volume that includes reprints or summaries of the articles, along with commentaries from leading experts from the academy, business, government, and nongovernmental organizations. 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 students in research to explore and extend the current literature. Prerequisites: Administrative Law, Environmental Law, or Law and Business of Climate Change (formerly Private Environmental Law and Voluntary Overcompliance). Enrollment limited. [7]

Estate Taxation and Planning. Fundamental concepts of estate, gift, and generation-skipping transfer taxation, as well as related estate planning techniques. It is recommended, but not required, that students have Federal Tax Law and/or Wills and Trusts either prior to or while taking this course. [3]

794. Ethics and Public Policy. This course focuses on the role that values play in the public policy process. Students examines basic understandings of the structure of ethical argumentation, explores the relationship between ethical principles and public policy decision-making, and provides opportunities to engage in ethical analysis of public policy issues. [3]

968. Ethics and Public Policy Seminar. This seminar focuses on the ethical analysis of selected public policy issues. The research paper addresses the role of values and approaches to ethics embedded in the cases, legislative debates, statutes, and regulations related to a particular public policy topic. Enrollment limited. [3]

893. EU Competition Law. This short course provides an introduction to EU Competition Law. The course will primarily cover the substantive competition law rules of the EC treaty, namely Art. 81 EC (Cartels) and Art. 82 EC (abuse of a dominant position). A special focus will be on how EU Competition Law affects the commercial activities of non-EU entities within and outside the European Union. The course will commence with a general introduction to EU law, specifically, the constitutional order of the Union (i.e., institutions, divisions of competence, legislation etc) as well as the substantive law of the Common European Market. The substantive law of the European Union covers issues such as the four market freedoms of the European Community (Free Movement of Goods, Free Movement of Workers, Freedom of Establishment and Freedom to Provide Services). [1]



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

749. Evidence. A comprehensive study of evidence law, including the examination of witnesses, functions of judges and jury in determining admissibility of evidence, principles of relevance and hearsay, evidentiary privileges, the admission of expert and scientific testimony, and the confrontation rights of criminal defendants. [4]

804. Externship–In Nashville/Academic Year/Summer. The basic requirements are: (1) Students may receive credit only for work supervised by faculty-approved fieldwork supervisors at faculty-approved placements. (2) Various types of externships may qualify, including placements with federal and state prosecutors and defenders, the state attorney general's office, state legislative offices, federal and state agencies, state and federal judges, and legal aid or other non-profit programs. Students may not receive credit for work for which they are paid.

corporate legal departments,

For placements in the Nashville area, the main course requirements are: a) 110 hours of fieldwork (or approximately 8 hours per week over a 14-week semester); b) approximately 10 hours of classroom-type sessions, arranged by the faculty member in cooperation with the fieldwork supervisors; c) recording a journal of work experience, which will be reviewed periodically by the faculty member; d) submission of a written product to the faculty member at the end of the semester, either a copy of something prepared during the externship or prepared specially to meet this requirement.

This course for Nashville area placements carries 3 academic credits. Placements must be arranged by the student and approved by the Associate Dean for Clinical Affairs no later than the end of the first week of classes. Students may apply a maximum of six credits of externship toward graduation requirements. Pass/Fail. Faculty approval required. [3]

802. Externship–Outside Nashville/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 Associate Dean for Clinical Affairs by the appropriate deadline. The proposal must provide that all relevant requirements of the American Bar Association standards are met. Pass/Fail. Faculty approval required. [1–6]

803. 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. 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. Faculty approval required. [10]

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.

885. Fair Housing in Law, Ethics, and Practice. This course is designed to provide students with an overview of the federal fair housing laws, discriminatory practices, and the enforcement and investigatory procedures of the Department of Housing and Urban Development (HUD) and the Department of Justice (DOJ). Students will learn federal, state, and local fair housing laws and their prohibitions against discrimination by examining a set of carefully define factors, including data on how different agencies process, investigate, and resolve allegations of housing discrimination. [2]

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 Science, 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]

744. 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 may 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. Pre- or co-requisite: Constitutional Law II–Individual Rights. [4]

740. Federal Courts and the Federal System. This is the three credit option of this course. Note that there are no prerequisites to this course option. [3]

731. Federal Criminal Law. This course explores the theory and substance of federal criminal law. The course has three primary objectives. First, students study several important federal criminal statutes, such as RICO, the Mann Act, laws governing state and local corruption, and the federal sentencing guidelines. The course thus serves as an extension of the first year criminal law course, not only by covering crimes not studied in the first year curriculum but also by exploring ways in which federal criminal law differs from state criminal law. Second, students examine issues regarding the practice of federal criminal law, including the organization of federal law enforcement and the relationship between state and federal law enforce-

ment agencies. Third, throughout the course, students explore more abstract issues arising from federal criminal law, including concerns over the federalization of criminal law and the politicization of federal criminal law enforcement. [3]

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 as well as tax problems arising in business activities, family arrangements, property transfers, and the tax planning relevant to dealing with them. [3]

769. Federal Tax Law. This is the four-credit option of the Federal Tax Law course. [4]

910. Federalism Seminar. This seminar examines “the oldest question of constitutional law” in the United States: the allocation of authority between national and state governments. We will explore the historical underpinnings and normative theories of federalism, evaluate the Supreme Court’s federalism doctrines, and consider the role of federalism in contemporary political/social issues. Specific topics include: What is the value of a federal system? Are states even necessary to securing the benefits attributed to our federal structure? What was the original understanding of the scope of federal power? To what extent should this original understanding inform judicial decision making today, given changes in our country (and in the international arena) over the past 200 years? Do the Supreme Court’s federalism rulings actually limit federal power and protect states’ rights? Do the Court’s rulings comport with normative theories of federalism? To what extent do they track (or mask) the substantive policy preferences of the Justices? Who should be primarily responsible for safeguarding federalism? What is the relationship between federalism and individual rights? What role does federalism play in contemporary debates on issues such as same sex marriage, medical marijuana, and immigration? Though the focus of the seminar is on American federalism, Students will (briefly) consider federalism in comparative context. Enrollment limited. [3]

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 also taught as Constitutional Law of U.S. and Foreign Relations. [3]

956. Global Administrative Law Seminar. Many of the new forms of regulation in domestic administrative law, including privatization, modeling, and decentralized governance, have international counterparts. In this seminar, students will explore the new global administrative law, evaluate its advantages and disadvantages, and consider mechanisms designed to ensure that international regulatory process is transparent, effective, and open to participation by individuals and non-governmental organizations. It is recommended, but not required, that students take Administrative Law and an international law course prior to taking this seminar. Enrollment limited. [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]

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]

840. Health Policy. This course is intended as a follow-up course to Health Law and policy. It is 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. Prior completion of Health Law and Policy course is strongly recommended. [2-3]

884. Historical Foundations of the Constitution. All students take Constitutional Law, but how many have examined the Constitution's foundational documents—for example, the Magna Carta, the Mayflower Compact, the Declaration of Independence, the Articles of Confederation, the Federalist Papers, Jefferson's First Inaugural Address, and Lincoln's Gettysburg Address? What about the key sources from Reconstruction, the Progressive Era, the New Deal, the Cold War, and the Great Society, all of which conferred ever-increasing power on the federal government while focusing attention on the plight of racial minorities, women, and workers? This course will analyze such primary-source documents, which are essential to understanding our Constitution. Students need not have any historical background. [1]

877. Ignoring the Perils of Vioxx: Public Health Regulators, Corporate Conduct, Legal Ethics, and Products Liability Law under Scrutiny. This course will use the contemporary Vioxx litigation as a window into the interaction of current legal, ethical, and public policy issues confronting pharmaceutical companies, federal regulators, plaintiffs, and defense lawyers, and the civil justice system as a whole. [1]

741. Immigration Law and Policy. The law on the entry of foreign nationals into the United States is becoming increasingly important as larger numbers of people seek to settle in this country and our legislators grapple with the immigration system. This course examines the substantive and procedural aspects of immigration law, as well as the application of immigration rules, the procedures to gain entry into the country, and the rights of foreign nationals after entry. Students will analyze specific case problems and participate in a moot deportation hearing. [2]

801. 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, and this work does not satisfy the writing requirement for graduation. This course may be taken only once for credit. Pass/Fail. Faculty approval required. [1–2]

752. Insurance. This course will focus on the 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. [2-3]

876. Insurance and the Litigation Process. This course will focus on liability insurance and its role in civil litigation and settlement. Students will first learn (or review) some of the basic features of liability insurance and then explore important pressure points and dynamics that liability insurance incentives produce in routine (auto, med mal) and high stakes (mass torts, securities class action) litigation. [1]

677. Intellectual Property and the Arts Clinic. This clinic allows students to practice and represent clients in the areas of intellectual property and the arts. Students, under faculty supervision, will represent and counsel individuals, businesses, organizations, groups and associations in matters in various intellectual property fields, including, but not limited to, copyright, trademark, publicity rights, and trade secrets. Such work may include drafting, filing, and prosecuting copyright registrations and trademark applications; negotiating and drafting contracts; transactional projects, such as acquisitions, sales, and transfers of intellectual property or licensing agreements; advising and counseling clients; policy development and advocacy; internet and technology issues; and litigation. In addition, students will work with entertainers, artists, and arts organizations on other legal matters such as entertainment-related contracts; music and film industry issues; and the drafting and filing of corporate and non-profit documents for arts and entertainment-related organizations. A substantive course in intellectual property (e.g., copyrights, trademarks) or technology law (e.g., law of cyberspace) is recommended, though not required. Pass/Fail. Enrollment limited. [3]

677a. Intellectual Property and the Arts Clinic–Advanced. An optional second semester is available. Maximum credit of five clinic credits. Pass/Fail. Faculty approval required. [2]

862. Intellectual Property Licensing. This course will focus, from a practitioner perspective, on the licensing of various intellectual property. Students will engage in drafting, and analysis exercises with respect to an assortment of licenses, including copyright, trademark, trade secrets, patent, music, and right of publicity. In addition, the course will examine related issues, such as business and marketing strategies, valuation of intellectual property, branding, and First Amendment and “free culture” concerns. Pass/Fail. Enrollment limited. [1]

807. Intellectual Property Survey. An introduction to the law of patent, copyright, trademark, unfair competition, trade secret, and other regimes through which the legal system extends protection in the United States to ideas, their use, or their expression. Specific topics that may be discussed include: the applicability of copyright to the Internet; the patentability of life forms; the patentability of business models; patent trolls; and trademarks and the Internet. [4]

NOTE: Taking this course will not preclude a student from later taking a course that specializes in either patent, copyright, or trademarks.

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 in U.S. Courts. 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]

756a. International Civil Litigation in U.S. Courts. As a result of the increasingly transnational nature of business activity, civil litigation in U.S. courts frequently involves a foreign element – for example, one of the parties may be a foreign entity, or the case may involve a transaction that took place overseas. This short course examines the issues that arise in such litigation. Many of those issues involve the adaptation of U.S. jurisdictional and procedural law to international cases: when is a foreign defendant subject to personal jurisdiction in a U.S. court? How does a U.S. plaintiff go about discovering evidence that is located abroad? In class actions, can U.S. courts certify “global” classes that include plaintiffs from other countries? Other issues relate to the conflicts that arise when U.S.-based litigation is used to address activity based partly or primarily in other countries: under what circumstances does U.S. regulatory law apply to foreign conduct? When should U.S. courts use the doctrine of forum non conveniens to avoid conflict with foreign systems? In order to address these issues coherently within the framework of a one-week course, the class will examine them using securities fraud litigation as a substantive backdrop. [1]

898. International Civil Litigation in the U.S. This short course combines lecture and problem solving in addressing selected topics such as: basic choice of law and choice of forum analysis; prescriptive jurisdiction; extraterritorial application of United States laws; international judicial assistance (service of process and discovery abroad); enforcement of judgments internationally; prejudgment remedies; and numerous defenses raised in the international litigation context, including sovereign immunity, act of state, forum non conveniens, political question, and preemption. [1]

888. International Commercial Arbitration. This one-unit short course will consider the law and strategic decisions underpinning international commercial arbitration. It will begin by considering arbitration as one “form” of dispute resolution and the reasons why parties (or at least the party in the dominant bargaining position) might favor that form. It then will turn to the issues governing the enforcement of international arbitration agreements, focusing both on

the standards under the New York Convention and the subtly different standards under the Federal Arbitration Act. The course then focuses on arbitral procedure, placing particular emphasis on the choice of arbitrators, the arbitral forum and discovery (focusing on the extent to which default rules as opposed to mandatory rules govern these issues). Finally, the course will conclude with a survey of the law governing the vacatur, recognition and enforcement of international arbitral awards. Picking up on the contract vs. regulation themes that permeate both the agreement and procedure discussion, the course will study closely the U.S. Supreme Court's very recent decision in *Hall Street v. Mattel*. [1]

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 Nuremburg 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]

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 nongovernmental organizations in protecting the environment; disposal and transportation of hazardous waste; marine and air pollution; deforestation; and nuclear pollution. It is recommended, but not required, that students have some knowledge of public international law. [2]

895. International Intellectual Property. This course provides an introduction to the international law of intellectual property. Students will examine the sources of international intellectual property, the multilateral treaties administered by the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO), as well as certain European Union Directives and Regulations. The course will also examine relevant policy issues in the area of international intellectual property, which may include: the nexus between intellectual property and human rights, the impact of intellectual property protection on economic development; the protection of traditional knowledge; and the impact of bilateral treaties and Section 301 of the Trade Act on multilateral norm-making processes. [3]

958. International Investment Treaty Arbitration Seminar. The International Investment Treaty Arbitration Seminar will help students acquire for themselves knowledge of international investment treaty arbitration and scholarly research skills. Students will draft and present research papers on international investment disputes. In the first five weeks of the seminar, students will develop a framework for appraising international law problems in general and international investment treaty disputes in particular. In each subsequent week, a student or small group of students will address a cutting-edge issue in international investment treaty arbitration and propose solutions. For each problem, the students will assign readings to the seminar and present their research and ideas at the seminar. Enrollment limited. [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 interrelationship 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]

826. International Mergers and Acquisitions. This course builds on "Law and Finance of Mergers and Acquisitions" but focuses particularly on U.S. and non-U.S. legal and business issues relating to cross-border mergers and acquisitions (M&A) and other business combinations. After reviewing some foundational general M&A concepts, the course will explore issues relating to structuring and executing cross-border M&A deals in which one or more of the parties involved are non-U.S. entities. The course will consider a number of structures commonly used and issues that typically arise in major European and Asian jurisdictions, as well as focus on the US M&A and securities laws, rules and regulations insofar as they are applicable to cross-border transactions. Course work will include active participation in class discussions as well as analysis and preparation of structure notes, legal memoranda and client "pitches" relating to proposed transaction structures. Prerequisite: Corporations or Corporations & Business Entities. Securities Regulation is recommended as a co-requisite. [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. [2-3]

781. International Trade and Human Rights. This course will examine current policies and legal controversies at the intersection of international trade and human rights law. Students will explore the linkages between trade, development, and human well-being as well as question whether international trade law should develop in harmony with or apart from international human rights law. The course will assume a limited background in the areas of international politics, theory, and economic principles. [3]

820. 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. [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]

NOTE: Any student who chooses to take Introduction to Accounting will be required to take the course on a Pass/Fail basis if that student is enrolled as a JD/MBA student, has earned an MBA, or has previously obtained a minimum grade of "B" in a college-level accounting course. All other students are required to take the course for a grade.

674. Introduction to Behavioral Law and Economics. This course will explore the basic concepts of the rational-choice framework in economics and then analyze how individuals deviate from the standard assumptions economists make regarding human behavior. Combining empirical and experimental results from both psychology and economics, students will examine the roles that bounded rationality, willpower, and self-interest play in law and economics, and the legal system more broadly, and the consequences of these three departures from neoclassical economics. No previous background in economics is required. [3]

687. 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 or its equivalent is a prerequisite for this course, unless the student has appropriate background. It is strongly recommended that students take Corporations or Corporations and Business Entities prior to, or simultaneously with this course. [3]

NOTE: Any student who chooses to take Introduction to Corporate Finance for Lawyers will be required to take the course on a Pass/Fail basis if that student is enrolled as a JD/MBA student, has earned an MBA, or has previously obtained a minimum grade of "B" in a college-level finance course, with the exception of Personal Finance or International Finance. All other students are required to take the course for a grade.

872. Introduction to Labor Law. This course will provide an introduction to the National Labor Relations Act; other federal and state statutes; and pending legislation governing the unionized work force and collective bargaining. [1]

NOTE: Due to some overlap in content, students who enroll in this Labor Law short course will not be eligible to take the Labor Law course.

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. [3]

616. Introduction to Legal Research and Writing in the United States. This fall semester course is required for all LL.M. students, and only they may enroll in it. It teaches the fundamentals of legal research, reasoning, advocacy, and writing in the United States. [2]

896. Introduction to the Leveraged Buyout. The Leveraged Buy-Out has become a popular vehicle for business acquisitions, especially among private equity firms, management buy-out groups and other "going private" sponsors. This short course will explore the basic principles, structure and execution of this type of transaction and will focus not only on the substantive issues typically encountered (including business organizations, mergers and acquisitions, securities regulation, finance, bankruptcy, tax and accounting), but also on the business and commercial objectives of the parties and the transactional dynamics that are presented. Students will work with documents from an actual LBO transaction to illustrate the relevant points. Prerequisites: Corporations & Business Entities or Corporations; Secured Transactions strongly recommended. Enrollment limited. [1]

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]

579. Journal of Entertainment and Technology Law. Credit for successful completion of work on the editorial staff of the *Vanderbilt Journal of Entertainment and Technology 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]

806c. Journal of Entertainment and Technology 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]

806B. 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]

994. Judges and Politics Seminar. This seminar will examine the nature of judicial decision making and its implications for the selection of judges. In particular, the seminar will explore whether it is possible to separate the task of legal interpretation from the task of making public policy, and then examine what that says about how judges should be selected. The seminar will consider these questions in the context of recent controversies involving state judicial elections and nominations to the federal bench, including the past several nominations to the U.S. Supreme Court. Enrollment limited. [3]

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]

685. Juvenile Justice. This course will trace the trajectory of juvenile justice (that is, juvenile delinquency and the application of criminal law to minors) in the United States over the course of the last century. Critical issues such as the development of separate systems of adjudication and correction for minors; search, seizure, and interrogation of minors; waiver from juvenile to adult court; the unique procedural mechanisms of juvenile courts; school violence; sentencing and confinement; and implications of emerging scientific research on adolescent development will be explored. Because this complex and ever-changing area of law is heavily influenced by empirical accounts and policy considerations, both legal doctrine and the historical and policy contexts within which it has developed will be considered. [3]

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]

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

NOTE: Due to some overlap in content, students who enroll in this labor law course will not be eligible to take the Introduction to Labor Law short course.

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]

777. Law and Business of Climate Change. (Formerly 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]

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. Pre- or co-requisite: 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]

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 third module. 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. 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 and Introduction to Corporate Finance for Lawyers. [3-4]

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]

784. Law and Psychology. The course evaluates 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. Enrollment limited. [3]

890. Law and the Brain. (Formerly Law and Neuroscience) Scientists are increasingly using new techniques to investigate the brain activity underlying cognitive phenomena. This course will explore whether, and if so how, the law should engage with various emerging neuroscientific findings, technologies, and perspectives on such topics as brain death, addiction, moral reasoning, criminal culpability, lie detection, bias detection, memory enhancement, non-invasive therapeutic brain stimulation, cooperative and competitive behavior, altruistic punishment, and the like. The course will also address a variety of challenging questions raised by the increasing introduction of brain-scans as evidence in courtroom proceedings. A background in science may be helpful, but is not required. [3]

914. Law and the Emotions Seminar. The emerging interdisciplinary field of emotion theory poses profound questions for jurisprudence. This seminar will explore the role that emotions

play in the practice and theory of law and will introduce students to the fundamentals of emotion theory as it has emerged from certain other disciplines. We will explore a range of issues in both criminal law and civil law and also explore the full range of potentially law-relevant emotions, from shame and disgust to love and empathy. Enrollment limited. [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]

673. The Law of Appellate Courts. This course is intended to expose students to the structures of appellate courts as a part of American government and the legal rules that restrict appellate-court decision making. Students will explore the role of appellate courts in implementing and developing a coherent body of law and the relationship of the courts to fact finders and policy creators. This is not an appellate procedure course, although some rules of appellate procedure will be discussed. Enrollment limited. [2]

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 co-requisite: Copyright Law or IP Survey. [3]

795. Law of Higher Education. This course will examine the interaction, interplay, and application of law with the institution and operation of higher education in the United States. Areas to be covered will include policy and governance; financing, tax, and business issues; university and land use; accreditation; academic freedom and faculty rights; students' rights; discrimination and access; athletics; the medical/research enterprise; and intellectual property considerations. Enrollment limited. [2]

789. 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. [2-3]

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]

806a. 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]

963. Legal and Ethical Issues in the Health Safety Net Seminar. This seminar will consider, among other issues, how people come to be without coverage, how the safety net has changed in recent years, how well it functions, and the legal rules and strategies that shape it. Enrollment limited. [3]

919. Legal History of Race in the United States: Slavery, Segregation, and Civil Rights Seminar. This seminar explores the role of law and the courts in the creation and evolution of ideologies of racial difference in the United States from the colonial era to the mid-twentieth century. Enrollment limited. [3]

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]

871. Legal Responses to Terrorism. This short course examines recent legal responses to terrorism through domestic, comparative, and international law frameworks, focusing on how a variety of legal mechanisms attempt to balance the competing needs of enhancing physical security and protecting individual liberty. Topics to be covered likely include litigation surrounding the US detention center at Guantanamo Bay, domestic prosecutions of terrorism and terrorism-related offenses, international treaties addressing terrorism, extradition of extraordinary renditions of those accused of terrorism, and the laws addressing terrorism promulgated in other countries, such as the United Kingdom and Israel. [1]

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]

805. 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. Legislation. This course will cover a variety of topics related to the process of statutory enactment, interpretation and implementation. Students will explore descriptive and normative theories of legislation and develop an understanding of the process of bill drafting and passage, including the rules governing legislative deliberation. The course will also introduce students to competing theories of statutory interpretation, from those ideas advanced by the Legal Process School to more current "dynamic" theories of statutory interpretation. Finally, the course will conclude with a review of issues associated with the implementation of legislative mandates in the administrative state. Students will consider the process of implementation in the context of a federalist system of separate powers. [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 Procedure: Adjudication and /or Investigation (formerly Criminal Practice and Procedure and/or Criminal Constitutional Law). [2]

925. LL.M. Research and Writing Project. This spring semester course is required for all LL.M. students pursuing the Thesis Track for their degree. Under the supervision of a faculty advisor, the student will prepare 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 or 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]

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. Pass/fail. Enrollment limited. [1]

647. Medical Technology and the Law. This course considers the many ways that our society manages medical technologies (primarily pharmaceuticals and medical devices), including direct federal regulation of research, development, and marketing; products liability doctrines affecting manufacture, design, and labeling; and the impacts of insurance systems and intellectual property regimes on access and innovation. [2]

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 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. Securities Regulation would be helpful, but is not a prerequisite. [1]

853. Methods and Ethics of Information Gathering. This course has two 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 will examine real-life ethical dilemmas faced by lawyers, businessmen, and others when trying properly to obtain information. The course will include studies of actual information gathering projects in law enforcement and in other areas, visits from a variety of distinguished information gatherers, readings and hands-on assignments. Enrollment limited. [1]

587. Mock Trial Board. Students who compete in the mock trial competition in the second year are chosen to serve on the Mock Trial Board in the third year. Board members may also be chosen as members of one or two mock trial teams that will compete in a regional, and if successful, a national competition. To receive credit, a student must participate in the competition and also satisfy Board responsibilities. Pre- or co-requisite: Evidence. [1]

818. Monetary Policy Analysis for Law Students. This course will provide law students with an introduction to monetary policy. The course will introduce basic descriptive tools for understanding the aggregate economy; explore the concept of money and the role the Federal Reserve Bank plays in shaping monetary policy; examine the impact of monetary policy on the economy as a whole, including labor and investment markets, Social Security, and national debt; and contrast U.S. monetary policy with the monetary policy of other countries. [2]

590a. 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]

590. Moot Court Competition. (Formerly 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]

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]

796. Negotiation. All attorneys—whether litigators, dealmakers, 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. Enrollment limited. [3]

NOTE: Due to some overlap in content, students who enroll in this Negotiation course will not be eligible to take the Dispute Resolution Seminar or the one-credit Negotiation or Settlement Negotiation short courses.

796a. 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. Attendance is required. Failure to attend any of the sessions will result in a failing grade in the course. Pass/Fail. Enrollment limited. [1]

NOTE: Due to overlap in content, students who enroll in this course will not be eligible to take the three-credit Negotiation course or the one-credit Settlement Negotiation short course.

894. New Perspectives in the Contemporary Community Economic Development Movement. This short course will introduce students to Community Economic Development law and policy and expose them to practical transactional lawyering skills required to create affordable housing, start microenterprise development organizations, create small businesses, form nonprofit organizations and obtain federal tax exemption, and conduct business negotiations, etc. [1]

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. [2–3]

897. Obtaining and Monitoring Relief in Institutional Reform Litigation. The purpose of this course is to analyze ways in which institutional reform can best be achieved and monitored. Through the use of case studies in school desegregation litigation and statewide public employment cases, students will focus on the legal basis for relief, the limitations on judicial oversight, and the practical aspects of achieving permanent institutional change. Issues to be addressed will include: monitoring of compliance in institutional reform cases; securing the productive involvement of parties and class members who may have differing viewpoints; and the use of dispute resolution means other than trial. [1]

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. [2–3]

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 co-requisite: Either an Intellectual Property course or a patents course. [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]

850. 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]

902. Political and Legal Theory Seminar. This seminar will focus on a topic (or set of related topics) in contemporary legal and political theory. The topic(s) will be identified by the instructors in advance of the relevant course registration period. Readings will consist primarily of books and articles by prominent political and legal theorists. Some of these authors will be invited to Vanderbilt to lead individual sessions of the course. The course will be co-taught by at least one law professor and one A&S professor, and open to both law students and graduate students in departments including philosophy, political science, and economics. Enrollment limited. [3]

833. Politics, Policies, and Environmental Regulation. This short course is designed to help students understand that many important environmental policy choices fail to follow the neat prescriptions contained in environmental textbooks. The course will compare the theory and practice of environmental regulation, and the White House-Environmental Protection Agency regulatory review process in particular. Students will examine how the complex mix of statutes, regulations, and executive orders affects how lawyers navigate in and among the various regulatory authorities. The course is intended to benefit students who plan to work with environmental decision makers or in environmental agencies, and to enable them to anticipate and develop strategies to influence environmental regulation. In addition, students will obtain a general understanding of several environmental statutes. [1]

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]

986. Presidential Powers Seminar. This seminar examines the place of the President in the American constitutional scheme. The seminar explores the variety of the President's Article II powers, the scope of Congress's authority to regulate those powers, and judicial review of the President's assertions of constitutional and statutory authority. While the focus of the seminar is on the legal constraints on the President, it also will attend to the institutional, political, and strategic implications of those legal constraints for governance. Administrative law is a strongly recommended as a prerequisite. Enrollment limited. [3]

940. Problems at the Interface of Tort and Regulatory Law Seminar. In our legal system, 'private' tort law and 'public' regulatory law often apply to the same conduct. It is thus increasingly important for practicing lawyers to consider directly the ways in which these bodies of law interact, either constructively or counterproductively. This seminar takes on this task by considering ways in which tort obligations interact with regulatory law's concern to advance public goods, such as consumer safety and environmental protection. Readings will address topics including citizen standing to complain of agency action, preemption, private and public nuisance actions, and the place of punitive damages in both tort and regulatory law. Prerequisite: Administrative Law. Enrollment limited. [3]

878. Problems in Corporate Law. This course will consider a variety of issues in corporate law, especially those that relate to boards of directors. Examples of potential issues are the requirement of a demand by a stockholder before instituting derivative litigation; transactional litigation; the business judgment rule; the director's fiduciary duties of care, loyalty, and disclosure; and indemnification and statutory exculpation issues. These issues will be explored in a highly interactive environment that may include simulated litigation using actual pleadings, briefs and oral arguments in the Delaware Court of Chancery and the Delaware Supreme Court. The course will concentrate on the manner in which the Delaware courts have addressed these issues, with occasional comparisons to other jurisdictions, the ALI, and the Model Business Corporation Act. Enrollment limited. [1]

785. Products Liability. No part of modern tort law is more important and more contentious than that which pertains to personal injuries caused by defective consumer products. This course will review the development and the current operation of products liability law, highlighting its distinctive procedural, substantive, and remedial aspects. Some or all of the following topics will be addressed: (1) the 'strictness' of strict products liability; (2) differences among manufacturing defect, design defect, and failure-to-warn claims; (3) the justification, if any, for treating product-related accidents differently from other kinds of accidents; (4) the concepts of "enterprise liability" and "market share liability;" (5) special problems posed by the availability of punitive damages in product liability litigation; and (6) the degree to which modern regulatory laws preempt or ought to preempt tort law that stands to impose liability for defective products. [1]

793. Professional and Ethical Considerations in Corporate Practice. This course addresses professional and ethical considerations in representing corporations, other businesses, and nonprofit enterprises, with particular emphasis on issues that arise in securities practice. Topics include legal aspects of corporate governance, conflicts among constituencies, conflicts of multiple representation, resignation issues, and responsibilities under the Securities Act of 1933, the Securities Exchange Act of 1934, and the Sarbanes-Oxley Act. [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]

971. Psychology and Criminal Law Seminar. This seminar will examine the role of mental disability in the criminal justice system. Assignments will cover the insanity defense, the death penalty, sexual predator statutes, preventive detention, and competency in the criminal process, including competency to be executed. One or more mental health professionals will help teach the course. Enrollment limited. [3]

887. Public Interest Litigation. This one-unit short course will start with a general introduction to public interest law, followed by approximately four discrete topics drawn from high-level public interest practice in recent years: lawsuits against federal regulators; preemption and related issues of court access; First Amendment issues, including internet free speech; and Freedom of Information and other issues of governmental transparency. [1]

813. Public International Law. This introductory 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]

813a. Public International Law. This is the one-credit option of Law 813. [1]

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. 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]

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. Enrollment limited. [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. Prerequisite: Secured Transactions or Bankruptcy. Pass/Fail. Enrollment limited. [1]

736. Religion, Politics, and Social Issues. A multidisciplinary study of the relationship between religion and politics in the United States focusing on various social issues with public policy implications, such as abortion, stem-cell research, gender and sexuality, race, prayer in schools, evolution and creationism, immigration, economic inequality, and the environment. Enrollment limited. [3]

787. Remedies. A survey of basic and advanced concepts and principles relevant generally to remedies inside and outside of court. [2]

868. Representing the Family Business. This course will focus on two primary topics. First, the course will focus on the closely held nature of the family business. Unlikely widely-held or publicly-traded businesses, the closely-held business is generally treated as the alter ego of the owner or owners. Thus, succession, estate planning, tax, and related issues are of special concern. Second, the course will zero in on the family nature of a family business—i.e., dealing with family issues in the business world and with business issues in the family world. [2]

800. 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 Assistant Dean for Academic Programs. 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 on the intranet. 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]

886. Restitutionary Remedies in Contemporary Tort Litigation. This course introduces students to the ways in which litigators have creatively adopted the doctrine of restitution to promote the claims of their clients or the classes they purport to represent in matters that otherwise might be addressed by tort law. Focusing on selected illustrations drawn from the Holocaust litigation, the tobacco litigation, and the lead paint litigation, the course will acquaint students with the basic concepts of constructive trust, disgorgement, tracing, and replevin as invoked in contemporary litigation. [1]

880. Role of Documentary Films in Social Justice Advocacy. This course will explore the use of documentary film as an element of social justice advocacy, including how films can help educate the general public about the legal system and how it deals with issues of public interest. Specific topics will include the use of film to address prison reform, juvenile justice, environmental concerns, affirmative action, poverty, and the death penalty, as well as discrimination within the legal system. The course will screen a variety of documentary films and film clips to provide a broad overview of important work that has been produced in the last five years. (Students will be required to view some of the films before class.) [1]

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]

917. Securities Litigation Policy Seminar. The securities fraud enforcement regime in United States uniquely utilizes class actions as a major supplement to public enforcement efforts. This seminar will introduce students to competing perspectives on the value of securities class actions and the major legislative and judicial reforms in the area, and will contrast the approach to securities fraud enforcement in the United States to that in other nations with developed capital markets. Prerequisites: Corporations or Corporations and Business Entities. Enrollment limited. [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. Prerequisite: Corporations and Business Entities or Corporations. [3–4]

790. Sentencing, Corrections, and Punishment. This course will explore different facets of criminal dispositions. Topics covered may include theories of criminal punishment (e.g. retribution, deterrence, rehabilitation, restorative justice), the relationship between sentencing and actual harms, collateral consequences of convictions (e.g. deportation, disenfranchisement, and forfeiture), probation, state regulation of incarceration (e.g. good-time credits, supervised release, parole, mandatory and discretionary release sentencing systems), and innovations in punishment (e.g. preventive detention, sexual predator statutes, "dangerous offender"

statutes, notification, monitoring, mental health courts, drug courts, habitual offender statutes, shaming penalties). Enrollment limited. [1]

796b. Settlement Negotiation. This course will teach students a conceptual model for approaching negotiation problems in any setting and then emphasize the application of the model to the specific context of litigation settlement negotiations. Each of four course meetings will combine lecture, simulation, and group discussion. The topics of each meeting will correspond to the four parts of the conceptual model: estimating the bargaining zone, exercising sources of power, identifying and employing social norms, and creatively exploiting opportunities for increasing joint value. Pass/Fail. Enrollment limited. [1]

NOTE: Due to overlap in content, students who enroll in this course will not be eligible to take the three-credit Negotiation course or the one-credit Negotiation short course.

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]

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]

943. Sports and the Law Seminar. The subject of sports and the law covers a variety of areas including contracts, agents, Olympic sports, doping, the NCAA, labor, antitrust, torts, discrimination and intellectual property. Enrollment limited. [3]

809. 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. [2-3]

900. 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 description of the requirements for the J.D. degree. The procedures for enrolling and completing the supervised research course are located on the Registrar's page of the Intranet under the headings "Registration" and "Registration Forms." This course may be taken only once for credit. Faculty approval required. [2]

849. Tax Practice and Procedure. This course will focus on representation of clients before the Internal Revenue Service and in federal courts. Topics include conflicts of interest, freedom of information requests, responses to summons, notices of deficiency, tax court pleadings, collateral estoppel, collection due process hearings, innocent spouse defenses, collection issues, and criminal representations. 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. [2-3]

NOTE: Federal Tax Law may be required as a prerequisite at the professor's discretion.

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. Prerequisite: Corporate Taxation. Enrollment limited. [2]

867. Technology, Entertainment, and Intellectual Property Law. This course, which will be taught in part in an interactive "workshop" format, will be broken down into four modules and will include the use of panel discussions with speakers in the profession. The modules will include topics related to advanced pertinent legal developments, industry and regulatory developments, and theoretical perspectives. Prerequisites: Copyright or Law of Cyberspace. [3]

909. Theories of the Firm in Law and Economics Seminar. Organizations such as corporations, partnerships, and non-profit entities play an enormous role in modern economies, but economic theory (or theories) of the firm are still under-developed. This is problematic because numerous policy and legal questions in corporate and securities law, antitrust, regulation, international trade, and finance depend on our understanding of what a firm is, and what economic and social function it serves. Is it simply a legal fiction, a "nexus of contracts," as some economists have suggested? Or is the nature and process of productive activity different when it is carried out within a firm rather than across markets in such a way that has implications for the law and policy? For example, some of the relationships within a firm are governed by "fiduciary duties," while others are governed by contracts, and still others are subject only to the decision of the internal hierarchy. Why, and how does the law identify which legal rules apply in which situations? Do firms have a social function or social responsibilities that are more than, or different from, the sum of the responsibilities of the individuals who participate in the firms? Why are some productive activities carried out within a firm, under the control of a hierarchical decision-making organization, while others are organized through contracts, or markets? And why do the "boundaries" between within-firm activities and across-firm activities shift, as happens when firms "outsource" production? This seminar course will begin by examining the classics in the literature on the economic theory of the firm, beginning with works by Coase, Alchian & Demsetz (team production theory), Jensen & Meckling (principal-agent theory), Easterbrook & Fischel (nexus of contracts theory), Williamson (transactions cost theory), and Oliver Hart (property rights theory). Then we will read and evaluate more recent literature, such as the work of Hansmann & Kraakman (elaborating a property rights theory of the law of entities), Rajan & Zingales and Blair & Stout (developing a team production theory of corporate law), Antras, Antras & Helpman (on outsourcing in international trade), Baker, Gibbons & Murphy (relational contracts), and Baldwin & Clark (on the role of modularization). Enrollment limited. [3]

705. Trademark and Domain Name Disputes. This course examines various forms of trademark disputes and litigation. Areas of discussion may include domain name disputes, the Uniform Dispute Resolution Policy arbitration process, Anticybersquatting Consumer Protection Act litigation, metatag and keyword litigation, trademark prosecution issues before the U.S. Patent and Trademark Office, and other trademark litigation issues. [2]

850a. Trademarks. This course will cover the basics of trademarks and unfair competition law. We will examine the law, policy, and practice of legally protecting brand identifiers. We will focus primarily on federal protection of marks under the Trademark Act of 1946 and the accompanying case law. Students may also examine recent applications of trademark law to the Internet and some related state law doctrines, including the right of publicity. [1]

883. Treatment of Scientific Evidence. This course analyzes how judges and juries treat scientific evidence. The course demonstrates how the interaction of legal tests and juror behavior affects decisions in a wide range of cases. Examples include environmental damages cases and major mass torts such as Bendectin, cigarettes, and environmental tobacco smoke. The course considers how jurors process probabilistic evidence in tort liability cases and how jurors respond to risk analyses conducted by corporations in such cases. In addition to analyzing legal cases, the course considers how the media presents scientific evidence and how the general public interprets scientific evidence. Examples include risks of climate change and autism risks from vaccinations. [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. All sections meet together on Monday afternoon. In addition, each section meets weekly in a small group for two hours with the faculty member teaching that section. Prerequisite: Evidence. Pass/Fail. Enrollment limited. [3]

930. User-Generated Culture Seminar. This seminar will study the exploding phenomenon of so-called user-generated content (UGC), which is roughly defined as digital, copyrightable content disseminated online. User-generated content includes such diverse forms of creative works as fan fiction, mash-ups, machinima, video remixes such as those found on YouTube, blog entries, uploaded materials to social media sites such as Facebook and MySpace, and player creations in virtual world settings such as Second Life. While the legal fact that all these types of content are capable of commodification via copyright law will serve as the central organizational thread uniting the course materials, UGC will also be studied with respect to some of the most important non-copyright issues that it is raising. This will include studying the complex contractual relationships that exist between amateur creators and the sites to which they often post their content. The seminar will also address privacy questions that are arising, exemplified recently by the massive user revolt in response to Facebook's introduction of new, more invasive sharing and data collection practices. Students will also explore important implications that user-generated content is thought to have for democratic culture. Plausible claims have been made from all points on the spectrum; from the claim that UGC strongly promotes democratic values to the claim that it promotes the degradation of cultural values and practices developed over centuries by underpricing and thus undercutting professional work with amateur dross. Broadly speaking, the larger issue we will seek to make progress in answering is what are the prospects and promises for UGC to promote a more creative and democratic civil culture. Prerequisite: Intellectual Property Survey; Comparative Copyright: The Emerging Global Regulation of Digital, Creative Content; Copyright; or concurrent enrollment in Copyright. [3]

751. Valuation. This course will be taught in four sessions. The first session will focus generally on theories of valuation, including the cash-flow model; the liquidation (asset) model; and the comparable sales model. A second session will focus on closely-held business entities, application of the models to this asset, and associated discounts (lack of marketability, minority interest, built in capital gains). A third session will focus on real estate and other hard assets like minerals, fixtures and equipment, reviewing appraisals, and integrating various

appraisals (e.g., appraising an S corporation which owns leased warehouses and is invested in a partnership owning equipment). [1]

929. Virtual Worlds, Social Networks & User-Generated Content Seminar. This advanced course covers some of the leading developments at the nexus of copyright law, privacy law, and Internet law. In addition, some of the challenging new issues for trademark law that are arising due to the use of marks in virtual worlds and on social networks will be explored. We will first study the positive legal structure upon which these new online modalities are constructed, paying particular attention to crucial emerging legal disputes such as *Viacom v. YouTube*. Next, we will seek to better our understanding of the technological developments that are allowing for these new forms of online interaction to become commercially feasible, with the goal of predicting near-term future developments. Finally, we will examine some of the fundamental normative and theoretical questions presented, such as who should own and control the creative content and personal information that is constitutive of virtual worlds, social networks and user-generated content. Prerequisites: Copyright Law or Law of Cyberspace. Enrollment limited. [3]

758. Voting Rights. This course considers regulation of the right to vote and otherwise participate in the political process. It begins with an overview of such restrictions as residency requirements, discrimination on the basis of sex and race, and registration practices. The bulk of the course considers constitutional and statutory constraints on apportionment and districting—one person, one vote, political and racial gerrymandering, and the role of the Voting Rights Act. [2]

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 webpage. Former or concurrent enrollment in either Criminal Procedure: Investigation or Criminal Procedure: Adjudication recommended. Enrollment limited. [3]

NOTE: Due to overlap in content, students who enroll in this course will not be eligible to take the three-credit Federal Criminal Law course.

866. 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. [4]

881. Written Advocacy for Litigators (Formerly Advanced Topics in Civil Procedure). This course is an advanced course of study in written advocacy for litigators. It is intended for students who wish to improve their skills in persuasive writing as it is used in civil litigation practice. Each student is assigned a specific civil litigation issue (procedural and/or federal courts issues), modeled on the kinds of assignment given to law firm associates or judicial clerks. All members of the class will review and comment on initial draft memoranda that are prepared, and further revisions will then follow. The goal is to focus on the process of receiving input and improving the written work, with the ultimate ambition of generating a higher quality product at the end. Enrollment limited. [1]

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 percent 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. Pre- or co-requisite: International Trade Law or Public International Law. [1]

Approved Non-Law Courses That Satisfy Law and Business Requirements

MGT 432a. Corporate Valuation. Focuses on providing students with a strong theoretical and applied understanding of the key tools used in equity valuation and stock selection. Approaches to valuation include dividend discount models, cash flow models, and valuation by multiples. Financial statement data are used in developing cash flow forecasts, and market data are used in estimating the cost of capital. The effects of firm financing policy, corporate taxes, and potential investment options are given special consideration. Applications include capital budgeting, the evaluation of potential mergers and acquisitions, and corporate restructuring. The objective of the course is to show how to manage companies to add value. Prerequisite: MGT 331. Pre- or co-requisite: Introduction to Accounting and Introduction to Finance and Introduction to Corporate Finance. [2]

MGT 432b. Corporate Financial Policy. Examines major policies and financial decisions of a corporation. The topics considered are corporate governance and management compensation plans, optimal capital structure, uses of various financial instruments, bankruptcy and reorganization, security issuance and going private, dividend policy and repurchase decisions. Prerequisite: MGT 432a. Pre- or co-requisite: Introduction to Accounting and Introduction to Corporate Finance. [2]

MGT 457. Fast Growing Businesses. Examines 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. Prerequisite: MGT 355. [2]

MGT 411. Financial Reporting. Attempts to offer knowledge of the functions, limitations, 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. Pre- or co-requisite: Introduction to Accounting and Introduction to Corporate Finance for Lawyers. [4]

MGT 431. Investments. Studies solutions to fundamental problems faced by individual and institutional investors. First, we cover a number of topics in fixed income markets including: the different ways of computing bond yields, forecasts of interest rates using the yield curve, and duration and convexity as measures of bond risk. Second, we solve the asset allocation problem to determine an optimal portfolio mix. We review the relevant theory, use an advanced spreadsheet to find an answer, and discuss issues faced by portfolio managers. Third, we use two methods to value options, the Black-Scholes formula and the binomial tree, and show how investors can use options to customize their risk-reward profile. Prerequisites: MGT 331 and Introduction to Corporate Finance for Lawyers. [2]

MGT 554d. Launching the Venture. Studies the critical post-business plan and funding, pre-revenue stage of a start-up venture, an extremely busy time in the company's life. This segment of the company's life is often referred to as the B-to-C round funding phase. This

course assumes that you, the entrepreneur, have your initial business plan and your initial funding and that your venture is getting underway. It 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, product and service introduction, later-stage business plan strategies, and later-stage funding strategies. This course will run as a live simulation. Prerequisite: MGT 321. [2]

MGT 453. Small Business Management. Analyzes the demographics, business issues, and management problems encountered by small-to-medium-sized businesses. The course will focus primarily on businesses that are already up and running and generating revenue. Small business categories covered will include family/multigenerational businesses, lifestyle businesses (meant to stay small), and firms hoping to scale into large businesses. It will examine the unique business operations, execution strategies, and organizational issues facing smaller firms and demonstrate how small businesses are not just smaller versions of large companies. Cases used and topics covered will span businesses such as service-based businesses (e.g. law firms and consulting companies), media companies, consumer products firms, restaurants, and others. Prerequisite: MGT 355. Pre- or co-requisite: Introduction to Accounting and Introduction to Corporate Finance for Lawyers. [2]

Non-Law Electives

A student may, upon written petition, with approval of the Registrar 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 regarding policies for approval.

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

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