



# Law School

Vanderbilt  
University  
2012/2013

Archived 2012/2013  
Law School Catalog

Containing general information  
and courses of study  
for the 2012/2013 session  
corrected to 15 September 2012

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 time or part time, who are enrolled in Vanderbilt courses are subject to the same policies.

Policies concerning noncurricular matters and concerning withdrawal for medical or emotional reasons can be found in the *Student Handbook*, which is on the Vanderbilt website at [vanderbilt.edu/student\\_handbook](http://vanderbilt.edu/student_handbook).

#### NONDISCRIMINATION STATEMENT

In compliance with federal law, including the provisions of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, the ADA Amendments Act of 2008, Executive Order 11246, the Uniformed Services Employment and Reemployment Rights Act, as amended, and the Genetic Information Nondiscrimination Act of 2008, Vanderbilt University does not discriminate against individuals on the basis of their race, sex, religion, color, national or ethnic origin, age, disability, military service, or genetic information in its administration of educational policies, programs, or activities; admissions policies; scholarship and loan programs; athletic or other university-administered programs; or employment. In addition, the university does not discriminate against individuals on the basis of their sexual orientation, gender identity, or gender expression consistent with the University's nondiscrimination policy. Inquiries or complaints should be directed to the Equal Opportunity, Affirmative Action, and Disability Services Department, Baker Building, PMB 401809, Nashville, TN 37240-1809. Telephone (615) 322-4705 (V/TDD); Fax (615) 343-4969.

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## **Law School Calendar 2012/2013**

### FALL SEMESTER 2012

Classes and orientation for first-year and LL.M. students / Monday 13 August  
Classes begin for upper-level JD students / Monday 20 August  
Thanksgiving holidays / Saturday 17 November to Sunday 25 November  
Classes end / Friday 30 November  
Examinations begin / Monday 3 December  
Fall semester ends / Friday 14 December

### SPRING SEMESTER 2013

Classes begin / Monday 7 January  
Spring holidays / Saturday 2 March to Sunday 10 March  
Classes end / Friday 19 April  
Examinations begin / Monday 22 April  
Spring semester ends / Friday 3 May  
Commencement / Friday 10 May

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# Academic Regulations

**T**HE 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 expected in the future.

A 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;
- \* have paid all financial obligations due the university;
- \* 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.

\* Credit hours are semester hours; e.g., a three-hour course carries credit of 3 semester hours. One semester credit hour represents at least 700 minutes of academic work per week, on average, for one semester. Academic work includes, but is not necessarily limited to lectures, research, independent study, clinical work, externships, and practica. Some Vanderbilt Law courses may have requirements that exceed this definition.

### Required Work

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

*Constitutional Law I.* Completion of the course in Constitutional Law I with a passing grade is required.

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

*Professional Skills Requirement.* Each student must receive at least one credit of instruction in professional skills generally regarded as necessary for effective and responsible participation in the legal profession. While subject to change, courses include: Advanced Evidence and Trial Advocacy, Advanced Legal Research, Appellate Advocacy Short Course, Current Issues in Transactional Practice, Drafting and Analysis of Business Documents Seminar, Entertainment Industry Transactions, Environmental Annual Review, Intellectual Property

Licensing, Legal Interviewing and Counseling, Mediation, Methods and Ethics of Information Gathering, Moot Court Competition, Negotiation, Patent Prosecution Lab, Polished and Effective Writing for Lawyers, Pre-Trial Litigation, Survey of Conflict Management, Trial Advocacy, Externships, Appellate Litigation Clinic, Civil Practice Clinic, Criminal Practice Clinic, Domestic Violence Clinic, Intellectual Property and the Arts Clinic, and International Law Practice Lab.

*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 satisfied by 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 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 and 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 is 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 Academic Life.

Students who transfer to Vanderbilt University Law School at the beginning of their second year are limited to 30 letter-graded 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 24 credit hours, not to exceed 28 total credits;
- for the thesis option, earned at least 24 credit hours, including 4-7 credits for a scholarly research project, not to exceed 28 total credits;
- for the law and business track, earned at least 27 credit hours, not to exceed 30 total credits;
- completed all academic requirements;
- 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.

Credit hours are semester hours; e.g., a three-hour course carries credit of 3 semester hours. One semester credit hour represents at least 700 minutes of academic work per week, on average, for one semester. Academic work includes, but is not necessarily limited to lectures, research, independent study, clinical work, externships, and practica. Some Vanderbilt Law courses may have requirements that exceed this definition.

### 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

Students may add or drop courses during the open enrollment period 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 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 last class meeting. 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 successfully completed 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. Financially clear 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 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 online at the time of registration.

### Confidentiality of 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 FERPA). This act affords matriculated 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 any part of their education records that a student believes is inaccurate or misleading. Students who wish to request an amendment to their educational record should write the university official responsible for the record, clearly 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 consent to disclosures of personally identifiable information contained in the student's education records to third parties, except in situations that FERPA and its regulations allow disclosure without the student's consent. A complete list of the exceptions may be found at 34 CFR Part 99.31. These exceptions include, but are not limited to, the following examples:

- Disclosure to school officials with legitimate educational interests. A "school official" is a person employed by the university in an administrative, supervisory, academic, research, or support staff position (including university law enforcement personnel and health staff); contractors, consultants, and other outside service providers with whom the university has contracted; a member of the Board of Trust; or a student serving on an official university committee, such as the Honor Council, Student Conduct Council, or a 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.
- To parents if the student is a dependent for tax purposes.
- To appropriate individuals (e.g., parents/guardians, spouses, housing staff, health care personnel, police, etc.) where disclosure is in connection with a health or safety emergency and knowledge of such information is necessary to protect the health or safety of the student or other individuals.
- Information to a parent or legal guardian of a student regarding the student's violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if the university has determined that the student has committed a disciplinary violation with respect to the use or possession and the student is under the age of twenty-one at the time of the disclosure to the parent/guardian.



FERPA provides the university the ability to designate certain student information as “directory information.” Directory information may be made available to any person without the student’s consent unless the student gives notice as provided for below. Vanderbilt has designated the following as directory information: the student’s name, addresses, telephone number, email address, student ID photos, 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 information that would not generally be considered harmful or an invasion of privacy if disclosed. Any new entering or currently enrolled student who does not wish disclosure of directory information should notify the University Registrar in writing. No element of directory information as defined above is released for students who request nondisclosure except in situations allowed by law. The request to withhold directory information will remain in effect as long as the student continues to be enrolled, or until the student files a written request with the University Registrar to discontinue the withholding. To continue nondisclosure of directory information after a student ceases to be enrolled, a written request for continuance must be filed with the University Registrar during the student’s last term of attendance.

If a student believes the university has failed to comply with FERPA, 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 Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-8520.

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 the General Counsel.

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# Financial Information

**T**UITION for the academic year 2012/2013 is \$46,400. Students registering for fewer than 10 credit hours pay tuition at the rate of \$2,320 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 \$750 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 \$2,382. Students pay annual activities and recreation fees of approximately \$404. 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 2012</i>	<i>Official Withdrawal Date</i>	<i>Percent Refunded</i>
Week 1	August 22–August 29	100%
Week 2	August 30–September 5	90%
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%
Fall Break	October 4–October 5	65%
Week 7	October 6–October 12	60%
Week 8	October 13–October 19	50%
Week 9	October 20–October 26	45%
Week 10	October 27–November 2	40%

*No refund after November 2, 2012*

<i>Spring 2013</i>	<i>Official Withdrawal Date</i>	<i>Percent Refunded</i>
Week 1	January 7–January 14	100%
Week 2	January 15–January 21	90%
Week 3	January 22–January 28	85%
Week 4	January 29–February 4	80%
Week 5	February 5–February 11	75%
Week 6	February 12–February 18	65%
Week 7	February 19–February 25	60%

Week 8	February 26–March 1	55%
Spring Break	March 2–March 10	55%
Week 9	March 11–March 18	50%
Week 10	March 19–March 25	40%

*No refund after March 25, 2013*

## 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/stuacct](http://www.vanderbilt.edu/stuacct).

## 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 1 for the fall semester and April 1 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 (J.D. 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.

**FEDERAL COURT BAR AND BENCH SCHOLARSHIP.** The United States District Court for the Middle District of Tennessee has made funds available to help economically disadvantaged students from Middle Tennessee to attend law school. This scholarship was established in 2007 and is awarded annually.

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

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

**KEITH GLASGOW SCHOLARSHIP.** The Keith Glasgow Scholarship was established in 2010 through a bequest from S. McPheeters Glasgow, Jr. (J.D. 1940), to provide financial support for worthy students.

**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.

**RICHARD R. HAYS SCHOLARSHIP.** Established in 2011 by Richard R. Hays (J.D. 1986) in honor of his 25th Law Reunion. The scholarship provides financial support to deserving students at the Law School.

**HESS SCHOLARSHIP.** The Hess Scholarship was established in 2006 by William H. Hess (J.D. 1990) and Jodi Hess to provide assistance for second- or third-year students who maintain Dean's List or higher GPA standing, have demonstrated financial need, and have borrowed significantly for their legal education.

**HOLTON-BROWN SCHOLARSHIP.** Established in 2012 to honor Richard D. Holton (J.D. 1980) and the Brown family, including Martin S. Brown, Sr., his children Eliza, Nina, Susannah, and Martin S. Brown, Jr. (J.D. 1992). The scholarship supports deserving students at the Law School.

**JUSTICE-MOORE FAMILY SCHOLARSHIP.** Kathleen Justice-Moore (J.D. 1991) established this fund in 2010 to provide scholarship assistance to students who show an interest in working in the not-for-profit sector or in public service upon graduation.

**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.

**RICHARD F. AND GLORIA E. LAROCHE JR. SCHOLARSHIP.** Established in 2004 by Richard F. ("Ted") LaRoche (J.D. 1970) and his wife, Gloria, to provide scholarship assistance to deserving students in the Law School.

**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.

**ANTHONY R. MANSFIELD LITIGATION SKILLS SCHOLARSHIP.** In 2003, James H. Hancock (J.D. 1966) and John Tavss (J.D. 1979) established the Anthony R. Mansfield Litigation Skills Scholarship in memory of their friend Anthony R. Mansfield (J.D. 1968). This fund is used to provide support based on financial need to third-year students at the Law School.

**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.

**E. M. 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 an entering or returning student with a demonstrated interest in international law.

**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.

**ONES W. POLK II INTERNATIONAL STUDIES STIPEND FUND.** The Ones W. Polk II International Studies Stipend Fund was established by members of the Class of 1998 in memory of their classmate Ones W. Polk. The stipend is awarded to a student in need of financial assistance for international studies.

**STEVE POTTS AND LES NICHOLSON SCHOLARSHIP.** Established to honor Stephen D. Potts (B.A. 1952; LL.B. 1954), who established the fund in 1983, and Leslie A. Nicholson, Jr. (LL.B. 1965), Steve's partner at Shaw Pittman and close personal friend for fifty years. The fund provides scholarship assistance to deserving students in the Law School.

**JEFF AND SUSAN REINFELD ZAGER FAMILY SCHOLARSHIP.** Established in 2010 by Jeff (B.A. 1982; J.D. 1985) and Susan Reinfeld Zager (J.D. 1986) to provide financial support to deserving students at the Law School.

**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.

**WELDON WILSON SCHOLARSHIP.** The Weldon Wilson Scholarship was established in 2011 by Wilson Weldon Wilson (J.D. 1986) and Elaine C. Wilson to honor Weldon's 25th reunion. The scholarship provides financial support to deserving students who are graduates of public institutions.

**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.

**HOPE AND STAVROS ZEPPPOS SCHOLARSHIP.** Nicholas S. Zeppos, professor of law and chancellor of Vanderbilt University, and his wife, Lydia A. Howarth, established this scholarship in memory of the chancellor's parents, Hope and Stavros Zeppos. This scholarship provides financial assistance to law students who demonstrate high academic achievement and good character.

## Loan Funds

Vanderbilt University students participate in the Perkins Loan program, the Federal Unsubsidized Direct Loan Program, and the Graduate PLUS Loan Program. Information may be obtained from the Admissions Office. 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.



# 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 that 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. Set up to honor Professor Junius L. Allison, first director of the Vanderbilt Legal Clinic.

**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.

**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.

**DARBY DICKERSON LEGAL ACADEMY SCHOLARS PROGRAM STIPEND.** Darby Dickerson (J.D. 1988) established this fund in 2004 to provide stipend awards to deserving students enrolled in the Legal Academy Scholars Program.

**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.

**VICTOR S. (TORRY) JOHNSON III CLASS OF 1974 PUBLIC INTEREST STIPEND.** The late Nancy M. Johnson established this fund to provide support to students enrolled at the Law School doing summer public interest work in the criminal justice system. The fund honors her son, Victor S. (Torry) Johnson III (J.D. 1974).

**LIGHTFOOT, FRANKLIN, and WHITE LLC 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 LLC 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 Dr. Herman 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.

**RICHARD A. NAGAREDA AWARD.** Awarded by the Cecil D. Branstetter Litigation and Dispute Resolution Program to a student in the graduating class for extraordinary achievement in the study of litigation and dispute resolution.

**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 graduating 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. This award was established in 1997 by family and friends of Jordan Quick (J.D. 1993).

**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. This award was a gift from the Civil Division of the U.S. Department of Justice in memory of Stanley Rose (J.D. 1949).

**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. This award was established by Mae Ruskowski in memory of her husband, Carl Ruskowski (J.D. 1939).

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. This award was established in 1968 by relatives and friends of Justice Weldon B. White, a former professor in the Law School.

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

THE CHRIS LANTZ MEMORIAL 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*

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.

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 CORTNER MEMORIAL 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. This award was established by Harlan Dodson III (J.D. 1969) in memory of his father.

JUDGE ALBERT C. HUNT NATIONAL MOOT COURT TEAM AWARD. John Hunt endowed this fund to provide awards to students chosen to become members of the National Moot Court Team. This award honors the memory of his father, Judge Albert C. Hunt, a 1909 graduate of Vanderbilt Law School, who was a Justice of the Supreme Court of Oklahoma at the time of his death.

# Courses of Study

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.

**LAW 575. Law Review.** Credit for successful completion of work on the editorial staff of the *Vanderbilt Law Review*. May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 1 credit per semester of enrollment. 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]

**LAW 575A. Law Review Executive Board.** May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 1 credit per semester of enrollment.

**LAW 577. Journal of Transnational Law.** Credit for successful completion of work on the editorial staff of the *Vanderbilt Journal of Transnational Law*. May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 1 credit per semester of enrollment. 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]

**LAW 577A. Journal of Transnational Law Executive Board.** May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 1 credit per semester of enrollment.

**LAW 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*. May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 1 credit per semester of enrollment. 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]

**LAW 579A. JET Law Executive Board.** May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 1 credit per semester of enrollment.

**LAW 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. May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 1 credit per semester of enrollment. Extracurricular credit. Pass/Fail. [1]

**LAW 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]

**LAW 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]

**LAW 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]

**LAW 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 of 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 corequisite: Evidence. [1]

**LAW 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]

**LAW 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. May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 1 credit per semester of enrollment. Maximum number of credits: 3. Extracurricular credit. Pass/Fail. [1]

**LAW 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]

**LAW 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]

**LAW 605A. Life of the Law—LL.M.** This class introduces LL.M. students to the study of law in the United States. They will gain the knowledge and skills necessary to understand the U.S. legal system and to succeed in their other law school classes. The course provides a basic grounding in discrete non-legal topics that are important to the contemporary study of law. Examples include reviewing the formative periods of American history and the essential features of American government, conveying economic concepts such as efficiency and the role of markets, and describing phenomena such as social norms and cognitive bias. The course also gives students an overview of the American legal regime and legal methodologies, concepts, and frameworks. The class will discuss analytic tools and methods of legal reasoning with a special emphasis on common law and statutory interpretation. We will also cover briefly the history of American legal education, the pedagogy of American law schools, and the structure of the American legal profession. [2]

**LAW 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]

**LAW 606A. Contracts.** (For LL.M. Students) 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]

**LAW 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]



**LAW 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]

**LAW 613. Criminal Law.** A basic study of 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]

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

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

**LAW 616. Introduction to Legal Research, Writing, and Analysis 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]

**LAW 617. Introduction to Legal Research, Writing, and Analysis in the United States II (LL.M.).** This course will help students prepare to draft, review, analyze, explain, revise, and negotiate contracts in English. Depending in part on student preferences, these contracts may include international distribution agreements, licenses, joint ventures, and agreements related to employment, arbitration, and/or settlement. We will examine the typical components of each of the contracts we analyze, discuss ways to manage risk, and practice precision in drafting. This course will also reinforce the principles of effective writing introduced in the Introduction to Legal Research, Writing, and Analysis in the United States as they relate to a transactional legal practice. Prerequisite: Contracts. Enrollment limited. [3]

**LAW 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]

**LAW 621. Torts.** Liability for intentional harm to person or property and for similar harm caused by negligent conduct. [4]

**LAW 636. LGBT People and the Law (formerly Sexual Orientation and the Law).** This course explores selected legal issues related to sexual orientation and gender identity/expression. Emphasis is placed on such issues as constitutional privacy law, equal protection cases, relationship recognition, first amendment protections, parenting rights, and social science research related to LGBT people, including conversion therapy. Prerequisite: Constitutional Law II. [2]

**LAW 638. Feminist Legal Theory.** This course will examine theory and policy relevant to the laws that impact: women and their professional work; women and their family lives; and women and their bodies. Within the topic of women and work, we will explore issues such as women in the legal profession, the work/family conflict, comparable worth/wage issues, sexual harassment, sex role issues, and the progress and limits of workplace reform. Within the topic of women and family, the course will address reproduction, mothering, and the economic consequences of divorce. Within the women and bodies topic, we will examine domestic violence, prostitution, pornography, and rape. [2]

**LAW 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]

**LAW 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]

**LAW 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]

**LAW 672. Empirical Methods for Legal Analysis.** This course provides students with an understanding of the quantitative tools commonly used in legal decisions, legal scholarship, and public policy. The course will focus on the use of statistics, epidemiological methods and multiple regression analysis in law. Legal topics will be varied and might include Supreme Court decision making, causality in toxic torts, employment and lending discrimination, and determinants of damages awards. Prior statistical knowledge is not necessary. [3]

**LAW 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]

**LAW 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. 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. [3]

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

**LAW 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]

**LAW 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]

**LAW 677. Intellectual Property and the Arts Clinic.** The Intellectual Property and the Arts 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]

**LAW 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]

**LAW 678. Family Law and 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]

**LAW 678A. Family Law and Domestic Violence Clinic—Advanced.** A second optional semester is available. Maximum credit of five clinic credits. Pass/Fail. Faculty approval required. [2]

**LAW 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]

**LAW 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]

**LAW 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]

**LAW 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]

**LAW 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. 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 J.D./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. [2]

**LAW 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 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. 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 J.D./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. Prerequisite: Introduction to Accounting or equivalent; Prerequisite/Corequisite: Corporations or Corporations and Business Entities. [3]

**LAW 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]

**LAW 689. Venture Capital.** This course examines structuring issues confronted in venture capital and private equity transactions, including leveraged buy-outs. There is a heavy tax emphasis, but relevant corporate law issues are addressed as well. Topics to be considered include: (1) tax and corporate law consequences of different entity structures (partnerships, limited liability companies, S corporations, C corporations), both for portfolio companies and for investment funds; (2) methods for reconciling the competing interests of entrepreneurs venture capitalists, and passive investors; (3) the tax effects of leverage and rules related to the deductibility of interest expense; (4) executive compensation (including stock options, restricted stock, stock appreciation rights); (5) the tax consequences of financial distress (including cancellation of indebtedness income, limitations on the use of net operating losses); and (6) drafting considerations (i.e., an examination of corporate charters, partnership operating agreements, asset and stock purchase agreements). Recommended: Completion or co-enrollment in Federal Income Tax or Corporate or Partnership Tax. [3]

**LAW 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. [4]

**LAW 693. Current Topics in Presidential Power Short Course.** This short course will consider cutting-edge scholarly and political debates on presidential power including (1) the scope of the commander-in-chief power, (2) intervention in limited wars, including the conflict in Libya, and (3) the role of politics and public opinion in constraining presidential action. Readings include scholarly writings and executive branch legal opinions. Enrollment limited. [1]

**LAW 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]

**LAW 695. State Constitutional Law.** State constitutions provided the building blocks for the United States Constitution and the Bill of Rights. Many of the framers of the federal constitution believed state constitutions to be the principal guardians of individual rights and freedoms. Accordingly, they mandated a balance of power between the states and the federal government. State constitutions may protect rights that are not protected by the federal constitution and, subject to the federal constitution's Supremacy Clause, may provide greater protection for rights and liberties that are also protected by the federal constitution. The highest court of each state has the final prerogative to interpret the provisions of its state constitution. This course will address the importance of framing constitutional arguments using both the federal and state constitutions and the expansion of federally guaranteed liberties based on differences in textual language, legislative history, pre-existing state law, and legal traditions of the various states and their constitutions. Enrollment limited. [2]

**LAW 698. International Trade Short Course.** This course provides an introduction to international trade law. We begin by examining the institutional dimension of the international trade regime (WTO) as well as the regional trade regimes of the EU and NAFTA. We then move onto core trade principles, such as most-favored nation and national treatment in goods and services trade as well as the non-economic exceptions to international trade obligations. Based on this knowledge of substantive international trade law, we discuss WTO dispute settlement system and NAFTA arbitration, including the relationship between WTO law and other parts of the international legal system (for example, environmental and human rights law) and the role that international trade law plays in development. [1]

**LAW 699. Oil and Gas Law Short Course.** This course will provide a broad overview of oil and gas law. It will examine the process by which oil, gas, and other minerals are produced and the legal issues raised by the various stages of production. It will also explore the property rights that allow for such production and the contracts by which those rights are created and extinguished. Given that the focus of the course will be on the litigation attendant to oil and gas exploration and production, the course will consider the environmental and non-environmental issues that arise and how those issues are litigated, in addition to discussing emerging topics that will hold the future for oil and gas litigation. Examples of topics covered by the course will include, among others, environmental remediation of oilfield sites, federal and state regulation of the oil and gas industry, mineral royalty disputes, deepwater exploration and production, natural gas production, and technologies providing opportunities for expanding the scope of mineral production, both domestically and internationally. [1]

**LAW 700. Corporate Restructuring.** This course focuses on the legal, business, and litigation issues that a corporation confronts when it encounters financial distress. Preliminarily, 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 corequisite: Bankruptcy. Corporations or Corporations and Business Entities would be helpful. [1]

**LAW 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. [2-4]

**LAW 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]

**LAW 703. Managing Insolvent Businesses Short Course.** This short course will examine how legal duties, liability exposure, and practical responsibilities of business managers change as the business moves into the zone of insolvency and ultimately becomes insolvent. The interaction of state laws affecting business governance on the one hand and federal laws, including bankruptcy law and certain securities and criminal laws, on the other will be a primary area of focus. We will explore how officers and directors address the competing demands of shareholders and creditors, while satisfying legal and regulatory constraints. Policy issues raised by the apparently increasing interest of federal authorities in business risk may also be discussed. Prerequisite: Corporations or Corporations and Business Entities. [1]

**LAW 707. Effective Legal Writing for the Real World Short Course.** Team-taught by a federal appellate judge, a federal trial court judge and a veteran journalist, this real-world course has four goals: (1) Using lectures, examples and in-class exercises, students will learn the characteristics of legal writing most likely to engage and convince judges; (2) Students will learn how legal writing for public consumption, for trial courts and for appellate courts are different and how to be an effective advocate in each context; (3) Students will acquire lists of do's and don'ts to guide the development of effective, individualized legal writing styles; and (4) Students will be guided in how best to write to get results when trying to reach wider audiences, with a focus on influencing media and speaking to public policy debates. [1]

**LAW 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. NOTE: Students cannot take both Corporations and Corporations and Business Entities. [3]

**LAW 709. The Democratic Constitution Short Course.** An introduction to the profound role that elected officials and the American people play in shaping constitutional values. This short course will examine three topics. The first concerns the ways in which social and political forces shape Supreme Court decision making. Most significant, the Justices are subject to a highly politicized appointment and confirmation process. Once on the Court, moreover, the Justices may take into account the views of elected officials, the American people, and elites. This part of the course will consider the possible impact of elite and mass public opinion on the Court, including the possible consequences of the 2012 elections on the future direction of the Court. The second topic 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 part of the course will examine such topics as privacy, race, separation of powers, and federalism. The third topic is an examination of ways that state Supreme Courts are subject to more democratic controls than federal courts, including the ramifications of judicial elections and voter initiatives on state Supreme Court decision-making. This part of the course will use same-sex marriage as a case study to understand the way that state Supreme Court Justices are subject to democratic controls unimaginable to federal court judges. [1]

**LAW 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]



**LAW 713. Advising Corporate Boards Short Course.** In this short course, two distinguished corporate lawyers and a member of the Delaware Court of Chancery will focus on: 1) the core business and legal duties assigned to the board of directors of public corporations; 2) the challenges that boards face in light of the increasing complexity of the business world and their organizations, and the legal mandates and practical realities that constrain board composition, committee organization, and use of time; and 3) some of the high-stakes contexts in which independent directors are required to play a leadership role in determining corporate policy. To give students a good sense of the real world problems faced by boards and their legal advisors, the instructors will use scenarios drawn from actual situations that arise frequently in the business world and require students to think through how they would advise the board in addressing those situations. Those situations will involve topics such as reacting to a merger proposal by a controlling stockholder, setting the CEO's compensation, monitoring risk and legal compliance, and conducting a special investigation. Prerequisite: Corporations or Corporations and Business Entities. [1]

**LAW 714. Comparative Corporate Governance Short Course.** Comparative corporate governance is the study of the theory, law and practice of the governance of corporations across different jurisdictions. Much of the debate centers on the issues of convergence and the question of which system is optimal. While many commentators support convergence, others take the view that major underlying legal and cultural differences between jurisdictions will ultimately prevent such convergence. In light of the global financial crisis, the question of whether an Anglo-American system of corporate governance is optimal is also receiving some attention. This course examines recent trends in comparative corporate governance and discusses fundamental differences in structure, and the interplay of governance techniques, in a variety of different jurisdictions, such as the U.S., U.K., Germany, Japan, Australia, and New Zealand. Different approaches to fundamental issues in corporate governance will be explored, including: board structure; director's duties; disclosure; the relationship between shareholders and boards; fairness between shareholders; the role of institutional investors; the role of employees and executive remuneration. [1]

**LAW 714B. Comparative Corporate Governance.** This course will provide a general overview of the field of comparative corporate governance, including the United States and several other countries with a focus on the basic economic principles and theories that have been developed. Specific topics will include the theory of the firm, limited liability, share dispersion, agency costs, internal governance structures, executive compensation, shareholder activism, shareholder litigation, the market for corporate control and shareholder voting. [2]

**LAW 715. Supreme Court Litigation Short Course (formerly U.S. Supreme Court Litigation Short Course).** This short course examines U.S. Supreme Court decision making by exploring the litigation process before the Court. Coverage will include discussion of the role of Supreme Court litigators, the decision to seek certiorari, the Court's consideration of petitions, the role of amici, the nature of Supreme Court briefs, and the dynamics and significance of oral arguments. The short course will offer an opportunity to discuss recent and current Supreme Court cases. [1]

**LAW 716. Supreme Court Short Course.** In this short course, we will explore the role and function of the Supreme Court of the United States in our governmental system. Although you have been exposed to Supreme Court decisions in your other law school classes, this class will concentrate on how the Court makes those decisions, as well as the Court's relationship to the other branches of government. Thus, we will begin the course by examining the nomination and confirmation process using case studies from the nominations of Robert Bork and another potential Supreme Court nominee. We will then proceed to consider cases currently pending before the Court, first discussing current certiorari petitions and then adjudicating several pending merits cases. Enrollment limited. [1]

**LAW 717. Actual Innocence.** This course explores the legal landscape of wrongful conviction of the factually innocent. Students review empirical evidence of the prevalence of wrongful conviction; 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, federal habeas claims, and standards

for accessing DNA testing; and evaluate compensation schemes and reintegration programs for those determined to have been wrongly convicted. While there are no pre- or corequisite courses, I highly recommend that you have taken or be taking one of the following: (1) Criminal Procedure: Investigation; (2) Criminal Procedure: Adjudication; or (3) Criminal Procedure: Social Science Perspectives. Federal Courts is also advisable. [3]

**LAW 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]

**LAW 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]

**LAW 720. Bankruptcy.** A study of the rights of secured and unsecured creditors under state law and federal bankruptcy law, and the corresponding rights of debtors. Other areas covered include methods of collecting judgments, fraudulent conveyances, general assignments, garnishment, and attachment. Completion of Secured Transactions is helpful, but not required. [3]

**LAW 721. International Insolvency.** This course explores the topic of managing cross-border bankruptcy cases, including Chapter 15 of the Bankruptcy Code as well as the use of Chapter 11 by foreign nationals. In addition, this course will introduce students to a comparative study of insolvency laws in the EU, Latin America, Japan, Canada, and elsewhere. [2]

**LAW 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 pre-trial procedures and trial. Specific areas will include bail, grand jury, plea bargaining, speedy trial, and jury selection. [3]

**LAW 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]

**LAW 724. Polished and Effective Writing for Lawyers.** This course will help students continue to hone their writing skills across various writing styles and formats. Several guest speakers will provide specific advice for becoming effective and powerful writers. Speakers will likely include federal appellate court judges, a songwriter, a screenwriter, a poet, and a journalist. Students will prepare a series of short writing assignments. Pass/Fail. Enrollment limited. [1]

**LAW 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]

**LAW 726. Survey of Conflict Management Short Course.** This course surveys the variety of choices at the decision points in conflict management. Although litigation is one alternative, the course examines other

approaches, including negotiation, mini-trial, mediation, panel evaluation, summary jury trial, private judging, voluntary arbitration, court-annexed arbitration, and the use of special masters. The role of personality and personal experience will be examined as a factor in conflict resolution choices. These processes are studied through readings, observation, simulation exercises, and discussion. [1]

**LAW 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. [2-3]

**LAW 728. Establishment and Management of Nonprofit Organizations.** This course will prepare students to interact with nonprofit organizations in a variety of capacities, from board member to founder to adviser. Topics discussed will include nonprofit corporations, tax exempt organizations, the role and duties of the board of directors, standards of conduct and fiduciary duties of directors, conflicts of interest, record-keeping, annual compliance, indemnification and protection of board members, board operations, and the board-staff relationship. In addition, students will discuss the process for forming a new organization, including drafting governance documents and the application to the IRS for recognition of tax exempt status. These issues will be examined in an interactive setting using real world examples. [1]

**LAW 729. Islamic Law: From Mecca to Modernity.** Islamic law occupies a growing role in our popular mindset, and Islamic legal sources and principles are increasingly given attention in secular legal systems the world over. This course will introduce the traditional sources and methodological development of Islamic law, historical and contemporary reformist movements both progressive and reactionary, and ways in which American legal practice engages with Islamic law. [3]

**LAW 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 enforcement 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]

**LAW 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]

**LAW 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]

**LAW 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]

**LAW 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]

**LAW 738. Jewish Law: From the Ancient Near East to the Israeli Supreme Court.** This course will survey the primary genres and methods of Jewish legal writing and legal decision-making from the Bible through the rabbinic and medieval period to the modern period. In discussing Jewish legal history, the course will focus particularly on the relationship of Jewish law to non-Jewish legal systems, issues of legal competition when Jews had access to non-Jewish venues, and the role of legal pluralism and indeterminacy in Jewish legal decision-making. The course will also discuss the complicated role of Jewish law in the State of Israel with respect to Jewish-Arab relations as well as the role of religious pluralism among Jewish communities within Israel. The role of Jewish law in contemporary Diaspora Jewish communities will also be addressed, particularly as these communities address modern social issues such as abortion, women's rights, and homosexuality. [3]

**LAW 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]

**LAW 740. Federal Courts and the Federal System.** This is the three-credit option of this course. Note that there is no prerequisite to this course option. [3]

**LAW 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]

**LAW 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. NOTE: Students cannot take both Corporations and Corporations and Business Entities. [4]

**LAW 743. Islamic Law in the Modern Age.** This course considers the social and political impact of Islam's sacred law in the nineteenth, twentieth, and twenty-first centuries. Under colonial regimes, Muslims faced intense pressure to modernize and secularize their legal systems. This pressure led to significant reforms, ranging from the codification of criminal and commercial laws—in an adaptation of European models—to the abolition of slavery, bans on child marriage, and, in Turkey and Tunisia, the outlawing of polygamy. But over the course of the twentieth century, despite this diminished role of Islamic law as state law, jurists and theologians found ways to make the Shari'a relevant to Muslims. They did so by issuing fatwas (juridical opinions) to guide believers facing new political and

economic conditions, by arguing for the right to practice religion as members of minority or majority groups, and by making use of new media. This course begins with readings of the Qur'an and the Oral Tradition, the two principal sources of Islamic law. It then examines styles of legal reasoning in both the Sunni and Shi'ite traditions. After this basic introduction, the seminar turns to primary and secondary literature concerning Islamic law in the modern period. Among other topics, we'll examine juridical-theological attempts to interpret jihad as just war, discussions about women's rights in relation to Islamic legal norms, transformations of the legal discourse with the emergence of new media, and public debates over the desirability of applying the Shari'a in the West. Enrollment limited. [2-3]

**LAW 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 corequisite: Constitutional Law II—Individual Rights. [4]

**LAW 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]

**LAW 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. Enrollment limited. [2]

**LAW 748. Constitutional Law of U.S. 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 also taught as Constitutional Law of U.S. and Foreign Relations. [3]

**LAW 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]

**LAW 750. Political and Legal Environment of Business.** For many businesses, non-market forces are as significant as market factors: the interaction between government institutions, elected officials, policy-oriented activists and NGOs shape the legal environment for firms in ways that have direct implications for their bottom line. Lawyers are frequently involved in developing and implementing strategies in the non-market environment to advocate and realize the interests their clients. This class introduces a set of analytic tools that rest upon a foundation of economic principles, political analysis, social psychology and risk management to help students identify patterns of behavior and outcomes in the non-market environment, methods of analysis that facilitate understanding and prediction, and, ultimately, the shaping of strategies to improve the non-market environment for clients. The course is organized through a series of case studies that identifies the ways in which firms are subjected to, and need to respond to, non-market forces and institutions including the media, activist campaigns, regulatory action and threats, and the legislative arena. In exploring these topics students will be required to prepare a series of short assignments that provide policy and legal guidance for firms that are engaged in these situations, complete an in-class midterm that tests students on their understanding of fundamental concepts in non-

market analysis, and complete a substantial group project in which students identify an important non-market issue being faced by a Nashville-area business or non-governmental organization, and use the frameworks and lessons learned in class to offer advice and recommendations for how best to achieve their goals while paying appropriate attention to the relevant non-market considerations. [3]

**LAW 751. Franchise Law.** This course is designed to enhance your understanding of franchise law and the legal aspects of distributing products in the United States through independent entities. In particular, we will focus on the relationship between franchisor and franchisees and the law used to regulate that relationship. Course materials will provide an in-depth study of federal and state statutes and case decisions that define this field of law. [2]

**LAW 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]

**LAW 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]

**LAW 759. Energy Law.** This course focuses on foundational legal issues related to the management, development, transportation and use of energy resources, including the generation and transmission of electricity. An emphasis will be placed on themes that recur across specific fields of energy law, including the legal framework for regulatory commitments related to energy infrastructure, legal and market governance of energy resources, and how the law approaches externality and risk issues related to energy. Coverage of the course includes the basics of state public utility regulation, exposure to key statutes administered by federal agencies that regulate energy (such as the Federal Energy Regulatory Commission), various legal issues related to the emergence of energy markets in natural gas and electric power, network issues related to energy such as electric power transmission, legal approaches to new energy technologies, and the law's approach to climate change concerns with energy resources. [3]

**LAW 760. Ecosystems Management.** The concept of ecosystem management is sweeping through federal and state resource agencies, altering their orientation toward resource use and conservation issues, but what is the law of ecosystem management? This course explores that question beginning with an introduction to the concept of ecosystem management—its history, principles, and current state of play in concrete policy settings. The course then explores laws and regulations relating to the six types of ecosystems often described in ecosystem management literature—freshwater, coastal and marine, forests, grasslands, fragile (e.g., deserts), and human dominated (e.g., agricultural). Perspectives of agencies, resource users, environmental groups, and other interest groups will be explored in the discussion of problems included in the course materials. [3]

**LAW 761. Energy and Environmental Law.** This course will focus on aspects of energy law and policy that affect environmental quality. The course will examine current and projected energy supply and demand on a domestic and global level. It will examine the constraints on energy supply and demand that arise from concerns about carbon and other emissions, and it will explore the interventions suggested by the legal and behavioral science literatures. The course is not intended to provide a broad overview of energy law, but it will focus on important legal and policy issues that will shape the domestic and global energy system in 2050. Examples of issues that will be examined include decoupling, reliability, alternative energy sources, transmission systems, household energy efficiency and conservation, and the electrification of the transportation system. [2]

**LAW 763. International Environmental Law.** This course examines 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]

**LAW 769. 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. [3-4]

**LAW 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]

**LAW 772. Health Care Fraud and Abuse.** This course is intended to cover the health care fraud and abuse laws and issues relating to the prosecution and defense of alleged wrongdoing under federal and state health care systems. This course will provide a basic overview of the laws governing health care providers, such as hospitals, physicians and physician practices, medical device and pharmaceutical manufacturers, clinical laboratories, and nursing homes. The course also will cover the criminal and civil prosecution and defense of actions against such entities and individuals and the essential features of the major statutes in this area of the law including the federal civil False Claims Act, the Stark Act, the federal Anti-kickback Statute and the remedies and civil and criminal penalties available to governmental entities and civil litigants. This course will address voluntary and mandatory fraud and abuse compliance strategies and the practical compliance issues faced by health care providers. Enrollment limited. [2]

**LAW 773. Genetics, Medicine, and Law.** Ten years have passed since the official announcement that the human genome had been sequenced. Many predictions have been made about the ethical, legal, and social implications of advances in our understanding of genetics. In this course, which will invite students from a number of graduate disciplines, we will examine a number of cases, such as genetic nondiscrimination, genetic variation and legal responsibility, proposed changes to human subjects regulations, preimplantation and prenatal diagnosis, and the current debate about newborn screening, to see how these predictions have played out and what we can expect in the future, and to propose more effective responses. [2]

**LAW 774. Health Law and Policy.** This course is the foundational offering for health law and policy. It will consider different ways of thinking about health care issues and the analytical significance of those models for the development of legal doctrine and public policy. A focus is on government's role in the health care marketplace as payor, provider, and regulator. The course will consider such topics as the following: hospitals' obligations to provide access to emergency medical services under state common law and federal emergency treatment legislation (EMTALA); selected issues related to persons with disabilities; selected issues related to ERISA; federal anti-kickback and anti-self-referral legislation; hospital governance and hospital-physician relationships, including limitations on the corporate practice of medicine; institutional and professional liability; selected antitrust issues. [3]

**LAW 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]

**LAW 780. Litigating the Capital Punishment Case.** This course is focused 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]

**LAW 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]

**LAW 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. Prerequisite: Evidence and Trial Advocacy. Enrollment limited. [3]

**LAW 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]

**LAW 786. Current Topics in Torts Short Course.** This course will address cutting-edge issues in the practice and theory of tort law. These include: (1) claims for medical monitoring expenses incurred as result of



exposure to toxins; (2) claims for risk-imposition without (additional) harm; (3) claims for fomenting and failing to prevent terrorist acts; and (4) claims for human rights violations. Readings will include cases, statutes, and academic commentary. Enrollment limited. [1]

**LAW 787. Commercial Law: Consumer Protection and Advertising.**

This course will focus on federal and state prohibitions against unfair or deceptive commercial acts or practices and also will provide a survey of advertising law. The course will discuss section 5 of the Federal Trade Commission Act, the Tennessee Consumer Protection Act, other state consumer protection acts, select federal and state regulations affecting advertising, the Lanham Act, and notable commercial free speech cases concerning advertising. Enrollment limited. [2]

**LAW 789. Employment Law (formerly 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, wage and hour restrictions, the Family and Medical Leave Act, occupational safety and health, and privacy in the workplace. This is a survey course and not a substitute for other offerings such as Labor Relations Law and Employment Discrimination Law. [2-3]

**LAW 791. Punitive Damages: Law and Legal Policy Short Course.**

Punitive damages are an enduring yet exceptional feature of the American legal landscape. In recent decades, punitive damages have been at the center of tort reform debates and state legislative reforms. The U.S. Supreme Court, moreover, has been actively involved in policing the contours of this common law remedy. In this intensive short course, we will probe the underlying doctrine, theory, and empirical foundations of punitive damages and various reform proposals. We will also examine the federalism implications of U.S. Supreme Court punitive damages decisions and legislative and state court responses that alter the national-state balance of power. Finally, we will assess the role for punitive damages in mass tort and class action litigation. [1]

**LAW 792. Mental Health Law: Deprivations of Life and Liberty.**

This course will focus on four topics: (1) criminal responsibility (the insanity defense and other psychiatric defenses; the death penalty; sexually violent commitment statutes); (2) civil commitment; (3) competency to proceed and to waive rights; (4) the right to treatment and the right to refuse treatment. The course will examine these subjects from doctrinal, constitutional, evidentiary and behavioral science perspectives. Criminal Law is a prerequisite course; Constitutional Law, Criminal Procedure, and Evidence are helpful as background, but are not prerequisite courses. Several of the classes will be co-taught with a mental health professional. [2]

**LAW 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]

**LAW 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]

**LAW 796. Negotiation.** All attorneys—whether litigators, deal-makers, prosecutors, criminal defense attorneys, or in-house counsel—spend much of their professional lives negotiating with clients, co-counsel, opposing counsel, and others. This class will focus on the theory and practice of negotiation. During each of the three-hour sessions, we will

learn about negotiation through traditional lecture and discussion, but we will spend most of the time conducting demonstrations, exercises, and simulations. Enrollment limited. 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. [3]

**LAW 796A. Negotiation Short Course.**

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 forty students, and a “no drop” policy will be in place after Open Enrollment 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. NOTE: Due to an 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. [1]

**LAW 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 prerequisite for graduation, students must satisfactorily complete this course. [3]

**LAW 798A. Professional Responsibility (LL.M.).**

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. NOTE: As a prerequisite for the New York Bar, LL.M. students must satisfactorily complete this course. [2]

**LAW 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. May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 3 credits per semester of enrollment. Pass/Fail. Faculty approval required. [1-2]

**LAW 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]

**LAW 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. May be repeated for credit more than once if there is no duplication in subject matter. Students may apply a maximum of six credits of externship toward graduation requirements. Pass/Fail. Faculty approval required. [1-6]

**LAW 803A. 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. 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. [10]

#### **LAW 803B. Externship Paper.**

**LAW 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, federal and state judges, corporate legal departments and legal aid or other non-profit programs. Students may not receive credit for work for which they are paid. 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) weekly classroom sessions; and, c) recording a journal of work experience, which will be reviewed periodically by the faculty member. The 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. May be repeated for credit more than once if there is no duplication in subject matter. Students may apply a maximum of six credits of externship toward graduation requirements. Pass/Fail. Faculty approval required. [3]

**LAW 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 to perform 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]

**LAW 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]

**LAW 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]

**LAW 806C. Journal of Entertainment and Technology 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]

**LAW 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. NOTE: Taking this course will not preclude a student from later taking a course that specializes in patent, copyright or trademarks. [4]

**LAW 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. [2]

**LAW 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]

**LAW 810. Public Choice and the Law.** Public choice is essentially the science of collective decision making, and it comes with several well-developed tools of analysis. In this course we will focus on the relationship between modern perspectives on voting and interest groups on the one hand and legislation and judicial interventions on the other. With these tools, and that perspective, we revisit the interactions between legislatures and judges, democracy's attempt to solve certain problems, and the roles played by a variety of legal doctrines and constitutional institutions (from takings law to line-item vetoes and to the meaning of precedents). As time allows we will explore specific topics in law, such as the possibility of judicial vote-trading, the role of referendum in some jurisdictions but not others, and the role of precedent itself. [3]

**LAW 812. National Security Law.** This course surveys the framework of domestic and international laws that authorize and restrain the pursuit of the U.S. government's national security policies. In particular this course will focus on: (i) the use of military force, (ii) the activities of the intelligence community (including both covert action and intelligence collection), and (iii) counterterrorism-related activities (including the interrogation, detention, and trial of captured persons). [3]

**LAW 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]

**LAW 814. Arbitration Law.** This course explores the potential advantages and disadvantages of resolving disputes through arbitration rather than court proceedings. In addition, this course focuses on court enforcement of arbitration clauses and arbitral awards (including a study of the Federal Arbitration Act, the New York Convention, and state and federal case law). Differing types of arbitration will be explored, including international commercial arbitration, labor and employment arbitration, and consumer arbitration. [3]

**LAW 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]

**LAW 816. European Union Law.** The European Union is the most ambitious legal, political, and economic integration among nations in the post-World War II era. This course provides a general introduction to the legal system of the European Union and to selected aspects of substantive EU law. We will examine the EU's lawmaking processes, the relationship between EU law and the member states' laws, the jurisdiction of the European Court of Justice, the EU's system of legal remedies, and the constitutional law of the EU. In addition, we will study aspects of substantive EU law that are central to EU market integration, including protections for the free movement of goods, persons, services, and capital. [2]

**LAW 817. Comparative Law: Europe, Latin America, and East Asia.** This course will provide an introduction to the principal legal systems of continental Europe, Latin America, and East Asia with particular emphasis on their contemporary institutions of the Civil Law Tradition. This course covers the basic contrasts both between civil and common-law jurisdictions and among civil law jurisdictions. Students have the opportunity to select a particular country of interest and examine its legal system in greater detail. [2-3]

**LAW 818. Regulation of Financial Institutions.** This course examines the law and policy pertaining to financial institutions, with a particular focus on the regulation and supervision of large, complex financial firms. The class will examine the fundamental nature of the banking firm as a financial intermediary offering payment services, and will illustrate how the need to maintain transaction accounts for customers leads to instability in the banking firm. Deposit insurance as a remedy for financial instability will be stressed, as well as the problem of moral hazard and devices for counteracting the risk-taking incentives created by deposit protection. Rules governing non-bank financial institutions will be examined and compared with

bank-specific rules. The course will cover some of the legal, economic, and policy issues arising out of the global financial crisis of 2008-2009. [3]

**LAW 819. International Financial Regulation.** This course introduces students to the regulatory framework underlying the flow of capital in international financial markets. The course provides an understanding of the key regulatory characteristics of international banking and securities markets, including how different types of financial market transactions, techniques and instruments function and are regulated. Topics covered include standard banking and securities transactions (e.g., syndicated loans, bond and equity issues) as well as more complex tools and techniques such as securitization and derivatives. The course also analyzes the broader governance of international financial markets, examining the role of regulatory bodies (e.g., the G-20/Financial Stability Board, Basel Committee on Banking Supervision, International Organization of Securities Commissions, the International Monetary Fund), as well as the role of private actors (e.g., exchanges, clearing and settlement mechanisms, and self-regulatory and trade associations). The course continuously raises the key themes and debates that animate the normative construction of regulation in this area, including systemic risk, regulatory arbitrage, consumer protection and moral hazard. [3]

**LAW 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. customs laws and import relief laws. Within the basic theme of globalization, the course examines the relationship between the international trade regime and third world or developing states, the nexus between trade and environment, and the tensions among trade, labor, and human rights. [3]

**LAW 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 non-governmental organizations. May be repeated for credit more than once if there is no duplication in subject matter, but students may earn only up to 1 credit per semester of enrollment. Pass/Fail. Enrollment limited. [1]

**LAW 822. Patent Law.** This course will explore the theory, practice, and policy of patent law. The course has three facets. The introductory facet examines the history and architecture of the U.S. patent system. The patentability facet explores the particulars of disclosing and claiming the invention, patent eligibility, statutory bars, novelty, and nonobviousness. The litigation facet examines patent enforcement with specific consideration of claim interpretation, infringement, defenses to infringement, and remedies. Throughout the course, students will engage in problem-solving exercises which will allow them to confront and resolve challenging issues in the field. [3]

**LAW 822A. Patent Litigation Short Course.** 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. Pre- or corequisite: Either an intellectual property course or a patents course. [1]

**LAW 822B. Patent Prosecution Lab.** This is a skills course that introduces the process for preparing and prosecuting patent applications in the U.S. Patent and Trademark Office. Students will draft patent claims, a short patent application, and an Office Action Response. Important rules, regulations, and strategies will be studied. Student work will be analyzed (anonymously) in class. Students must have completed a prior course in substantive patent law. Although a technical background is not required, a comfort level with discussing and describing technology is desirable. Pass/Fail. Prerequisite: Patent Law or Patents and Know How. [2]

**LAW 823. Trademarks.** This course will cover the basics of trademark 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 will also examine recent applications of trademark law to the Internet as well as the increasing use of marks in product placements. In addition, we will read portions of a few scholarly articles on trademark and related topics. The course grade will mainly depend on a final exam but will also be affected by attendance and participation. Participation will include short, in-class presentations by students. NOTE: This course is not available to students who have previously taken the one-credit Trademark course. [2-3]

**LAW 823A. Trademarks Short Course.** 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]

**LAW 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 interrelationship 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]

**LAW 825. Advanced Patent Law and Policy.** This course will explore advanced topics in patent law, including: patent infringement, defenses to patent infringement, remedies, advanced claim interpretation issues, double patenting, generic drugs and the Hatch-Waxman Act, Federal Circuit jurisdiction, administrative correction and reissue, ex parte reexamination, intervening rights, standards of review for appeals from the U.S. Patent and Trademark Office, evidentiary issues on appeal, the presumption of patent validity, design patents, trade secrets, and selected topics in patent law theory and policy. Prerequisite: Patent Law. [3]

**LAW 826A. International Mergers and Acquisitions Short Course.** This short course will expose students to some of the most important elements of a typical mergers-and-acquisition transaction. After reviewing some foundational 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, with particular emphasis on Brazil. As part of focusing on issues that typically arise concerning cross-border M&A deals with Brazil, the course will also focus U.S. M&A and securities laws, rules, and regulations. Prerequisite: Mergers and Acquisitions. NOTE: This course does NOT count towards the Professional Skills Graduation Requirement. [1]

**LAW 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. NOTE: Federal Tax Law may be required as a prerequisite course at the professor's discretion. [2-3]

**LAW 828. Online Trademark Infringement.** The first part of this course consists of a presentation and discussion of current trademark protection in China, Europe, and the United States. The second part will focus more specifically on two major issues, namely (a) online infringement of trademarks (for example when protected marks are used in domain names (URLs) or in comparative advertising); and (b) branding and the emergence



of well-known marks as products (for example, the Nike swoosh). A critical discussion of the adequacy of the current regime to protect the rights of trademark owners while preserving or enhancing freedom of speech and the development of the Internet will follow. No previous knowledge of trademark law is necessary. [2]

**LAW 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]

**LAW 831. Charitable Giving: Planning and Implementing from a Tax and Non-tax Perspective.** This course will introduce students to the importance of the charitable sector in American life, the legal and tax aspects of charitable giving (primarily, although not exclusively, focusing on giving by individuals and families) and the fun of helping donors create and implement their charitable objectives. Students will also receive an introduction to working with nonprofits as lawyers, both from the inside, as trustees or directors, and as outside advisors. [2]

**LAW 832. Judicial Decision-making Short Course.** This course will use several cases to examine different methodologies of judicial decision-making. The course will be both theoretical and practical. Students will be required to write one opinion. Enrollment limited. [1]

**LAW 835. Transnational Litigation.** This course will provide an introduction to the procedural issues that arise in the legal resolution of disputes in international transactions. The law of various countries will be covered (particularly Canada, Germany, France, the EU, and China); however, disputes involving United States and Japanese law are the major focus. The course covers international jurisdiction, service of process abroad, taking evidence abroad, applicable laws and treaties, comparison of trial procedures, enforcement of foreign judgments and use of arbitration. The course will also introduce students to the principal regional and international conventions: EU Regulation 44/2-1, the Inter-American Convention on Jurisdiction in the International Sphere for the Extraterritorial Validity of Foreign Judgments, the Hague service and evidence conventions, and enforcement of judgments, and an ALI-proposed Code of International Civil Procedure. [3]

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

**LAW 837. Law and Bioscience Short Course.** This course explores the ethical, legal, and public policy issues arising from recent advances in the biosciences. Approaches to bioethical reasoning including casuistry, pragmatism, reflective equilibrium and principlism will be introduced as frameworks to discuss scientific advances. Topics include, but are not limited to, whole-genome genetic sequencing, forensic genetics in criminal law, neuroscience and national security, race and ethnicity in genetic research, experimentation on human subjects, privacy of medical and genetic information in the information age, synthetic biology, and do-it-yourself genetic testing. No prior knowledge in science, medicine, philosophy, or related disciplines is required. Enrollment limited. [1]

**LAW 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. Prerequisite: Corporations or Corporations and Business Entities and Federal Tax. Securities Regulation is recommended. Enrollment limited. [2-4]

**LAW 839. Choosing Legal Regimes.** This course takes a comparative perspective on the ability of private parties to choose their own governing laws to apply to interstate and international activities. Private choice can result from the strategic placement of assets and the use of contract clauses in transactions, including choice-of-law, choice-of-court, and arbitration clauses. Both the Second Restatement and the UCC provisions will be explored in U.S. law as well as the Rome I and II Regulations in EU law, and the New York Convention and Hague Choice-of-Court convention in international law. We will explore the parties' ability to choose governing law in such areas as corporate internal affairs, basic contract, products liability, bankruptcy, international shipping, securities offerings, estate and tax planning, same sex marriage, and others. [2]

**LAW 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. Student presentations on topics of particular interest form the core of the seminar-style offering. Topics that may be considered include: specific components of the Affordable Care Act, such as Accountable Care Organizations, health insurance exchanges, and including Supreme Court litigation of its constitutionality; personnel issues (e.g., licensure); financing issues (e.g., public and private health insurance); regulatory issues (e.g., varied regulatory legislation, antitrust, fraud, and abuse); comparison of market and regulatory responses; the roles of health maintenance organizations, specialty hospitals, 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); organ transplantation. Enrollment limited. Prior completion of Health Law and Policy course is strongly recommended. [2-3]

**LAW 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]

**LAW 845. Advanced Statutory and Regulatory Research.** This course will build upon basic legal research skills and expose the student to book and electronic information sources utilized by researchers in conducting legislative and regulatory research, both at the state and federal level. Following a basic review of research fundamentals, the course will focus on advanced research strategies for legislative and administrative law research. Topics will include cost- and time-effective legal research strategies, current awareness resources, legislative tracking and history,

advanced statutory research, regulatory tracking and history, researching administrative decisions, exploring agency guidance materials, and how to make freedom of information requests, among other related topics. Pass/Fail. Enrollment limited. [1]

**LAW 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 to, not a substitute for, 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 prerequisite. [1]

**LAW 847. Drug Law and Policy.** This course closely examines government regulations of illicit drugs, including marijuana, methamphetamines, cocaine, and heroin. The course will address some of the most important and controversial legal, moral, and policy questions surrounding such regulations, including: What is the normative basis for drug prohibition? What are the costs (physical, social, financial, etc.) associated with drug use? What are the costs of the war on drugs? How effective are current state and federal drug policies? What are the alternatives? What are the promises and pitfalls of drug legalization and other proposed reforms? The class will also tackle some of the thorny legal issues posed by drug laws, including: What does it mean to “possess” or “distribute” an illicit drug? Does the move to eliminate the mens rea requirement for simple drug possession violate due process? How are drug quantities to be calculated for purposes of sentencing? The class will conclude by discussing drug reform proposals currently being considered by Congress and various states. [3]

**LAW 847A. Drug Law and Policy Short Course.** This course examines government regulation of illicit drugs, including marijuana, cocaine, and heroin. The course starts by briefly surveying select state, federal, and foreign laws governing the use of drugs. The course then addresses 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 concludes 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. Enrollment limited. NOTE: Due to overlap in content, students who enroll in this course will not be eligible to take the three credit Drug Law and Policy course. [1]

**LAW 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. Prerequisite: Constitutional Law I. [3]

**LAW 849. Tax Practice and Procedure.** This course focuses 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]

**LAW 850. Advanced Tax Law 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 the specialized area of tax law. Following a basic review of research fundamentals, the course is devoted to understanding the wide array of primary and secondary sources in print and databases used in tax research, including RIA Checkpoint, CCH Intelliconnect, and BNA. In addition, instruction will focus on the various forms of tax information available including Treasury regulations and other Internal Revenue Service guidance. Pass/Fail. Enrollment limited. [1]

**LAW 851. Advanced Legal Writing.** The most important perspective on legal writing is that of the reader. Through extensive practice, feedback, peer review, and review of excerpts from actual briefs and other documents, students in this course will continue to develop their skills in effective writing and analysis while learning how to increase the likelihood that the message they intended to send is the message received by their readers. Course work will include exercises, revisions of existing legal documents, peer editing, and several writing projects. The writing projects will include at least one document that is not assigned during the first-year course, such as a judicial opinion, a demand letter, or a transactional document. The course will also review and reinforce, through additional practice, the principles of effective research and writing, including citation, introduced in LAW 614 and LAW 615. Pass/Fail. Enrollment limited. [3]

**LAW 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]

**LAW 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. [2]

**LAW 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]

**LAW 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. Pre- or corequisite: Copyright Law or IP Survey. [3]

**LAW 857. 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 and federal securities laws. Prerequisite: Corporations or Corporations and Business Entities NOTE: It is also recommended that students take Introduction to Corporate Finance for Lawyers and Securities Regulation prior to taking this course. [3-4]

**LAW 857A. Mergers and Acquisitions Short Course.** This course is designed to introduce students with a basic understanding of corporation law to the fundamental and certain advanced topics in the law of mergers and acquisitions. The course will focus principally on the corporation law aspects, and to a lesser extent, on the securities regulation and deal documentation aspects of mergers and acquisitions. The course is not intended to address related tax, antitrust or accounting issues in detail. Enrollment limited. [1]

**LAW 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]

**LAW 862. Intellectual Property Licensing Short Course.** 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]

**LAW 863. The Individual in the Democratic State.** American political and legal theorists have traditionally devoted a great deal of attention to rights but rather less to obligations. In this course, we will explore the relationship between rights and obligations in a democratic state. Is it ever legitimate for a democratic state to use its power to constrain individual citizens in the service of democracy itself? Sometimes obligations look like rights, and vice versa; is there a meaningful way to delineate the two? What happens when an obligation meets a right? We will examine these questions and others by looking more closely at four different sets of rights and obligations: military service, jury duty, education, and voting. Course materials include not only court opinions and legal commentary but also canonical political theory texts and writings from various social science disciplines. [2]

**LAW 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]

**LAW 866. Wills and Trusts.** The basic policies, concepts, and problem areas of intestate succession, wills, trusts, and fiduciary administration. Remedies and techniques available to beneficiaries, fiduciaries, and estate planners. [4]

**LAW 869. Conscience in Life and Law Short Course.** This course explores how insights from behavioral science can be used to improve our understanding of how law interacts with prosociality (conscience) and how law can best employ our human capacity to act prosocially (“conscientiously”) to solve social problems. In particular, it will explore the role tort liability plays in deterring people from injuring others; whether selfishness should and does underlie “relational” contracts like those for employment or marriage; and whether criminal law is only a system for deterring bad behavior through carefully-calibrated punishments. Students may be invited to explore the implications of prosociality for other areas of law as well, such as environmental law, antidiscrimination law, corporate law, and civil procedure. Enrollment limited. [1]

**LAW 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. 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. [1]

**LAW 874. Civil Rights and Social Justice.** This course examines central themes in the Civil Rights Movement, mainly between 1955 and the passage of the Civil Rights Act in 1964. The course focuses on the ideas and institutions of the Civil Rights Movement, particularly those that involve intense interplay between formal legal rules and informal and pervasive social attitudes. Students will analyze and discuss both secondary and primary source materials, including newspaper articles. Students will submit weekly response papers. Enrollment limited. [2]

**LAW 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]

**LAW 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 corequisite: 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]

**LAW 884. Statistical Concepts for Lawyers.** This course provides a gentle introduction to statistical reasoning for a non-technical, legal audience. Its primary goal is to provide lawyers with the literacy necessary to be well-informed and critical consumers of statistical expertise in legal contexts. No mathematical background beyond high school is assumed, and when possible, graphical and concrete examples will be used instead of formulas. The course will survey standard statistical ideas such as statistical significance, regression, base rates, and confounders, as well as provide exposure to more modern insights. Enrollment limited. [3]

**LAW 888. International Commercial Arbitration Short Course.** 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 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]



**LAW 890. Law and Neuroscience (formerly Law and the Brain).** New techniques—such as brain scanning—have dramatically accelerated our ability to learn about how brains work. This deepening knowledge has serious implications for the legal system, as law parses responsibility for behavior, dispenses justice, and assesses injuries. For example, brain scans are increasingly offered as evidence in civil and criminal litigation. This course provides an introduction to what future lawyers need to know about the brain. We will begin by exploring the most up-to-date understandings of how brains function. We will then explore how brain functioning can be impaired by injuries and disease—as well as enhanced by drugs and other techniques. Against the important background of how law and science increasingly interact with one another, we will then consider the legal implications of brain sciences for a number of areas of law, including litigation, evidence, assessments of criminal responsibility, lie detection, determining brain death, and the like. A background in science is not required and is not assumed. [3]

**LAW 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. [2-3]

**LAW 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]

**LAW 896. The Practice of Civil Litigation.** The Practice of Civil Litigation will cover crucial, practical issues faced by the civil litigator from the first day. The class will be structured to move chronologically through the issues a new litigator faces. Topics will include options for the newly licensed lawyer (including how to develop a litigation practice), the attorney-client relationship (including taking on a client, setting goals for the representation, and handling conflict), relationships with opposing counsel, litigation as a process (including the specific steps necessary to file and defend a suit, framing a case, and planning and implementing discovery), and settlements and verdicts (including alternative dispute resolution and what happens after a settlement or verdict). [1]

**LAW 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]

**LAW 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]

**LAW 903. Expertise in the Law Seminar.** This seminar will focus on the use of experts in legal decision-making. It will define the difference between expert and lay knowledge and then explore the theoretical basis

of lay decision-makers using information that is, by definition, beyond their understanding. With an eye toward evaluating institutional competence, the course will contrast how agencies and courts use expertise. Although the course will cover topics related to evidence, administrative law, and institutional design, it will not require previous coursework in those topics. Enrollment limited. [3]

**LAW 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]

**LAW 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]

**LAW 911. Law and Government Seminar.** This seminar will feature six distinguished scholars presenting their latest research on issues of law and government, with a particular emphasis on federalism and structural constitutional law. Students will read and prepare written critiques of the papers presented. In the weeks without speakers, students will read and discuss important background materials concerning the papers to be presented (cases, secondary literature, etc.). Throughout the semester, students will develop a more robust understanding of key constitutional topics and the ways in which academics advance arguments in the field. Enrollment limited. [3]

**LAW 912. Law, Science, and Technology Seminar.** New technologies pervade society to a greater extent than ever before and permeate every aspect of our lives. Science and technology are becoming increasingly important components of regulation and litigation, yet they have different processes and standards from those that lawyers customarily use. In this seminar we will examine how the law resolves, or should resolve, the issues that arise at the cutting edge of technology and science. In particular, we will probe topics which include: the interdisciplinary relationship between law and science; science in the courtroom; specialized judges and juries in complex technical cases; intelligent design; patenting life; conflicts between intellectual property and public health; and trade secrets. Each student will write and present a research paper analyzing an issue of interest. [3]

**LAW 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. NOTE: Students cannot take both Advanced Copyright Seminar and Advanced Copyright. [3]

**LAW 914. Law and the Emotions Seminar.** The emerging interdisciplinary field of law and emotion challenges the long-held belief that law either is or should be about “reason” alone, with reason defined as emotion’s antithesis. This seminar will introduce students to the fundamentals of contemporary emotion theory as it has emerged from other disciplines, including philosophy, psychology, and cognitive neuroscience. It then will draw on those insights to explore the role that emotions play, don’t play, and ought to play in the practice and theory of law. Students will explore a range of issues in both criminal law and civil law; for example, the role of emotion in judging, as well as a range of potentially law-relevant emotions, from shame and disgust to love and empathy. Students will formulate, research, and write original research papers, give an oral presentation, and critique one another’s work. Enrollment limited. [3]

**LAW 915. Advanced Topics in Intellectual Property Seminar (formerly Advanced IP Seminar).** This seminar will focus on major areas of current research in domestic and international intellectual property law and policy. During the first part of the seminar, law review articles and other material will be discussed in class and in short written assignments. During the second part of the semester, students will present draft papers and aim to produce publishable quality papers. Guest speakers will also be invited to present their research and perspectives on ongoing debates. Although the list of topics may change, topics that may be considered in the semester include: The draft Anti-Counterfeiting Trade Agreement (ACTA); genetic patents, including stem cell research and pluripotent cells; patentability standards (U.S. and international); online trademark infringement (search engines, etc.); the doctrine of use in trademark law; punitive damages in intellectual property infringement; intellectual property and economic development; intellectual property and innovation; p2p file-sharing and copyright; originality in copyright law; orphan works; copyright and art theory; rights in traditional knowledge and expression of folklore; geographical indications; intellectual property and human rights (freedom of expression; access to knowledge and science; access to food/food security, etc.). Prerequisite: One of the following: Patent Law, Copyright Law, Trademarks, Intellectual Property Survey. [3]

**LAW 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]

**LAW 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]

**LAW 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]

**LAW 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]

**LAW 931. Role of Corporations Seminar.** Organizations such as corporations and other business entities play an enormous role in modern economies and are major political and social actors. Moreover, numerous policy and legal questions in corporate and securities law, antitrust, regulation, international trade, and finance depend on our understanding of why business activity is generally organized in firms, and what economic and social function firms serve. Is a corporation 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? 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? 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). We will also look at the concept of the corporation as “legal person,” and the implications of the recent Supreme Court opinion that says corporations have First Amendment rights. Enrollment limited. Prerequisite: Corporations or Corporations and Business Entities. [3]

**LAW 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. Prerequisite: Corporations and Business Entities or Corporations. Federal Tax Law is helpful but not prerequisite. Graduating 3Ls. Enrollment limited. NOTE: While not a traditional seminar, this course will satisfy the research and writing (seminar) requirement for graduation. Transactionally oriented students who may already have completed their seminar requirement are encouraged to enroll. [6]

**LAW 937. Arbitration Seminar.** This seminar explores the potential advantages and disadvantages of resolving disputes through arbitration rather than court proceedings. In addition, this course focuses on court enforcement of arbitration clauses and arbitral awards (including a study of the Federal Arbitration Act, the New York Convention, and state and federal case law). Arbitration association rules of procedure also will be examined as will actual arbitration clauses in commercial and consumer contracts. Students will write a 30-40 page paper on a topic involving domestic or international arbitration. Enrollment limited. [3]

**LAW 938. Litigation Finance Seminar.** This seminar will examine how litigation is financed in the United States and other countries in both individual and aggregate litigation. Topics covered will include fee shifting, contingency fees, and third-party financing by banks, hedge funds, and other nonlawyers. The seminar will explore these topics from the perspectives of economic theory, public policy, and legal ethics. Enrollment limited. [3]

**LAW 939. Civil Litigation Capstone Seminar.** This 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 on a systemic basis, moving beyond individual doctrinal areas. Readings will be drawn primarily from recent scholarly literature on such topics as models of litigation (economic, psychological, and others), the functionality—or lack thereof—of the American litigation system, aggregate litigation, the role of insurance, and comparative regimes of litigation finance. Students will write four or five ten-page critical papers on the readings; grades will be awarded on the basis of those papers and participation in class discussion. Enrollment limited. Prerequisite: Complex Litigation (except for the class of 2012) and five additional credits as designated by the professor. [3]

**LAW 941. Statistical Inference in Law Seminar.** This seminar examines the use of statistical inference in legal decision making. Discussion topics include the appropriateness of using probabilities to determine liability (the Blue Bus problem); the use of statistical evidence in areas such as proving causation and predicting future dangerousness; and the use of sampling to resolve mass torts. More theoretically, the seminar addresses the conflicting data on whether clinical/expert intuition or statistical models are superior methods of decision making. It also considers other potential problems with statistical methods, including problems of error, the role of narrative in the legal system, and the reference class problem. The course wraps up with a discussion of the role of statistical models in lawyering. Enrollment limited. [3]

**LAW 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 corequisite: Introduction to Corporate Finance for Lawyers. Enrollment limited. [3]

**LAW 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]

**LAW 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]

**LAW 946. Regulation of the Digital Content Delivery Industry Seminar.** The seminar explores the variety of companies whose development has been spawned by the Internet and whose business models are based, in whole or in part, on the delivery of creative, copyright-protected content. Leading examples include Google, Apple, Facebook, and even now defunct Grokster and Napster. This seminar introduces students to the relevant companies and broader industries that contain them. The legal part of the course will consist of studying copyright law, privacy law, and the complex manner in which they interact to both empower and stultify new business initiatives in these industries. The course also engages in cross-border comparisons so as to better understand why, for example, initiatives like Google News have passed copyright muster in the U.S. but have not done so in some EU countries such as France and Belgium. More generally, students will study how digital delivery companies have been forced to adapt to the inherently global nature of their business models and the difficulties this has raised in terms of potential susceptibility to regulation by the copyright and privacy regimes of more than 200 countries. Enrollment limited. [3]

**LAW 947. Designing the Market: Market Infrastructure and Systemic Crisis Seminar.** This seminar will explore issues underlying the regulation of market infrastructure, its role in the allocation of risk between firms and between the firms and the state, as well as the implications of its failure for financial markets and the economy. It will examine the role and regulation of the payments system. It will analyze how payments are regulated in a narrow sense, for example, using Fedwire or CHIPS, but also more broadly, to better understand the money supply cycle. The seminar will also look at trading platforms for securities, notably, securities exchanges and clearinghouses to understand (a) how they function; and (b) how their operations are changing in light of developing technology – for example through high frequency trading. Finally, the seminar looks at the emerging phenomenon of “dark pools” of liquidity, that allow large volumes of trades to be undertaken “off-line,” that is to say, outside of regulated exchanges, usually, using small electronic trading platforms that are subject to little regulation and oversight. The course will be assessed through a series of response papers equivalent to the necessary writing requirement for a seminar or a more substantive paper of approximately 30–40 pages. Some background in securities regulation, corporations or financial regulation is helpful, though not required. Enrollment limited. [3]

**LAW 948. Regulating Financial Stability Seminar.** The recent crisis revealed that our regulatory apparatus was unequal to the task of ensuring the stability of the financial system. The recent Dodd-Frank bill represents one attempt to remedy this deficiency. Will it succeed? This seminar will examine a range of potential tools for enhancing the stability of the financial system, such as: higher capital requirements, “systemic” supervision, restrictions on risk-taking, orderly liquidation authority for systemic financial firms, deposit insurance, emergency response tools, and enhanced disclosure, as well as innovative contemporary proposals. Readings will primarily consist of scholarly articles and working papers. Enrollment limited. [3]

**LAW 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. 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. [3]

**LAW 957. International Commercial Arbitration Seminar.** With the growth of international commerce, trade and investment, there has been an expansion of private international economic disputes and an increased need for effective dispute resolution. This seminar will examine the legal and policy regimes for resolving international economic disputes with a particular focus on international commercial arbitration. The seminar will first consider the juridical basis and forms of international commercial arbitration. It will then address the creation and enforcement of arbitration agreements as well as procedural issues related to the exercise of arbitral authority. The seminar will then consider the law governing the vacatur, recognition and enforcement of international commercial arbitration awards. During the last portion of the course, students will present their independent research on cutting-edge issues in international commercial arbitration and offer recommendations for the future. Enrollment limited. [3]

**LAW 960. Philosophy of International Law Seminar.** This seminar will examine the philosophical approaches to international law. The seminar will be organized around the major jurisprudential schools of thought including: natural law, positivism, Marxism, critical legal studies, and feminist and developing world approaches to international law. The goal for the seminar is to understand competing philosophical views regarding the sources and legitimacy of international law; the nature of international legal adjudication; whether international law can or should aspire to be “democratic”; and the significance of state sovereignty. We will apply these general concepts to philosophical problems arising in specific domains of international law, such as human rights law, international economic law, international criminal law, international environmental law, and the laws of war. Enrollment limited. [3]

**LAW 961. Advanced Topics in International Humanitarian Law.** This seminar focuses on cutting-edge controversies related to the rules of international humanitarian law (IHL), which is the body of law specifically designed to regulate situations of armed conflict (also termed the laws and customs of war). IHL issues are at the core of current political and legal developments, and often arise in the context of extradition proceedings. After reviewing important historical developments in the law of armed conflict, the seminar features case studies of modern controversies related to rule of law development during ongoing operations. It uses the new U.S. *Law of War Manual* as a point of comparison to the practices of other nations, the jurisprudence of international judicial bodies, and recent national court rulings. Other issues include debates over progressive development of IHL, the modern trend of international investigations, and the applicability of human rights law in armed conflict. Prerequisites: Foreign Affairs, International Criminal Law, or Comparative Perspectives in Counterterrorism. Enrollment limited. [3]

**LAW 962. Renewable Power Seminar.** This seminar examines the legal framework for development of renewable sources of electric power. Emphasis will be placed on federal, state and regional efforts to regulate concerns surrounding the development of solar, wind, and biomass as sources of electricity, as well as other clean energy resources including conservation. The seminar will address the unique aspects of renewable project financing and power purchase contracts, legal barriers to the development of renewable power projects, and ways of reforming state and federal law to promote greater innovations in renewable power. Students will be expected to develop and write a research paper, which will be presented in the final month of the seminar. Enrollment limited. [3]

**LAW 963. Sustainable Cities Seminar.** The city is returning to prominence as a major policy-making entity across many fronts. In the environmental, land use, and growth management contexts, for example, increasing emphasis is being placed on the role of cities in fulfilling national goals such as climate change mitigation and adaptation and sustainable development. In the absence of clear federal law on these and other emerging issues, however, many cities are charting their own course, which has led to intergovernmental friction. Thus, the exact law and policy contours of the roles cities can and will play are yet to be determined. This course examines the emergence of modern cities as major policy players in the context of the broad sweep of sustainability policy. The course opens with an examination of sustainability theory and modern theories of the city (e.g., New Urbanism and polycentrism) to assess the extent to which cities are engines of sustainability policy innovation and at the same time sinks for policy problems. Class sessions will then move through a series of discrete sustainability law and policy topics, in each case examining the roles cities are and could be playing and the legal context within which cities operate relevant to the topic. Topics will include climate change mitigation (greenhouse gas controls), climate change adaptation (responding to impacts), green building and green infrastructure, retrofitting suburbs, affordable housing, environmental justice, land conservation, agricultural policy, infill and densification of residential land uses, and energy and transportation policies. The course readings will be compiled from various government and academic sources, and guest speakers ideally will be scheduled to help enrich the class discussions. Students will prepare a research paper on an approved topic and fulfill other course requirements such as occasional reaction papers and a topic presentation. Enrollment limited. [3]

**LAW 964. Endangered Species Law Seminar.** This seminar focuses on protection of at-risk species under the Endangered Species Act (ESA) and introduces the related topics of ecosystem management and biodiversity conservation. After an introductory overview of these topics, the first segment of the seminar provides a thorough survey of the ESA programs for designating endangered species, developing recovery plans for them, controlling federal agency actions that may affect listed species, restricting other activities that may "take" such species, and administering the different permitting programs applicable to federal and state/local/private actions. After that, the seminar explores current and cutting edge issues of ESA law in specific settings. Where possible, outside speakers may address these topics with the students in an informal, open-ended setting for part or all of a class period. Enrollment limited. [3]

**LAW 966. Climate Change Justice Seminar.** This seminar 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. Enrollment limited. [3]

**LAW 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]

**LAW 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]

**LAW 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]

**LAW 981. The Legal History of Voting Rights in America Seminar.** This course examines historical and doctrinal issues in voting rights and reapportionment. Topics include the right to participate in the political system, the constraints of reapportionment and redistricting, the statutory provisions of the Voting Rights Act, and the impact of the law on non-citizens, racial and political minorities, and members of the majority group. Enrollment limited. [3]

**LAW 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]

**LAW 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 the 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]

## 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 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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