

Fall 2024 Courses with Availability

6218-11 Professional Responsibility & Ethics (2) Robinson

Ethical and legal problems involved in civil and criminal counseling and litigation; focus on professional identity development through an exploration of the attorney's role as agent of the client. Rules of Professional Conduct and legal discipline; roles of bar associations and courts in regulating lawyer conduct; the values and competencies of the legal profession including cross-cultural competency; and the lawyer's role in creating a just legal system that eliminates bias, discrimination, and racism in the law. Credit may not be earned for both Law 6218 and Law 6343. (Examination)

6218-13 Professional Responsibility & Ethics (2) Ortiz

Ethical and legal problems involved in civil and criminal counseling and litigation; focus on professional identity development through an exploration of the attorney's role as agent of the client. Rules of Professional Conduct and legal discipline; roles of bar associations and courts in regulating lawyer conduct; the values and competencies of the legal profession including cross-cultural competency; and the lawyer's role in creating a just legal system that eliminates bias, discrimination, and racism in the law. Credit may not be earned for both Law 6218 and Law 6343. (Examination)

6218-14 Professional Responsibility & Ethics (2) Lee

Ethical and legal problems involved in civil and criminal counseling and litigation; focus on professional identity development through an exploration of the attorney's role as agent of the client. Rules of Professional Conduct and legal discipline; roles of bar associations and courts in regulating lawyer conduct; the values and competencies of the legal profession including cross-cultural competency; and the lawyer's role in creating a just legal system that eliminates bias, discrimination, and racism in the law. Credit may not be earned for both Law 6218 and Law 6343. (Examination)

6218-ON Professional Responsibility & Ethics (online) (2) Gabaldon

Ethical and legal problems involved in civil and criminal counseling and litigation; focus on professional identity development through an exploration of the attorney's role as agent of the client. Rules of Professional Conduct and legal discipline; roles of bar associations and courts in regulating lawyer conduct; the values and competencies of the legal profession including cross-cultural competency; and the lawyer's role in creating a just legal system that eliminates bias, discrimination, and racism in the law. Credit may not be earned for both Law 6218 and Law 6343. (Examination)

6230-11 Evidence (3) Braman

Policies, principles, standards, and rules governing the trial of civil and criminal cases in federal and state courts. Topics may include relevancy, the hearsay rule, direct and cross-examination of witnesses, opinion, scientific evidence, impeachment, privileges, writings, real and

demonstrative evidence, judicial notice, confrontation and compulsory process, and burdens of proof and presumptions. (Examination)

6230-12 Evidence (3) Braman

Policies, principles, standards, and rules governing the trial of civil and criminal cases in federal and state courts. Topics may include relevancy, the hearsay rule, direct and cross-examination of witnesses, opinion, scientific evidence, impeachment, privileges, writings, real and demonstrative evidence, judicial notice, confrontation and compulsory process, and burdens of proof and presumptions. (Examination)

6232-10 Federal Courts (3) Siegel

The relationship of the federal courts to Congress and to the states. Topics may include judicial review; standing and justiciability; congressional power to regulate jurisdiction; legislative courts; federal question, diversity, removal, civil rights, and habeas corpus jurisdiction; state sovereign immunity; Supreme Court appellate jurisdiction; abstention; federalism doctrines; and federal common law. (Examination)

6234-20 Conflict of Laws (3) Alvarado Rivera

Legal problems arising from occurrences transcending state or national boundaries; jurisdiction; foreign judgments; constitutional influences; theoretical bases of choice of law principles and their application to specific fields, including torts, contracts, property, family law, administration of estates, business associations. (Take-Home Examination)

6240-10 Litigation w/ the Federal Government (2) Earnest

Major substantive aspects of litigation with the federal government. Topics include analysis of statutory schemes that permit and limit judicial remedies against federal agencies and officials; nonstatutory remedies; judicial review; monetary recoveries from the United States; special rules, including those pertaining to discovery and application of equitable principles; and consideration of the continued vitality of federal sovereign immunity. (Take-Home Examination)

6250-11 Corporations (4) Abramowicz

Corporate law, with emphasis on operations and financing of corporations. Control of corporations; action by corporate directors, officers, shareholders. Control devices. Directors' and shareholders' duties of care and loyalty, insiders' transactions in shares of the corporation. Derivative suits, kinds of shares, dividends, corporate distributions. (Examination)

6250-13 Corporations (4) Abramowicz

Corporate law, with emphasis on operations and financing of corporations. Control of corporations; action by corporate directors, officers, shareholders. Control devices. Directors' and shareholders' duties of care and loyalty, insiders' transactions in shares of the corporation. Derivative suits, kinds of shares, dividends, corporate distributions. (Examination)

6250-20 Corporations (4) Simmons

Corporate law, with emphasis on operations and financing of corporations. Control of corporations; action by corporate directors, officers, shareholders. Control devices. Directors' and shareholders' duties of care and loyalty, insiders' transactions in shares of the corporation. Derivative suits, kinds of shares, dividends, corporate distributions. (Examination)

6252-10 Securities Regulations (3) Manns

Survey of federal and state laws governing the offering, distribution, and trading of securities. Focus on federal laws and regulations, in particular the Securities Act of 1933, the Securities Exchange Act of 1934, and the enforcement of these laws by the SEC and private parties. Prerequisite: Law 6250. (Examination)

6252-20 Securities Regulation (3) Sibay

Survey of federal and state laws governing the offering, distribution, and trading of securities. Focus on federal laws and regulations, in particular the Securities Act of 1933, the Securities Exchange Act of 1934, and the enforcement of these laws by the SEC and private parties. Prerequisite: Law 6250. (Examination)

6255-10 UCC Sales of Goods (2) Maggs

In depth coverage of the legal rules governing the sales of goods under article 2 of the Uniform Commercial Code, going beyond the treatment of this subject in Contracts (LAW 6202). Topics addressed in the course include the scope of Article 2, formation of sales contracts, terms of sales contracts, warranties, the buyer's remedies, the seller's remedies, insecurity, and repudiation, and installment contracts. Comparison of UCC article 2 to key rules in the United Nations Convention on Contracts for the International Sale of Goods. (Examination)

6263-10 Selected Topics in Corporate Law (FinTech) (2) Rand

Survey of FinTech and related law. This course explores the development of FinTech, discrete industry sectors, sector-specific applicable law, sources of regulatory arbitrage, the venture fundraising process, startup valuation, due diligence, and emerging issues and regulatory changes. Students will gain a basic understanding of current and anticipated FinTech developments, the deal process for fundraising and valuation, and exposure to the current state of applicable laws. No technical background required. (Research Paper)

6264-10 Securities Law Seminar (Enforcement of the Federal Securities Law) (2)**Sturc/Winer**

The Securities and Exchange Commission is the largest and most significant agency that enforces financial laws and regulations. Its enforcement policies and practices have a profound effect on corporate culture, capital formation, and financial markets. Understanding how the SEC investigates possible violations and enforces its laws is important for lawyers engaged in complex civil and criminal litigation and for corporate lawyers counseling public companies and financial institutions. This course supplements the corporations and securities law courses and

applies principles developed in the civil procedure and criminal procedure classes. It goes into depth concerning frequent subjects of enforcement actions, such as insider trading, financial fraud, violations by brokers and investment advisors, enforcement processes and remedies, and legal and tactical issues facing lawyers who practice before the SEC. A former associate director of the SEC's Division of Enforcement leads the seminar. Guest speakers also present to the class. The course is designed for students interested in corporate law and governance, litigation, and white-collar investigations and litigation. (Research paper)

6266-10 Labor Law (3) J. Kohn

Law governing labor-management relations, organizations and representation of employees, regulation of economic weapons, enforcement of collective bargaining agreements, inter-union and intra-union relations. (Examination)

6286-20 Consumer Protection Law (3) Fair

Common law doctrines and Federal Trade Commission case law regarding truth in advertising, consumer privacy, and financial transactions. Statutes to be considered include the FTC Act, CAN-SPAM Act, Children's Online Privacy Protection Act, Fair Credit Reporting Act, Fair Debt Collection Practices Act, Lanham Act, and state unfair or deceptive practices statutes. Comparison of regulatory and remedial techniques available through case law, general statutory provisions, and specifically targeted statutes; public and private enforcement mechanisms, including consumer class actions, competitor lawsuits, and alternative dispute resolution. (Examination)

6300-11 Federal Income Taxation (3) Bearer-Friend

Survey of substantive provisions of federal income tax law, including concept of gross income, provisions affecting taxation of family and individual transactions, limitations on allowable deductions, sales and dispositions of property, problems of capital gains taxation, nontaxable exchanges. (Examination)

6300-12 Federal Income Taxation (3) Bearer-Friend

Survey of substantive provisions of federal income tax law, including concept of gross income, provisions affecting taxation of family and individual transactions, limitations on allowable deductions, sales and dispositions of property, problems of capital gains taxation, nontaxable exchanges. (Examination)

6302-10 Corporate Taxation (3) Brown

Continuation of Law 6300. Primary emphasis on corporate–shareholder relationships. Corporate dividends, redemptions of stock, stock dividends, bailouts, and dividends-in-kind. Federal income tax concerns involved in the formation of corporations, the sale of corporate businesses, mergers and acquisitions, and corporate divisions. Prerequisite: Law 6300. (Examination)

6314-10 Nonprofit Org - Law & Taxation (2) Colinvaux

Charities and other nonprofits as regulated by both federal and state laws. Tax status of nonprofits, fiduciary standards applicable to their officers and directors, liability laws for nonprofits and their volunteers, and enforcement questions. The lobbying and political activities of nonprofits, their commercial activities and the related charge of unfair competition, the extent to which nonprofits are subsidized, the justification for subsidizing them, and standing issues. Enrollment may be limited. (Take-Home Examination)

6316-10 State and Local Taxation (2) Kirkell

Taxation by state and local governments with particular emphasis on constitutional limitations, political and economic influences on policy, and the effects of globalization and technology. Legal and policy issues of sales and use, corporate income, property, and excise taxes. (Take-Home Examination)

6317-10 Selected Topics in Tax Policy (Redistribution & Reparations) (2) Bearer-Friend

This course will challenge students to design tax policy solutions for deep societal problems, including, but not limited to: structural racism, climate change, declining worker bargaining power, patriarchy, dynastic wealth, voter disenfranchisement, and educational inequality. By the end of this course, students will be expected to demonstrate an understanding of: (1) how tax policy shapes our society; (2) how society shapes our tax policy; (3) how to evaluate tax policy based on established and emerging tax policy principles; and, (4) how to design tax policy to meet various civil priorities, including reparations for descendants of slavery. Law students of all career paths welcome; no one turned away for lack of tax experience. (Take-Home Examination and class participation)

6330-20 Modern Real Estate Transaction (2) Ginsberg

Basic course in conveyancing. Current problems in purchase and sale of residential real estate; legal and equitable rights, responsibilities, liabilities, and remedies of buyer, seller, broker, escrow agent, conveyancing attorney, title examiner, abstractor, and lender; interim and permanent mortgage finance, discounts, points, "subject-to" and "assumptions," remedies on default, including foreclosure processes; process of examination and assurance of title and other interests in realty, including recording and title insurance systems; settlements and closings, warranties of title, encumbrances on title, and clearing of title; emerging problems related to cooperatives, condominiums, and property owners associations. (Examination)

6342-12 Trusts and Estates (3) Edmisten

Noncommercial transfers of wealth at death or during life; essential elements and formalities for creation of trusts and execution of wills, revocation and alteration, grounds for contest, limits on property owner's power to control, and intestate succession. Credit may not be earned for both Law 6342 and 6343. (Examination)

6342-20 Trusts and Estates (3) Davis

Noncommercial transfers of wealth at death or during life; essential elements and formalities for creation of trusts and execution of wills, revocation and alteration, grounds for contest, limits on property owner's power to control, and intestate succession. Credit may not be earned for both Law 6342 and 6343. (Take-Home Examination)

6351-12 Reading Group (Confirming a Supreme Court Justice) (1) Williams

This course is designed to provide students with an understanding of the confirmation process for the Supreme Court, from both an historical and modern perspective. The course will cover the selection process, the role of the Senate Judiciary Committee hearing, approaches that Senators have taken to questioning nominees, the impact of timing, television, and social media on confirmations, the history of failed confirmations, and the role that the American Bar Association and other outside groups have historically played. Students will also consider various proposals for reforming the confirmation process. No prerequisites are necessary for the course; however, a strong interest in constitutional law, U.S. government, and American history is helpful. This course will be graded on a CR/NC basis. (Writing assignments). Meets Thursdays (9:55-10:55am): 8/29; 9:55-11:55am: 9/12, 9/26, 10/10, 10/24, 11/7, and 11/21

6351-13 Reading Group (Victims' Rights in International Human Rights and International Criminal Law) (1) Calabro

This course is designed to provide students with an overview of victims' rights as they are viewed by international human rights and international criminal law. This course will delve into the transformation of victims' rights by analyzing how different international tribunals and justice mechanisms have treated them over time, focusing both on victims' rights to representation and involvement in the courtroom as well as various approaches to reparations and engagement with victims within their communities. This course is graded on a CR/NC basis. (Writing assignments) Meets Wednesdays (3:50-5:50): 8/28, 9/4, 9/11, 9/18, 9/25, 10/2, and 10/9

6351-14 Reading Group (Racial Justice and Social Equity in Public Interest Lawyering) (1) Caesar/Kohn

In the spring of 2020, a new diverse racial justice movement was born in the United States, following the widely publicized stories of murders of Black citizens caused by police. These incidents of racialized violence by agents of the state present one lens through which law students witness racism and racial bias in our country. This Reading Group will examine the origins, wide-ranging expression, and persistence of structural racism in America and its profound deleterious impact on access to justice for people of color. Through assigned reading, discussion, and exercises, students will have the opportunity to develop a deeper understanding of the barriers to racial equity from the perspective of legal practice in a wide range of practice areas. Students will deploy their critical thinking and writing skills to analyze these issues. The Reading Group will culminate in a presentation on an aspect of the course content. This course is graded on a CR/NC basis. (Writing assignments) Meets Thursdays (1:40-3:40): 8/29, 9/5, 9/12, 9/26, 10/10, 10/24, and 10/31.

6351-15 Reading Group (Protest Movements in Appalachia) (1) Hammond

This course examines key resistance movements in Appalachia and those movements' relationships to contemporary issues impacting both Appalachia and the United States as a whole. Using readings and discussion, the course introduces students to acts of civil disobedience and other direct action in Appalachia that led to the development of federal law, including major environmental, energy, and labor and workplace safety laws. By linking these developments to current events, students will hone their abilities to identify, understand, and consider critically how resistance movements can highlight the existence of gaps in the law and, sometimes, offer ways to fill those gaps. (Writing assignments and class participation) Meets Mondays (1:40-3:40): 8/26, 9/16, 9/30, 10/7, 10/21, 11/4, 11/18

6351-20 Reading Group (Warren Court Legal History Seminar) (1) Marcus/Snyder

This seven-class reading group looks at the Warren Court from a historical perspective. Guided by articles by legal historians, we will explore the Court's major cases and issues in their historical and political context: school desegregation, the Little Rock school crisis, denaturalization, access to justice, prayer in schools, redistricting, civil rights sit-ins/freedom of the press, right to privacy/access to contraception, criminal justice, and interracial marriage. We will also discuss the strong personalities and jurisprudential philosophies of the justices and how alliances, conflicts, and new justices affected the Court's decision making. This course is graded on a CR/NC basis (Writing assignments) Meets Mondays (6:00-8:00pm): 8/26, 9/9, 9/16, 9/23, 9/30, 10/7, and 10/21

6362-20 Adjudicatory Criminal Procedure (3) Crane

Constitutional and statutory regulation of the criminal adjudication process. How the Constitution and the Federal Rules of Criminal Procedure govern various stages of the criminal process. Bail and detention pending trial; the prosecutor's decision to charge; grand jury procedures; right to a speedy trial, to a jury trial, other trial rights; discovery; plea bargaining; double jeopardy; sentencing; appeals; and collateral remedies. (Examination)

6363-20 Role of the Federal Prosecutor (2) Hoffinger/Walther

Exploration of the responsibilities and powers of the federal prosecutor. The effect of legal, ethical, policy, and practical considerations on the prosecutor's decision making throughout various stages of the criminal justice system. The potentially competing interests of federal, state, and foreign jurisdictions in investigation and prosecution of criminal activity. (Research Paper)

6364-20 White Collar Crime (3) Allen

Definition, investigation, prosecution, defense, and punishment of federal white-collar crime and the characteristics and issues that distinguish white collar crime from other kinds of criminal activity. Examination of the primary federal white-collar offenses, including mail and wire fraud, conspiracy, bribery, perjury, obstruction of justice, money laundering, and RICO. Federal grand jury investigations, corporate criminal liability, plea bargaining and immunity, and sentencing under the federal sentencing guidelines. (Take-Home Examination)

6378-10 Selected Topics in Criminal Law (Data-Driven Criminal Justice Reform) (3) Braman/Fishman

This course is designed to help students from different disciplines think critically about the criminal justice system as they develop tools to assist with real-world criminal justice reform. It is premised on the insight that work of this kind requires collaboration across disciplines, with consideration to ethical issues throughout a given project. The method of evaluation will be writing assignments, problem sets, and final report and presentation in the Fall 2024 semester.

6389-20 Higher Education Law (2) Barber

Examination of legal issues concerning institutions of higher education, including intellectual property, labor relations, privacy, affirmative action, and land use. Governance structures of public and private institutions, and the relationship between the institution and faculty, staff, students, the community, and federally funded programs. (Examination)

6390-10 Employment Discrimination Law (3) Frieden

Federal laws and executive orders relating to various types of discrimination in employment, including Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Equal Pay Act, the Age Discrimination in Employment Act, the Rehabilitation Act, the Americans with Disabilities Act, the Civil Rights Act of 1866, the Fourteenth Amendment, the National Labor Relations Act, and Executive Orders 11,246 and 11,375 relating to government contractors; substantive rights, exemptions, and burdens of proof under the various laws and regulations. (Examination)

6397-20 Federal Indian Law (2) Alexander

Basic legal principles that govern the relationship between American Indian tribes, the federal government, and the state governments. Focus on jurisdictional disputes between those governments, the source and scope of Indian sovereignty, and recognition and enforcement of Indian land and treaty rights. (Take-Home Examination)

6400-11 Administrative Law (3) Glicksman

Study of the administrative processes of government in executive and independent agencies. The federal Administrative Procedure Act is emphasized, with particular attention to adjudication, rulemaking, judicial review, investigatory powers, and enforcement. Study may include comparative state administrative law. Constitutional topics include separation of powers and due process. (Examination)

6400-ON Administrative Law (online) (3) Berman

Study of the administrative processes of government in executive and independent agencies. The federal Administrative Procedure Act is emphasized, with particular attention to adjudication, rulemaking, judicial review, investigatory powers, and enforcement. Study may include comparative state administrative law. Constitutional topics include separation of powers and due process. (Take-Home Examination)

6401-10 Selected Topics in Con. Law (Law, Critique, and Social Change) (3) Mitchell

This class will explore the relationship between legal theory and social & cultural change. We will begin by exploring the tenets of classical liberal thought, which dominated American legal institutions at the turn of the twentieth century. We will then examine the different critiques of classical liberalism (and critiques of the critiques), as they developed in the course of the century, as well as the impact of such critiques on cultural, social and legal change. Throughout the semester, we will attempt to assess how, if at all, different jurisprudential movements have impacted decisions of federal and state courts and broader social and cultural change. The readings will be a combination of primary and secondary sources, including law review articles and excerpts from books. (Writing assignments, paper, and class participation)

6402-20 Antitrust Law (3) Longwell

Federal antitrust law and policy under the Sherman, Clayton, and FTC Acts; basic economic theory of free-market operation; the Rule of Reason and per se offenses; price fixing, market division, and boycotts; trade association activities; monopolization and attempts to monopolize; mergers and joint ventures; resale price maintenance and other vertical restraints; exclusive dealing and tie-in agreements; selected exemptions from antitrust liability. (Examination)

6405-10 Selected Topics in Advanced Antitrust Law (The Design and Performance of the U.S. Antitrust System) (2) Kovacic

This course will consider whether the US antitrust system is due for an overhaul. We will critically examine existing U.S. institutional arrangements in light of U.S. experience and by comparison to other regimes around the world. We will study possible reforms to the structure and operation of the public enforcement system and the mechanism for private rights of action. (Research paper)

6406-10 Regulated Industries (2) Reiter

Substantive problems of business regulation in terms of natural monopolies, licensed industries, health safety, and rate regulation. Typical problems raised include the impact of regulation upon management and market behavior, the uses of economic evidence, and the effects of judicial and legislative review. (Take-Home Examination)

6410-10 Health Law and Policy (3) B. Richman

Survey of the history, structure, and operation of the health care delivery system and related legal and policy issues. Emphasis on public and private health care financing, antitrust, fraud and abuse, managed care, tort liability of medical professionals and institutions, tort reform, and definition and regulation of the quality of health care. Concepts and terms of health care delivery, particularly the design, finance, and administration of current and proposed arrangements. (Take-Home Examination)

6411-11 Health Care Law Seminar (Traumatic Brain Injury) (2) Kaplen

This seminar will examine the issues that confront attorneys in their representation of an individual with a traumatic brain injury, both in and out of the courtroom. The intertwined medical and legal issues related to brain injury and its consequences will also be studied. Topics relating to public perception of brain injury and implications for the legal profession, necessary areas of proof including the use of demonstrative evidence, expert witnesses, challenges to the admission of expert testimony, and trial practice skills in both the prosecution and defense will be discussed. Accessing government benefits and the legal implications of the concussion crisis in amateur and professional sports are other included topics. (Research paper)

6411-12 Health Care Law Seminar (Health Policy) (2) L. Richman

6411-20 Health Care Law Seminar (Managed Care Law and Policy) (2) Malone

This seminar will examine the federal and state law governing the managed care industry as well as the policy and business considerations driving the industry forward. This will include a review of the role that managed care practices have played in the US health care financing system historically and current developments in the business, regulation, and politics of managed care. The course will review managed care law and practices in commercial markets and government programs. (Research paper)

6417-10 Animal Law Foundations (3) Hessler

Introduction to the law governing the treatment of animals in the United States. Topics include the historical status of animals, torts, contracts, family, criminal, constitutional, environmental, and administrative law at the state and federal levels, and the intersection with other justice areas. Students will explore how the law regulates treatment of when used for food, research, entertainment, sport, and as companions or wildlife. (Research paper)

6419-10 Campaign Finance Law (2) Abel

The history, structure, application, and constitutionality of campaign finance laws. Topics include disclosure, regulation of corporations and unions, contribution limits, the role of issue advocacy in election campaigns, political party activities, public funding of campaigns, the role of the Federal Election Committee (FEC), criminal enforcement of finance laws, and campaign finance reform. Focus on the Federal Election Campaign Act of 1971 and the Bipartisan Campaign Reform Act of 2002. (Take-Home Examination)

6423-10 Veterans Law (2) Ridgway

Because of its isolation from judicial review for more than 20 years, the uniquely pro-claimant veterans' benefits system has procedures with no direct analogies to other legal areas and has different approaches to familiar legal issues. The history and politics of veterans' benefits. The system's ideals and the burden of processing more than one million claims per year.(Examination)

6427-10 Selected Topics in Public Law (2) Tyler

This class will explore the role and significance of unwritten and informal norms in constitutional governance. In a legal system with a written Constitution, like the United States, what is the role of unwritten norms? When are they violated? When is their violation unconstitutional? And when, if ever, should they be incorporated into understandings of the written Constitution? The readings will mostly consist of secondary sources, including law review articles and excerpts from books. (Short writing assignments and class participation)

6430-10 Environmental Law (3) TBA

Federal environmental law in the US is heavily statutory in nature. This course explores the policy justifications for and common law roots of environmental law. It also covers aspects of constitutional and administrative law of particular importance to US environmental law. The bulk of the course involves an introduction to the major federal environmental statutes, including those involving environmental assessment, endangered species protection, air and water pollution, and hazardous waste management and liability. Coverage of each statute will include assessment of goals and regulatory strategies for achieving them, and also entail close reading of statutory text. The course also covers alternatives to traditional regulatory approaches, emphasizing market-based approaches to environmental protection. (Examination)

6431-10 Wildlife and Ecosystems Law (2) Boling/Grosko

In-depth study of the complex body of laws that protect or regulate wildlife, including laws that protect ecosystems and the habitats in which wild animals live. The course addresses the most important wildlife-specific federal laws and their accompanying regulations, civil and criminal enforcement, constitutional and tribal issues that arise in wildlife cases, and a vivid common law history that stretches across several centuries. (Examination)

6434-20 Water Pollution Control (2) Downing

Introduction to water pollution control and the Clean Water Act, with emphasis on water quality requirements and policies affecting industrial, municipal, and agricultural/development interests. Related federal laws and policies involving wetlands, watersheds, coastal pollution, oil spills, groundwater, and safe drinking water. (Examination)

6438-10 Energy Law and Regulation (3) Hammond

Survey of the law and regulation of energy production, distribution, and use. Topics include fuel production, electricity and natural gas utility regulation, nuclear and hydroelectric facility regulation, renewable energy, energy efficiency, and energy tax policy and financial incentives. Legislation and regulations developed in response to climate change concerns. (Take-Home Examination)

6442-20 Control-Solid/Hazardous Waste (2) Boxerman/Mitchell

Principal federal statutes governing the management and cleanup of hazardous substances and waste. Site and remedy selection processes, liability regime, and government and private

enforcement rights under the Superfund statute. Rules for identifying industrial and commercial waste as hazardous; treatment, storage, and disposal standards; regulation of recycling; and operation of underground storage tanks. (Take-Home Examination)

6445-ON Environmental Impact Assessment (3) Paddock

The course examines the environmental impact assessment process in depth focusing primarily on the United States. It reviews the history of environmental impact analysis, the current environmental impact assessment process under the National Environmental Policy Act and similar state laws, litigation issues involving challenges to environmental review decisions and issues related to reform of the environmental review process. Limited enrollment by JD students. (Writing assignments, presentation, and final paper)

6447-10 Energy, Climate & Derivatives (2) Malyshev

The course will consist of 3 interrelated components: first, it will provide an overview of US federal commodity and derivatives regulations under the Commodity Exchange Act of 1936 and Commodity Futures Trading Commission (CFTC) regulations thereunder; second, the course will address specific areas where Federal Energy Regulatory Commission (FERC) and CFTC jurisdiction overlaps and review key enforcement cases relating to energy commodities; and third, the course will review US (e.g., California Renewable Portfolio Standards) and international initiatives (e.g., the Paris Accord) to use commodity and derivatives markets to mitigate climate change as well will analyze already existing compulsory and voluntary environmental commodity markets. (Research paper)

6454-10 International Environmental Law (2) Abate

The treaty negotiation process, role of international institutions in developing and implementing environmental agreements, relationship between environmental law and international issues, developing countries' perspectives on environmental issues, and social and cultural changes that affect the implementation of environmental law. Issues covered include climate change, export of hazardous waste, deforestation and biodiversity, Antarctica, and environmental concerns in war, human rights, and development financing. (Research paper)

6455-10 Climate Change Law & Justice (2) Kaplan

Climate change is the next generation's defining environmental and social challenge. Climate justice emerged as part of the global response to these challenges. Climate justice focuses on the disproportionate burden of climate change impacts on poor and marginalized communities and seeks to secure a more equitable allocation of the burdens of these impacts. Students will explore dynamic and evolving legal tools in the US and other countries to promote government and private sector accountability to address the climate change crisis. (Take-Home Examination)

6457-10 Sustainable Communities Seminar (2) Schilling

Building on smart growth and sustainability planning principles, this course will explore the legal, policy and practice implications of land use, energy, environmental justice, and climate

resilience in the development of more equitable, healthy and resilient regions, cities and suburbs. Topics include sprawl; urban sustainability trends in the U.S. and abroad; emerging legal and interdisciplinary policies and programs that promote intergovernmental collaboration, regional and comprehensive planning, urban regeneration, equitable development and low carbon economies. (Research paper)

6459-10 Atomic Energy Law (2) Haemer

The evolution of the Atomic Energy Act, the regulatory structure for non-military nuclear materials, federal and state law related to nuclear waste; waste transportation; the contrasting stories of two deep geologic permanent waste repositories (Waste Isolation Pilot Plant [WIPP] and Yucca Mountain); the dilemma posed by nuclear wastes having no disposal pathway; the law and policies to avert nuclear terrorism; and compensation when the unexpected happens. (Class presentation and research paper)

6461-11 Selected Topics in Env. Law (Comparative Environmental Law and Policy: Legal Frameworks Across the Globe) (2) Sarnowski

This course will compare United States environmental policy with that of other national, subnational, and regional jurisdictions. Students will learn about the underlying theories of environmental law around the world, and they will have an opportunity to analyze regulation and case law pertinent to different countries. The class will end with a case study highlighting the environmental impacts of Russia's war in Ukraine. (Take-Home Examination)

6461-12 Selected Topics in Env. Law (Indigenous Peoples' Rights and the Environment) (2) Khatri-Chhetri/Morgenthau

This course will examine ways in which industrial activity and climate change impact Indigenous Peoples and their corresponding human rights, including the rights to self-determination, property, life, and culture. It explores how Indigenous Peoples are increasingly utilizing the law to defend their rights and lands, protect the environment, and help operationalize and strengthen evolving legal norms like the right to a healthy environment, intergenerational equity, and the right to Free, Prior, and Informed Consent. (Take-Home Examination)

6476-20 Patent Strategies and Practice (2) Doody/Koo

Patent prosecution, practice and related issues, with emphasis on strategies for drafting and prosecuting patent applications. Course will include discussion of patent searching, claim drafting (including practical exercises), arguments and amendments, the specification, drawings, information disclosure statements and one class on foreign filing. Course will also briefly discuss patent law specifically related to patent prosecution. Prerequisite or corequisite: Law 6471 or permission of the instructor. (Examination)

6477-10 The Federal Circuit (2) Cade/Stoll/Wolfe

The unique role of the US Court of Appeals for the Federal Circuit as the only national court of appeals organized on the basis of subject matter rather than geography. Topics include the creation of the Federal Circuit and an overview of its varied jurisdictions (e.g., government contracts, constitutional takings, and international trade). Emphasis on the contributions of the Federal Circuit to patent law, and in particular its administration of eligibility, bars, "nonobviousness," equivalents, and other modern patent law problems. Comparative study of the patent jurisprudence of the Federal Circuit and other nations' courts. (Examination)

6482-10 Patent Enforcement (2) Atkins/McKelvie/ Rainey/Hopenfeld

Patent litigation for those who may wish to specialize in general litigation with occasional handling of patent cases, as well as for those interested in a patent solicitation career. Focuses on an understanding of policy and practice considerations in the enforcement of patents. (Examination)

6486-10 Information Privacy Law (3) Solow-Niederman

Information privacy law, including the development of constitutional, tort, contract, property, and statutory law to address emerging threats to privacy. Privacy and the media, privacy and law enforcement, workplace privacy, privacy and online transactions, medical and genetic privacy, and privacy and personal records and information. (Examination)

6489-10 Enforcement of IP Rights/ITC (2) Sterba

In-depth examination of the US International Trade Commission (ITC). The full scope of the ITC's unique jurisdiction, with primary focus on its role with respect to the adjudication and enforcement of intellectual property rights. The enactment of Section 337 of the Tariff Act of 1930 and important amendments that enable the ITC's authority over unfair trade practices relating to intellectual property matters, including patents, copyrights, trademarks, trade dress, gray market, and trade secrets. Organization of the ITC, including its commissioners, administrative law judges, and the Office of Unfair Import Investigations. All aspects of litigation, from the institution of an investigation under Section 337 to post-hearing phases. The unique requirements in Section 337 cases of importation, domestic industry, and injury. The scope of available remedies in Section 337 cases, the role of US Customs in enforcing ITC exclusion orders, and review of ITC decisions and the Federal Circuit's jurisprudence relating to ITC matters. (Examination)

6493-ON Internet Law ON (3) Savage

Focus on speech on the Internet, including governmental attempts to control or filter speech, intermediary liability for third-party speech, digital rights management and other copyright issues, and domain names as speech. The rules and institutions that permit or disallow governance of these issues. Students may not receive credit for both Law 6493 and 6485. (Take-Home Examination)

6496-10 Intellectual Property Law Seminar (2) Hart/Rea

International protection of intellectual property under the various treaties, including the Paris Convention for the Protection of Industrial Property, the Berne Convention for the Protection of Literary and Artistic Works, the WIPO Internet Treaties, and the Trade-Related Aspects of Intellectual Property (the TRIPs Agreement), and the role of national governments, including the U.S. Congress, and multinational organizations, such as the United Nations, the World Intellectual Property Organization (WIPO), and the World Trade Organization (WTO), in making IP policy and in the global enforcement of patents, copyrights, trade secrets, and trademarks. Also discussed are the U.S. Patent and Trademark Office, the U.S. Copyright Office, the U.S. Trade Representative, the International Trade Commission, and the U.S. Department of State, and the role those agencies play in the formulation of international intellectual property standards and the international enforcement of those standards. Recommended prerequisites: Law 6470 (Intellectual Property), Law 6471 (Patent Law), Law 6472 (Copyright Law), or Law 6474 (Trademark Law and Unfair Competition). (Research paper)

6499-10 Trade Secrets Law (2) Pade/Patel

Focus on theory, policy, and practice of trade secrets. Exploration of what a trade secret is and how it differs from other types of property protection; trade-secret laws' interrelationships with other areas of the law, including corporate management of information, employee mobility, and criminal law/economic espionage; ways in which an organization can identify and protect its trade secrets and manage risk associated with exposure to others' trade secrets; litigating civil and criminal disputes involving trade secrets. No IP or patent experience necessary. (Examination)

6500-10 Government Contracts (3) Schwartz

Survey of the basic principles of government procurement, including the powers and limitations on government instrumentalities entering into contracts, the respective roles of the three branches of government in the process, the processes of contract formation and administration, the resolution of disputes arising out of both processes, and the various forums available for dispute resolution. Although the focus of this course is primarily on federal government procurement, there will be some consideration of state and local government contracting and may be some coverage of procurement by other nations or international organizations. This course covers some of the material covered in Law 6502 and 6503, but at an introductory level. Not open to students in the LLM or MSL program in government procurement law. (Examination)

6502-10 Formation of Government Contracts (3) Tillipman

Survey of the law pertaining to government procurement, including an analysis of the unique features of government contracting and a discussion of the functions of Congress, the executive branch, and the courts in the procurement process. The course focuses on the contract formation process, including techniques for awarding contracts and litigation and protests involving awards. (Take-Home Examination and problem assignments)

6502-ON1 Formation of Government Contracts (online) (3) Schoeni

Survey of the law pertaining to government procurement, including an analysis of the unique features of government contracting and a discussion of the functions of Congress, the executive branch, and the courts in the procurement process. The course focuses on the contract formation process, including techniques for awarding contracts and litigation and protests involving awards. (Take-Home Examination and problem assignments)

6502-ON2 Formation of Government Contracts (online) (3) Craig

Survey of the law pertaining to government procurement, including an analysis of the unique features of government contracting and a discussion of the functions of Congress, the executive branch, and the courts in the procurement process. The course focuses on the contract formation process, including techniques for awarding contracts and litigation and protests involving awards. (Take-Home Examination and problem assignments)

6503-ON Performance of Government Contracts (online) (3) Chase

Discussion of the substantive problems that most frequently arise during the performance of government contracts. Interpretation of specifications and the most generally used contract clauses; analysis of the rights of the parties when performance in accordance with the terms of the contract is not obtained. Analysis of the methods that can be used by the parties to a government contract to obtain legal relief, including detailed coverage of the disputes procedure, actions for breach of contract, and forms of equitable and extraordinary relief. (Take-Home Examination and problem assignments)

6506-ON Government Contracts Cost & Pricing (online) (2) Barrett

Legal aspects of government contract accounting principles and allowability of costs. Cost accounting standards and cost allocation issues. Negotiation of cost, profit, and price. Disclosure of cost accounting data. Prerequisite for JD students: Law 6502 or permission of the instructor. (Take-Home Examination and problem assignments)

6512-ON Government Procurement IP Law (online) (2) Bell

Intellectual property law in terms of its challenges to federal government procurement rules. Competing policy demands for innovation, transparency, and sound public investment in the intersection of intellectual property law and federal procurement rules. Prerequisite for JD students: Law 6500 or 6502 or permission of the instructor. Experiential credit. (Problem assignments)

6513-ON Selected Topics in Government Contracts (online) (1) Carter/Heidarian

This course explores the legal issues arising out of the U.S. government's increasing reliance on "technology," which broadly includes software providers, cloud service providers, and professional services, to meet its mission. Students will be introduced to the unique procurement law issues and opportunities that technology government procurement practitioners encounter in their daily work, including public sector technology negotiations, client advising, compliance

and security issues, and risk management. JD students must complete Law 6500 or 6502 prior to enrolling in this course (or obtain the advanced, written permission of the instructor). (E) Meets Mondays (6:00-8:00pm): 8/26, 9/9, 9/16, 9/23, 9/30, 10/7, and 10/14 (Exercises)

6518-ON Government Contracts Overview (online) (1) Tillipman

This self-paced course presents a survey of the law pertaining to government procurement, including an analysis of the unique features of government contracting and a discussion of the functions of Congress, the executive branch, and the courts in the procurement process. This course will introduce students to basic foundational concepts and vocabulary that will be further developed in later courses in the government procurement curriculum. This course is graded on a CR/NC basis. (Quizzes)

6519-ON Analytical Writing for Government Contracts (online) (1) Thornton/McDowell

This course teaches advanced writing to professionals in the government contracts field, including effective written communication tips and tools which students will use in upper-level seminar courses. Throughout the semester, the students will write and edit a short research paper related to government contracts and complete weekly writing assignments. This course is graded on a CR/NC basis and is available only for MSL candidates in the government procurement law program. (Writing assignments)

6526-10 International Trade Law (2) Joshi

Study of domestic and international laws and institutions governing foreign trade. Legal aspects of US participation in the World Trade Organization, NAFTA, and other international forums; laws regulating customs and tariffs, most-favored nation treatment, subsidies, dumping, unfair trade practices, and disruptive imports under the escape clause. Additional topics may include specialized problems in regulating exports under the Export Administration Act, boycotts, corrupt practices, and restrictive business practices. (Take-Home Examination)

6533-20 International Family Law (2) Coffee/Kucinski

Students will study domestic and international law and institutions affecting family law, as well as private international law, including choice of law concepts. The course will cover the role of the state and religion in marriage, divorce, child custody, relocation and abduction, support, and adoption. Recommended: Law 6520. Experiential credit. (Take-Home Examination and class exercises)

6543-10 Chinese Law and Legal Institutions (2) Erie

Introduction to the basic institutions and processes of the legal system of the People's Republic of China. Focus on the contemporary system and its role in political, economic, and social developments. (Take-Home Examination)

6544-20 International Investment Law & Arbitration (2) Alexandrov/McClure

An examination of the legal, business, and financial problems involved in investing across national borders. Focuses on the strategies and techniques for structuring such investments and on the framework of regulation that affects them. The analysis includes US regulation of foreign investors, different types of foreign regulation of US investments, and international controls on domestic regulation of foreign investment through treaties and conventions. Model international transactions and sample documents are used to illustrate basic issues. (Examination)

6546-20 International Law of Human Rights (2) Polack

An overview of international and regional human rights instruments and institutions, focusing on the manner in which the United Nations, Inter-American, European, and African human rights systems seek to protect individual and group rights. Examination of the problems these systems have encountered in discharging their mandate, and exploration of ways to strengthen international and regional governmental and nongovernmental efforts in the human rights field. Prerequisite or concurrent registration: Law 6520; for post- JD students, permission of instructor may be substituted. (Take-Home Examination)

6547-20 Regional Protection of Human Rights (2) Norona

Advantages and disadvantages of addressing human rights issues regionally rather than at the national or global levels. The jurisprudence and procedures of the European, Inter-American, and African human rights systems. The potential for developing a regional system in parts of Asia. Prerequisite: Law 6520. (Research paper)

6554-20 International Criminal Law (2) Calabro

Prosecution of international crimes and application of national criminal law across international boundaries. The use of criminal sanctions to serve the objectives of the international community, particularly with respect to peace, national security, and human rights. Prior enrollment in Law 6520 is recommended. (Take-Home Examination)

6571-10 Human Rights and Environmental Protection (2) Gismondi

The intersection of national and international law on human rights and environmental protection, with focus on rights-based approaches to environmental protection and how environmental deterioration may limit or infringe the enjoyment of guaranteed rights. The current state of the law concerning a claimed right to a safe and healthy environment, corporate social responsibility, land and resource rights of indigenous peoples, the role of international financial institutions, and human rights litigation linked to environmental harm. Prerequisite or corequisite: Law 6520, or with permission of the instructor. (Research paper)

6572-20 Human Trafficking Law (2) Hill/Silver

Examination of federal, state, and international laws and policies used to combat human trafficking. Study of US anti-slavery and peonage laws to determine how those laws proved insufficient to curb modern trafficking and led to the passage of the Trafficking Victims

Protection Act. In-depth analysis of federal laws prohibiting sex and labor trafficking crimes and consideration of how such laws are used to investigate and prosecute offenses in domestic courts. Examination of the international counter-trafficking legal framework established under the Palermo Protocol and study of global implementation of the Protocol by state parties. Assessment of the significant role of diplomacy in legislative reform and counter-trafficking generally. Study of ground-breaking cases decided by international courts and efficacy of cross-border initiatives to combat human trafficking. Prerequisites: Law 6210; Corequisite: Law 6520. (Writing assignments)

6591-10 U.S. Legal History (2) Cottrol

Examination of the history of US law from the seventeenth century to the present. Topics include Anglo-American constitutionalism, the reception and transformation of the common law, slavery and the law, race and gender in US law, corporations, labor and the rise of the regulatory state, and legal education and the legal profession in US history. (Research paper)

6601-10 History of Common Law (3) Lerner

The history of legal procedure and institutions in England and the United States, in particular the relationships among Judges, juries, and lawyers in civil and criminal cases. Development of rules of evidence; links between law and equity. How changes in politics, society, and economics affect legal procedures and courts. Origins of the adversarial legal system and comparisons with the inquisitorial system on the European continent and elsewhere. (Examination or research paper)

6602-10 Law and Accounting (3) Rand

Study of fundamental accounting principles with emphasis on corporation accounting; legal and accounting implications of specific items in financial statements of corporations; inventory adjustments; corporate transactions, distributions, capital adjustments. No accounting background required; students who majored (or the equivalent) in accounting or who hold certifications as Certified Public Accountants (CPA) may not enroll. Experiential credit. (Take-Home Examination)

6635-20 Disability Rights Law (2) Leen

Examination of those areas in which persons with disabilities have traditionally been denied some right or benefit afforded other persons in our society and have resorted to legal action; introduction to statutes and agencies designed to protect people with disabilities. (Research paper)

6640-22 Trial Advocacy (3) Wayne

Pretrial and trial techniques with emphasis on procedural, evidentiary, tactical, and ethical problems experienced by trial lawyers in actual cases. Complaint drafting, pretrial motions, depositions and other discovery methods, preparation of witnesses, jury selection, the use of experts, direct and cross-examination, introduction of documents, courtroom techniques, and

opening and closing arguments. Role playing in simulated courtroom situations. Students who receive credit for Law 6683 College of Trial Advocacy may not enroll in this course.

Prerequisite: Law 6230 [Saltzburg -- students may be enrolled concurrently in Law 6230.]

Enrollment is limited. Experiential credit. (Short papers and exercises)

6646-20 Mediation (2) Harvey

Consideration of the growing use of mediation to resolve disputes and comparison with other dispute resolution processes. Taking the roles of mediators and disputants, students participate in a number of simulations. Mock mediations are conducted individually and with a co-mediator. Examination of practical and ethical issues; applicability to various substantive areas including contract, tort, consumer, family, criminal, discrimination, and landlord/tenant. Students are expected to fill out role-playing evaluations of themselves and classmates on a regular basis and to prepare written assignments as directed by the instructor. Enrollment is limited. Students may take both Law 6646 and 6647 from the same instructor only with the instructor's permission. Experiential credit. (Role playing and written assignments)

6652-13 Legal Drafting (False Claims Act/Healthcare Fraud) (2) S. Lynch

This section of Legal Drafting will provide students with real-world experience in federal civil litigation under the False Claims Act (FCA) in the context of healthcare fraud. Students will learn how to draft some key civil litigation documents typically encountered in an FCA case, such as: a Civil Investigative Demand (CID), a Motion to Enforce a Subpoena, False Claims Act Complaint, Answer, Interrogatories, Requests for Documents, and a Motion for Summary Judgment in a False Claims Act Case. This course will address both the strategic and practical concerns that arise at every stage of litigating a federal FCA case and students will learn to improve their writing skills as well as their litigation strategy skills. (E) (Drafting projects and short writing exercises)

6652-22 Legal Drafting (2) Villa

This course will be offered for 2 credits in the Fall 2024 semester. Students learn the fundamental skills necessary to draft those transactional documents which are most commonly used by attorneys working in corporate legal departments. This effort includes mastering basic drafting principles, addressing the business context giving rise to the need for particular documents, and developing the strategy for structuring and negotiating contracts. Students also will get practical application in the full cycle of the drafting process for contracts, licenses, and other agreements. Students will regularly participate in classroom exercises with small groups of other students to draft or revise various transactional documents. (Drafting projects and short writing exercises) (E)

6665-10 Upper-Level Writing (1) Champagne/Sinclair

This course is an elective corequisite to seminar courses that require or permit a research paper or Law 6656, Independent Legal Writing, for students who intend to seek publication. Instruction on legal research strategies and structural techniques; individual and small-group feedback on

interim writing assignments; and guidance on seeking publications. Credit may not be earned for both this course and Law 6657. Permission of the instructor of the course for which the research paper is to be written is required. Enrollment is limited. This course is graded on a CR/NC basis. (Writing assignments)

6750-ON Foreign Government Contracts (online) (2) Yukins/Green

This seminar will examine many issues associated with the increase in public procurement being done across borders—whether through international aid assistance or foreign military sales, or direct purchases by foreign governments. This new, highly globalized public procurement market presents special legal and policy issues, including export controls, anti-corruption requirements, and unique legal rules for certain types of foreign assistance. This course, co-taught by a co-director in the government contracts program and a senior member of the bar, offers an introduction to the practical and real-world challenges of transnational public procurement. (Research Paper)

6751-ON State and Local Procurement (online) (2) Yukins

This course will cover state and local procurement in the United States, drawing for discussion on the ABA Model Procurement Code and other leading state and local practices and models. State and local procurement markets - long the forgotten stepchildren of US procurement - are rapidly growing in prominence and importance. The course will give students a solid grounding in common procurement methods, and solutions, used in state and local governments, and will compare those to federal procurement systems. The course will assess why federal and state procurement legal systems have evolved with so little interaction, and will ask whether we should do a better job of bringing them more in line with one another, and, if so, how. In examining why procurement regimes in the United States are not better integrated, the seminar will look to European and other foreign models of integration and harmonization, and to the role of grants in integrating the federal government into state procurement systems. Limited JD enrollment. (Research paper)

6757-20 Government Contract Negotiations (2) Vadiiee/Sheffield

This course provides experiential learning for students planning a career in government contracts law, whether at a private law firm, for the government, or within a private company. The instruction will focus on negotiation considerations and methods used during formation and administration of government contracts. Each class will require students to participate in discussion and simulations of different negotiations that take place in government contracts, while considering the Federal Acquisition Regulation (FAR), the government contract lifecycle, and the constraints and objectives of the government, prime contractors, and subcontractors. The course will provide simulation fact patterns which students will be expected to review and form negotiation positions and plans thereon according to their assigned roles. For certain classes, judges or practitioners with experience in the topic of discussion may be invited to share their input and experience or participate in a simulation. No prerequisite courses required but at least one of the following is recommended: Law 6500 (Government Contracts), Law 6502 (Formation

of Government Contracts), and/or Law 6503 (Performance of Government Contracts).
Experiential credit. (Simulation, short paper, and class participation)

6759-ON Other Transactions (online) (1) Balkin

This course provides experiential learning for students planning a career in the federal acquisition field as well as in the private sector. An understanding of Other Transaction Authority (OTA) is a fundamental skill for all federal attorneys. The identification of a prototype or research Other Transaction (OT) requirement, its permissible uses, and any relevant restrictions or prohibitions, is a threshold issue prior to taking any federal action, including executing a federal contract. Attorneys with a working knowledge of OTA bring critical expertise to bear in advising internal agency clients on how to maximize scarce resources and broaden the industrial base. While OTA is a "tool" in the acquisition "toolbox," it offers a much more flexible approach over a traditional FAR-based procurement contract, allowing the government to emulate commercial negotiations and practices. Prerequisite: Law 6500 or 6502, or written permission of the Program Director. Experiential credit. (In-class and written exercises, and class participation)

6869-10 Selected Topics in National Security (Law of Secrecy) (2) McClanahan

This course will examine the intricate legal framework by which the U.S. government designates information as classified or otherwise related to national security, controls access to that information, and allows its disclosure. We will begin by highlighting and discussing the constitutional arguments surrounding these matters, largely focusing on separation of powers concerns. We will then examine the phenomenon of leaks and the criminal prohibitions on such disclosures. We will then consider the law governing situations in which classified information is implicated in litigation, focusing primarily on the state secrets privilege in civil cases and the Classified Information Procedures Act in criminal cases. Next we will examine the system in which decisions are made to grant or deny access to classified information through the use of security clearances and related determinations. The final part of the course will address the legal framework for the classification and declassification of information, including a discussion of the prepublication review regime. Throughout the course students will be asked during class to present an argument from one side of an issue, to be opposed by another student, as ungraded exercises in internalizing and applying the disparate approaches to law in this field, with feedback from the professor, other students, and themselves. On occasion, guest lecturers will join the class to provide additional practical information, based on their professional experiences. The method of evaluation for this course will be writing assignments, role playing exercise, and class participation in the Fall 2024 semester. (E)

6869-20 Selected Topics in National Security (The Law of War, Civilian Harm Mitigation, and Response) (1) Stigall

This course will address a range of practical issues relating to the law of armed conflict and the specific field of civilian harm mitigation and response (CHMR). This will include discussions of distinction, proportionality, and necessity under the law of armed conflict. It will also include in-

depth discussions of the targeting cycle so that students can understand how those concepts are operationalized. Students will also discuss appropriate methods of responding to civilian harm when it occurs. Throughout the course, students will be presented with both policy and legal frameworks relevant to this field and will be challenged to think creatively about possible CHMR approaches. (Take-Home Examination) Meets the following Tuesdays from 6:00pm-8:00pm: 8/27, 9/10, 9/24, 10/8, 10/22, 11/5, and 11/19

6870-10 National Security Law (3) Dickinson

US law (and incorporated international law) affecting national security. Topics may include the use of armed force abroad (general war, defensive war and reprisal, peace and stabilization operations); intelligence operations abroad (history, organization and oversight, legal issues in the field); selected issues of counterterrorism; and access to and protection of classified information (classification, Freedom of Information Act (FOIA), state secrets privilege, leak control, prior restraints on publication). (Examination)

6870-20 National Security Law (2) Altenburg/Stigall

US law (and incorporated international law) affecting national security. Topics may include the use of armed force abroad (general war, defensive war and reprisal, peace and stabilization operations); intelligence operations abroad (history, organization and oversight, legal issues in the field); selected issues of counterterrorism; and access to and protection of classified information (classification, Freedom of Information Act (FOIA), state secrets privilege, leak control, prior restraints on publication). (Examination)

6871-12 U.S. Foreign Relations Law (2) Swaine

The nature and origins of the federal government's foreign relations powers; cooperation and competition between the executive and legislative branches; the role of the courts in foreign affairs; limitations on state powers touching on foreign affairs; treaties, executive agreements, and customary international law and their relationship to US domestic law; the extraterritorial application of US law; and sovereign and official immunities. (Examination)

6872-20 National Security Law Seminar (Internal Investigations & IG) (2) Smith

The central goal of this seminar is to train future practitioners for careers in internal investigations. Students will leave the course with the knowledge and skills necessary to succeed at the various offices of inspector general and other investigative agencies established throughout the federal government. Individual course modules will focus heavily on national security issues and the departments and agencies charged with keeping America safe. Classroom discussions will also include topics such as investigative techniques, effective interviewing techniques, inspector general legal authorities, and the overall report writing process. In particular, this seminar will examine oversight mechanisms within the Department of Homeland Security, the Department of Justice, the Department of Defense, and the Office of the Director of National Intelligence. These same investigative skills, however, are also widely transferable to legal work in the private sector. (Research paper and class participation)

6873-10 Military Justice (2) Schenck

The military justice system as a separate criminal justice system established by Congress due to the unique nature and mission of the US Armed Forces. Policies, principles, standards, and rules governing the military justice process from investigation through trial and the appellate process. Review of the commander's role throughout the system. Detailed review of substantive military criminal law and peculiarly military offenses. Analysis of military criminal procedure as well as alternate actions available to dispose of criminal misconduct cases, including administrative separations from the Armed Forces. LLM students with prior military law experience may enroll only with the permission of the instructor. (Examination)

6876-20 Homeland Security (2) Gountanis

Legal issues related to homeland security before September 11, 2001, and the adoption of the Homeland Security Act of 2002. Protection of critical infrastructure; information sharing; liability for terrorist attacks; risk insurance; attempts to prevent the use of weapons of mass destruction; threats to electronic infrastructure; and combating the financing of terrorism. (Take-Home Examination)

6877-10 Nuclear Nonproliferation Law & Policy (2) Jonas

The use of international agreements, legislation, regulations, and policy to stop the spread of nuclear weapons and to deter acts of nuclear terrorism. Review of the U.S. interagency process and how international organizations, intelligence, sanctions, diplomacy, foreign assistance, and the threat or use of force work to stop nuclear proliferation. This class will consider major international agreements such as the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Test Ban Treaty, and Nuclear Weapon Free Zones, among others. The roles of the United Nations, International Atomic Energy Agency, and Conference on Disarmament will be reviewed, as well as nuclear arms control and how deterrence figures into the nonproliferation regime. (Take-Home Examination)

6882-10 Foreign Intelligence Surveillance Act (FISA) (2) Park

This course provides an in-depth study of the Foreign Intelligence Surveillance Act (FISA), its amendments, Section 215 of the US PATRIOT ACT, and the USA Freedom Act. Examination of how these laws have evolved over the past 40 years into the current legal framework utilized by the National Security community today. Study of the historical underpinnings for FISA and how similar laws have been reexamined. Topics also include identifying the circumstances for pursuing different types of FISAs, discerning the specific provisions of FISA that apply to a set of circumstances and the requirements for an application to the Foreign Intelligence Surveillance Court. This course also includes the study of the significant tension between balancing National Security interests with US citizens' Privacy and Civil Liberty Rights. Prerequisites or concurrent registration: Law 6870, 6875, or 6878. (Take-Home Examination and exercises)

6883-10 Counterintelligence Law & Policy (2) Kedian

This course is designed to provide an overview of counterintelligence aspects of national security law. Topics covered will include traditional espionage, foreign agent activity, leaks and mishandling of classified information, nation state cybercrimes (including economic espionage), export control violations, court-authorized foreign intelligence surveillance, and the handling of classified information in criminal cases in Article III courts via the Classified Information Procedures Act. There are no prerequisites, though general knowledge of and interest in criminal law will be useful. (Writing assignments)

6884-40 Tech Foundations for Cybersecurity (1) Clark

This course examines basic technical concepts relevant to the law. It is designed as a foundational course that will introduce students to key terms and concepts related to cybersecurity. The course will provide a basic understanding of cybersecurity topics that will empower students to more easily identify, understand, and analyze associated legal issues. This course is recommended for students who have little to no technical knowledge but intend to enroll in cyber-related courses as part of their academic curriculum. Students who have prior technical knowledge should not enroll in this course. This course is graded on a CR/NC basis. Students who receive credit for Law 6890 Cybersecurity Law and Technology may not enroll in this course. (Take-Home Examination)

6887-10 Problems Trying Terrorists (2) Breinholt/Forst

A focus on trial techniques for prosecution of international and domestic terrorism crimes when tried in Article III courts, including the use of the "material support" statute. This course examines the art and mechanics of addressing a number of recurring issues that are common in terrorism prosecutions, including constitutional issues, the use of classified information in investigations, the reliance on foreign evidence, the use of electronic surveillance and undercover information, pretrial publicity issues, and use of expert witnesses. Prerequisite or concurrent registration: Law 6230. Experiential credit. (Writing assignments)

6888-10 Crisis & Controversy in the CIA (2) Petrila

Examination of fundamental legal issues that have arisen in regard to the mission of the Central Intelligence Agency (CIA), focusing on a series of issues, key events, and policy decisions that have had significant impact on the legal structure under which the Intelligence Community operates. Review of several major policy decisions that the CIA was charged with implementing, and identifying and analyzing associated legal issues and risks (to include separation of powers issues) that were a consequence of these policy decisions. (Writing assignments)

6889-10 Aviation Law & National Security (2) Woodworth

Examination of the field of aviation law, in particular as it applies to national security. An overview of the domestic and international legal frameworks governing aviation, initial debates over State security and freedom of the air, and the developments that led to the Chicago Convention on Civil Aviation. A review of US air law and federal statutes and regulations that

govern US airspace and its air transportation system; air law through international treaties and relevant organizations and subsequently how they apply to several acts by state and non-state actors; the relationship between aviation and individual rights under the Constitution; and emerging issues in air law and national security. Recommended: prior or concurrent enrollment in Law 6870. (Research paper)

6891-ON Foreign Access to US Technology (online) (2) Abdelhady

The fundamental US legal, policy, and regulatory framework restricting foreign access to US technology, an area that implicates commercial, trade, and national security laws and policies. Restriction on foreign investment in the United States and access to US technological and other assets, including the respective roles and powers of the Executive and Legislative branches of the federal government; related commercial, legal and policy issues surrounding critical technologies; and, how foreign access to US technology straddles commercial, trade and national security law and policy. Increased United States restriction of foreign access to US technology, such as through Defense Production Act amendments and expanded authority of the Committee on Foreign Investment in the United States to review foreign investment involving technology and personal data, targeted export controls and sanctions enforcement, criminal prosecutions, and curbs on foreign participation in US academic and research settings. (Take-Home Examination)