FIRST-YEAR COURSES

301. ELEMENTS OF THE LAW. A course designed to give beginning law students an understanding of the jurisprudential setting of American law. Subjects considered are the sources and forms of American law; the adversary forum; the nature of legal principles, rules and concepts; the theory and operation of a system of judicial precedent in case-law, statutory law, and under a written constitution; the divisions of functions, including the relationship between law and other institutions; basic ideas and distinctions. Aut (4), Mr. Levi.

302. CONTRACTS. The course will deal with the historical development of the enforceability of contractual arrangements, sanctions for their breach, and justification or excuses for nonperformance. The nineteenth-century elaboration of such basic contract doctrines as that of consideration will be examined in the light of their decline and fall in our own century. The relationship between contract liability and tort liability, taken as twin halves of a general theory of civil obligation, will be stressed. Win (4), Mr. Scalia, Mr. Stone. Spr (4), Mr. Jones, Mr. Simpson.

303. CRIMINAL LAW. This course relates the general doctrines of criminal liability to the moral and social problems of crime. The definitions of crimes against the person and against property (as they are at present and as they might be) are considered in the light of the purposes of punishment and of the role of the criminal justice system, including police and correctional agencies, in influencing behavior and protecting the community. Aut (4), Mr. Zimring. Win (4), Mr. Morris.

304. CIVIL PROCEDURE. The first part of this course concerns the formulation and defense of legal claims in civil litigation, with special reference to the adversary system and the role of the lawyer in it. It includes an analysis of pleading and discovery procedures and the right and function of jury trial. The second part of the course is a study of jurisdiction and the scope and effect of judgments, with an emphasis upon the problems imposed by a federal system upon complete determination of disputes that cross state lines; state court jurisdiction from Pennoyer v. Neff to present-day “long-arm” statutes; principles of finality of judgments and their implementation through the Full Faith and Credit Clause; proceedings in rem and quasi in rem and interpleader and class actions as devices for extending judgments to the rights of persons beyond the personal jurisdiction of the court; the role of the federal courts under the diversity jurisdiction; the enforcement of judgments. Aut (4), Mr. White, Ms. Wood. Spr (4), Mr. Neal, Mr. Steinlein.

305. PROPERTY. This course provides an introduction to the legal relationships that arise out of or comprise ownership of property. Among the subjects to be covered are the initial acquisition of rights in real and personal property, the nature of ownership of natural resources, the various types of concurrent and successive interests in land, and restraints on alienation. The course will also deal with the law relating to easements and covenants, landlord and tenant, and conveyancing. Win (4), Spr (4), Mr. Hotchkin.

306. TORTS. This course deals with the Anglo-American system (mainly judge-created) of liability for physical injury to person or property. Special stress is laid on the legal doctrines governing accidental injury, such as negligence and strict liability, assumption of risk, and the duty requirement. The rules for determining damages in personal-injury cases will also be discussed. Alternative theories of tort liability, e.g., moral and economic, will be compared. Aut (4), Win (4), Mr. Epstein, Mr. Posner.

CURRICULUM
ELECTIVE. In the Spring Quarter first-year students will elect one course or seminar from among the following: 423, Economic Analysis of Law I; 460, Jurisprudence; 461, Studies in Argument; 462, Development of Legal Institutions; 466, English Constitutional History; 470, Social Science Research in Litigation; 503, Seminar in History of American Legal Thought; 504, Seminar in Anglo-American Legal History. Preferences will be indicated in advance registration during the Winter Quarter. Where necessary in order to limit these courses and seminars to a reasonable size, enrollment by first-year students will be limited by lot.

308. TUTORIAL WORK. Each first-year student is assigned to a tutor for individual and small-group work in legal analysis, research, and exposition, including an exercise in brief-writing and oral argument. Aut, Win, Spr (5). Mr. White and Mr. Berg, Mr. Dube, Mr. Ellison, Mr. Krauss, Ms. Kunde and Ms. Liebman.

SECOND- AND THIRD-YEAR COURSES

401. RESTITUTION. The course is concerned with the legal and equitable remedies for redressing unjust enrichment, and with the principles determining the availability of such relief in the varied contexts in which a claim of unjust enrichment may plausibly be asserted. The problems examined cut across, but are not limited to, contracts and torts: they include receipt of unsolicited benefits; gains obtained through the use of ideas originated by others; restitution as an alternative remedy in consensual transactions affected by fraud, mistake, and part performance; and restitution of gains obtained through conduct that is independently tortious. Spr (4). Mr. Jones.

403. EQUITY. Equity is a disparate body of supplemental remedies, devices, and rules, lumped together by the historical accident of being administered in a separate court for several centuries. Law and equity courts have now merged in most jurisdictions, but distinctively equitable problems continue to emerge. Equity cuts across and interacts with all substantive fields of law, and much of it has been absorbed into other courses. This is a survey course with emphasis on matters not systematically covered elsewhere, including the remedies of injunction and receivership, the defenses of laches, waiver, escepl, and unclean hands, the irreparability rule, and the special problems raised by non-monetary remedies, such as premature, voluntary cessation, comparative hardship, impracticability, enforcement, modification, and preliminary relief. Spr (4). Mr. Lucas.

405. DECEDENTS' ESTATES AND TRUSTS. The study of the various means of gratuitous transfer of wealth—by will, by inter vivos transfer, and by operation of statute on intestacy. Part I: The policy bases of inheritance and of the Wills Act formalities. Part II: The common will substitutes—gift, joint ownership, life insurance, revocable trust. Part III: Intestate succession, family protection, and mortmain legislation. Part IV: Testamentary capacity and the formalities of drafting and revoking wills. Part V: Distinctive constructional doctrines of the law of wills. Part VI: The creation and termination of trusts and the duties of trustees, executors, and other fiduciaries. Part VII: Charitable trusts and foundations, with emphasis on recent constitutional standards arising from litigation concerning racially restrictive trusts. Throughout the course the relevant portions of the Uniform Probate Code will be studied. Each student will be asked to draft a will and to submit an accompanying memorandum explaining its purposes. Win (5). Mr. Langbein.

406. LAND DEVELOPMENT. Primary attention will be given to the legal tools for raising capital for real estate ventures. Emphasis will be given to the methods for liquidating a venture which has gone sour. The impact of debtor and consumer protection movements on the availability of methods of liquidating or foreclosing will be considered. The importance of certainty as against the importance of flexibility in considering the tax importance of a liquidating decision. (4). Mr. Epstein. [Not offered in 1981-82.]
408. Natural Resources. The law relating to the exploration, production, and
development of natural resources, principally oil and gas. Some attention will
also be devoted to other minerals: coal and precious metals. The principal topics
covered are (1) ownership interests in natural resources, (2) leasing and field
development, (3) the classification and transfer of production interests, and
(4) regulation of field operation—pooling, unitization, and environmental con-
trols. Postproduction marketing controls—the subject of regulated industries—
will not be covered. Aut (4). Mr. Heimbols.

409. Land Use Controls. This course examines the public and private control
of land use and development. It covers such topics as zoning, subdivision reg-
ulation, official map ordinances, comprehensive planning, and building codes.
Special attention will also be given to such contemporary problems as exclu-
sionary zoning and the use of land controls for fiscal objectives. Win (4).
Ms. Wood.

410. Commercial Law I. This course deals with commercial transactions
arising under the first seven articles of the Uniform Commercial Code. Topics
include negotiable instruments, bank collections, letters of credit, and docu-
ments of title, along with a brief review of sales under Article II. Aut (4).
Mr. Baird.

411. Commercial Law II. This course will study security interest in personal
property as treated by Article 9 of the Uniform Commercial Code. Much of
the focus of the course will be on the interaction of Article 9 with the rest of

412. Insurance Law. The law of the insurance enterprise: its institutional and
regulatory framework, the relationship of insurance to the evolution of legal
documents in torts and other areas, the uses of insurance, the law of the insurance

415. Family Law. The course will consider state regulation of sexual and fam-
ily relationships, including entry into marriage, divorce, child custody, and the
property incidents of formation and dissolution of marriage. The course will
also survey the relationship between the state, parents, and children in the on-
go ing family, examining the legally unique roles of "parent" and "child" in con-
stitutional, statutory, and common law. Win (4). Mr. Zinring.

417. Evidence. (a). The content and reform of the law governing proof of
disputed propositions of fact in criminal and civil trials, with incidental treat-
ment of other adjudicative processes, including burdens of proof, presumptions
and judicial notice; the function of judge and jury and the preservation of
evidence for review; the hearsay "rule" and other rules of exclusion; the com-
tency, examination, and privileges of witnesses. Aut (5). Mr. Meltzer.

418. Evidence (b). (This is a repeat offering of Law 417.) Win (5). Mr. Stone.

419. Criminal Procedure I. The focus of this course is on the constitutional
law that governs searches, seizures, and confessions. Considered in some detail,
and with attention to historical background, are the evolution of the exclu-
sionary rule, the development and administration of the probable cause and the
warrant requirements, and such particular topics as: stop and frisk, administra-
tive searches, searches incident to arrest, vehicle searches, standing consent,
and the suppression of fruits of an illegal search. The right to counsel and confes-
sions are examined more briefly. Special attention is given to areas where the
Fourth and Fifth amendments interact: immunity from seizure, wiretapping and
bugging, secret agents, and entrapment. In addition, the student will be intro-
duced to such matters as bail, speedy trial, guilty pleas and plea bargaining,
line-ups, discovery, and rights of witnesses before grand juries. This course is
offered in alternate years. (4). Mr. White. [Not offered in 1981–82.]
420. CRIMINAL PROCEDURE II. The criminal process after the police have completed their work is the subject of this course. Focusing on the procedures used for resolving factual disputes in criminal cases, the course considers indictment, bail, preliminary hearings, the right to counsel, discovery, confrontation and compulsory process, juries, guilty pleas, sentencing, appeals, double jeopardy, collateral attack, and harmless error. Substantial attention is paid to assessing and comparing the costs of error with the costs of improving accuracy. Criminal Procedure I is not a prerequisite; the courses will be offered in alternate years. Spr (4). Mr. Easterbrook.

421. THE CRIMINAL JUSTICE SYSTEM. A study of the operation of the criminal justice system and of problems in its reform. The primary purpose is to study the operation of the criminal justice system as a whole and to understand its relationships; a subsidiary purpose is to train the student in the critical assessment of research data bearing on that system and on its reform. Topics will include the definition and measurement of crime, aspects of the function of the police, pretrial criminal procedures, plea negotiations, and sentencing convicted offenders. Spr (4). Mr. Zimring.

422. ECONOMIC ANALYSIS. A systematic treatment of the economic theory of resource allocation. The topics covered are the theory of choice, the theory of the firm, the organization of firms under competitive and noncompetitive conditions, externalities, and the theory of factor markets. The course emphasizes the usefulness of economic theory as a tool for understanding real-world problems, and the relevance of economic theory to legal analysis. To this end, economic theory is applied to questions of the effects of laws, government regulation of the market, and conservation and pollution. Successful completion of this course will equip the student to take any other course or seminar offered as part of the Law and Economics Program. The course also provides useful background for courses not formally a part of the program—such as antitrust law, taxation, pollution, and labor law—to which economics is relevant. (4). Mr. Carlinu. [Not offered in 1981–82.]

423. ECONOMIC ANALYSIS OF LAW I. A survey of the application of basic economic principles to problems in the law. The topics covered in the course this year will be property, family, contract, tort, and criminal law; the legal process (including the theory of legislation and civil procedure); and the theory of monopoly. No prior acquaintance with economics is assumed; the relevant economic concepts are developed through an examination of particular legal applications. Spr (4). Mr. Landes.

424. ECONOMIC ANALYSIS OF LAW II. The application of the theoretical and quantitative methods of economics to selected areas of law. The course will use economic analysis to study the impact of legal rules on behavior and will examine the underlying economic logic of a variety of legal rules. The topics to be covered include the following: the choice between property rights and liability rules; the Coase theorem; the allocative effects of alternative liability rules (e.g., strict liability versus negligence); the determination of damages for breach of contract; the economics of altruism and its relevance to rescue doctrines; the economics of crime and punishment including an analysis of optimal sanctions, the choice between fines and prison sentences, legal error and the deterrent effects of capital punishment and other sanctions; and the economics of legal procedure including the role of precedent in legal decision-making, pretrial settlements, and compensation to winning parties in a lawsuit. No prior acquaintance with law is required or assumed; however, a prior course in economic analysis and some calculus are required. (4). Mr. Landes. [Not offered in 1981–82.]
425. AGENCY, PARTNERSHIP, AND CORPORATION LAW I. The first quarter of this two-quarter sequence will deal with the law of agency, partnerships, not-for-profit corporations, and the authority structure of the modern business corporation. Students who do not wish to take the second quarter of this sequence will have an examination at the conclusion of the Autumn Quarter. Aut (4). Mr. Kitch.

426. AGENCY, PARTNERSHIP, AND CORPORATION LAW II. This is the continuation of Law 425 and will duplicate the coverage of Law 429. Win (4). Mr. Kitch.

427. STATISTICS AND THE LAW. An introductory course on the theory and methods of statistical analysis and its applications in law. Both descriptive and inferential statistical methods will be treated, with emphasis on applications such as the weighing of uncertain evidence, the evaluation of social innovations, and the role and ethical limitations of controlled experiments in medicine. Topics will include estimation, hypothesis testing, and regression analysis and its interpretation. There will be a laboratory on applications to experimental and observational data in which interactive computation resources (remote consoles) will be provided. A year of college level mathematics would be helpful but is not essential. No prior experience with computational methods is expected. Win (4). Mr. Meier.

428. ACCOUNTING. The course is primarily concerned with a study of the major topics making up the body of "generally accepted accounting principles" and the manner in which they enter into legal problems. Introductory material on the record-keeping process and form of financial statements is followed by an analysis of major problem areas: revenue recognition, inventory accounting, depreciation, accounting for debt instruments and for corporate capital. The course is concluded with a section on analysis and interpretation of financial statements. Published corporate financial reports, Opinions of the Accounting Principles Board of the American Institute of CPA's, and Accounting Series Releases of the SEC are used as the basic accounting materials for analysis. Aut (4). Mr. Davidson.

429. CORPORATION LAW. This course considers the nature of the modern business corporation. It begins with an inquiry into the nature of the firm, including problems of the scope of limitations on liability, the selection of a particular form of doing business, and the extent of integration of operations. It then considers the role of managers, devices by which their authority is defined and restricted, and their duties to shareholders (including duties with respect to insider trading); the market for corporate control, including tender offers, mergers, squeeze-outs, going private, proxy fights, and other devices by which some owners can replace either fellow owners or management; the market for corporate chartering, including the choice between state and federal law and the competition among states; the social responsibility of corporations, including corporate altruism, corporate speech, the use of bribes to obtain business, the amenable of corporations to the criminal law, and the responsibility of corporations for the acts of preceding owners of their assets; derivative litigation and other attempts by owners to act directly for the corporation. Aut (4). Mr. Carlton, Mr. Easterbrook.

431. FEDERAL REGULATION OF SECURITIES. Financial transactions of businesses (other than reorganizations) are the subject of this course. It deals with regulation under the Securities Act of 1933 and the Securities Exchange Act of 1934, and includes study of disclosure and filing requirements, private rights of action, the procedures of the SEC, and regulation of the exchanges. The course emphasizes finance theory and the economics of efficient capital markets in addition to study of the legal rules. Corporation Law is a prerequisite. Aut (4). Mr. Kitch.
432. Corporate Readjustments and Reorganizations. This course considers the adjustment of the rights of shareholders in connection with mergers and also by charter amendment and voluntary exchanges of securities, including the rights of dissenting shareholders through appraisal evaluation proceedings. It then deals with the problems encountered in adjusting debt, especially in the face of financial stress, and in rearranging the rights of shareholders in distress situations. Attention is directed to the standards of fairness imposed by law on modification of shareholders' rights and rearrangement of relationships between debtor and creditors and among creditors in these various situations. The standards for reorganization in a bankruptcy proceeding are contrasted with the rules of fairness applied where readjustment is voluntary or is compelled by something other than the debtor's financial difficulties. Attention is also directed to the factors in our society which encourage the use of debt or equity capital. Corporation Law is a prerequisite. Spr (4). Mr. Bhim.

433. Business Planning. The aim of this course is to apply the student's knowledge of taxation and corporation law to the solution of a series of transactional problems involving typical steps in corporate formation and rearrangement. The problems include the formation of a closely held corporation, the formation of a publicly owned corporation, stock redemption, the sale of a business, merger and other types of combination transactions, and recapitalization, division, and dissolution of corporations. Both small-group discussions and lectures will be employed. Students will be assigned to represent the interests of parties, negotiate transactions, and prepare the necessary documents. The student must have taken Corporation Law and Federal Taxation II. Spr (4). Mr. Hess, Mr. Kraue.

434. Professional Responsibility. The course will be concerned primarily with the fiduciary responsibilities of the lawyer to his client and the nature of his obligations to others, including adversaries, the courts, and the public. It will consider such topics as the creation of the attorney-client relationship; conflicts of interest and the consequences thereof; the permissible limits of counseling and of advocacy; the attorney-client privilege and the duty to disclose; the grounds for liability for malpractice and for disciplinary sanctions. To the extent possible, problems of professional responsibility will be considered through the study of decided cases involving such problems. Aut (3). Mr. Neal.

435. Federal Taxation I. A tax on the income of persons, with rates graduated upward, is the most significant element in the tax system adopted by the federal government. This first course in federal taxation examines the structure of the current version of the income tax. It emphasizes the problems of determining what is to be treated as gross income for purposes of the tax, what offsets are to be allowed in arriving at the amount of net income upon which the tax is imposed, who will be required to include various items in income or be allowed to claim various deductions, and when these factors are to be reflected in computing income. Particular attention is devoted to the treatment of gains and losses from changes in the value of property. Five central questions are continuously under examination: (1) To what extent do tax rules mean something other than they appear to mean? (2) What policies underlie the mass of technical detail which characterizes the law? (3) How much change in conduct is needed to alter the tax consequences involved in pursuing various goals? (4) What criteria can be found for choosing among alternative tax policies under a progressive income tax? (5) Can one discover any directions in which tax policies and tax law are developing? Aut (3). Mr. Bhim.

436. Federal Taxation II (4). This course builds upon the basic relationships and concepts looked at in Federal Taxation I. It deals primarily with the treatment of business profits under the income tax. The taxation of income generated by sole proprietorships and the problems of allocating the profits of a partnership to the partners for tax purposes are explored. The major part of the course
is devoted to analyzing our dual system of taxing the incomes both of corporations and of their shareholders. Attention is particularly focused on the problems and consequences of taxing business income to an artificial entity as compared to taxing it directly to the owners of that entity; on the importance of tax considerations in business decisions; and on evaluating alternative policies for treating corporate profits under a tax system which subjects personal income to rates graduated upward. Aut (5). Mr. Isenbergb.

430. FEDERAL TAXATION II (b). (This is a repeat offering of Law 436.) Win (5). Mr. Blum.

437. FEDERAL TAXATION III. The principal objective of this course is an examination of the federal estate and gift tax law and federal income taxation of decedents' estates and trusts. The course includes a study of various arrangements for the devolution of wealth, applying principles of the law of wills, trusts, future interests, and tax. The course seeks to develop an understanding of the process of estate planning—or choosing between alternative means of accomplishing client objectives regarding property disposition. Proposals for reform of the federal estate and gift tax law will be examined and compared to the existing law. Win (5). Mr. Isenbergb.

456. INTERNATIONAL TAXATION. A survey of the income tax aspects (1) of investments and business operations of foreigners in the United States, and (2) of overseas investments and business operations of Americans. The principal focus will be on the U.S. tax system, but some attention will be devoted to the adjustments that are made between tax regimes of different countries through tax credits and tax treaties. Win (5). Mr. Isenbergb.

438. STATE AND LOCAL TAXATION. A study of government finance in a federal state with an emphasis upon apportionment of tax resources among governmental units and including an examination of federal and state constitutional provisions, efforts at interstate co-operation, and proposed federal legislative solutions, together with a brief canvas of problems in the administration of typical state-local taxing systems. Win (4). Mr. Lucas. [Not offered in 1981-82.]

439. LABOR LAW I. The legal framework for collective bargaining, strikes, picketing, boycotts, lockouts, and other forms of self-help, examined in the context of pertinent historical, social, and economic considerations; regulation of the organizational process, selection of representatives for collective bargaining, and negotiation, administration, and enforcement of collective agreements, the relationships of the NLRB, courts, and Congress; problems of federalism. Win (4). Mr. Meltzer.

440. LABOR LAW II. A more intensive examination of the enforcement of collective agreements, including the grievance-arbitration process and its coordination with external law; protection of individual interests in the negotiation and administration of collective agreements; the overlap and conflict between fair employment legislation, labor arbitration and the regulation of labor-relations; protection of the community against intolerable stoppages; collective action and public employees; union government and administration, including admission, discipline, elections, fiduciary obligations, professional and ethical obligations in the tripartite relationships involved; inter-union relations; the regulation of political expenditures. Labor Law I (or the consent of the instructor, which will be given only in unusual situations) is a prerequisite. Spr (4). Mr. Meltzer.

441. ANTITRUST LAW I. An introduction to the law and economics of antitrust. After a brief consideration of the common law of restraint of trade and the basic antitrust statutes, the course focuses on the practices by which competing firms eliminate, or are alleged to eliminate, competition among themselves. The practices considered include formal cartels, price-fixing conspiracies, "conscious
parallelism," trade association activities, resale price maintenance, cross-licensing of patents, and mergers to monopoly and other types of horizontal merger. No prior knowledge of economics is assumed. Aut (4). Mr. Landes, Mr. Posner.

442. Antitrust Law II. A continuation of Antitrust Law I. The focus of the course is on the practices by which firms exclude or are alleged to exclude actual or potential competitors from their markets. Among the practices considered are boycotts, tying arrangements and reciprocal buying, vertical integration, and price discrimination under the Robinson-Patman Act. Vertical and conglomerate mergers, and the modern cases dealing with the offense of monopolization, are discussed. Also considered are the procedural aspects of the private antitrust case. Antitrust Law I (or the consent of one of the instructors) is a prerequisite. Win (4). Mr. Easterbrook, Mr. Landes.

444. Regulated Industries. An introductory survey course dealing with statutes controlling entry, price, and performance of private firms. Institutions studied include franchises, certificates of public convenience and necessity, lease or sale of government property, government procurement, competitive bidding, maximum and minimum price controls, and safety standards. The course will emphasize federal statutes and those industries—transportation, communications, oil and natural gas, and agriculture—subject to pervasive federal regulation. (4). [Not offered in 1981–82.]

445. Copyright, Trademarks, and Patents. This course deals with federal and state laws designed to protect against unfair competition and with the federal law of copyright, patents, and trademarks. The course revolves around property interests in inventions, literary, musical, and other artistic works, and trade secrets. Spr (4). Mr. Baird.

446. Administrative Law. Administrative law is the law that governs administrative agencies, including executive departments, in their complex tasks of carrying out governmental programs. Governmental control of private activities, especially of economic life, seems to be everywhere increasing. Legislative bodies determine the general programs, and agencies make them more specific through making rules, adjudicating cases, investigating, prosecuting, and supervising. The main focus of administrative law is on procedural safeguards and on the allocation and control of power, including the structuring, checking, and confining of discretion. A central inquiry repeated in many contexts is how to accommodate procedural fairness to the efficient accomplishment of legislative purposes. The constant quest is for understanding principles of exertion of governmental power and principles of justice that cut across functions of federal, state, and local agencies and their relations with reviewing courts and with legislative and executive authorities. Spr (4). Mr. Scalia.

448. Constitutional Law I (a). The function of constitutionalism, the institution and role of judicial review, the concept of jurisdiction, the role of precedents, the interplay of the various branches of the federal government within the framework of separation of powers, and the relationship between constitutional adjudication and its political, social and economic context. It is recommended that students take Constitutional Law I (a) or (b) before studying Constitutional Law II or III, Administrative Law, or Federal Jurisdiction. Aut (4). Mr. Scalia.

449. Constitutional Law I (b). An introduction to constitutional law, designed to develop a basic understanding of the field and to lay the foundation for the study of specific constitutional issues in other courses. The substantive questions covered relate largely to the division of power between federal and state governments and among the various branches of the federal government. The focus is on the process of constitutional interpretation and development. Organization of the course is largely historical; we shall discuss most of the great constitutional controversies of the eighteenth and nineteenth centuries and
of the New Deal. It is recommended that students take Constitutional Law I (a) or (b) before studying Constitutional Law II or III, Administrative Law, or Federal Jurisdiction. Win (4). Mr. Currie.

450. CONSTITUTIONAL LAW II: FIRST AMENDMENT. A study of the relationship between Church and State and problems of freedom of speech that have a constitutional dimension, including such topics as prior restraints, obscenity, the right of privacy, libel, group libel, fair trial and free press, congressional investigating committees, loyalty oaths, compulsory disclosure laws, sedition, public-issue picketing, symbolic conduct, and protest in public places. Spr (4). Mr. Stone.

451. CONSTITUTIONAL LAW III: EQUAL PROTECTION AND SUBSTANTIVE DUE PROCESS. The course will focus on the development of the equal protection clause and on such concepts as substantive equal protection and substantive due process. Particular attention will be paid to the legacy of the Reconstruction Amendments. Win (4). Mr. Sunstein.

452. EMPLOYMENT DISCRIMINATION. This course studies the prohibition of discrimination in the labor market, based on factors such as race, sex, religion, national origin, and age. The focus is on Title VII of the Civil Rights Act of 1964, with limited comparative treatment of the many other sources of protection from discrimination. Attention is given to substantive, procedural, and remedial issues, including unequal treatment, continuing effects of past unequal treatment, equal treatment with unequal impact, reprisals, affirmative action, goals, quotas, reverse discrimination, reinstatement, back pay, constructive seniority, job progression rules, attorneys' fees, procedural obstacles, and class actions. Spr (4). Ms. Deacon.

453. WELFARE LAW. This course focuses on several major government programs designed to meet the cash income needs of individuals and families, including both the more important ones that employ an eligibility test explicitly measuring need (AFDC, the new Supplemental Security Income program, and general assistance) and Social Security. Recent proposals for welfare reform will be analyzed. Several legal themes will recur and furnish bases for comparing programs: (1) the nature of an individual's rights to the benefits being distributed; (2) the opportunities for legal representation in claim disputes; (3) the administrative and judicial mechanisms for enforcing federal standards against the states and state standards against local agencies; and (4) the degree to which eligibility and benefit amount depend on state doctrines of family or property law. Aut (4). Mr. Sunstein.

454. STATE AND LOCAL GOVERNMENT. An examination of selected provisions of state constitutions, general laws providing for the formation and regulation of public corporations, and legislative and freehold charters, with an emphasis on the role of defining the voting public in the design and operation of democratic institutions. Aut. (4). Mr. Lucas.

455. FEDERAL JURISDICTION. This course explores in detail the question of which matters can be litigated in the federal courts. Diversity, federal-question, and admiralty jurisdiction; sovereign immunity, the jurisdictional amount, abstention, and limitations on injunctions against other proceedings; removal, habeas corpus, and Supreme Court review of state courts; the power of Congress over jurisdiction; and the case-or-controversy requirement. It is recommended that students complete the course in Constitutional Law I before taking Federal Jurisdiction. Aut (4). Mr. Currie.

457. ADMIRALTIES. Historical development of "cases of admiralty and maritime jurisdiction" as an element of the jurisdiction of the federal district courts; the role of the Supreme Court in the "common law" development of the substantive law of the admiralty; a brief introduction to the main elements of the substantive
maritime law: the maritime lien, maritime torts and contracts, salvage, general average, and limitation of liability. Win (4). Mr. Lucas.

458. CONFLICT OF LAWS. An inquiry into the division of lawmaking and judging authority among the several states and between the states and the federal government, principally through consideration of choice of law, personal jurisdiction, and respect for prior judgments in cases connected with more than one state. (4). Ms. Brilmayer. [Not offered in 1981-82.]

460. JURISPRUDENCE. An investigation of different concepts of law designed to enable students to examine critically their explicit and implicit theories about the nature and function of law and of state. The concepts of rule, obligation, and authority will be reviewed in the context of a study of the idea of a legal system. The limits of sanctions and of other enforcement strategies will also be examined. An attempt will be made to contrast political and legal decision making. Spr (4). Mr. Gottlieb.

461. STUDIES IN ARGUMENT. An examination of a series of legal and nonlegal texts, varying somewhat from year to year, in an attempt to work out a way of elaborating what is meant when an argument (or other statement defining and supporting a position) is labeled good or bad. What is meant, for example, by saying that a good argument should be "rational"? Are there ways in which competing statements of value can be judged other than by simply stating one's own preferences in conclusionary ways? We shall explore such questions as: "How do we change our minds about important public questions?"; "What is it that we admire when we approve of a statement—say a judicial opinion—with the conclusion of which we disagree?" The concerns of the course will be to work out some sense of what is meant by excellence in discourse about matters of public concern; a language in which to explicate and criticize what is read; and an improved capacity to engage in such discourse as participants. Readings will include works by Thucydides, Plato, Burke, Paine, Hamilton, Chief Justice Marshall, and Thoreau. Spr (4). Mr. White.

462. DEVELOPMENT OF LEGAL INSTITUTIONS. An introductory course in the historical background of Anglo-American law, with particular emphasis on the development of criminal and civil procedure in the centuries before the American Revolution. Topics: (I) Jury system: origins; European alternatives; passivation; the rise of the law of jury control. (II) Civil justice: the forms of action and the pleading system; attorneys, bar, and bench; the regular and itinerant courts; the yearbooks, law reporting, and the legal treatise; Chancery, the trust, and equitable procedure and remedies; the deterioration of Chancery procedure and the fusion of law and equity. (III) Criminal justice: medieval criminal procedure; presentment and indictment; the recasting of criminal procedure in the sixteenth and seventeenth centuries; the officialization of prosecution and policing; Star Chamber and High Commission; defense counsel and the privilege against self-incrimination; the adversary system, compulsory process, and the law of evidence; criminal sanctions. Spr (4). Mr. Langbein.

464. CONSTITUTIONAL HISTORY. The course will examine the separation of powers and the operations of the three branches of government from the adoption of the Constitution through the presidency of Thomas Jefferson. Emphasis will be placed on noncase materials such as the budgetary process, Congress's role in the making of foreign policy, the workings of administrative departments, and the jurisdiction of the federal courts. Constitutional Law I is a prerequisite. (4). Mr. Casper. [Not offered in 1981-82.]

465. COMPARATIVE LEGAL INSTITUTIONS: GERMANY. A course designed to acquaint students with the nonadversarial legal institutions of the Continent as exemplified in the West German system. Part I: The law professionals, with emphasis on legal education, judicial selection, the prosecutorial career, and the
structure of the bar. Part II: Criminal procedure, with particular attention to the scheme prohibiting the exercise of prosecutorial discretion. Part III: Civil procedure. Part IV: Codification and the significance of case law in a code system. The course materials are in English. Students with adequate command of German may substitute a research paper for the examination. Enrollment limited to 40 students, preference to third-year students and to second-year students with foreign language backgrounds who anticipate doing subsequent law school work in comparative law. Aut (4). Mr. Langbein.

466. ENGLISH CONSTITUTIONAL HISTORY. This course will deal with topics in English law and government over the period 1066-1688. Emphasis will fall particularly on continuities and discontinuities between medieval and early modern history. Topics will include: English feudalism, especially in relation to the resources and techniques of government; conception and functions of the royal office; the King's Council; history of Parliament; public finance; the Church as a branch of government and in relation to secular government. Readings will consist of sources and secondary literature. Discussion will be centered on the interpretation of major documents. Spr (4). Mr. Gray.

467. INTERNATIONAL LAW. Students will be acquainted with the nature and functions of law in a system devoid of effective adjudication and enforcement techniques. The basic course in international law is designed to familiarize students with the character and nature of law applicable in relations between states and in international organizations. Emphasis will be placed on the position of individuals in the international legal order, the legal control of international conflicts, and the character and function of United Nations organs. Win (4). Mr. Gottlieb.

468. INTERNATIONAL ANTITRUST. This course will examine in detail two different aspects of the operation of antitrust laws at the international level. First, it will consider the extraterritorial reach of the United States antitrust laws. Secondly, it will examine foreign laws, with an emphasis on the law of the European Economic Community. Finally, the course will offer a brief overview of concerted international efforts to regulate anticompetitive business practices. Antitrust Law I is a prerequisite. Spr (4). Ms. Wood.

469. INDUSTRIAL ORGANIZATION. This course covers in a nontechnical fashion several topics in industrial organization. Topics include the theory of the firm, description of United States industry, advertising, profitability, predatory and strategic behavior, tie-in sales, natural monopoly and its regulation, multiproduct firms, theory of oligopoly, and durability of goods. The course is designed for students with some background in economics. Win (4). Mr. Carlton.

470. SOCIAL SCIENCE RESEARCH IN LITIGATION. Social science data in the form of evaluation of statistics or of specially conducted surveys or experiments play a growing role in litigation. Such data are introduced in disputes involving matters as diverse as employment discrimination, trademark conflicts, change of venue, the constitutionality of the death penalty, or jury size. These research methods have proved relevant also in such collateral areas as the selection of juries and the planning of judicial administration. The purpose of this course is not to transform law students into social science experts but rather to make them familiar with the basic concepts of social science research so that, when the need arises, they can talk effectively to their expert witnesses. Spr (4). Mr. Zeisel.

471. LAW AND PSYCHIATRY. An examination of law and practice concerning the mentally disabled criminal; competence to stand trial; civil commitment of the mentally ill and retarded; the civil rights and liberties of patients in mental hospitals, including the right to treatment and the right to refuse treatment; and certain legal aspects of the psychiatrist-patient relationship, including confidentiality and the civil liability of psychiatrists for errors of professional
judgment. The casebook is Law, Psychiatry and the Mental Health System by Alexander D. Brooks (Little, Brown & Company, 1974) and its latest Supplement. Students will be expected to have read Part 1 of that textbook (and the Supplement) prior to the first class. Spr (4). Mr. Morris.

INDEPENDENT STUDY

499. Individual Research. In addition to the opportunities for writing of research papers afforded in many of the seminars listed below, second- and third-year students may earn course credit by independent research under the supervision of a member of the faculty. Such projects (commonly known as "499 papers") are arranged by consultation between the student and the particular member of the faculty in whose field the proposed topic falls. Special rules regarding credit, permission, and requirements for submission of written work are set forth in the regulations of the Law School. Students wishing to register for 499 credit should consult the Dean of Students.

Written work is not a formal requirement for the J.D. degree, but students are encouraged to include some such work in their programs and most students do so, either through participation in a seminar or through 499 credit. Students are encouraged to submit outstanding papers for publication in the Law Review or in other legal periodicals.

Before being granted permission to register for 499 work the student must submit a précis of his or her proposed study to the supervising faculty member. In considering possible fields or topics for such projects, students may wish to consider seminars described below but listed as not offered in the current year and to consult the instructors concerned as to the possibility of independent work in those fields.

SEMINARS

No more than twenty students will ordinarily be admitted to a seminar, and in some seminars enrollment is limited to a smaller number. Students will be given an opportunity to sign tentative registration lists for seminars. Selection of enrollment where necessary will be by lot or by a method to be determined by the instructor. Students are not permitted to register for more than one seminar in a quarter except with the permission of the Dean of Students.

501. Seminar: Section 1983 Civil Rights Litigation. The seminar will examine the use of the Civil Rights Act of 1871, the Ku Klux Klan Act, and other Reconstruction era enactments by private litigants to seek redress for violations of their civil rights. Initially the elements of the cause of action, defenses, immunities and remedies will be analyzed. The seminar will then consider litigation strategies used by civil rights lawyers to increase the availability and effectiveness of civil rights remedies. Throughout the seminar selected briefs and documents from cases pending on the Section 1983 docket of the Mandel Legal Aid Clinic will be examined to see how some of these strategies are currently being applied in the Seventh Circuit. Students will be encouraged to select a topic for the written paper suggested by the discussion of pending cases. The seminar will be open only to third-year students. Students should have taken or be enrolled in courses in federal jurisdiction, constitutional law and injunctions. Win (4). Mr. Palm.

503. Seminar: History of American Legal Thought. The focus of this seminar will be the American "legal realist" movement, which flourished in the early part of the twentieth century. The seminar will examine nineteenth-century formalism, against which the realists reacted. It will then study the
writings of both major and minor figures among the legal realists. Finally, the
effects of the movement on contemporary legal thinking and legal education
will be explored. Spr (4), Mr. Hutchinson.

504. SEMINAR: ANGLO-AMERICAN LEGAL HISTORY. Starting from Julius Goe-
bel's thesis that the American colonists adopted the laws and procedures of
English local and ecclesiastical courts rather than those of the chief common
law courts at Westminster, this seminar will examine court records from both
sides of the Atlantic to test the validity of the thesis. The broader purpose of
the seminar will be to understand something of the way our law has developed.
Topics for investigation will be the basic areas of the law: contract, torts,
criminal law, property, and procedure. Secondary as well as record sources will
be used. Spr (4), Mr. Heimbolz.

505. SEMINAR: FEDERAL REGULATORY REFORM. An examination of some of the
major innovations and proposals seeking to improve federal government regula-
tion, including procedural devices such as hybrid rulemaking, the legislative
veto and expanded judicial review, and substantive measures such as cost-benefit
analysis, regulatory flexibility analysis, and the regulatory budget. The seminar
will consider the legality and effectiveness of recent presidential action in this
field, and the desirability of recently enacted and pending legislative proposals.
Administrative Law is a prerequisite. Win (4), Mr. Scalia.

511. SEMINAR: POLLUTION. Students will write papers on various aspects of the
Federal Water Pollution Control Act (Clean Water Act). Topics will be as-
signed at the beginning of the Autumn Quarter. During Winter Quarter stu-
dents will present papers orally to the group. Papers will be due in final form
at the end of Winter Quarter. The seminar will be accompanied by a series of
lectures on both the Clean Water Act and the Clean Air Acts. Enrollment in the
seminar itself will be limited. Lectures will be open to any registered law stu-
dent; however, credit will be given for the seminar only. Aut (2), Win (2).
Mr. Currie.

515. SEMINAR: JUVENILE JUSTICE. This seminar will examine the principles and
institutions of juvenile justice in the United States. Topics will include jurisdic-
tion of juvenile courts in delinquency, child neglect and neglected children, and
minors in need of supervision (e.g., truancy cases, runaways, etc.). Major em-
phasis will be placed on the institutions of juvenile justice: the courts, intake
facilities, probation, detention, clinical services, community service agencies and
correctional institutions. Enrollment will be limited to fifteen students from the
Law School and fifteen students from the School of Social Service Administra-
tion. (4). Mrs. Rosenheim, Mr. Zinzing. [Not offered in 1981–82.]

518. SEMINAR: APPELLATE ADVOCACY. This seminar will examine problems and
methods of effective advocacy, including such matters as strategy in shaping an
appeal case, framing of questions presented, effective use of the statement of
facts, sequence of argument and scope of contentions, use of authority, and
elements of persuasive style. Examples for analysis and critique will be drawn
from briefs and other papers in actual cases. Assignments will include written
exercises. This seminar is experimental, and enrollment will be limited to ap-
proximately ten students. Win (4), Mr. Melzer, Mr. Neal.

519. SEMINAR: MAJOR CIVIL LITIGATION. A practical study of tactical and stra-
tegic considerations in the preparation and trial of major civil litigation. Em-
ploying a significant action in the Federal Court as an example, students will
participate, both as plaintiff and defense counsel, in each of the principal stages
from contact by the client through initial investigation and development of the
facts, drafting of pleadings, interviewing and preparing witnesses (including
experts), discovery, motion practice, and trial. Experienced trial lawyers will
assist by instruction and demonstration. Enrollment will be limited to 30 third-
year students, and students must have taken Evidence. Aut (4), Mr. James.
520. Seminar: Trial Practice (a). An introduction to the techniques of advocacy in civil and criminal trials. In civil cases, pleading and discovery and their relationship to trial will be addressed. In criminal cases, the seminar will consider pre-trial proceedings such as commissioner's hearings, preliminary hearings, arraignments, and motions, and post-trial proceedings such as motions for a new trial and sentencing hearings. Experienced trial lawyers will participate by instruction and demonstration. Members of the seminar will be responsible for either the preparation and trial of simulated civil cases or, insofar as permitted by court rules, actual criminal cases, or both. Students in the seminar should have taken Evidence; those with special interest in criminal trials should have taken or be currently enrolled in Criminal Procedure. Enrollment will be limited to thirty-five students. Permission of the instructor is required. Preference will be given to third-year students. The seminar will extend over two quarters. Win (2), Spr (2). Instructor to be announced.

521. Seminar: Trial Practice (b). A two-quarter seminar, beginning in the Spring Quarter and concluding in the following Autumn Quarter. The seminar introduces and develops techniques of trial advocacy, with special emphasis on representation of the poor. During the Spring Quarter members of the seminar make written and oral presentations for critique by the seminar and experienced trial lawyers. In civil cases, seminar topics include investigation, pleading, motions, and discovery and their relationship to trial and possible appeal. In criminal cases, seminar topics include pre-trial hearings and motions, voir dire, trial post-trial proceedings, and the special problems incident to representation of the incarcerated defendant. During the Autumn Quarter students will prepare and present actual cases in court under the supervision of the instructor and clinic fellows. Preference in enrollment is given to second-year participants in the Mandel Legal Aid Clinic who will be eligible for certification under Illinois Supreme Court Rule 711 to practice with the Clinic during their third year. Students taking Trial Practice (b) are not eligible to enroll in Trial Practice (a). Aut (2), Spr (2). Mr. Heyrman, Mr. Krieger, Mr. Palm, Mr. Schmidt, and Mr. Weber.


524. Seminar: Workshop in Economic and Legal Organization. This workshop is devoted to the examination of selected problems in the structure and behavior of industries, with special emphasis on the role of government regulation, and to the application of economic reasoning to legal questions in such fields of law as contracts, torts, and antitrust. Workshop sessions will be devoted to the presentation and discussion of papers primarily by members of the faculty of the University of Chicago and of other institutions. The workshop will meet every week throughout the academic year. Students enrolled in the workshop will receive six credits for satisfactory completion of a substantial paper. Aut (2), Win (2), Spr (2). Mr. Landes, Mr. Peltzman, Mr. Posner, Mr. Stigler.

530. Seminar: Advanced Corporation and Securities Problems. This seminar will deal intensively with current problems in the law of the modern business corporation. The seminar group as a whole will read and discuss current writings on corporations and securities. Each student will prepare and present a paper on a topic of current interest relating to such topics as executive compensation, off-shore financing, the Corrupt Practices Act, the functions of the Board of Directors, the American Law Institute Code of Securities Regulation, and legal problems connected with "going private." Win (4). Mr. Kitch.

532. **Seminar: Advanced International Taxation.** A study of various income tax problems affecting overseas investments and business operations of American taxpayers: foreign personal holding companies, controlled foreign corporations, deferral, adjustments and reorganization involving foreign corporations. Some prior knowledge of corporate taxation and basic international taxation is essential. Spr (4). Mr. Isenbergh.

533. **Seminar: Selected Problems in Commercial Law.** This seminar will explore conflicts that arise when the Uniform Commercial Code is applied to complex commercial transactions. Included are such issues as standby letters of credit and the rights and obligations of guarantors. Also covered will be problems emerging from the new Bankruptcy Code. Prerequisites: Commercial Law I and II. Spr (4). Mr. Baird.

542. **Seminar: Private Pension System: Pension, Profit Sharing and Employee Benefits.** This seminar will study the use of the Employee Retirement Income Security Act of 1974, the Internal Revenue Code, Age Discrimination in Employment Act of 1967, Title VII of the Civil Rights Act, pension plan termination insurance, as well as corporate, property, and trust law principles to regulate the private pension system. The requirements for qualification and the design of pension plans, profit sharing plans, Employee Stock Ownership Plans (ESOPs), Individual Retirement Accounts (IRAs), Keogh Plans, and nonqualified deferred compensation arrangements will be examined to give the student the background to deal with selected current topics such as fiduciary responsibility, prohibited transactions, withdrawal and termination liability, funding, integration with Social Security, federal preemption, and taxation of distributions. Win (4). Mr. Wackett.

544. **Seminar: Federal Communications Law.** This seminar will examine selected issues of current interest in federal regulation of radio and television broadcasting. Particular attention will be given to the interaction among the Federal Communications Commission, the Congress, the President, and the courts in developing law in this field; to the techniques and procedures of FCC rule-making; and to the role of interest groups in the regulatory process. Prerequisite: Administrative Law. (4). Mr. Scalia. [Not offered in 1981-82.]

549. **Seminar: Constitutional Limits on Punishment.** This seminar will consider the constraints imposed by the United States and state constitutions on criminal punishments, with special emphasis on the relationship between capital punishment and the Eighth Amendment. The consideration of the death penalty will not be confined to constitutional issues, however, but will include comparative law and practice, data on the deterrent effect of capital punishment, and issues of drafting statutes imposing this penalty. Win (4). Mr. Morris, Mr. Zimring.

550. **Seminar: Constitutional Law: First Amendment: Assembly, Petition, and Penumbra.** The seminar will be concerned with discovering the origins and interpretation of the First Amendment’s provisions relating to the rights of assembly and petition, and to the “penumbra” of the Amendment which gives rise to such unspecified rights as those of “association” and “privacy.” Each student will be expected to deliver an oral presentation to the seminar and to submit a written paper. Aut (4). Mr. Kurland.

551. **Seminar: Constitutional Decision-Making.** Students enrolled in this seminar are divided into “courts,” each of which consists of five “justices.” During each of the first five weeks of the quarter, the courts are assigned several hypothetical cases raising issues under the Equal Protection Clause of the Fourteenth Amendment. The cases must be decided with opinion (concurring and dissenting opinions are permitted). The decisions may be premised on the
legislative history of the Clause, and on any doctrines or precedents created by the “Justices” themselves. The “Justices” may not rely, however, upon any actual decisions of the United States Supreme Court. The seminar is designed to give students some insight into the problems a Justice confronts in collaborating with colleagues, interpreting an ambiguous constitutional provision, and then living with the doctrines and precedents he or she creates. Spr (4). Mr. Stone.

552. Seminar: The Supreme Court. An analysis of cases on the docket of the Supreme Court in the current term. The members of the seminar prepare draft opinions after studying the briefs filed in the Supreme Court. The opinions are circulated and then discussed in the seminar, usually in advance of the actual decision of the particular case by the Court. The required written work consists of the several opinions which each student must prepare. Enrollment is by permission of the instructor and is limited to approximately nine students. Aut (4). Mr. Currie, Mr. Easterbrook.

554. Seminar: The Legislative Process. Contemporary Congressional legislation will be examined in light of the problems addressed, the political controversies involved, the development of legislative history, constitutional issues raised, and reasons for the success or failure of the legislative proposals. Students will be expected to prepare papers to be presented in class. Registration limited. Win (4). Mr. Kurland.

556. Seminar: Supreme Court Justices: Mr. Justice Robert H. Jackson. Some Justices, more than others, have made important contributions to the jurisprudence of the Supreme Court. Some Justices, more than others, are regarded by their successors as appropriate authorities to whom to turn for guidance. The persons of the Justices are intrinsic parts of the Court’s work. This seminar will attempt to study Robert H. Jackson as a Supreme Court Justice, through his writings, judicial and extrajudicial, and through his critics, judicial and extrajudicial. Readings will be assigned. A paper will be expected of each member of the seminar. Spr (4). Mr. Kurland.

558. Seminar: Roman Law. An examination of selected topics in the Roman law of contracts, torts (delictum), property, and procedure. Topics will be selected in order to shed light on the relationship between common-law and Roman law treatment of certain problems of current interest. The seminar is not designed to provide a comprehensive knowledge of all the detailed workings of Roman law. No knowledge of Latin will be required for the seminar. (4). Mr. Epstein. [Not offered in 1981–82.]

560. Seminar: Primitive Law. The subject of the seminar is legal concepts, rules, procedures, and institutions in ancient and primitive societies, such as those of ancient Greece and Rome, tribal Africa, and North American Indians, as described by anthropologists such as Maine, Gluckman, Driver, Fallers, and Hocbel. Particular attention will be paid to methods of dispute resolution, to criminal and contract law, to the role of custom as a source of law, and to the applicability of modern ideas of economic rationality to premodern societies. Modern parallels in such areas as international law and the law of arbitration will also be considered. There will be a reading list as well as distribution of some mimeographed materials, and each student enrolled in the seminar will be expected to write a substantial paper. (4). Mr. Posner. [Not offered in 1981–82.]

561. Seminar: The Legal Imagination. A study of the ways in which lawyers think and speak. We explore the limits and resources of traditional forms of legal thought and expression both directly and by extensive comparison with passages drawn from other fields, including poetry, fiction, drama, and history. The premise of the study is that the law can be regarded as an imaginative and literary activity that yields the sorts of pleasures and significance, and makes the sorts of demands, that other important writing does. To discover the possibilities available, both as a lawyer and as an independent mind, the student will be
asked to prepare a series of detailed legal and non-legal writing assignments. The subject of the seminar is the art by which those possibilities can be enhanced or expanded. Specific topics with respect to which these interests are pursued include: the rhetoric of the death penalty; the intellectual implications of the statutory form; the ways in which the law talks about human character; the use of racial language in the law; the implications of the use of the rule as an instrument for the organization of social relations and as a device for arriving at and explicating judgments; and rather extended comparisons between the sorts of writing the lawyer does and the writing of poets and historians. Weekly papers are assigned. Enrollment will be limited to fifteen students. Readings: White, The Legal Imagination; Shakespeare, Troilus and Cressida; Euripides, Alcestis; and Jane Austen, Pride and Prejudice. Win (4). Mr. White.

565. Seminar: English Legal History. The seminar provides an opportunity for intensive research and writing in the legal history of the early modern period. Enrollment is very small, research is supervised, and papers normally go through several drafts. The object is to produce work of publishable quality, primarily on topics connected with the history of criminal and civil procedure in the seventeenth and eighteenth centuries. Among the questions suitable for investigation: changes in the jury system, such as the decline of the grand jury; juror selection; the feigned issue; the development and scope of various rules of evidence, such as the disqualification of parties for interest; the origins of compulsory process for witnesses; the Statute of Frauds of 1677; the development of the right to defense counsel and other safeguards in the criminal process; the growth of appellate review for insufficiency of the evidence; the expansion of the lawyer's role from pleading to trial advocacy. Prerequisite: Law 462, Development of Legal Institutions, or the permission of the instructor. Writing is likely to extend over the Winter and Spring Quarters. Aut (4). Mr. Langbein.

566. Seminar: European Legal History. A reading seminar designed to provide students of Anglo-American legal history with a basis for comparative study. Part I: The sources of European law in the Middle Ages—canon law, vulgar Roman law, Germanic law, feudal law, urban law. Part II: The revival of Roman law in Italy and the differentiation of the national legal systems in the North. Part III: The "reception of Roman law" in the Renaissance. Part IV: The assimilation of Roman law and the origins of the codification movement. (Prerequisites: Law 462, Development of Legal Institutions, and Law 588, Seminar: Roman Law. Students with adequate command of German, French, Italian, or Dutch may substitute a paper for the examination.) (4). Mr. Langbein. [Not offered in 1981–82.]

Professor Lea Brilmayer responds to questions after class.
# Schedule of Courses by Quarters

## 1981–82

### First-Year Courses

#### Autumn

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<tr>
<th>Course</th>
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<tr>
<td>301. Elements of the Law</td>
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<td>306. Torts I</td>
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<tr>
<td>303. Criminal Law I</td>
<td>4</td>
<td>308. Tutorial</td>
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<td>304. Civil Procedure I</td>
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#### Winter

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<tr>
<td>302. Contracts I</td>
<td>4</td>
<td>306. Torts II</td>
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<tr>
<td>303. Criminal Law II</td>
<td>4</td>
<td>308. Tutorial</td>
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<td>305. Property I</td>
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#### Spring

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<td>302. Contracts II</td>
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<td>304. Civil Procedure II</td>
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<td>308. Tutorial</td>
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<td>305. Property II</td>
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### Second- and Third-Year Courses

#### Autumn

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<tr>
<td>408. Natural Resources</td>
<td>4</td>
<td>435. Federal Taxation I</td>
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<tr>
<td>410. Commercial Law I</td>
<td>4</td>
<td>436. Federal Taxation II (a)</td>
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<td>417. Evidence (a)</td>
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<td>441. Antitrust Law I</td>
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<td>425. Agency, Partnership, and Corporation Law I</td>
<td>4</td>
<td>448. Constitutional Law I (a)</td>
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<td>428. Accounting</td>
<td>4</td>
<td>453. Welfare Law</td>
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<td>429. Corporation Law</td>
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<td>454. State and Local Government</td>
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<td>431. Federal Regulation of Securities</td>
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<td>455. Federal Jurisdiction</td>
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<td>434. Professional Responsibility</td>
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<td>465. Comparative Legal Institutions: Germany</td>
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#### Winter

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<tr>
<td>405. Decedents’ Estates and Trusts</td>
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<td>439. Labor Law I</td>
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<td>409. Land Use Controls</td>
<td>4</td>
<td>442. Antitrust Law II</td>
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<td>411. Commercial Law II</td>
<td>4</td>
<td>449. Constitutional Law I (b)</td>
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<td>418. Evidence (b)</td>
<td>5</td>
<td>456. International Taxation</td>
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<td>430. Federal Taxation II (b)</td>
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<td>469. Industrial Organization</td>
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<td>401. Restitution</td>
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<td>403. Equity</td>
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<td>420. Criminal Procedure II</td>
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<td>421. The Criminal Justice System</td>
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<td>423. Economic Analysis of Law I*</td>
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<td>432. Corporate Readjustments and Reorganizations</td>
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<td>433. Business Planning</td>
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<td>437. Federal Taxation III</td>
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<td>440. Labor Law II</td>
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<td>443. Copyright, Trademarks, and Patents</td>
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<td>446. Administrative Law</td>
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<tr>
<td>511. Pollution†</td>
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<tr>
<td>519. Major Civil Litigation</td>
<td>4</td>
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<tr>
<td>521. Trial Practice (b)†</td>
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<tr>
<td>522. Appellate Procedure</td>
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<tr>
<td>524. Workshop in Economic and Legal Organization†</td>
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<th>HOURS</th>
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<tr>
<td>501. Section 1983 Civil Rights Litigation</td>
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<tr>
<td>505. Federal Regulatory Reform</td>
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<tr>
<td>511. Pollution†</td>
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<tr>
<td>518. Appellate Advocacy</td>
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<td>520. Trial Practice (a)†</td>
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<td>524. Workshop in Economic and Legal Organization†</td>
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<tr>
<td>530. Advanced Corporation and Securities Problems</td>
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<tr>
<td>503. History of American Legal Thought*</td>
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<tr>
<td>504. Anglo-American Legal History*</td>
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<td>520. Trial Practice (a)†</td>
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<td>524. Workshop in Economic and Legal Organization†</td>
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<th>HOURS</th>
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<tr>
<td>532. Advanced International Taxation</td>
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<tr>
<td>533. Selected Problems in Commercial Law</td>
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<tr>
<td>551. Constitutional Decision-making</td>
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<td>556. Supreme Court Justices</td>
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* First-year elective.
† Extends over more than one quarter.