in law and of the appropriateness of the proposed course or seminar in the light of the student’s course of study in the Law School. Students should consult the Dean of Students for information concerning the procedure to be followed for obtaining permission.

In each course, seminar, or other credit work the student receives a final grade according to the following scale: A, 80 and above; B, 74–79; C, 68–73; D, 60–67; F, below 60. (Grades are recorded as numerical grades in the Office of the Registrar of the Law School and as letter grades in the Office of the Registrar of the University.) A grade of 60 or above is required for credit for the work involved.

To maintain satisfactory academic standing, a student must receive a weighted grade average of 68 or more for the work of each academic year (three-quarter sequence) and a cumulative average of 68 after the conclusion of the second year (sixth quarter) and the third year (ninth quarter). In addition, a student who receives two failing final grades in any one academic year, or three failing final grades during his or her period of residence at the Law School, will not have maintained satisfactory academic standing. Maintenance of satisfactory academic standing is a prerequisite to continuation in the School as well as to graduation.

Regular class attendance is required as a condition of receiving credit for work done. The privilege of membership in the School may be withdrawn for unsatisfactory class work or attendance.

After the first four weeks of any quarter a student is not permitted to withdraw from a course, seminar, or special work for which he or she has registered that quarter except with the permission of the Dean of Students.

The degree of Doctor of Law with Honors is awarded to candidates who have satisfied the requirements for the degree with distinction. The achievement of a weighted grade average of 78 or better is considered to be completion of the requirements with distinction.

**FIRST-YEAR COURSES**

301. **Elements of the Law.** The purpose of this course is to explore the nature and processes of “legal reasoning” and the basic institutions of the American lawmaking system. Among the subjects for discussion are: the sources and forms of law; the role of precedent; the relationship between law and politics; the common law method; the connections between legal history on the one hand and economic and social theory on the other; the reasons for changes in the law; and statutory and constitutional interpretation. Aut (4). Mr. Strauss.

302. **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. The second part of the course is a study of the scope and effect of judgments, with an emphasis on the problems imposed by a federal system on complete determination of disputes that cross state lines; 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 or 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. Stone, Mr. Kramer. Spr (4). Mr. Bator, Ms. Wood.

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. Win (4), Spr (4). Mr. Alschuler, Mr. Schulhofer.

304. **Property.** This course provides an introduction to the legal relationships that arise out of or constitute 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. Epstein, Mr. Miller.

305. 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. Aut (4), Win (4). Ms. Becker, Mr. Currie.

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. Kimball, Mr. Sykes.

307. LEGAL RESEARCH AND WRITING. 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. McConnell, and Mr. Brilliant, Mr. Culhane, Mr. Deakin, Mr. Herring, Ms. Reichman. Ms. Weber.

Elective. In the Spring Quarter first-year students will elect one course or seminar from among the following: 476, Development of Legal Institutions; 495, Statistics and the Law; 492, Economic Analysis of Law; 556, Roman Law; 565, History of American Legal Thought. 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 by lot.

SECOND- AND THIRD-YEAR COURSES

This section is subdivided sequentially into the following categories:

CONSTITUTIONAL LAW
COURTS, JURISDICTION AND PROCEDURE
COMMERCIAL, BUSINESS, AND LABOR LAW
TAXATION
ADVANCED COURSES IN FAMILY LAW, PROPERTY RIGHTS, TORTS, AND INSURANCE
ADMINISTRATIVE LAW AND GOVERNMENT REGULATION
CRIMINAL LAW AND CRIMINAL PROCEDURE
LEGAL HISTORY AND JURISPRUDENCE
COMPARATIVE AND INTERNATIONAL LAW
COMPLEMENTARY COURSES

Constitutional Law

Courses

401. CONSTITUTIONAL LAW I. 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 before studying Constitutional Law II or III, Administrative Law, or Federal Jurisdiction. Aut (4). Mr. McConnell. Spr (4). Mr. Stone.

402. CONSTITUTIONAL LAW II: FIRST AMENDMENT. A study of the 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. Strauss.

403. 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. Spr (4). Mr. Currie.
404. RELIGION AND THE FIRST AMENDMENT. A study of the relationship between government and religion, as ordered by the Free Exercise and Establishment Clauses of the First Amendment. The course will include both historical materials and modern Supreme Court doctrine, and will cover such topics of current interest as incorporation, aid to parochial schools, religious activities in public schools, religious influences in politics, and religious accommodation. Win (4). Mr. McConnell.

405. AMERICAN CONSTITUTIONAL HISTORY. Following an introductory examination of the separation of powers in state constitutions after 1776, the course will focus on the separation of powers concept in the Constitutional Convention. The main part of the course, however, will be devoted to the actual operations of the three branches of the national government from the adoption of the Constitution through the presidency of Thomas Jefferson. The emphasis will be on interactions of the legislative and executive branches. The class materials will mostly consist of legislation, congressional debates, materials concerning the workings of administrative departments and other noncase sources. Two areas of concentration concern the budgetary process and Congress's role in the making of foreign policy. Reading assignments will be very substantial. Constitutional Law I is a prerequisite. Win (4). Mr. Casper.

406. 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 defining the voting public in the design and operation of democratic institutions. (4). Mr. Lucas. [Not offered in 1986–87.]

472. CRIMINAL PROCEDURE I. For course description refer to section on Criminal Law and Criminal Procedure.

Seminars

500. CONSTITUTIONAL THEORY AND INTERPRETATION. The subject of this seminar is constitutional theory and interpretation, with special reference to cases involving civil rights and civil liberties. Much of the seminar will focus on the legitimacy and usefulness of various possible sources of constitutional decisions: the "intent" of the framers; the language of the Constitution; conceptions of justice; precedent; tradition; and social consensus. Some time will also be spent on the competing theories of government underlying the Constitution and the ways in which those theories have been rejected or implemented in contemporary constitutional and (briefly) administrative law. The broader issues for consideration are (1) the role of the Supreme Court in American government; (2) the character of American democracy, as it is reflected in legal doctrines; and (3) the nature of "legal reasoning" in constitutional law and perhaps more generally. Students who have not taken Constitutional Law I may enroll only with the permission of the instructor. (4). Mr. Sunstein. [Not offered in 1986–87.]

501. SEPARATION OF POWERS. This seminar will examine the idea of separation of powers as a philosophical concept and as a practical principle of government. The first part of the seminar will focus on the idea's development by eighteenth-century thinkers and statesmen; readings will include works by Hobbes, Locke, Rousseau, Montesquieu, and selections from the Federalist Papers. The second part will examine three current problem areas; vetoes (executive, judicial and legislative), appointments and removals, and privileges. Enrollment limited to twenty-five. Win (4). Mr. Miller.

502. 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. Aut (4). Mr. Kurland.

503. 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. The seminar will be offered once in the winter and once in the spring. Enrollment in each will not exceed approximately nine students. Win (4). Mr. Bator and Mr. McConnell. Spr (4). Mr. Kurland.

504. 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.

505. AMERICAN CONSTITUTIONAL HISTORY. The seminar will be concerned with the origins of the Constitution of 1787 and the first twelve Amendments and with the interpretation of these provisions through the Marshall Court period. Each student will be expected to deliver an oral presentation to the seminar and to submit a written paper. (4). Mr. Kurland. [Not offered in 1986-87.]

506. SUPREME COURT HISTORY. Students will prepare and present papers on various topics relating to Supreme Court decisions during the 1940s. Topics will be assigned at the beginning of Autumn Quarter to permit oral presentations during Winter. Preference will be given to students having taken Constitutional Law I. Win (4). Mr. Currie.

507. ADVANCED CONSTITUTIONAL LAW: DEFUNCT DOCTRINES. The death of legal doctrines often tells more about the process of legal reasoning than do the mid-life transformations that are the usual focus of study. This seminar examines the demise of doctrines, many famous in their day but now forgotten. One subject is the difference between direct and indirect state taxes, which once occupied a substantial chunk of the Supreme Court’s docket, although today it is hard to figure out why anyone cared. Another is the “irrebuttable presumption doctrine,” which led two lives. So did economic substantive due process. The “original package doctrine” had a lingering death. The object of the seminar is to determine why prospering doctrines fade away and why some are temporarily revived. Aut (4). Judge Easterbrook.


536. THE LAW CONCERNING AMERICAN INDIANS. For seminar description refer to section on Administrative Law and Government Regulation.

537. SEX DISCRIMINATION. For seminar description refer to section on Administrative Law and Government Regulation.

Courts, Jurisdiction and Procedure

Courses

410. LECTURES ON THE LEGAL PROFESSION. This lecture series examines the role of the lawyer in this country from several different perspectives, beginning with a review of the history of the profession. It then looks at the structure of the profession and the consequences that flow from having a highly organized, self-governing bar. Subsequent lectures will focus on the rules (existing and proposed) that govern the practice of law, including those addressing the unauthorized practice of law, lawyer advertising, minimum fees, and mandatory bar membership. The final lectures in the series will study the conflicts lawyers face in different contexts, such as those arising from representing the government or from specializing in tax, business, or criminal law. Aut (3). The Faculty.

411. FEDERAL JURISDICTION. A one-quarter course concentrating on the original and removal jurisdiction of the United States district courts. Topics will include: congressional control over the jurisdiction of the federal district courts; the elements of federal question and diversity jurisdiction; choice of law in the federal courts; justiciability; and litigation against state governments and their officials. While enrollment is not restricted, the course is best suited for third-year students who have taken Constitutional Law I. Win (4). Mr. Strauss.

412. FEDERAL JURISDICTION I & II. This is a comprehensive and integrated two-quarter study of the federal courts and the federal system. Students are expected to enroll for both quarters and take one examination at the end of the entire course; only in the case of special exigency will a special arrangement be made to allow a student to drop out and be examined in the course at the end of the fall quarter. Topics will include: congressional control over federal jurisdiction; Supreme Court review of state court judgments; choice of law in the federal courts; federal question jurisdiction; suits against federal and state governments and their officials and associated immunity and abstention doctrines, habeas corpus; federal-state res judicata; etc. Restricted to students who have taken or are taking Constitutional Law. Aut (4), Win (4). Mr. Bator.

413. ADMIRALTY. 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.
414. REMEDIES. The course is designed to examine the scope of legal and equitable remedies and to determine how effective they are in practice. The main topics are: (1) the object of an award of damages, what it does and should achieve; (2) equitable jurisdiction and remedies; the enforcement of equitable remedies; the effect of the so-called merger of law and equity; (3) restitutory remedies to prevent unjust enrichment. A selection of topics designed to illustrate the application of legal and equitable remedies will be: (1) remedies for injuries to tangible property (including the misappropriation of money), personal and real property; (2) remedies for injuries to intangible interests (including interference with contract rights, the abuse of fiduciary relationships and diversion of trade); also the protection of a person's reputation and privacy; (3) remedies for breach of contract: the "grey" areas; (4) remedies for duress, undue influence and unconscionability; (5) remedies for mistake.

Spr (4). Mr. Jones.

457. RESTITUTION. For course description refer to section on Advanced Courses in Family Law, Property Rights, Torts, and Insurance.

415. CONFLICT OF LAWS. An inquiry into the division of lawmakers 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. Spr (4). Mr. Kramer.

416. EVIDENCE. The content and reform of the law governing proof of disputed propositions of fact in criminal and civil trials, with incidental treatment of other adjudicative processes, including burdens of proof; presumptions and judicial notice; the function of judge and jury and the preservation of errors for review; the hearsay "rule" and other rules of exclusion; the competency, examination, and privileges of witnesses. Win (5). Mr. Kramer, Mr. Stone.

417. ADVANCED CIVIL PROCEDURE. This course will focus on issues in civil procedure that arise after a claim has been reduced to judgment. Topics include enforcement, appeal, and revival of judgments, as well as direct and collateral attacks on them. Spr (4). Mr. Lucas.

418. LITIGATION METHODS. A four-quarter course beginning in the spring quarter of the second year and concluding in the spring quarter of the third year. The course develops legal skills with special emphasis on litigation strategy, pre-trial and trial preparation, and trial and appellate advocacy. Topics will include interviewing, initial planning, investigation, counseling, case planning, negotiation, pleading, discovery, motion practice, "voir dire", direct and cross examination, expert witnesses, opening statements, closing argument, pre-trial preparation, post-trial procedure, and appeals. Throughout the course a combination of teaching techniques will be employed, including lectures, large and small group discussions, videotaping, simulations and actual clinical experiences. Special emphasis will be placed on teaching strategic planning and preparation. Actual cases in progress will be used in small groups and large classes to teach the various elements of advocacy. Major impact cases actually in progress at the Clinic will be used to help students identify any differences in pre-trial or trial methods for major cases. Particular emphasis will be placed on how modern discovery techniques are used in complex cases. Students will prepare and present actual cases in court under the supervision of the instructors. Each student will be expected to complete the following requirements in actual cases: substantial participation in an evidentiary hearing, a contested legal argument, three other court appearances, strategic planning memos on several cases, preparation of a legal brief or memorandum for submission to court, participation in discovery for at least one case and participation in at least one major case. Preference in enrollment will be given to second-year participants in the Mandel Clinic. All students will be certified to appear in court under Illinois Supreme Court Rule 711 during their third year. Evidence is a prerequisite. Students taking Litigation Methods are not eligible to enroll in Trial Advocacy or Major Civil Litigation. Students may choose to take the course for only the first two quarters. Spr (2), Aut (2), Win (1), Spr (1). Mr. Baum, Mr. Heyman, Mr. Krieger, Mr. Palm, Mr. Paulson, Mr. Schmidt.

419. LAWYER AS NEGOTIATOR. The aim of this course is to investigate the uses of law in negotiations and to develop students' skills as negotiators. Students will be given a theoretical framework with which to analyze problems of negotiations. They will experiment actively with a variety of negotiating techniques. Special emphasis will be given to ethical issues. Students will be engaged in exercises with simulation materials. Win (4). Mr. Gottlieb (enrollment limited).

472. CRIMINAL PROCEDURE I. For course description refer to section on Criminal Law and Criminal Procedure.

473. CRIMINAL PROCEDURE II. For course description refer to section on Criminal Law and Criminal Procedure.
511. MAJOR CIVIL LITIGATION. A practical study of tactical and strategic considerations in the preparation and trial of major civil litigation. Employing a significant action in the Federal Court as an example, students will participate, both as plaintiff and defense counsel, in each of the principal litigation steps from contact by the client through initial investigation and development of the facts, drafting of pleadings, interviewing and preparing witnesses, discovery, motion practice, and trial. Experienced trial lawyers will assist by instruction and demonstration. Enrollment will be limited to twenty third-year students, and students must have taken Evidence. Win (4). Judge Holderman.

512. TRIAL ADVOCACY. A study of advocacy in civil and criminal trials. This intensive course teaches trial preparation and strategy in a courtroom setting. The primary teaching method is student participation followed by instructor critique and demonstration. All aspects of a trial are covered, as procedural and substantive principles of law are presented through litigation techniques. Students in the seminar should have taken Evidence. The seminar will extend over two quarters. Win (2), Spr (2). Judge Wolfson and Mr. Howlett.

514. 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 before the United States Supreme Court and the Seventh Circuit Court of Appeals will be examined to see how some of these strategies are currently being applied. Students will be encouraged to select a topic for the written paper suggested by the discussion of pending cases or to prepare a brief for use in an actual §1983 case in the Mandel Legal Aid Clinic. Students should have taken or be enrolled in courses in federal jurisdiction and constitutional law. The prerequisites can be waived by the instructor. Win (4). Mr. Palm.

517. CIVIL DISCOVERY. An examination of the scope and methods of discovery in civil cases under the Federal Rules and the Illinois Supreme Court Rules, recurrent dissatisfaction with abuses of the discovery process, and proposals for changes in the discovery rules. (4). Mr. Lucas. [Not offered in 1986–87.]

522. CURRENT CONTROVERSIES IN CORPORATE AND SECURITIES LAW. For seminar description refer to section on Commercial, Business and Labor Law.

515. APPELLATE PROCEDURE. Appellate jurisdiction, who may appeal, cross and separate appeals, the finality rule, interlocutory appeals, review by extraordinary writs, the Federal Rules of Appellate Procedure, problems of judicial management in the handling of appeals. (4). Mr. Lucas. [Not offered in 1986–87.]

503. SUPREME COURT. For seminar description refer to section on Constitutional Law.

546. THE CRIMINAL JUSTICE SYSTEM. For seminar description refer to section on Criminal Law and Criminal Procedure.

Commercial, Business, and Labor Law

Courses

421. COMMERCIAL LAW: COMMERCIAL PAPER AND THE SALE OF GOODS. This course deals with commercial transactions arising under the first seven articles of the Uniform Commercial Code. Topics include negotiable instruments, bank collections, wire transfers, letters of credit, and documents of title, along with a brief review of sales under Article 2. Aut (4). Mr. Baird.

422. COMMERCIAL LAW: SECURED TRANSACTIONS. This course will study security interests in personal property as treated by Article 9 of the Uniform Commercial Code. Much of the focus of the course will be on the interactions between Article 9 and the rest of the Commercial Code, tax liens, fraudulent conveyance law, and the Bankruptcy Code. Win (4). Mr. Baird.

423. 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 amenability 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. Miller. Win (4). Mr. Fischel.

424. FEDERAL REGULATION OF SECURITIES. This course covers the issuance and trading of securities. The first half of the course looks at the issuance process in some detail, paying special attention to the complex rules issued by the Securities and Exchange Commission. It takes the decision to raise capital as a given (see the course in Finance for attention to this subject). The second part of the course looks at trading, including tender offers, the duties of brokers and underwriters, private actions, and damages. The economics of finance and capital markets is employed to assist the analysis. Corporation Law is a prerequisite. Win (4). Judge Easterbrook.

425. CORPORATE FINANCE. An examination of corporate financial matters, including corporate capital structure and leverage, enterprise and securities valuation, the financial protection of security holders and creditors, dividend policy and regulations, and fairness and shareholder protection in mergers and acquisitions. The concept of efficient capital markets and its implications for investment strategy also will be considered. Corporation Law is a prerequisite. Spr (4). Mr. Carlton and Mr. Fischel.

494. ACCOUNTING. For course description refer to section on Complementary Courses.

426. 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 and 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 creditor 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. Blum.

434. BANKRUPTCY. This course focuses on the policies underlying federal bankruptcy law. Subjects covered will include the jurisdiction of the bankruptcy courts, an individual's right to discharge, the nature of the claims that are cognizable in bankruptcy, the rejection and assumption of executory contracts, the automatic stay, and the avoidance powers of the trustee. Because this course does not cover reorganizations under Chapter 11, students are urged to take this course in conjunction with Corporate Readjustments and Reorganizations. (4). Mr. Baird. [Not offered in 1986-87.]

427. 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 reorganization. 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 particular parties, negotiate transactions, and prepare the necessary documents. The student must have taken Corporation Law and Corporate Income Taxation. Spr (4). Mr. Hess and Mr. Krane.

456. LAND DEVELOPMENT: For course description refer to section on Advanced Courses in Family Law, Property Rights, Torts, and Insurance.

428. ANTITRUST LAW. An introduction to the law 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. The course also focuses 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 also discussed. Win (4). Ms. Wood.

429. ADVANCED ANTITRUST. This course covers topics not discussed (or not discussed in detail) in the one-quarter introductory antitrust course. We will cover the Noerr-Pennington doctrine, aspects of antitrust procedure and practice (such as contribution, damages claims by indirect and direct
purchasers, the antitrust injury doctrine and the like), the essential facilities doctrine, the law of price discrimination, and some of the antitrust exemptions. In addition, the course will examine the evolving (and much litigated) relationship between antitrust and the regulated industries. For example, we will discuss the recent AT&T divestiture and the numerous antitrust and related regulatory proceedings deriving from it. Antitrust is a prerequisite for the course. Spr (4). Mr. Rosenfield.

457. COPYRIGHT, TRADEMARKS, AND PATENTS. For course description refer to section on Advanced Courses in Family Law, Property Rights, Torts, and Insurance.

462. REGULATED INDUSTRIES. For course description refer to section on Administrative Law and Government Regulation.

430. REGULATION OF BANKING. This course is concerned with the federal regulation of national banks by the comptroller of the currency, the Federal Reserve Board, and the Federal Deposit Insurance Corporation. Primary emphasis will be placed on the limitations and restrictions on the lending activities of commercial banks, with some comparative attention paid to the role of thrift institutions. (4). [Not offered in 1986-87.]

458. INSURANCE LAW. For course description refer to section on Advanced Courses in Family Law, Property Rights, Torts, and Insurance.

431. LABOR LAW I. This course examines the legal framework for collective bargaining. After brief consideration of labor law history, the course focuses on the National Labor Relations Act and considers labor organizing, selection of unions by employees as their collective bargaining representatives, regulation of the bargaining process, enforcement of collective bargaining agreements, and the duty of fair representation. Labor Law I and Labor Law II may be taken as a two-quarter sequence with one examination after the second (spring) quarter. Students taking Labor Law I but not Labor Law II will take an examination at the end of winter quarter. Win (4). Mr. Holzhauer.

432. LABOR LAW II. The second part of the Labor Law sequence examines the regulation of picketing and labor boycotts, the application of antitrust laws to labor, the preemption of state authority by the National Labor Relations Act, and internal union affairs. Labor Law I is a prerequisite. Spr (4). Mr. Holzhauer.

433. 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. Aut (4). Mr. Holzhauer.

435. PENSION LAW. The private pension system now has assets exceeding a trillion dollars, and pension accounts have become a fundamental means both of individual saving and of aggregate capital formation. This course examines the relation of the private pension system to the public systems (mostly Social Security), and it provides a brief overview of the tax treatment of pension plans. After characterizing the main types of plans, the course looks at the rules governing coverage, vesting, "integration" with Social Security, funding, plan administration, investment, and payout. Attention is given both to the common law (especially trust law) and to various bodies of regulatory law (especially the Employee Retirement Income Security Act of 1974 [ERISA] as amended). The problems involved with terminating a pension plan and the pension issues that arise in a corporate acquisition or sale are particularly emphasized. The federal insurance scheme for defined benefit plans administered by the Pension Benefit Guaranty Corporation will be examined. The course materials will include finance literature as well as statutory and case material. Win (4). Mr. Langbein.

413. ADMIRALTY. For course description refer to section on Courts, Jurisdiction and Procedure.

486. INTERNATIONAL BUSINESS TRANSACTIONS. For course description refer to section on Comparative and International Law.

484. THE LAW OF THE EUROPEAN COMMUNITY. For course description refer to section on Comparative and International Law.

459. THE TORT LAW CRISIS. For course description refer to section on Advanced Courses in Family Law, Property Rights, Torts, and Insurance.

Seminar

521. SELECTED PROBLEMS IN COMMERCIAL LAW. The seminar focuses on problems that have arisen recently under the Bankruptcy Code. Topics will include the powers and duties of the bankruptcy
trustee, the treatment of executory contracts, and debtor-in-possession financing, as well as issues raised by bankruptcy petitions filed by individuals. Students will be asked to write several memoranda in addition to a final examination. (4). Mr. Baird. [Not offered in 1986–87.]

522. CURRENT CONTROVERSIES IN CORPORATE AND SECURITIES LAW. The seminar deals with the most controversial issues in corporate and securities laws that have come up during the approximately six-month period preceding and including the course. The strategic, legal, and economic aspects of these issues are analyzed from the points of view of lawyers giving advice and lawyers faced with litigation. Student papers (including draft court papers) on these subjects are analyzed by the instructor (usually in writing) and also discussed in class. Spr (4). Mr. Herzel.

523. SPORTS LAW. This seminar will examine the principal legal and economic issues surrounding the sports industry. We will study various contract, arbitration and tort issues in organized sports and the legal relationships among teams, players, unions, and leagues. In addition, we will examine competitive issue rules and the relationships between leagues and broadcasters and cablecasters. Win (4). Mr. Landes and Mr. Rosenfield.

524. WORKERS' COMPENSATION. This seminar explores the development of the law of industrial accidents from the first half of the nineteenth century until the modern time, using both English and American materials. Three major topics receive emphasis: (1) the rise of the tort law and its eventual displacement by a system of workers' compensation, (2) the internal operation of the workers' compensation system, with special attention to its coverage formulas, and (3) the response of the workers' compensation system to the cumulative trauma cases, with special attention to the coordination of tort and compensation remedies. (4). Mr. Epstein. [Not offered in 1986–87.]

525. PENSION AND EMPLOYEE BENEFIT LAW. This seminar provides an opportunity for students to do advanced work in this burgeoning field. Law 435, the basic course in pension law, is a prerequisite. The seminar will work from prepared materials treating the following topics: ERISA's preemption doctrine; divorce and succession rights in pension and employee benefit accounts; the treatment of post-retirement health benefits under ERISA's welfare benefit plan rules; withdrawal liability under the 1980 multi-employer plan act; the fiduciary duties of ESOP trustees, especially in hostile takeover situations; and the status of employee benefit assets in bankruptcy. Each student will prepare and discuss the materials on all topics and will write papers on two of the topics. Spr (4). Mr. Langbein.

557. INTERNATIONAL ANTITRUST. For seminar description refer to section on Comparative and International Law.

561. WORKSHOP IN ECONOMIC AND LEGAL ORGANIZATION. For seminar description refer to section on Complementary Courses.

Taxation

Courses

441. TAXATION OF INDIVIDUAL INCOME. 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 that 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 (5). Mr. Andrew, Mr. Blum.

442. CORPORATE INCOME TAXATION I. An introduction to the taxation of corporations and their shareholders. The course covers the rate structure applicable to corporations, the movement of assets into corporations, the capital structure of corporations, dividend distributions, stock redemptions, sales of stock, liquidations of corporations, and collapsible corporations. This course can be taken separately from Corporate Income Taxation II. Win (4). Mr. Isenbergh.

443. CORPORATE INCOME TAXATION II. A continuation of Corporate Income Taxation I. The course deals with the tax consequences of (1) the movement of assets of corporations within the corporate environment and (2) changes in the interests of shareholders resulting from such movement. Specific
transactions to be canvassed include reorganizations, recapitalizations, divisions, as well as patterns with overlapping characterizations. Depending on the contours of the U.S. income tax system in place when the course is given, possible reform of corporate taxation may also be considered. Students taking this course should have had Corporate Income Taxation I or the equivalent. Spr (4). Mr. Isenbergh.

444. PARTNERSHIP TAXATION. An examination of the system for taxing the income generated by ventures operated as partnerships. The issue of defining a partnership for tax purposes is explored. Attention is directed to the extent partners are permitted to allocate tax burdens among themselves. The tax treatment of limited partners is analyzed. Emphasis is placed on the tax advantages and disadvantages of operating as a partnership. The tax aspects of doing business as a partnership are contrasted with using a corporation which elects not to be taxed under the corporate income tax. Win (4). Mr. Blum.

445. ESTATE PLANNING. 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. Spr (4). Mr. Kanter.

446. INTERNATIONAL TAXATION. A survey of the income tax aspects 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 (4). Mr. Isenbergh.

447. STATE AND LOCAL TAXATION. A study of government finance in a federal state with an emphasis on apportionment of tax resources among governmental units and including an examination of federal and state constitutional provisions, efforts at interstate cooperation, and proposed federal legislative solutions, together with a brief canvass of problems in the administration of typical state-local tax systems. Aut (4). Mr. Lucas.

456. LAND DEVELOPMENT. For course description refer to section on Advanced Courses in Family Law, Property Rights, Torts, and Insurance.

427. BUSINESS PLANNING. For course description refer to section on Commercial, Business, and Labor Law.

Seminars

526. 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. (4). Mr. Isenbergh. [Not offered in 1986-87.]

Advanced Courses in Family Law, Property Rights, Torts, and Insurance

Courses

450. FAMILY LAW. This course examines the legal regulation of the family, with special emphasis on issues arising at and after divorce, including child custody, property settlements, support obligations, and enforcement of support obligations. There will be no consideration of family tax planning. Spr (4). Ms. Becker.

451. FAMILY LAW IN TRANSITION IN THE UNITED STATES AND WESTERN EUROPE. This course explores the complex interaction of behavior, ideology and legal norms in selected areas of family law (including marital property and inheritance law). The principal inquiry concerns the relationship of change in family law to alterations in the economic and social roles of family members and shifts in the nature and forms of wealth. A major aim of the course is to encourage students to think creatively about current issues in the family law reform efforts. The course materials are drawn primarily from American, English, French, Scandinavian, and West German sources. Multilithed coursebook. Aut (4). Ms. Glendon.

452. DECEDENTS’ ESTATES AND TRUSTS. 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 account, joint

445. ESTATE PLANNING. For course description refer to section on Taxation.

435. PENSION LAW. For course description refer to section on Commercial, Business and Labor Law.

463. WELFARE LAW. For course description refer to section on Administrative Law and Government Regulation.

474. LEGAL PROBLEMS OF THE MENTALLY ILL. For course description refer to section on Criminal Law and Criminal Procedure.

453. OIL AND GAS. The law relating to the exploration, production, and development of oil and gas. 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 controls. Post-production marketing controls—the subject of regulated industries—will not be covered. (4). Mr. Helmholz. [Not offered in 1986–87.]

454. NATURAL RESOURCES. A survey of the law relating to the development and the protection of America's natural resources, principally on the public lands. Rights in water, hard minerals and the laws relating to grazing lands, timber and the protection of wildlife and wilderness will be explored. A continuing theme will be the legal conflicts created by the desire both to consume and to conserve our natural resources. (4). Mr. Helmholz. [Not offered in 1986–87.]

455. LAND USE CONTROLS. This course examines the public and private control of land use and development. It covers such topics as zoning, subdivision regulation, building codes, nuisance law, and covenants. Special attention will be given to such contemporary problems as exclusionary zoning, the use of land controls for fiscal objectives, and the general constitutionalization of this field. (4). Mr. Holzhauer. [Not offered in 1986–87.]

456. 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, and to the business and tax problems of real estate syndication. Prerequisite: Taxation of Individual Income or permission of instructor. Aut (4). Mr. Epstein.

457. 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. It revolves around property interests in trade names, literary, musical, and other artistic works, inventions, and trade secrets. Aut (4). Mr. Landes.

414. REMEDIES. For course description refer to Courts, Jurisdiction and Procedure.

458. INSURANCE LAW. The law of the insurance enterprise: its institutional and regulatory framework, the relationship of insurance to the evolution of legal doctrine in torts and other areas, the uses of insurance, its relationship to other financial transactions and institutions, the law of the insurance contract. Spr (4). Mr. Kimball.

459. THE TORT LAW CRISIS. The use of tort law to deal with personal injuries caused by products, workplace activities, medical care, and environmental pollution is today sharply debated. Critics maintain that tort law is an exorbitantly expensive and capricious means of providing compensation for such injuries. Defenders maintain that it is an essential instrument of deterrence and corrective justice. The course will evaluate the tort law system in relation to other systems of compensation, deterrence, and moral condemnation, including private and public insurance programs, collective bargaining, regulation, and the criminal law. The course will also examine civil litigation procedures for resolving personal injury disputes and alternatives such as administrative disposition or arbitration. Proposals for substantive and procedural reform of the current tort litigation system will be examined, along with more radical proposals to abolish it, in whole or in part, in favor of alternative systems. Win (4). Mr. Stewart.

460. ENVIRONMENTAL LAW. An introduction to the role of legal institutions in resolving environmental resource conflicts and dealing with the health and ecological risks generated by industrialization. The resolution of environmental problems through private litigation, federal regulation, economic incentive systems, and judicial review of administrative decisions will be examined. The course will include an extended simulation of a toxic waste litigation in which students will represent the parties in settlement negotiations. Aut (4). Mr. Stewart.
531. **JUVENILE JUSTICE.** This seminar will examine the principles and institutions of juvenile justice in the United States. Topics will include jurisdiction of juvenile courts in delinquency, child neglect, and minors in need of supervision (e.g., truancy cases, runaways, etc.). Major emphasis 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 Administration. Spr (4). Mrs. Rosenheim.

532. **CONTEMPORARY ISSUES IN FAMILY LAW.** Each student enrolled in this seminar will prepare a paper on a family law issue and present it to the seminar. An organizational meeting will be held in the fall, and topics will be selected at that time. Presentations will be made during the winter quarter, and each student will distribute a first draft to the seminar prior to his or her presentation. Final drafts will be due in the spring. Participants will receive a broad exposure to family law issues, with an emphasis on issues being debated today, including mediation of various family disputes and the proper role of the legal system in responding to domestic violence. An introduction to basic family law issues, some readings will be assigned. Enrollment will be limited to eighteen students. (4). Ms. Becker. [Not offered in 1986–87.]

533. **LEGAL PROBLEMS OF HEALTH CARE.** With health care consuming over 10% of the GNP, there is no shortage of problems to discuss. Those chosen will emphasize the insurance or insurance-like aspects of the subject. Some possible choices are: financing of health care, through individual or group commercial insurance, Blue Cross and Blue Shield, Medicare and Medicaid, health maintenance organizations and preferred provider organizations; coverage problems, such as mandated coverage, first dollar vs. catastrophe, deductibles and coinsurance; regulation, including control of pharmaceuticals and experimental procedures, of hospitals, of policy terms and premium rates, human experimentation, definition of death; medical malpractice, including commercial insurance and market failures, captive insurers, legislative intervention. Spr (4). Mr. Kimball.

534. **MINING LAW.** Selected problems in the law of mineral development, excluding oil and gas. The principal focus will be on the public lands. An introductory section of the seminar will be devoted to the statutory framework governing mining development. Enrollment will be limited to twelve students. (4). Mr. Heimholz. [Not offered in 1986–87.]

535. **RIGHTS IN SUNKEN TREASURE.** An exploration of the law governing rights in sunken vessels and their contents, including a consideration of the contribution of the common law of finds, of wreck, and of treasure trove, the law of marine salvage, and the law governing archeological excavation and artifacts. (4). Mr. Lucas. [Not offered in 1986–87.]

537. **SEX DISCRIMINATION.** For seminar description refer to the section on Administrative Law and Government Regulation.

524. **WORKERS’ COMPENSATION.** For seminar description refer to section on Commercial, Business, and Labor Law.

### Administrative Law and Government Regulation

#### Courses

**461. ADMINISTRATIVE LAW.** Administrative law is the law that governs administrative agencies (including the executive departments) in carrying out the myriad programs of the modern regulatory welfare state. The constitutional position of administrative agencies, the procedures which they are required to follow in making decisions, and the availability and scope of judicial review of those decisions will be examined. The rise of public interest law, judicial responses to regulatory and deregulatory initiatives by the executive, and the special problems of “mass justice” social assistance programs will be considered. The central inquiry is whether control of administrative discretion through adversary procedural formalities and judicial review can be reconciled with effective and politically responsible government. Spr (4). Mr. Stewart.

**462. REGULATED INDUSTRIES.** This course surveys the traditional methods of regulation—cost of service ratemaking, allocations of goods, price control and entry control—as well as some of the newer methods, such as disclosure, emissions standard setting, taxation, and no regulation at all. Each method is associated with one or more agencies, for example, ratemaking with the ICC and standard setting with the EPA. The course examines the law and operations of the agencies to the extent necessary to bring out the functions of, and problems with, each approach to regulation. The
scope of the course precludes a detailed investigation of any particular system of regulation. Administrative Law is helpful as background but is not a prerequisite. Spr (4). Mr. McConnell.

463. 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. (4). [Not offered in 1986-87.]

464. THE LEGISLATIVE PROCESS. This course will study legislation as a complementary system of lawmaking to the common law. The course will consider the history of legislation, the rules and procedures of legislatures (particularly the U.S. Congress), economic and political science theories of the role of interest groups and the public interest in legislation, the judicial interpretation of statutes (with special reference to the "canons of construction"), the division of functions between courts and legislatures, and, more mundanely, the methods for studying legislative histories. (4). Judge Posner. [Not offered in 1986-87.]

406. STATE AND LOCAL GOVERNMENT. For course description refer to section on Constitutional Law.

424. FEDERAL REGULATION OF SECURITIES. For course description refer to section on Commercial, Business, and Labor Law.

430. REGULATION OF BANKING. For course description refer to section on Commercial, Business, and Labor Law.

458. INSURANCE LAW. For course description refer to section on Advanced Courses in Family Law, Property Rights, Torts, and Insurance.

428. ANTITRUST LAW. For course description refer to section on Commercial, Business, and Labor Law.

429. ADVANCED ANTITRUST. For course description refer to section on Commercial, Business, and Labor Law.

431. LABOR LAW I. For course description refer to section on Commercial, Business, and Labor Law.

432. LABOR LAW II. For course description refer to section on Commercial, Business, and Labor Law.

433. EMPLOYMENT DISCRIMINATION. For course description refer to section on Commercial, Business, and Labor Law.

486. INTERNATIONAL BUSINESS TRANSACTIONS. For course description refer to section on Comparative and International Law.

484. THE LAW OF THE EUROPEAN COMMUNITY. For course description refer to section on Comparative and International Law.

Seminars

502. LEGISLATIVE PROCESS. For seminar description refer to section on Constitutional Law.

501. SEPARATION OF POWERS. For seminar description refer to section on Constitutional Law.

536. LAW CONCERNING AMERICAN INDIANS. Status of Indian tribes and bands under treaty and statute; status of individual Indians; self-government of tribes and bands; criminal law, business regulation, and taxation of activities engaged in by Indians and others on and off reservations; Indian land tenure and problems concerning the alienation of land; and the civil rights of Indians under the Constitution and statutes. Win (4). Mr. Lucas.

537. SEX DISCRIMINATION. This seminar examines, from a number of perspectives, possible meanings of the terms "sex discrimination" and "sexual equality." In the context of particular issues, the legal system's ability to perceive sex discrimination and to achieve equality through traditional approaches will be considered. Win (4). Ms. Becker.

538. IMMIGRATION LAW. This seminar will explore selected problems in the law of immigration and nationality. Students will prepare and present papers on a variety of topics, including the use of immigrant labor, treatment of refugees, international asylum law, the legal status of sanctuary, the history of American immigration, the acquisition and loss of citizenship, and current proposals for immigration law reform. Win (4). Mr. Holzhauer.
539. THE JURISPRUDENCE OF INSTITUTIONS. A post-industrial liberal society such as the United States is made up of a rich variety of institutional subsystems, including markets, corporations, labor unions, administrative agencies, universities, and so on. Law (much of it judge-made) is the central mechanism for attempting simultaneously to protect such institutions' autonomy, ensure that they perform in the interest of their members or constituents; promote such institutions' conformity to more general and overriding social norms; and define linkages and resolve conflicts among different institutional subsystems. The seminar will draw on several elements of contemporary legal and political theory to examine the existing system of institutional laws and consider possible alternatives. The precise topics to be examined will depend on the interests of seminar members. Spr (4). Mr. Stewart.

Criminal Law and Criminal Procedure

Courses

472. 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 exclusionary rule, the development and administration of the probable cause and the warrant requirements, and such particular topics as: stop and frisk, administrative searches, searches incident to arrest, vehicle searches, standing, consent, and the suppression of fruits of an illegal search. The right to counsel and confessions are examined more briefly. Special attention is given to areas where the Fourth and Fifth amendments interact: wiretapping and bugging, secret agents, and entrapment. This course is offered in alternate years. Aut (4). Mr. Schulhofer.

473. CRIMINAL PROCEDURE II. Unlike Criminal Procedure I, which focuses on the investigation of criminal cases, this course focuses on what happens after police investigations have been concluded. It considers such topics as bail and preventive detention, the right to counsel, the prosecutor's decision to charge, grand jury screening, the right to a speedy trial, pretrial discovery, joinder and severance, plea bargaining, prejudicial pretrial publicity, the right to jury trial, freedom from double jeopardy, the right to appeal, and post-conviction remedies including federal habeas corpus. The final portion of the course is devoted to a brief comparative examination of criminal procedure in the Federal Republic of Germany. Students need not have taken Criminal Procedure I to enroll in this course. Aut (4). Mr. Alschuler.

416. EVIDENCE. For course description refer to section on Courts, Jurisdiction and Procedure.

474. LEGAL PROBLEMS OF THE MENTALLY ILL. 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. (4). Mr. Morris. [Not offered in 1986-87.]

476. DEVELOPMENT OF LEGAL INSTITUTIONS. For course description refer to section on Legal History and Jurisprudence.

483. COMPARATIVE LEGAL INSTITUTIONS: GERMANY. For course description refer to section on Comparative and International Law.

Seminars

541. POLICE PRACTICES AND THE LAW. This seminar will examine a variety of controls—constitutional, statutory, administrative, and judicial—of police behavior with a view to understanding their efficacy in striking a proper balance between State authority and individual autonomy in crime control. Topics to be discussed will include undercover operations, intelligence operations, the use of lethal force by the police, and the control of police abuse of power and corruption. Attention will also be devoted to the role of political influence on police organization, recruitment, and functions. Care will be taken to minimize overlap with the Criminal Justice System course. Class presentation and discussion of some tentative seminar papers will be required, as will the submission of a final seminar paper. (4). Mr. Morris. [Not offered in 1986-87.]

531. JUVENILE JUSTICE. For course description refer to section on Advanced Courses in Family Law, Property Rights, Torts, and Insurance.

542. THE COMMITMENT OF THE MENTALLY ILL AND RETARDED. This seminar will examine the jurisprudence and practice of compulsory and voluntary commitment of the mentally ill and retarded, adult and juvenile, to State institutions, together with their rights to treatment and to refuse particular treatments and the processes available, judicial and administrative, to give substance to those rights. The commitment, treatment and release of those found unfit to stand trial and those found not guilty by reason of insanity will also be considered; but the focus will not be on the criminal law rules and

30 CURRICULUM
544. PREDICTION IN CRIMINAL LAW AND MENTAL HEALTH LAW. This seminar will address the empirical and jurisprudential problems in the prediction of "dangerousness" and of "safety" in the criminal law and the law relating to mental health. The roles of such predictions, express and implicit, in these areas of the law will be discussed, their constitutional and ethical implications analyzed, and the proper constraints on their application explored. Materials for class discussion will be available. A paper will be required. (4). Mr. Morris. [Not offered in 1986–87.]

545. PLEA BARGAINING AND ITS ALTERNATIVES. This seminar will examine the American plea bargaining system and explore possibilities for its reform or abolition. After attention to the requirements for a valid plea and related safeguards under current law, the seminar will focus on empirical studies examining the effects of plea bargaining and on evaluations of beneficial and harmful consequences. The seminar will then give sustained attention to proposals for such reforms as a preplea conference, victim participation, procedural simplification, an adversary bench trial, and outright abolition along the lines of the German or Alaskan models. Students may elect to write either a research paper or an examination. (4). Mr. Schulhofer. [Not offered in 1986–87.]

546. 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. The seminar will meet four or five times during the winter quarter. Students will present papers during the spring quarter. Win (2), Spr (2). Mr. Schulhofer.

566. SOCIAL SCIENCE RESEARCH AND LAW. For seminar description refer to section on Complementary Courses.

Legal History and Jurisprudence

Courses

476. 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; passivization; 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.

477. 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. (4). [Not offered in 1986–87.]

478. LEGAL HISTORY: CONTRACT AND TORT. A course devoted to the study of the doctrinal development of the main substantive fields of the common law. Topics are taken primarily but not entirely from the period before the separation of English and American law. The history of contract law will predominate, with particular attention to the origins of assumpsit and its derivatives, the development of the consideration rules, and the long-delayed formation of the law of damages. (4). Mr. Simpson. [Not offered in 1986–87.]

479. JURISPRUDENCE. An investigation of the role and function of law outside the judicial process. An effort will be made to analyze how law functions in ongoing complex relations in the world of business, finance, and industrial relations. The significance of formal and informal juridical arrange-
ments will be examined together with concepts of “soft law.” Readings will be assigned from the writings of legal philosophers as well as from empirical materials. The course is intended to offer a different perspective to students educated to think of law as an adversarial process. Aut (4). Mr. Gottlieb.

480. LAW AND LITERATURE. This course explores the hypothesis that the understanding of law can be enriched by studying certain literary texts that seem to be in some sense about law (e.g. The Trial, The Merchant of Venice, Bleak House) and by studying the principles of literary criticism, which may be transferable in some part to legal texts, such as the Constitution and statutes. The course will also pay some attention to pertinent developments in linguistics and to the critical legal studies movement. The readings for the course will be a mixture of mimeographed materials, both literary and legal, and outside reading assignments. Win (4), Judge Posner.

481. ANGLO-SAXON AND ANGLO-NORMAN ENGLAND: To 1189 (\(=\)History 222). This course is centrally about constitutional and legal history, with some additional material on the culture surrounding the legal and governmental institutions. Major topics will be Anglo-Saxon law and government, the Norman Conquest, English feudalism and early land law, foundations of the common law, relations between the Church and the secular order. The course will also have a comparative aspect—some attention to legal anthropology, early Germanic law, Roman law in the Middle Ages, and feudalism outside England. Aut (4). Mr. Gray.

482. HIGH-MEDIEVAL AND LATE-MEDIEVAL ENGLAND: 1189–1485 (\(=\)History 223). In a sense a sequel to History 222, but may be taken independently. Emphasis is on constitutional and legal history, but other aspects also treated. Major topics: Magna Carta, the political crises of Henry III’s reign, legislation of Edward I, medieval history of Parliament, history of the common law from Bracton through the Year Book period, the Church, late-medieval constitution theory. Win (4). Mr. Gray.

405. AMERICAN CONSTITUTIONAL HISTORY. For course description refer to section on Constitutional Law.

492. ECONOMIC ANALYSIS OF LAW. For course description refer to section on Complementary Courses.

410. LECTURES ON THE LEGAL PROFESSION. For course description refer to section on Courts, Jurisdiction and Procedure.

Seminars

548. 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 476, Development of Legal Institutions, or Law 556, 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 1986–87.]

549. RESEARCH IN 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 476, Development of Legal Institutions, or the permission of the instructor. Writing is likely to extend over the Winter and Spring Quarters. Win (4). Mr. Langbein.

551. ANGLO-AMERICAN LEGAL HISTORY. Starting from Julius Goebel’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. (4). Mr. Helmholz. [Not offered in 1986–87.]
505. **American Constitutional History.** For seminar description refer to section on Constitutional Law.

555. **Research in American Legal History.** This seminar provides an opportunity for supervised research and writing in American legal history. Topics are settled by agreement with one of the instructors, and may include doctrinal development, the history of civil and criminal procedure, or institutional issues. The student will prepare a topic analysis based on preliminary research, then proceed to further research and a first draft. Most papers go through several drafts, and the process usually extends across most of the academic year. The object is to produce work of publishable quality, and steps are taken to place successful work in suitable journals. It is strongly advised that students complete one or more of the basic courses in legal history before enrolling for this seminar. (4). [Not offered in 1986–87.]

556. **Roman Law.** An examination of selected topics in the Roman law of contracts, torts (dol of), 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. Spr (4). *Mr. Epstein.*

564. **Law and Social Change: 1954–1974.** This seminar will examine the legal response to social and political change in the era from *Brown v. Board of Education* to Watergate. Students will prepare and present papers on such topics as the desegregation of Little Rock, the Civil Rights Movement, the Warren Commission Report, the Civil Rights Act of 1964 and the Voting Rights Act of 1965, the Tonkin Gulf Resolution, Anti-War Demonstrations, the Conspiracy Trial, Kent State, the Pentagon Papers, FBI Surveillance of the New Left, and Watergate. (4). *Mr. Stone.* [Note offered in 1986–87.]

565. **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.*

567. **The Epistemology of Law.** An inquiry into the question whether, and if so how, the correctness of judicial decisions can be determined. In the first four weeks of the seminar, after some introductory readings in the epistemology of pragmatism, logical positivism, and contemporary analytic philosophy—and of the opponents of these movements—we shall take up some specific discussions of judicial epistemology, such as Edward Levi's *Introduction to Legal Reasoning*, and consider some specific cases, such as *Brown v. Board of Education*. The remaining weeks of the seminar will be devoted to class discussion led by students on the topic of their seminar paper. Aut (4). *Judge Posner.*

568. **Morality and the Law.** The seminar will be concerned with general theories of the relation between law and morality, principally in relation to the criminal law, and will then consider the specific applications of these theories in relation to selected topics, in particular, pornography, the defense of necessity, and the problems generated by medical techniques employed for the relief of infertility. (4). *Mr. Simpson.* [Note not offered in 1986-87.]

501. **Separation of Powers.** For seminar description refer to section on Constitutional Law.

500. **Constitutional Theory and Interpretation.** For seminar description refer to section on Constitutional Law.

506. **Supreme Court History.** For seminar description refer to section on Constitutional Law.

539. **The Jurisprudence of Institutions.** For seminar description refer to section on Administrative Law and Government Regulation.

**Comparative and International Law**

**Courses**

483. **Comparative Legal Institutions: Germany.** A course designed to acquaint students with the non-adversarial 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 forbidding 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. (4). Mr. Langbein. [Not offered in 1986-87.]

484. THE LAW OF THE EUROPEAN COMMUNITY. The course will examine the history of the European communities, the nature of community lawmaking, and the relationship between community law and the law of the member countries, as well as questions concerning harmonization of laws. In addition to studying the legal, political, and economic development of this new type of international (supranational? federal?) organization, the course will attempt to analyze its impact on the “outside” world. (4). [Not offered in 1986-87.]

485. INTERNATIONAL LAW. The basic introductory course in international legal studies. 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. The sources of international law will be emphasized together with the law of international agreements and treaties. Emphasis will also 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. Aut (4). Mr. Gottlieb.

486. INTERNATIONAL BUSINESS TRANSACTIONS. This course will cover both trade and investment regimes as they affect business transactions in international commerce. On the trade side, it will include an examination of the GATT; tariff and nontariff barriers to imports; escape clauses; dumping; and nondiscrimination obligations. The investment part of the course will cover laws dealing with investments of aliens in the United States and laws of other countries and regional groups (particularly developing countries) concerning foreign investments within their jurisdictions. No prerequisites. (4). [Not offered in 1986-87.]

487. INTERNATIONAL TRADE REGULATION. This course will focus on the legal framework for U.S. and international regulation of foreign trade. It will include an examination of the division of regulatory responsibilities among and within the branches of U.S. government and international institutions; an overview of the GATT and related instruments; an introduction to U.S. laws providing relief from “unfairly” traded imports, including the antidumping and countervailing duty laws; an introduction to other laws that provide for the restriction of imports, such as the “escape clause”; and an examination of export regulation and licensing in the high technology field. Spr (4) Mr. Sykes.

446. INTERNATIONAL TAXATION. For course description refer to section on Taxation. (4) Mr. Sykes.

Seminars

554. 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 Hoebel. 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). Judge Posner. [Not offered in 1986-87.]

556. ROMAN LAW. For seminar description refer to section on Legal History and Jurisprudence.

548. EUROPEAN LEGAL HISTORY. For seminar description refer to section on Legal History and Jurisprudence.

559. INTERNATIONAL LAW AND THE USE OF FORCE. This seminar will focus on the relationship between law and politics when force is used in the international arena. Attention will be paid to the practice of the United States with particular reference to the invasion of Grenada, the Nicaragua case before the International Court of Justice and the struggle against terrorism. Win (4). Mr. Gottlieb.

526. ADVANCED INTERNATIONAL TAXATION. For seminar description refer to section on Taxation.

557. INTERNATIONAL ANTITRUST. This seminar 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. Second, 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 is a prerequisite. (4). [Not offered in 1986-87.]
Complementary Courses

Courses

492. ECONOMIC ANALYSIS OF LAW. A survey of the application of basic economic principles to problems in the law. The topics covered in the course 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; and the economics of legal procedure. No prior acquaintance with economics is assumed; the relevant economic concepts are developed through an examination of particular legal applications. Spr (4). Mr. Landes.

494. 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.

495. 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. (4). Spr (4). Mr. Meier.

497. 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. Win (4). Mr. Landes.

474. LEGAL PROBLEMS OF THE MENTALLY ILL. For course description refer to section on Criminal Law and Criminal Procedure.

Seminars

560. WORKSHOP IN LAW AND ECONOMICS. This workshop is devoted to the intensive examination of selected problems in the application of economic reasoning to a wide variety of legal questions. Workshop sessions will be devoted to the presentation and discussion of papers by students and by members of the faculty of the University of Chicago and of other institutions. The workshop will meet every other 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. Fischel and Mr. Landes.

561. 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, and Mr. Stigler.
566. SOCIAL SCIENCE RESEARCH AND LAW. This seminar will examine the impact of social science research on the resolution of legal issues. Early sessions will focus on how courts gather and assess social science evidence and on the role of empirical research in producing and evaluating social change. Later sessions will address specific topics such as school integration, the financing of education and other public services, programs for reforming criminals, the restriction of pornography, jury selection, housing policy, and rights of the handicapped. The seminar will review the social science literature related to each topic and the effect of this research on the actions and attitudes of legal decision makers. It will discuss the extent to which research should guide the imposition of liability or the formulation of remedies in the policy area under consideration. No background in statistics or social science is necessary. A draft and final version of a seminar paper will be required. The seminar is also open to graduate students in Political Science and Public Policy. Win (4). Mr. Alschuler and Mr. Orfield.

Students are also reminded of the opportunity to take up to eight course hours of work for Law School credit in other departments and schools of the University. The conditions of the exercise of this option are explained in the section on Requirements and Grading. Courses that students may take include but are not limited to the following.


Independent Study

499. INDIVIDUAL RESEARCH. In addition to the opportunities for writing research papers afforded in many of the seminars listed, 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 above 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.

SCHEDULE OF COURSES BY QUARTERS
1986–87

FIRST-YEAR COURSES

Autumn

<table>
<thead>
<tr>
<th>COURSE</th>
<th>HOURS</th>
</tr>
</thead>
<tbody>
<tr>
<td>301. Elements of the Law</td>
<td>4</td>
</tr>
<tr>
<td>302. Civil Procedure I</td>
<td>4</td>
</tr>
<tr>
<td>305. Contracts I</td>
<td>4</td>
</tr>
<tr>
<td>306. Torts I</td>
<td>4</td>
</tr>
<tr>
<td>307. Legal Research and Writing</td>
<td>4</td>
</tr>
</tbody>
</table>

Winter

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<tr>
<th>COURSE</th>
<th>HOURS</th>
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<tbody>
<tr>
<td>303. Criminal Law I</td>
<td>4</td>
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<tr>
<td>304. Property I</td>
<td>4</td>
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<tr>
<td>305. Contracts II</td>
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</tr>
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</table>

SCHEDULE OF COURSES 37