

COURSES

In the course and seminar descriptions that follow, the description is followed by the quarter(s) in which it is taught and the instructor name(s). More up-to-date course information is available on the Law School web page at <http://www.law.uchicago.edu/courses>. The course descriptions below, however, provide a representative overview of the curriculum.

Key to course details:

Key	Description
+	subject to prerequisites, co-requisites, exclusions, or professor permission
1L	first year required course
a	extends over more than one quarter
c/l	cross listed
e	first-year elective
m	seminar
p	meets the professional responsibility/ethics requirement
r	papers may meet substantial research paper (SRP) graduation requirement
s	meets the professional skills requirement
u	simulation class
w	meets writing project (WP) graduation requirement
x	class available for bidding
(#)	the number of Law School credit hours earned for successful completion of the course

FIRST YEAR COURSES

Civil Procedure I

LAWS 30211 - 01 (3) 1L

Civil Procedure is offered in two parts. Part I meets in the Autumn Quarter and addresses the mechanics of civil litigation, with special reference to pleading, discovery, and trial, including the respective roles of judge and jury. Part II is offered in the Spring Quarter and focuses on the study of the power of particular courts to decide cases (subject matter jurisdiction); jurisdiction of the courts over the person or things before them; the scope and effect of judgments; principles of finality of judgments; and the rules governing joinder of claims and parties.

The student's grade is based on an examination given at the end of each quarter.

Autumn 2012 - William H. Hubbard

Civil Procedure I

LAWS 30211 - 02 (3) 1L

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The student's grade is based on an examination given at the end of each quarter.

Autumn 2012 - Emily Buss

Civil Procedure II

LAWS 30221 - 01 (3) 1L

Civil Procedure is offered in two parts. Part I meets in the Autumn Quarter and addresses the mechanics of civil litigation, with special reference to pleading, discovery, and trial, including the respective roles of judge and jury. Part II is offered in the Spring Quarter and focuses on the study of the power of particular courts to decide cases (subject-matter jurisdiction); jurisdiction of the courts over the person or things before them; the scope and effect of judgments; principles of finality of judgments; and the rules governing joinder of claims and parties.

The student's grade is based on an examination given at the end of each quarter.

Spring 2013 - Anthony J. Casey

Civil Procedure II

LAWS 30221 - 02 (3) 1L

Civil Procedure is offered in two parts. Part I meets in the Autumn Quarter and addresses the mechanics of civil litigation, with special reference to pleading, discovery, and trial, including the respective roles of judge and jury. Part II is offered in the Spring Quarter and focuses on the study of the power of particular courts to decide cases (subject-matter jurisdiction); jurisdiction of the courts over the person or things before them; the scope and effect of judgments; principles of finality of judgments; and the rules governing joinder of claims and parties.

The student's grade is based on an examination given at the end of each quarter.

Spring 2013 - William H. Hubbard

Contracts

LAWS 30511 - 01 (3) 1L, a

This course, offered over two sequential quarters, is an introduction to commercial and consumer law and lays the foundation for advanced study in commercial transactions, corporations, restitution, consumer credit, insurance, labor and employment law, and investment securities. Substantively, the Contracts course deals with how contracts are formed, which contracts are valid, when a contract has been breached and the various remedies for breach, including damages, specific performance, and restitution. The course is also designed to introduce the student to legal methodology and to compare the common law with the techniques of statutory interpretation, particularly in connection with the Uniform Commercial Code.

Winter 2013 - Douglas G. Baird

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Spring 2013 - Edward R. Morrison

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Winter 2013 - Omri Ben-Shahar

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The student's grade is based on a single final examination.

Spring 2013 - Eric A. Posner

Criminal Law

LAWS 30311 - 01 (3) 1L, a

This course, offered over two sequential quarters, addresses the doctrines of criminal liability and the moral and social problems of crime. The definitions of crimes and defenses are considered in light of the purposes of punishment and the role of the criminal justice system, including police and correctional agencies.

Autumn 2012 - Bernard E. Harcourt

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The student's grade is based on a single final examination.

Winter 2013 - Richard H. McAdams

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The student's grade is based on class participation and a single final examination.

Autumn 2012 - Jonathan Masur

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The student's grade is based on class participation and a single final examination.

Winter 2013 - Thomas J. Miles

Elements of the Law

LAWS 30101 - 01 (3) 1L

This course examines certain issues that occur in many different areas of the law and considers the relationship between these issues and comparable questions in other fields of thought, such as moral and political philosophy, economics, and political theory. The subjects for discussion include the nature of, and justification for, reasoning from precedent; the meaning of such notions as consent, coercion, and voluntary choice; the decision whether to impose rules or allow discretion; the problems of interpreting statutes and other authoritative texts; and the objective or subjective nature of moral judgments.

The student's grade is based on a final examination.

Autumn 2012 - David A. Strauss

Elements of the Law

LAWS 30101 - 02 (3) 1L

This course examines the role of judges in our legal system, focusing particularly on the processes of statutory and constitutional interpretation. The subjects for discussion include the nature of, and justification for, reasoning from precedent; the meaning of originalism and other methods of interpretation; and the role of history and context in judicial decision making.

Autumn 2012 - Geoffrey R. Stone

Legal Research and Writing

LAWS 30711 - 01 (2) 1L, a

All first-year students participate in the legal research and writing program under the supervision of one of the six Bigelow Teaching Fellow and Lecturer in Laws. The work requires the student to become familiar with the standard tools and techniques of legal research and to write a series of memoranda and other documents representative of the lawyer's regular tasks. A prize, the Joseph Henry Beale Prize, is awarded for the outstanding written work in each legal writing section. The Bigelow Fellows also serve as tutor-advisors on an informal basis. Autumn 2012 - Victoria Schwartz

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Spring 2013 - Roger A. Ford

Property

LAWS 30411 - 01 (3) 1L, a

This course, offered over two sequential quarters, provides an introduction to the legal relationships that arise out of or constitute ownership of property. Subjects covered may include, but are not limited to, such areas as 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.
The student's grade is based on a single final examination.
Winter 2013 - Lior Strahilevitz

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The student's grade is based on a single final examination.
Spring 2013 - Eduardo M. Peñalver

Property

LAWS 30411 - 02 (3) 1L, a

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Winter 2013 - Richard H. Helmholz

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The student's grade is based on a single final examination.

Spring 2013 - Richard H. Helmholz

Torts

LAWS 30611 - 01 (3) 1L, a

The focus of this course, offered over two sequential quarters, is on the Anglo-American system (mainly judge-created) of the liability for personal 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 are discussed. Alternative theories of tort liability, e.g., moral and economic, are compared.

The student's grade is based on a single final examination. Participation may be taken into account as indicated in the syllabus.

Autumn 2012 - Lee Fennell

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The student's grade is based on a single final examination.

Winter 2013 - Saul Levmore

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The student's grade is based on a single final examination.

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The student's grade is based on a single final examination at the end of the Winter quarter.

Winter 2013 - M. Todd Henderson

SECOND AND THIRD-YEAR OFFERINGS

Abrams Environmental Law Clinic

LAWS 67813 - 01 (1 to 2) +, a, s, x

The Abrams Environmental Law clinic attempts to solve some of the most pressing environmental problems throughout Chicago, the State of Illinois, and the Great Lakes region. On behalf of clients, the clinic challenges those who pollute illegally, fights for stricter permits, advocates for changes to regulations and laws, holds environmental agencies accountable, and develops innovative approaches for improving the environment. Through clinic participation, students learn substantive environmental law and procedures for addressing concerns through the courts or administrative tribunals. Students develop a number of core advocacy competencies, such as counseling clients, spotting issues, conducting factual investigations, performing practical legal research, advocating through written and oral communications, planning cases, managing time, and addressing ethical issues and dilemmas. In addition, students develop an appreciation for the range of strategic and tactical approaches that effective advocates use. Some matters will be best resolved in front of a judge, others in an adversarial hearing, others through face-to-face meetings with government officials, and others by putting public pressure on a polluter or administrative agency. Any given matter may require the use of one or more of these approaches simultaneously or sequentially, although in general, the clinic will deploy adversarial approaches to help achieve its clients' objectives.

Students need to take a substantive environmental law at some point when they are in the clinic. They are not precluded from taking the class if they have not yet taken environmental law when they enroll in the clinic and are not able to do so their first quarter due to when courses are offered. Nonetheless, students do need to take an environmental law class (any of the main stand-up class, climate change, or international environmental law) at some point when they are in the clinic.

Autumn 2012 - Mark N. Templeton

Abrams Environmental Law Clinic

LAWS 67813 - 01 (1 to 2) +, a, s

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Winter 2013 - Mark N. Templeton

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Spring 2013 - Mark N. Templeton

Accounting and Financial Analysis for Debt and Equity Markets and Transaction Structuring

LAWS 79103 - 01 (3) s

This course is designed to quickly introduce you to (or, preferably, refresh your knowledge of) basic financial accounting [first two weeks of class] and then aims to aggressively increase your ability to be a highly sophisticated user of financial statements. After taking this course, you should improve your ability to determine a firm's accounting policy for a particular type of transaction and to determine how that policy choice affects its primary financial statements. You will also learn how to question whether these effects fairly reflect the underlying economics of the firm's transactions. Asking these questions involves an interplay between accounting, economics, finance, law and business strategy. You should therefore greatly improve your ability to use an accounting report as part of an overall assessment of the firm's strategy and the potential rewards and risks of dealing with the firm.

The teaching approach will be a roughly equal combination of lecture time and demanding case applications of the lecture material that will involve group case assignments that will form the basis for in-class discussion of the cases. The technical knowledge acquired from the lecture material is applied to cases where the main goal is to examine how the reported financial statements would differ if the firm had used different accounting policies. The focus is on modifying the reported financial statements in order to obtain the cleanest possible inputs for use in such applications as equity valuation, transaction structuring and credit analysis.

As this will be the first offering of this course, the precise topics to be discussed have not yet been finalized. They are likely to include the accounting for, and interpretation of: revenue recognition, intercorporate investments, organizational structures (e.g., franchising), debt, and leases. Intensive group hand-in cases will be used to illustrate how the flexibility in financial reporting can reflect both the economics of the firm and the incentives of the managers creating the financial statements.

It is strongly recommended that students registering for this course have some prior exposure to accounting course work, at least at the level of Fundamentals of Accounting for Attorneys (LAWS 79112) or Legal Elements of Accounting (LAWS 79102).

Grading will be based on case assignments, short homework assignments, class participation, and a final exam.

Spring 2013 - Philip G. Berger

Administrative Law

LAWS 46101 - 01 (3) x

This course examines the structure of the administrative state, its relations to the other branches of government and private citizens, and the constitutional, statutory, and common law rules that govern the substance and procedure of administration action and inaction. The course focuses on some constitutional topics, including

the non-delegation doctrine, presidential control over administrative agencies, and the delegation of adjudicative authority to non-Article III officers. Substantial attention is given to the Administrative Procedure Act (APA) and other statutory requirements for lawful agency action. Covered topics include the proper role of agencies in interpreting statutory and regulatory law; judicial review of agency decisions; public participation in agency rulemaking; and non-traditional approaches to regulation, including negotiation and privatization. A central theme of the course is how the law manages the tension between rule of law values (e.g., procedural regularity, accountability, and substantive limits on arbitrary action) and the desire for flexible, effective administrative governance.

The student's grade is based on a final examination.

Autumn 2012 - Nicholas Stephanopoulos

Administrative Law

LAWS 46101 - 01 (3) x

This course examines the structure of the administrative state, its relations to the other branches of government and private citizens, and the constitutional, statutory, and common law rules that govern the substance and procedure of administration action and inaction. The course focuses on some constitutional topics, including the non-delegation doctrine, presidential control over administrative agencies, and the delegation of adjudicative authority to non-Article III officers. Substantial attention is given to the Administrative Procedure Act (APA) and other statutory requirements for lawful agency action. Covered topics include the proper role of agencies in interpreting statutory and regulatory law; judicial review of agency decisions; public participation in agency rulemaking; and non-traditional approaches to regulation, including negotiation and privatization. A central theme of the course is how the law manages the tension between rule of law values (e.g., procedural regularity, accountability, and substantive limits on arbitrary action) and the desire for flexible, effective administrative governance.

The student's grade is based on class participation and a final examination.

Winter 2013 - Jennifer H. Nou

Admiralty Law

LAWS 71001 - 01 (3)

This course will cover the development and scope of this part of the jurisdiction of the federal courts, the role of the Supreme Court in the common law development of the substantive law of the admiralty, and several of the main elements of substantive maritime law: maritime torts, industrial accidents, collisions, salvage, and limitation of liability.

The student's grade is based on class participation and a final take-home examination.

Autumn 2012 - Randall D. Schmidt

Advanced Civil Procedure

LAWS 52502 - 01 (3)

This course examines salient features of major civil litigation from both a practitioner's and a policymaker's perspective. Broadly, these features fall into two categories: issues with forum and aggregation on the one hand, and problems with

the collection and production of evidence on the other. Topics in the first category include class action litigation and settlement, multidistrict litigation, removal, and arbitration. Topics in the second category include preservation and spoliation, electronic discovery, and expert testimony.

Winter 2013 - William H. Hubbard

Advanced Contracts: Sales, a Practice Oriented Approach

LAWS 48601 - 01 (2) x, m

This seminar is an advanced contracts offering that focuses on Article 2 of the Uniform Commercial Code. It is designed to give students a bridge from school to practice and will involve a series of problems leading up to a negotiation and drafting simulation to help students integrate what they learn in theory into the sorts of tasks they will face as a transactional lawyer.

Spring 2013 - Lisa Bernstein

Advanced Law and Economics: Theory and Practice

LAWS 55401 - 01 (3) c/l, x

This seminar examines theoretical and empirical work in the economic analysis of law. It will cover, among other things, optimal tort rules, models of contract liability and remedies, optimal criminal rules, settlement and plea bargaining, and models of judicial behavior.

Students are required to be PhD students in the Economics Department, the Harris School or the Booth School, or law students. Students should have the equivalent of an undergraduate economics degree or have taken Economic Analysis of Law in the Law School. The course will expect students to have Economics PhD-level math skills.

Students will be required to submit 3-4 short research proposals related to topics covered in class. These proposals are sketches of original research that, once developed, could yield publishable academic papers.

Spring 2013 - Anup Malani

Advanced Legal Research

LAWS 79802 - 01 (2 to 3) s, x, m

The purpose of this seminar is to enhance students' knowledge of legal sources and to develop their ability to research the law. The seminar will cover the basic categories of legal research in depth and with a focus on practical skills and efficiency, including statutes, administrative law, legislative history, cases, and secondary sources. This seminar also will address a series of practice areas such as corporate and securities, tax, transactional, federal procedure, and intellectual property, focusing on the substantive resources and practical research skills for each. Upon successful completion of the seminar, students will expand their understanding of research resources in a variety of areas, will improve their skills in using legal research tools, and will develop extensive research knowledge in at least one area from their work on a final research paper.

The seminar will be limited to twenty-five students with priority to third year students.

To receive credit for this seminar, students must complete research assignments (30 percent of grade), submit a research paper on a topic approved by the instructor (60 percent of grade), and attend and participate in course meetings (10 percent). Students may earn either 2 or 3 credits for this seminar depending upon the number of assignments completed and the length of their final paper (minimum 20 pages for 3 credits; 10 pages for 2 credits).

In the research paper, the student should extensively and comprehensively address sources for researching the topic, discuss successful and less useful techniques, and recommend research strategies.

Autumn 2012 - Sheri H. Lewis

Advanced Legal Research

LAWS 79802 - 01 (2 to 3) s, x, m

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A 20-25 page paper will be required for the 3-credit option for this course, along with 4 research assignments. For the 2-credit option for this course, students will write a 10-15 page paper and complete 2 research assignments. Research assignments will count towards 30% of the final grade; the research paper 60%. Class participation counts for 10%.

In the research paper, the student should extensively and comprehensively address sources for researching the topic, discuss successful and less useful techniques, and recommend research strategies.

Winter 2013 - Todd Ito; Margaret Schilt

Advanced Legal Writing

LAWS 79901 - 01 (2) +, w, s, x

This course will prepare law students for the working world by honing writing skills for briefs, memoranda, motions and contracts. We will discuss and practice the major principles of legal writing in plain English -- no jargon, no legalese, no anachronistic fluff. In addition to fine-tuning basic and more advanced

writing skills, students will learn how to use their writing to win arguments, persuade clients and sharpen their own thinking. The class will function largely as a workshop where we analyze the impact of various writing styles. Regular attendance is essential. Through exercises and group critiques, students will learn to write more succinctly and effectively. Better writers make better lawyers. The course concludes with an eight-hour take-home examination, which determines the student's grade. Students must complete all assignments before the exam. This course satisfies the requirements of the Writing Project writing requirement. Legal Research and Writing is a pre-requisite.
Autumn 2012 - Elizabeth Duquette

Advanced Topics in Corporate Reorganizations

LAWS 73702 - 02 (3) +, w, x, m

This seminar will explore selected topics in corporate reorganizations under Chapter 11 of the Bankruptcy Code. The focus will be on topics that have a significant, practical effect on reorganizations but are difficult to explore fully in a traditional case law approach. Topics will include subject matter jurisdiction, asset sales, post-petition financing, and cross-border insolvency cases (focused on U.S./Canadian cases). The readings consist of judicial opinions, scholarly commentary and motions/briefs/orders from actual bankruptcy cases.

Previous or simultaneous course work in bankruptcy is a prerequisite (not for MBA students).

The student's grade is based upon class participation and a 20-25 page paper. The paper may be used to satisfy the Writing Project (WP) requirement.

Spring 2013 - Christopher S. Sontchi

Advanced Topics in Family Law

LAWS 45002 - 01 (2) x, m

This seminar goes beyond the standard conception of family law as the law of marriage, divorce, and children to explore how conceptions of the family inform and structure various other legal domains, such as employment, health, immigration, property, and public benefits. The approach is interdisciplinary, and possible topics might include: surrogate decisionmaking in the health care and property contexts, family-based immigration, Medicaid and filial support laws, ownership in reproductive materials, caregiving leave in employment, and spousal and child protections in inheritance law. As we explore such domains, we will consider how they, in turn, help structure familial relations and whether, in fact, they might be considered part of family law.

Spring 2013 - Alexander Boni-Saenz

Advanced Trademarks and Unfair Competition

LAWS 69902 - 01 (2 to 3) +, w, x, m

This seminar addresses current issues and developments such as the Supreme Court's shaping of trademark law over time; the interplay of trademark, right of publicity, and First Amendment law; dilution and the courts' treatment of property conceptions of trademarks; the effect of commercial practices on trademark doctrine, as exemplified by the keyword debate; utilitarian and aesthetic functionality and other limitations on trademark rights; counterfeiting, contributory infringement,

and the online marketplace; and unfair competition and misappropriation conceptions of trade identity rights.

Trademarks and Unfair Competition is a prerequisite for the seminar; otherwise instructors' permission is required.

Enrollment is limited to twenty-five students.

A student's grade is based on class participation and either a series of thought papers for two credits, or a series of short research papers totaling at least 25 pages, or a major research paper, both for three credits.

Winter 2013 - Chad J. Doellinger; Uli Widmaier

American Law and the Rhetoric of Race

LAWS 49801 - 01 (3) c/l

This course presents an episodic study of the ways in which American law has treated legal issues involving race. Two episodes are studied in detail: the criminal law of slavery during the antebellum period and the constitutional attack on state-imposed segregation in the twentieth century. The case method is used, although close attention is paid to litigation strategy as well as to judicial opinions.

Undergraduate students must request faculty consent prior to registration.

Grades are based on class participation and a final examination.

Spring 2013 - Dennis J. Hutchinson

American Legal History, 1607-1870

LAWS 97601 - 01 (3) c/l, e, x

This survey course examines major themes and interpretations in the history of American law and legal institutions from the earliest European settlements through the Civil War. Topics include continuity and change between English and American law in the colonial period, the American Revolution and its legal consequences, changing understandings of the U.S. Constitution, the legal status of women and African Americans, federalism, commerce, slavery, and the constitutional and legal consequences of the Civil War and Reconstruction.

The student's grade will be based on a take-home final examination and class participation.

Spring 2013 - Alison LaCroix

Antitrust Law

LAWS 42801 - 01 (3) x

This course provides an introduction to the law of antitrust. 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, and mergers to monopoly and other types of horizontal merger. The course also looks at the practices by which firms, either singly or in combination, exclude actual or potential competitors from their markets, by means of practices such as boycotts, predatory pricing, tying arrangements, vertical integration, and price discrimination under the Robinson-Patman Act. Both price and non-price vertical restrictions are considered.

The student's grade is based on a final examination.

Autumn 2012 - Randal C. Picker

Antitrust Law

LAWS 42801 - 01 (3)

This course provides an introduction to the law of antitrust. The course focuses first 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, and mergers to monopoly and other types of horizontal merger. The course then looks at the practices by which firms, either singly or in combination, exclude actual or potential competitors from their markets, by means of practices such as boycotts, tying arrangements, vertical integration, and price discrimination under the Robinson-Patman Act. Both price and non-price vertical restrictions are considered.

The student's grade is based on class participation and a final three-hour take-home examination.

Spring 2013 - Andrew M. Rosenfield

Art Law

LAWS 79301 - 01 (3) c/l, x, m

This seminar examines legal issues in the visual arts including artist's rights and copyright, government regulation of the art market, valuation problems related to authentication and artist estates, disputes over the ownership of art, illicit international trade of art, government funding of museums and artists, and First Amendment issues as they relate to museums and artists.

The basis of the grade will be class participation and three short papers.

Spring 2013 - William M. Landes; Anthony Hirschel

Banking Law

LAWS 80201 - 01 (3)

This course will consider the regulation of banks and other financial institutions in the United States. The focus will be on the current regulatory scheme, with some attention to the recent financial crisis, the history of banking regulation, and proposals for reform.

Winter 2013 - Eric A. Posner

Bankruptcy and Reorganization: The Federal Bankruptcy Code

LAWS 73601 - 01 (3) x

This course studies the Federal Bankruptcy Code, including both the law of individual bankruptcy and the law of corporate reorganization. Topics include the rights of creditors in bankruptcy, the individual's right to discharge, the relationship between bankruptcy law and state law, the treatment of executory contracts, bankruptcy planning, the restructuring of corporations in Chapter 11, and the procedure for confirming plans of reorganization.

There are no prerequisites for this course.

Autumn 2012 - Anthony J. Casey

Bankruptcy and Reorganization: The Federal Bankruptcy Code

LAWS 73601 - 01 (3) x

This course surveys the Federal Bankruptcy Code, including both the law of individual bankruptcy and the law of corporate reorganization. Topics include the rights of creditors in bankruptcy, the individual's right to discharge, the relationship between bankruptcy law and state law, the treatment of executory contracts, bankruptcy planning, and the restructuring of corporations in Chapter 11.

A deeper exploration of current issues in corporate restructuring is available in "Corporate Reorganizations," taught by Mr. Baird.

The student's grade will be based on a proctored final examination.

Open to MBA students.

Winter 2013 - Edward R. Morrison

Brief-writing and Appellate Advocacy Seminar

LAWS 79905 - 01 (3) w, s, x, m

This seminar will be devoted to the art of brief-writing and appellate advocacy.

Topics will include how to select the best arguments, how to choose a theme and structure the facts and the argument, and how to write the brief in a way that it is clear, concise and persuasive on the first read.

Grades will be based on class participation and two papers -- an opening brief and a reply.

Spring 2013 - Michele L. Odorizzi

Business Associations I

LAWS 42303 - 01 (3) +, x

Business Associations I is the first in a two-quarter sequence of courses on the law governing modern business firms. The main focus is on corporations but some attention is paid, less systematically, to partnerships and limited liability associations such as LLCs.

The first quarter covers the life cycle of business associations, from formation through operations and dissolution, with particular concern for the obligations of managers and the rights and interests of owners and other stakeholders.

Business Associations I is not open to students who have taken, or are currently taking, the Corporation Law course or the Business Organizations course.

The student's grade will be based on a proctored final examination.

Autumn 2012 - Joseph Isenbergh

Business Associations II

LAWS 42304 - 01 (3) +

Business Associations II is the second in a two-quarter sequence of courses on the law governing modern business firms. The main focus is on corporations but some attention is paid, less systematically, to partnerships and limited liability associations such as LLCs.

The second quarter is concerned mainly with situations in which control of a firm comes into play: these include mergers and acquisitions along with other situations where control is transferred, abused, or substantially redistributed.

The student's grade will be based on a proctored final examination.

It is recommended, but not strictly required, to take Business Associations I before taking Business Associations II. This course, like Business Associations I, is not open to students who have taken, or are currently taking, the basic Corporation

Law course, Business Organizations or Advanced Corporations: Mergers and Acquisitions.

Winter 2013 - Joseph Isenbergh

Business of Law

LAWS 61602 - 01 (2 to 3) x, m

This seminar will focus our students' critical reasoning skills on their own chosen profession through an in-depth and interdisciplinary examination of the business of law. We will analyze the business, how it is changing, and professional development issues that all new lawyers should expect to arise over their long and varied careers. Classes will include guests with expertise in law firm management, client relationship skills, industry trends, and lawyer career development to prompt a robust and candid dialogue from a variety of perspectives. Reading materials will include selected articles, excerpts, and David H. Maister's influential *Managing the Professional Services Firm*.

Grades will be based on classroom participation, short reaction papers, and, for those interested in three credits, a longer research paper.

Spring 2013 - Bruce W. Melton

Business Organizations

LAWS 42301 - 01 (3) +, x

This is an introductory course on the law of business organizations. While we will focus primarily on corporate law, we will also cover agency and partnership law and emerging legal entities such as limited liability partnerships and limited liability companies.

The class is not open to students who are taking, or have taken, Business Associations I, Business Associations II or Corporation Law.

Winter 2013 - Anthony J. Casey

Business Perspectives on Workplace Privacy

LAWS 68315 - 01 (2) x, m

This seminar will explore issues of workplace privacy from the practical perspective of an attorney advising a business. Topics will include electronic surveillance, drug testing, genetic testing, psychological testing, polygraphs, social media issues, and employer control of off-duty activities. The class will also look at some comparative law issues in workplace privacy that may face employers. Readings will include court cases, applicable legislation and secondary materials. While familiarizing themselves with the various legal frameworks applicable to workplace privacy, students will also develop skills in offering legal advice in areas that are not yet clear under existing law.

Spring 2013 - Victoria Schwartz

Buyouts

LAWS 42602 - 01 (3) w, x, m

In this seminar we will examine going private transactions in which publicly held companies are acquired by affiliates of private equity firms with the participation of the company's management or by controlling shareholders. This is an especially timely topic because management buyouts have become prevalent and controlling

shareholder buyouts continue to be controversial. Both types of transactions raise conflict of interest issues because some of the company's directors or officers, who are ordinarily charged with obtaining as much as possible for public shareholders in a sale transaction, are instead attempting to buy the company for as little as possible. We will examine the methods that Delaware law has provided for dealing with these conflicts of interest and whether those methods are likely to be effective. We will also look at a variety of other issues raised by going private transactions, including why they occur, whether they are likely to be beneficial to shareholders in spite of the existence of conflicts of interest, the consequences to society of these transactions and certain conflict and other issues that can arise in these transactions even if they are neither management or controlling shareholder buyouts. Finally, we will examine the role of the lawyers and financial advisors who are involved in these transactions.

Grades will be based on a paper and class participation.

Some of the topics in this course will also be covered less intensively in Mergers and Acquisitions, but that course is not a prerequisite for this course and students may take both courses.

Spring 2013 - Scott Davis

Canonical Ideas in Legal Thought

LAWS 57013 - 01 (2) +, m

This year-long research seminar is the equivalent of a research colloquium in a PhD program. During the fall quarter, students will read, discuss, and critique some of the most influential law review articles from the twentieth century, as well as newer papers that extend and apply those canonical ideas to modern legal problems. The readings will consist of a healthy mix of public law and private law, and various scholarly methodologies. During the fall, students will write short reaction papers on the readings, and each student will once during the term facilitate the class discussion of an article. Students will also identify a topic for a substantial research paper. During the winter quarter, the seminar will not meet in formal sessions, but each student will work on his or her research paper and will meet individually with the instructors to assess the paper's progress. During the spring quarter, the seminar will reconvene, and students will workshop their drafts (i.e., each student will circulate his or her draft in advance and answer questions from students and faculty). Students are expected to produce papers of publishable quality because the seminar's ultimate goal is to prepare students for the process of entering the legal academy.

Students will receive a fall quarter grade based on the reaction papers and class participation. Students will receive a separate grade for the winter and spring quarters based on the quality of their research papers and class participation. Every student must enroll for the entire year; students may not drop the class after the fall quarter.

Students may only enroll with the permission of the instructors.

Students interested in enrolling should email Professors Miles and Strahilevitz a resume and a one-page statement explaining why they would like to enroll in the seminar no later than September 7.

Autumn 2012 - Thomas J. Miles; Lior Strahilevitz

Canonical Ideas in Legal Thought

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Spring 2013 - Thomas J. Miles; Lior Strahilevitz

Capital Punishment in America

LAWS 99703 - 01 (3) +

This course provides a general introduction to death penalty law and practice in the United States. We will explore the constitutional and legal structure of capital punishment (i.e., common law authority, state and federal statutes), the procedures regulating capital trials, judicial and executive review, and the seminal social scientific literature analyzing important aspects of capital charging-and-sentencing systems (e.g., deterrence, incapacitation, cost, wrongful convictions, arbitrariness/capriciousness, and bias).

Grading will be based on regular attendance, in-class participation, and a final examination.

Spring 2013 - Sherod Thaxton

Child Exploitation and Human Trafficking

LAWS 47103 - 01 (3) w, x, m

This seminar provides a comprehensive, practical introduction to the history and present-day reality of child sexual exploitation, as well as to the interconnected web of domestic and transnational federal laws and law enforcement efforts launched in response to this global challenge. The seminar will use a text written by the professor and a colleague who have the distinctive perspective of two individuals who have spent their careers in the trenches investigating, prosecuting, and adjudicating these intricate and commonly emotional cases. The seminar will offer open debate about child sexual abuse by stripping it of its unhelpful, constricted definitions, and by candidly discussing the state of the law, the criminal justice process, and the treatment of offenders and victims. The seminar examines today's system of federal anti-exploitation laws; the connection between modern communications technologies, such as the Internet, and the rise in U.S. and foreign child exploitation; the unique challenges posed by transnational investigations; organized crime's increasing domination over the commercial sexual exploitation of children; the current state of the U.S. government's transnational anti-trafficking efforts; the myriad international legal instruments designed to enhance transnational enforcement efforts; how, during investigations and trials, to avoid re-injuring the child-victims; the hallmarks of an effective trial strategy; the most promising investigative and trial avenues for the defense; and, what contemporary research tells us about charging and sentencing-related issues,

including victimization and recidivism rates. Taught by federal district court judge, Hon. Virginia M. Kendall.

Winter 2013 - Virginia M. Kendall

Civil Rights Clinic: Police Accountability

LAWS 90913 - 01 (1) +, a, w, s, x

The Civil Rights and Police Accountability Project (PAP) is one of the nation's leading law civil rights clinics focusing on issues of criminal justice. Through the lens of live-client work, students examine how and where litigation fits into broader efforts to improve police accountability and ultimately the criminal justice system. Students provide legal services to indigent victims of police abuse in federal and state courts. They litigate civil rights cases at each level of the court system from trial through appeals. Some students also represent children and adults in related juvenile or criminal defense matters.

Students take primary responsibility for all aspects of the litigation, including client counseling, fact investigation, case strategy, witness interviews, legal research, pleadings and legal memoranda, discovery, depositions, motion practice, evidentiary hearings, trials, and appeals. A significant amount of legal writing is expected. Students work in teams on cases or projects, and meet with the instructor on at minimum a weekly basis.

Students also take primary responsibility for the Clinic's policy and public education work. PAP teaches students to apply and critically examine legal theory in the context of representation of people in need. It teaches students to analyze how and why individual cases of abuse occur and to connect them to systemic problems, often leading to "public impact" litigation and other strategies for policy reform. Through our immersion in live client work, we engage fundamental issues of race, class, and gender, and their intersection with legal institutions. We instruct students in legal ethics and advocacy skills. And we seek to instill in them a public service ethos, as they begin their legal careers.

Students are required to complete, prior to their third year, Evidence, Criminal Procedure I, and the Intensive Trial Practice Workshop. Constitutional Law III is also recommended.

Autumn 2012 - Craig B. Futterman

Civil Rights Clinic: Police Accountability

LAWS 90913 - 01 (1) +, a, w, s

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Students are required to complete, prior to their third year, Evidence, Criminal Procedure I, and the Intensive Trial Practice Workshop. Constitutional Law III is also recommended.

Spring 2013 - Craig B. Futterman

Closing a Deal: Structuring and Documentation of a Secured Loan Transaction

LAWS 71403 - 01 (2) s, x, m

This seminar will cover the structuring, documentation and closing of a secured loan transaction from the perspective of the secured lender. As counsel for the secured lender we will first consider the best structure for the proposed loans and how both the organization and working capital needs of the borrowers and the underwriting and regulatory constraints of the secured lender influence this structure. We will next assess commitment documentation and syndication. The majority of our time will then be spent analyzing transaction documentation, progressing from the organization of the closing checklist to the negotiation of the credit agreement and finally to the perfection of liens. In this seminar we will discuss not only why transactions and documentation are structured the way they are and the meanings of standard credit document provisions, but also the practical implications for any commercial finance associate living through the transaction. Autumn 2012 - Erin Casey

Collective Bargaining in Sports and Entertainment

LAWS 63903 - 01 (2) w, x, m

This seminar examines collective bargaining in the contexts of professional sports and entertainment. The Sherman Act and Clayton Act are studied in light of antitrust exemptions that apply to monopolistic employment arrangements such as the reserve system (its opposite is called free agency), the draft and exclusive rights for a player, eligibility restrictions for star amateurs, and other anticompetitive practices in music, theater, movie, TV, and sports settings. The seminar explores how unions have evolved as potent employee responses to highly restrictive employment practices. The seminar readings examine powerful weapons under the National Labor Relations Act that unions may use to counteract employer cartels in theater, movies, baseball, football, basketball, hockey, and related industries. These weapons include full and partial and intermittent strikes, as well as strike threats. The seminar examines how these bargaining tactics enable rank-and-file employees, and star performers, to share in the wealth that they generate in combination with capital investments made by employers.

The seminar emphasizes writing. Students are assigned weekly question sets, and are expected to submit a seminar paper based on the cumulation of these exercises. Attendance is required; and unexcused absences may result in a course grade deduction.

Autumn 2012 - Michael H. LeRoy

Commercial Real Estate Transactions

LAWS 44801 - 01 (3) +, s, x

This course will address fundamental legal and business aspects of acquisition and disposition of income producing real property. The materials and class discussion will focus on investment and tax considerations, capital structure, transaction due diligence, typical contract issues and closing matters.

The grade will be determined by an in-class examination.

Winter 2013 - James B. Rosenbloom

Commercial Transactions - Negotiation, Drafting, and Analysis

LAWS 48604 - 01 (3) s, x, u

This simulation class provides intensive instruction in the negotiation, drafting, and analysis of complex commercial contracts. Students will develop the skills necessary to (i) translate a business deal into clear and concise contract terms, (ii) negotiate and draft various types of commercial contracts across multiple industries, and (iii) effectively and efficiently communicate complex commercial and contractual legal issues to clients.

Grades will be based upon substantial weekly written exercises and productive class participation.

Spring 2013 - Seth McNary

Comparative Constitutional Design

LAWS 50102 - 01 (3) r, w, c/l, x, m

Recent constitutional reconstructions in Iraq and Afghanistan have called new attention to the problems of institutional design of political systems. In this seminar we will examine the design and implementation of national constitutions. In particular, we will address the following questions. What are the basic elements of constitutions? How do these elements differ across time, across region, and across regime type? What is the process by which states draft and implement constitutions? What models, theories, and writings have influenced the framers of constitutions?

In this seminar, we will review the historical roots of constitutions and investigate their provisions and formal characteristics. We will also discuss the circumstances surrounding the drafting of several exemplary or noteworthy constitutions, from various regions of the world. We will then examine particular features of institutional design in depth, and analyze the factors that make constitutions effective and enduring.

Autumn 2012 - Thomas Ginsburg

Comparative Legal Institutions

LAWS 50101 - 01 (3) r, e, x

This course is designed to examine a range of legal institutions from a comparative and interdisciplinary perspective. It is not a traditional course in comparative law, in that it focuses not so much on particular rules of substantive law but on the structure of different legal systems and the consequences of those structural differences for law and society, especially for economic development. Readings will be drawn from legal and social science literature, including works from anthropology, economics, political science and sociology. The course will explicitly cover non-Western legal traditions to an extent not found in conventional comparative law courses. The course will conclude with reflections on what a comparative perspective tells us about American legal institutions.

Course grades will be given on the basis of a take-home written exam, with a small component for class participation. There is a paper option for 2L, 3L and LLMS, but it is limited for 1L students.

Spring 2013 - Thomas Ginsburg

Competition Policy in the European Community

LAWS 75402 - 01 (2 to 3) w, x, m

This seminar provides an introduction to the law and practice of competition policy of the European Union. It will focus particularly on the economic reasoning behind the design of EU competition law and its application to particular business practices. The seminar first focuses on the objectives of competition policy in the EC including its foundations in a particular economic approach to competition policy known as the *ordo-liberal* school. It will then cover the major areas of EC competition law including cartels and the exemptions for cooperative behavior; abuse of dominance including essential facilities, tying, bundled rebates, and exclusive dealing; and mergers. It will also examine State aid policy under the EC treaty including the rationale for prohibiting state subsidies of industry and the application of State aid by the European Commission and courts. The seminar will introduce students to the major EU cases, with a particular focus on recent Commission decisions and court judgments, and to efforts to introduce economic reasoning into EU competition law and to move from form-based to effects-based analyses.

Grade will be based on a final in-class examination and an optional paper (to receive 3 credits).

Spring 2013 - David S. Evans

Complex Litigation

LAWS 52412 - 01 (2) s, x, m

An advanced civil procedure class, this seminar will introduce students to complex civil litigation, and the various ways available in the federal system to aggregate multi-party, multi-issue, and multi-forum disputes. The class will cover both the theory of the various laws and devices used in aggregation, and also the practical aspects of how those laws and theories succeed (or not) in achieving fair and efficient disposition of disputes. Topics covered will include the various mechanisms for aggregating parties, including joinder, intervention, interpleader, and class actions; relevant venue and consolidation considerations, including multi-district transfer and consolidation; federal jurisdiction and preclusion rules that affect aggregation; and relevant choice of law issues.

Grading will be based on an open-book take-home final examination, with some account taken of class participation.

Spring 2013 - Brian Murray

Complex Mental Health Litigation Clinic

LAWS 67014 - 01 (2) +, a, w, s, x

The Complex Mental Health Litigation Clinic teaches litigation skills. Under the supervision of the clinical teacher, students engage in systemic litigation on behalf of indigent, mentally ill clients and not-for-profit mental health organizations under the auspices of the Law School's Edwin F. Mandel Legal Aid Clinic. Students may interview clients and witnesses; research and draft pleadings and legal memoranda, including briefs to reviewing courts; conduct formal and informal discovery; negotiate with opposing counsel and others; conduct evidentiary hearings and trials; and present oral argument in trial and appellate courts. Students who have completed sixty percent of the credits needed for graduation will be licensed to

appear, under the supervision of the clinical teacher, in state and federal trial and appellate courts pursuant to court rules and practices. In addition to discrete advocacy skills such as cross-examination, discovery planning, and legislative drafting, the course aims to provide students with an understanding of the relationships between individual advocacy tasks and the ultimate goals of clients, and between advocacy on behalf of individual clients and advocacy for systemic change.

See the general rules for all clinical courses for further details concerning enrollment, including the rules governing the award of credit.

The Complex Mental Health Litigation Clinic satisfies part of the writing requirement if substantial written work is completed.

Students will ordinarily be expected to enroll for all six quarters during their second and third years.

Students are required to enroll in both Evidence and Pre-Trial Advocacy during their 2L year.

The course includes a mandatory one-hour weekly classroom component during the Fall Quarter of the student's 2L year for which one credit will be awarded.

The grade will be based entirely upon the student's performance representing clients in litigation.

Autumn 2012 - Mark J. Heyrman

Complex Mental Health Litigation Clinic

LAWS 67014 - 01 (1) +, a, w, s

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See the general rules for all clinical courses for further details concerning enrollment, including the rules governing the award of credit.

The Complex Mental Health Litigation Clinic satisfies part of the writing requirement if substantial written work is completed.

The grade will be based entirely upon the student's performance representing clients in litigation.

Students will ordinarily be expected to enroll for all six quarters during their second and third years.

Students are required to enroll in both Evidence and Pre-Trial Advocacy during their 2L year.

Winter 2013 - Mark J. Heyrman

Complex Mental Health Litigation Clinic

LAWS 67014 - 01 (1) +, a, w, s

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Students are required to enroll in both Evidence and Pre-Trial Advocacy during their 2L year.

The grade will be based entirely upon the student's performance representing clients in litigation.

Spring 2013 - Mark J. Heyrman

Computer Crime

LAWS 68402 - 01 (2 to 3) w, x, m

This seminar will explore the legal issues involved in the investigation and prosecution of computer crime. We will examine how computers and network technologies are challenging settled legal understandings of the Fourth Amendment, the First Amendment, and the laws of electronic surveillance. The first part of the seminar will address the prosecution of substantive computer crime, which falls into two general categories: computer misuse offenses and traditional crimes facilitated by computers. The second part of the seminar will cover computer crime procedure. We will evaluate the statutory and constitutional regimes that govern the investigation of computer crime, including the Electronic Communications Privacy Act, the Wiretap Act, and the Foreign Intelligence Surveillance Act.

Our primary source will be a casebook: ORIN KERR, *COMPUTER CRIME LAW* (2nd ed. 2009). In addition to the casebook, I will be providing supplemental materials as listed in the syllabus.

Students are required to participate in class sessions, prepare discussion papers, and write a paper on an approved topic. Students may opt to write a major research paper for three credits.

Winter 2013 - William Ridgway

Constitutional Decisionmaking

LAWS 50202 - 01 (3) +, r, w, s, m

Students enrolled in this seminar work as courts consisting of five Justices each.

During each of the first eight weeks of the quarter, the courts are assigned several hypothetical cases raising issues under either the Equal Protection Clause or the First Amendment's guarantee of freedom of speech and press. Each court must select in advance whether it will focus on equal protection or the First Amendment. All cases must be decided with opinions (concurring and dissenting opinions are, of course, permitted). The decisions may be premised on the legislative history of the amendment (materials on that history will be provided) and on any doctrines or precedents created by the Justices themselves. The Justices may not rely, however, on 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.

Constitutional Law is not a prerequisite for participation in this seminar. Enrollment will be limited to three courts.

Since the members of each court must work together closely under rigid time constraints, it is preferable for students to form their own complete courts.

Winter 2013 - Geoffrey R. Stone

Constitutional Law I: Governmental Structure

LAWS 40101 - 01 (3) x

This course analyzes the structure of American government, as defined through the text of the Constitution and its interpretation. The major subjects covered are the allocation of powers among the legislative, executive, and judicial branches; the function of judicial review; and the role of the states and the federal government in the federal structure.

The student's grade is based on class participation and a final examination.

Autumn 2012 - Justin Driver

Constitutional Law I: Governmental Structure

LAWS 40101 - 01 (3) x

This course analyzes the structure of American government, as defined through the text of the Constitution and its interpretation. The major subjects covered are the allocation of powers among the legislative, executive, and judicial branches; the function of judicial review; and the role of the states and the federal government in the federal structure.

The student's grade is based on class participation and a final examination.

Winter 2013 - Aziz Huq

Constitutional Law II: Freedom of Speech

LAWS 40201 - 01 (3)

A study of the doctrine and theory of the constitutional law of freedom of speech. The subjects for discussion include advocacy of unlawful conduct, defamation, invasion of privacy, commercial speech, obscenity and pornography, offensive speech, symbolic expression, restrictions on the speech of government employees, restrictions on speech in schools and colleges, the relevance of free speech principles to museums and libraries, protest in public places, regulation of campaign expenditures and communications, freedom of the press as a distinct principle, and regulation of the electronic media.

Students who have completed Constitutional Law IV are ineligible to enroll in this course.

The student's grade is based on a final examination and class participation.

Winter 2013 - Geoffrey R. Stone

Constitutional Law III: Equal Protection and Substantive Due Process

LAWS 40301 - 01 (3) x

This course considers the history, theory, and contemporary law of the post-Civil War Amendments to the Constitution, particularly the Equal Protection and Due Process Clauses of the Fourteenth Amendment. The central subjects are the constitutional law governing discrimination on the basis of race, gender, and other characteristics, and the recognition of individual rights not explicitly enumerated in the Constitution. Throughout, students consider certain foundational questions, including the role of courts in a democracy and the question of how the Constitution should be interpreted.

The student's grade is based on a final examination.

Autumn 2012 - David A. Strauss

Constitutional Law III: Equal Protection and Substantive Due Process

LAWS 40301 - 01 (3)

This course considers the history, theory, and contemporary law of the post-Civil War Amendments to the Constitution, particularly the Equal Protection and Due Process Clauses of the Fourteenth Amendment. The central subjects are the constitutional law governing discrimination on the basis of race, gender, and other characteristics, and the recognition of individual rights not explicitly enumerated in the Constitution. Throughout, students consider certain foundational questions, including the role of courts in a democracy and the question of how the Constitution should be interpreted.

The student's grade is based on a final examination.

Spring 2013 - Gerald N. Rosenberg

Constitutional Law V: Freedom of Religion

LAWS 40501 - 01 (3) +, w

This course explores religious freedom in America, integrating First Amendment doctrine and broader philosophical antecedents.

It is recommended that students first take Constitutional Law I.

Students who have completed Constitutional Law IV are ineligible to enroll in this course.

Grading will be based on a scholarly paper or a final examination, with class participation taken into account.

Autumn 2012 - Jeremy G. Mallory

Construction Law

LAWS 44032 - 01 (3)

Construction contracts are among the more complex types of legal arrangements, involving multiple actors (governments/regulatory agencies, developers/owners, contractors, subcontractors, equipment suppliers, sureties, insurers and financing parties) and multiple areas of the law (contracts; procurement; torts; insurance; environmental concerns; dispute resolution). The course will provide an introduction to the legal aspects of the construction process, including the relationships between and the risk allocations among the members of the construction team, as well as the resolution of disputes which arise out of the design and construction of heavy industrial and commercial projects. The standard US and international forms of contracts (AIA, FIDIC) will be reviewed and discussed.

Autumn 2012 - Thomas J. Vega-Byrnes

Consumer Law

LAWS 57502 - 01 (3) +

This course examines the legal framework for consumer protection law in the United States. It explores the federal and states' consumer protection legislation as well doctrines of common law that limit unfair and deceptive contract practices. The course will pay special attention to consumer financial and mortgage protection and consumer protection on the Internet.

Winter 2013 - Omri Ben-Shahar

Contract Drafting and Review

LAWS 79912 - 01 (2) s, x, m

This seminar will serve as an introduction to contracting drafting and how such drafting differs from other types of legal writing. We will start with the basic "anatomy of a contract," discussing the meaning, use and effect of various provisions. The seminar will address not only legal drafting issues, but also how to understand a client's practical business needs in order to effectively use the contract as a planning and problem solving tool. Students will draft and review specific contract provisions, and will learn how to read, review and analyze contracts with an eye toward both legal and business risk issues.

Grades will be based upon class participation, a series of weekly drafting exercises, and a final take-home assignment.

Autumn 2012 - Joan E. Neal

Contract Law for LLM Students

LAWS 48605 - 01 (3) +

This course in contracts is designed for LLM students in lieu of attending a regular 1L course. It will cover both common law and statutory law and focus on both case analysis and application to real world problems.

In lieu of an exam students will turn in short assignments. The class will culminate in the negotiation and drafting of a commercial agreement. The class assumes no knowledge of contract law in the US, but that the student has taken a contracts class in another jurisdiction (a general civil law class meets this requirement). Bring your practice experience with you, we can learn from one another!

Spring 2013 - Lisa Bernstein

Contract Negotiation: Outsourcing

LAWS 79913 - 01 (3) s, x, u

This class will provide students with the opportunity to participate in a simulated contract negotiation for the outsourcing of services. Students will be divided into "buyers" and "sellers" and then paired up to draft, review, revise, negotiate and finalize a contract with their opposing counsel partner(s) by the end of the quarter, with a focus on risk assessment and risk mitigation in the contract. Instructors will act as the clients for the two sides of the transaction, providing necessary business and legal guidance to their students/counsel over the course of the simulation. The simulation will require not only in-class participation, but also negotiation sessions to be scheduled by the teams between class meetings. The simulation may begin with a Request for Proposal ("RFP") and/or term sheet, and continue through the drafting and completion of an agreement.

Grades will be based upon class participation (including the ability to work with others in a collaborative and effective manner) and the instructors' review of the final agreement(s) reached by the parties.

Group work outside of class is required.

Winter 2013 - Joan E. Neal; David J. Zarfes

Contracts and Commercial Transactions

LAWS 91553 - 01 (3) s, x

The objective of this course is to familiarize the student with contracts as used by sophisticated parties. Accordingly, this course will explore "real-world" contracts actually entered into by "real-world" companies—the Coca-Cola's, Microsoft's, and HP's of the world. Through this course, the student will attain a certain facility with agreements, their organization and structure, their language, and their provisions (and the interaction of these provisions). In addition to looking at contracts through the eyes of parties and practitioners, the course will pay considerable attention to how courts have treated various contractual provisions, exploring areas of substantive law—including, and in addition to, contract law—to the extent relevant. The examination of actual contracts will begin with non-disclosure agreements and will proceed into employment agreements, services agreements, and agreements for the sale of goods. Depending on time (and student interest), we may also delve into lending and/or merger-and-acquisition agreements. Readings will include comments from leading practicing attorneys (from law firms such as Sidley, Kirkland, and Cravath, and from legal departments at companies such as Microsoft, Accenture, and JPMorgan).

The student's grade will be based on in-class participation as well as a mid-term exercise and a take-home final exam. The mid-term exercise will involve substantial time spent outside of class negotiating and drafting an agreement and writing a

memorandum analyzing this agreement. The take-home final exam will require the student to apply the tools and concepts developed by reviewing and working with contracts throughout this course to an agreement not presented in class or the materials. The course will require substantial out of class work and class participation will count toward the grade. Students will be negotiating and drafting contracts outside of class. This course is highly recommended for those students interested in taking other transactional offerings at the Law School, including (but, of course, not limited to) the Corporate Lab: Transactional Clinic.

Autumn 2012 - David J. Zarfes; Michael L. Bloom

Copyright

LAWS 45801 - 01 (3) x

Copyright protects works of original expression. This course covers the nature of copyright protection, the scope of copyright rights, and various limitations on those rights. Internet issues are woven through all parts of the course, as are music and video.

Autumn 2012 - Rebecca L. Tushnet

Corporate and Entrepreneurial Finance

LAWS 42603 - 01 (3) x

This course uses the case method to study the practical aspects of important topics in corporate and entrepreneurial finance. We will apply the concepts and techniques of corporate finance to actual situations. The course is roughly divided into four sections: (1) financing decisions; (2) investment decisions; (3) entrepreneurial finance; and (4) private equity finance.

In addition to analyzing the specific financing problems or issues, we will consider how those issues relate to the strategic objectives of the firm. It will be important to examine the "big picture" assumptions that are used in the numerical calculations.

This course also places a strong emphasis on presentation and discussion skills. It will be important to explain your positions or arguments to each other and to try to argue for the implementation of your recommendations.

Recommended prerequisite: Students should have some understanding of accounting.

Grading will be based on class participation, the short memoranda and a final examination.

Class participation will count for 40% of the final grade. I will judge your performance based both on the quality and the quantity of your comments. Because so much of the learning in this course occurs in the classroom, it is very important that you attend every class.

The memoranda will count for 10% of the final grade.

The final examination will count for 50% of the final grade. The final examination will be an individual take home case analysis. You will have approximately one week to work on the case.

Spring 2013 - Steven N. Kaplan

Corporate Criminal Prosecutions and Investigations

LAWS 66702 - 01 (2) x, m

The criminal investigation and prosecution of large-scale corporate fraud is the hottest area of focus for prosecutors and the criminal defense bar. This seminar is designed for students interested in learning about the various aspects of uncovering, investigating, defending, and prosecuting corporate crimes; reporting findings to clients and government authorities; strategic considerations for the prosecutor and defense lawyer in white collar criminal investigations; prosecutorial charging policies and decisions; pre-trial diversion and non-prosecution agreements; and the Foreign Corrupt Practices Act. The class will introduce students to this multi-faceted area of the law, and expose students to real-world considerations involved in advising corporate clients and their officers, directors, and employees. The seminar will address legal and practical issues and concerns from the perspective of the prosecutor, the defense attorney, and in-house counsel.

This is a two-credit class.

The student's grade will be based on a final examination and class participation.

Winter 2013 - Andrew S. Boutros; William R. Hogan

Corporate Finance

LAWS 42501 - 01 (3) +, x

This course examines basic corporate financial matters, including valuation of securities and projects, portfolio theory, returns to risk bearing, the theory of efficient capital markets, the use and valuation of options and derivatives, and corporate capital structure. The course primarily focuses on the financial aspects of these matters rather than on any specific laws governing particular transactions, and the textbook is a basic business school corporate finance textbook.

Students with substantial prior exposure to these issues (such as students with an MBA, joint MBA/JD, and undergraduate business or finance majors) are ineligible for the course.

A student's grade is based on occasional homework assignments (graded pass-fail) and a proctored final examination.

Autumn 2012 - Edward R. Morrison

Corporate Governance

LAWS 75001 - 01 (2 to 3) w, x, m

Through the production of goods and services, innovation, employment and occasional misbehavior, publicly-held corporations in the U.S. exert an enormous impact on the lives of individuals and the economy in general. How (and how well) corporations are governed greatly influences what that impact will be. Since the early 1990s, there has been a significant increase in the attention given to corporate governance by investors, lawyers, academicians, politicians and the press. This seminar will provide students with a deep understanding of applicable legal, regulatory and market influences on corporate governance, an appreciation for the historical development of the current system of governance and insights into current "hot" issues and the continuing evolution of governance. We will discuss critical issues such as for whose benefit is a corporation to be governed and what is the proper balance of decision-making authority between owners and managers. There will be a heavy emphasis on the role of counsel to the enterprise as a whole and on

the practical aspects of advising officers and directors, including the coordination of multi-disciplinary teams.

Corporations and securities law courses provide highly desirable background, but are not prerequisites.

Grades will be based upon: a final take-home exam (2 credits), or a final take-home exam plus a 10-12 page research paper (3 credits), or a full-length paper (3 credits).

In all instances, class participation will also be taken into account.

Enrollment will be limited to 25 students; MBA students from Booth will be welcome.

Spring 2013 - Thomas A. Cole

Corporate Governance in China

LAWS 80804 - 01 (3) w, x, m

China leads the world in economic growth but trails significantly in corporate governance. The government is gradually upgrading the legal and regulatory framework, but progress is slow – and transparency and compliance still vary widely across state-owned, publicly-listed, and private firms. Ethics and social customs, which are central to reform, are even more problematic than structure and proving even more difficult to change. As Chinese stock prices continue to fall, stock market confidence is disappearing, and global investors are demanding reform. Given the SEC's recent demand to see the work papers of American audit firms in order to protect American shareholders – and China's continuing need to access to foreign capital markets – Chinese corporate governance is evoking questions of sovereignty and moving to the center stage of U.S.-China relations.

This seminar will address the current status of corporate governance in China as contrasted with Western practices, high-profile cases, contributing factors, and recent trends in reform. The seminar will be highly interactive. For example, one unique portion of the course will involve extensive role-playing of a major crisis scenario, in which students will extensively role-play executives, directors, and regulators. Grading will be determined by class participation and by performance across three short papers. The first paper will involve a comparison of Chinese and Western corporate governance methods; the second will focus on a recent case and provide analysis and commentary; and the third will require generation of a hypothetical governance crisis, the best of which will be considered for inclusion in a monograph containing future scenarios to be published in 2013.

Autumn 2012 - Tom J. Manning

Corporate Lab: Transactional Clinic

LAWS 91562 - 01 (3) +, a, s, x

This transactional clinic provides students with a forum for working closely with legal teams at various major companies (including those in the technology, consulting, telecommunications, finance, healthcare, insurance, and emerging-business sectors). The Corporate Lab aims to teach practical legal skills and knowledge both by having students work on actual projects and through classroom instruction and discussion. In addition, students will have the opportunity to hear from, and interface with, seasoned practitioners from leading law firms. This class mirrors a real-world work experience: Students will receive hands-on substantive

and client-development experience and will be expected to manage and meet expectations (e.g., deadlines) while exercising a high level of professionalism. As a result, this class is likely to involve a significant time commitment (with a substantial amount of work to be completed outside of class), and students will get out of the Lab what they put into it.

Student grades will be based upon participation in the classroom, appropriate attention to client service, collaborative efforts within a team environment, and quality of work product. This offering will not count toward seminar restrictions. Please note that students who register are expected to remain in the course for three consecutive quarters, and that students may not take the Corporate Lab for more than nine credits. Students may be required to sign nondisclosure agreements with participating companies. While certainly not a prerequisite, "Contracts and Commercial Transactions" (offered in Autumn quarters) is strongly recommended for all students to take prior to, or concurrent with, taking this class. LL.M. students by instructor permission only.

Autumn 2012 - David J. Zarfes; Michael L. Bloom; Sean Z. Kramer

Corporate Lab: Transactional Clinic

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Winter 2013 - David J. Zarfes; Sean Z. Kramer

Corporate Lab: Transactional Clinic

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Spring 2013 - David J. Zarfes; Sean Z. Kramer

Corporate Management and Decisionmaking

LAWS 75003 - 01 (3) x, m

This seminar will introduce students to the functions and duties of directors and boards, and to the topics boards in the United States most commonly face. The content will be applicable to both public and private corporations and not for profit organizations. The differences in corporate governance in other countries, as well as current trends in corporate governance, will be discussed. The topics covered include the role of Directors and the Board in: Board Development; Board Member Selection & Evaluation; Board Responsibilities & Legal and Compliance Duties; Sarbanes Oxley; Fiduciary Integrity; CEO Selection, Evaluation, and Succession Planning; Compensation Practices Corporate Strategy; Shareholder Communications; Crisis, Bankruptcy, and Dissidents; Private Firms and Not For Profit Organizations; International Governance; and Global Trends.

The seminar utilizes the case method and practical examples of real situations are discussed each week. For students to benefit from the course, they must prepare thoroughly for, and actively participate in each class. Students will be part of a 5 person group in the course. Each group will prepare a 2 page weekly paper on the case being discussed starting in week 2. Each group will also research and prepare one paper on international governance in a specific country. Each group will present their paper to the class. There will be no exams. Class participation and contribution will be an important part of the grade and each student has the responsibility of making a contribution in each class. Students will organize study groups of five

and their grade will be a group grade for the weekly papers and the international project.

The group grades will be adjusted to reflect individual contribution of the team members at the end of the course. The weighting of the three factors is as follows. Individual Class Participation 30%, Group Weekly Papers 40%, and Group International Project 30%.

The seminar cannot be taken pass/fail.

Auditors will not be admitted to class.

Winter 2013 - Dennis H. Chookaszian

Corporate Reorganizations

LAWS 73702 - 01 (3) +

This course studies reorganizations under Chapter 11 of the Federal Bankruptcy Code. The focus of the course will be upon the important questions that arise in the restructuring of large corporate enterprises, in particular the process of forming and confirming plans of reorganization.

Bankruptcy (LAWS 73601) is a prerequisite for this course.

The student's grade will be based on a final examination.

Open to MBA students.

Spring 2013 - Douglas G. Baird

Counterintelligence and Covert Action - Legal and Policy Issues

LAWS 70706 - 01 (3) w, x, m

This seminar will focus on the legal framework for counterintelligence and other instruments of national power that seek to neutralize and/or exploit our adversaries' intelligence activities against US national security interests. Such adversaries may include foreign intelligence services, terrorists, foreign criminal enterprises, cyber intruders, or some combination thereof. The seminar will consider both legal and policy issues raised in efforts to prevent adversarial espionage action -- overt, covert, or clandestine -- targeting US military, diplomatic, and economic interests at home and abroad. The seminar will also explore the role and overlap of covert action, roughly defined as action intended to influence events in another nation or territory without revealing the involvement of the sponsor. Care will be taken to consider less frequently discussed implications for domestic and international economies and markets, as well as the extent to which economic and market considerations motivate policy making or legal decisions. The seminar will include short case studies from the Cold War and post-Cold War eras in the US, Latin America, the Middle East, and the former USSR.

The seminar is designed to minimize overlap with the material covered in The Law of Counterterrorism (LAWS 70704) and National Security Issues (LAWS 70703) by primarily focusing attention on state actors rather than nonstate actors.

Grades will be based upon a final paper, short weekly response papers, and reasonable class participation.

Autumn 2012 - Stephen J. Cowen

Court Reform in the Juvenile Justice System

LAWS 60103 - 01 (1) a, r, w, x, m

The social scientific literature suggests that adults' experience in court has important effects on their attitudes about legal institutions and their obligation to obey the law. But little attention has been paid to the developmental effects of adolescents' experience in juvenile court, despite the fact that young people's very presence in juvenile court suggests that they are at special risk of developing anti-social attitudes about the law and legal institutions. The aim of this seminar is to study young people's experience in juvenile court, and to propose a set of procedural reforms designed to enhance the opportunities for positive legal socialization afforded in juvenile court proceedings.

The seminar will span the entire year, meeting roughly three times per quarter, to allow time for ongoing research, collaboration, and writing. Seminar participants will read and discuss leading works on juvenile justice reform, discuss relevant issues with experts in the field, observe juvenile justice proceedings, and collaborate in the development of reforms.

Written work will include shorter "response" papers and one longer paper, which can qualify for substantial writing credit.

Participation is limited to 10 students, and year-long participation is required.

Autumn 2012 - Emily Buss

Court Reform in the Juvenile Justice System

LAWS 60103 - 01 (1) +, a, r, w, m

The social scientific literature suggests that adults' experience in court has important effects on their attitudes about legal institutions and their obligation to obey the law. But little attention has been paid to the developmental effects of adolescents' experience in juvenile court, despite the fact that young people's very presence in juvenile court suggests that they are at special risk of developing anti-social attitudes about the law and legal institutions. The aim of this seminar is to study young people's experience in juvenile court, and to propose a set of procedural reforms designed to enhance the opportunities for positive legal socialization afforded in juvenile court proceedings.

The seminar will span the entire year, meeting roughly three times per quarter, to allow time for ongoing research, collaboration, and writing. Seminar participants will read and discuss leading works on juvenile justice reform, discuss relevant issues with experts in the field, observe juvenile justice proceedings, and collaborate in the development of reforms.

Written work will include shorter "response" papers and one longer paper, which can qualify for substantial writing credit.

Participation is limited to 10 students, and year-long participation is required.

Winter 2013 - Emily Buss

Court Reform in the Juvenile Justice System

LAWS 60103 - 01 (1) +, a, r, w, m

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Spring 2013 - Emily Buss

Criminal and Juvenile Justice Project Clinic

LAWS 67213 - 01 (1) +, a, s, x

The Juvenile and Criminal Justice Clinic provides legal representation to poor children and young adults accused of delinquency and crime. The Clinic is a national leader in expanding the concept of legal representation to include the social, psychological and educational needs of clients. Students will learn strategy, pre-trial, and trial skills while applying legal theory. Students will examine the juvenile and criminal justice systems relationship to the poor and marginalized through litigation, legislative advocacy, and public education, including the development of policies for crime and violence prevention and system reform. Students will draft motions, briefs, memoranda, and pleadings in state, appellate and federal courts as required. They will interview clients and witnesses; inspect crime scenes; conduct fact investigations; and develop effective pre- and post-trial strategies, including alternatives to incarceration. Licensed students will appear in court, argue contested motions, negotiate with opposing counsel, and generally second-chair trials. Licensed students may also present oral argument before appellate courts. All students will participate in community, professional and bar association activities. Students work in teams to foster collaboration and ensure continuity in representation. The Clinic social worker and social work students are involved in many of the cases and activities. All students are encouraged to work creatively, and across disciplines. Participation includes a weekly hour meeting. Students wishing to enroll are encouraged to take Evidence in their second year. Other recommended courses: Criminal Procedure, Juvenile Justice, and Intensive Trial Practice Workshop or Trial Advocacy. Students may continue in the clinic throughout their 2 and 3L years: academic credit varies and will be awarded according to the Law School's general criteria for clinical courses and by the approval of the clinical staff.

Autumn 2012 - Herschella G. Conyers; Randolph N. Stone

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Spring 2013 - Herschella G. Conyers; Randolph N. Stone

Criminal Procedure I: The Investigative Process

LAWS 47201 - 01 (3)

The course focuses on the constitutional law that governs searches, seizures, and confessions. The course considers in detail the evolution of the exclusionary rule and the development and administration of the probable cause and warrant requirements. It also examines stop and frisk, administrative searches, searches incident to arrest, vehicle searches, consent searches, and the admissibility of confessions.

The student's grade is based on a final examination.

Spring 2013 - Richard H. McAdams

Criminal Procedure I: The Investigative Process

LAWS 47201 - 02 (3)

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The student's grade is based on class participation a final in-class examination.

Spring 2013 - Richard A. Epstein

Current Controversies in Corporate and Securities Law

LAWS 52202 - 01 (3) w, x, m

This seminar deals with the most important developments in U.S. (and to some extent global) corporate and securities practice during the preceding year. The seminar and discussions provide analysis of the legal, political, and economic implications of these Developments.

Each student submits one paper and gives an oral presentation and analysis of another student's paper.

Winter 2013 - Richard Shepro

Developing Law Practice Skills through the Study of National Security Issues

LAWS 70703 - 01 (3) +, s, x, m

My purpose is to help students improve the skills required for successful law practice (regardless of setting) through the analysis and oral and written presentation of current national security issues (such as indefinite incarceration, rendition, assassination, Presidential power, electronic surveillance, and cyberwarfare).

Students will form teams of 2-4 persons.

Each team will present a topic to the class, which will be expected to participate on an informed basis.

Students will also write a short research paper.

Prerequisite: Constitutional Law or equivalent.

Spring 2013 - Robert A. Helman

Divorce Practice and Procedure

LAWS 93202 - 01 (3) +, w, s, x, u

This class provides an exposure to the dynamic process of representing clients in a dissolution of marriage case. The class will familiarize you with the complexities that arise when a family is divided and wife and the parties are dissolving their marriage. Topics are covered in the sequence of an evolving case from the perspective of a practicing lawyer and include: determination of jurisdiction; interstate and international parental kidnapping; domestic violence and property injunctions; temporary and permanent child custody and visitation; temporary and permanent maintenance for spouse and support for children; awards of attorneys fees and costs; exploration of property rights and factors for determining a division; the valuation issues when dividing certain types of property; pre- and post-marital agreements; pretrial discovery; common evidentiary issues; federal tax aspects of marital dissolution and effects of bankruptcy.

Forty percent of the student's grade is based on class participation, and sixty percent on the drafting of legal memoranda.

Writing for this class may be used as partial fulfillment of the JD writing requirement (WP).

Completion of a basic Family Law class is recommended but not required.

Autumn 2012 - Donald Schiller; Erika N. Walsh

Drafting Contracts: The Problem of Ambiguity

LAWS 79910 - 01 (2) s, x, m

This seminar is unique. It is a very interesting, very intellectual, and very practical learning experience. The main features are:

1. Students will learn some extremely useful tools for analyzing and drafting contracts. They will acquire them by an inductive process of reviewing many examples of ambiguity from case law, eminent legal scholars, and the lecturer's practice. They will learn to identify and eliminate ambiguity in drafting contracts. These tools are the creation of the lecturer and will give students unique practical skills that no other American law students (except the lecturer's prior students) have.
2. The course materials come from the in-house seminars for the firm's China Practice lawyers that the lecturer conducted for many years as a partner at Baker & McKenzie and that established the profession's best practices for China-related contracts.
3. The historical examples of ambiguity in the seminar are of human, as well as intellectual, interest. They show that ambiguity can lead to the hanging of an individual for piracy or treason, a damages award of more than U.S. \$10 billion, and even a change in the course of World War II.

4. The seminar facilitates student learning. At the beginning of each class, an audience response system (called “clickers”) provides students immediate, comparative, and anonymous feedback on their understanding of the reading assignment. The course also allows each student to see what he or she has learned in the course by comparing his or her analysis of a specific contract for the first class and for the last class. This contract analysis, like the final exam, gives each student the experience of a practicing lawyer reviewing a contract.

Grades will be based on a proctored final exam.

Winter 2013 - Preston M. Torbert

Economic Analysis of the Law

LAWS 73201 - 01 (3) c/l

This course introduces the concepts of law and economics. Over the last forty years, economics has become an important tool for those who want to understand the effect legal rules have on the way people behave. This course also explores the extent to which the principles of economics can be used to explain the workings of the legal system itself. The topics covered in this course include the Coase theorem, the choice between property and liability rules, the allocative effects of alternative liability rules (e.g., strict liability versus negligence); the determination of damages for breach of contract; and the economics of legal procedure.

No prior acquaintance with economics or calculus is assumed; the relevant economic concepts are developed through an examination of particular legal applications.

The student’s grade is based on a final examination.

Autumn 2012 - Anup Malani

Election Law

LAWS 95903 - 01 (3) r

This course examines the law, both constitutional and statutory, that governs the American electoral system. Topics covered include the right to vote, reapportionment and redistricting, minority representation, the regulation of political parties, and campaign finance. The course draws heavily from both legal and political science scholarship. It addresses constitutional provisions including the First, Fourteenth, and Fifteenth Amendments, as well as key statutes such as the Voting Rights Act, the Federal Election Campaign Act, and the Bipartisan Campaign Reform Act. Students will develop an understanding of not only election law doctrine, but also the theoretical and functional underpinnings of the American electoral system.

A student’s grade will be based on a take-home final examination or a major paper.

Winter 2013 - Nicholas Stephanopoulos

Electronic Commerce Law

LAWS 61802 - 01 (3) w, x, m

This seminar focuses on both the technology involved in electronic commerce and the law surrounding the emerging field. Electronic commerce is growing at an exponential rate. As more of our daily commercial lives are lived through use of computers, decisions must be made: will existing law treat e-commerce no differently than any other kind of commerce, or must new laws emerge to take

into account some of the radical new transactions and complications? The seminar will begin with an overview of the history and infrastructure of the Internet, setting the groundwork and providing students with a working knowledge of the terminology and technology they will likely encounter working in this legal field. Additional background discussion will involve the concept of regulation of the Internet, global vs. national perspectives on the law of the Internet, and conceptions of sovereignty. Topics will be dictated by the needs of the moment, but will potentially include electronic contracts, digital signatures, the application of traditional UCC doctrines such as the mailbox rule and the statute of frauds to e-commerce, Internet sales of highly regulated goods (such as alcohol, firearms, pharmaceuticals), the domain name system and its relation to trademark law, trade-related issues such as consumer fraud/protection and product disparagement, sales taxation, Internet and business method patents, digital cash/smart cards, digital checks, electronic securities law, Internet gambling, commercial privacy, and e-commerce in gray and black markets. Time permitting, we may also explore the relationship of international law to e-commerce, the effect of e-commerce concepts on commercial litigation, and export control laws involving cryptography.

Enrollment is capped at 20.

Topics not covered in the seminar will be suitable for papers.

Students may either write a substantial paper or write a shorter research paper and make a presentation to the class at the end of the quarter.

Winter 2013 - Marsha F. Nagorsky

Empirical Law and Economics

LAWS 56502 - 01 (2) m

This seminar evaluates recent empirical work in the field of law and economics. Students will develop skill in critiquing the theory motivating empirical inquiry, the data chosen for analysis, and the statistical methodology employed. Particular attention will be given to methods used to evaluate causal empirical claims in law and economics.

Grades will be based on class participation, weekly short reaction papers (2-3 pages), a short research paper (not exceeding 15 pages) that proposes an empirical project, and in-class presentation of the research paper.

Students will work in groups to write and present their research papers.

Winter 2013 - Edward R. Morrison

Employment Discrimination Clinic

LAWS 67113 - 01 (1) +, a, w, s, x

Randall D. Schmidt and his students operate the Clinic's Employment Law Clinic. The Clinic focuses primarily on pre-trial litigation and handles a number of individual cases and class actions. In individual cases, the Clinic represents clients in cases before the Illinois Department of Human Rights and the Illinois Human Rights Commission and seeks to obtain relief for clients from race, sex, national origin, and handicap discrimination in the work place. In the class actions, the Clinic represents groups of employees in employment and civil rights actions in federal court. Additionally, in its individual cases and law reform/impact cases, the Clinic seeks to improve the procedures and remedies available to victims of employment

discrimination so that employees have a fair opportunity to present their claims in a reasonably expeditious way. To accomplish this goal, the Clinic is active in the legislative arena and participates with other civil rights groups in efforts to amend and improve state and federal laws.

It is suggested, but not required, that all students in the Employment Law Clinic take the Employment Discrimination Law seminar.

Third-year Students are strongly encouraged to take, prior to their third year, Pretrial Advocacy and either the Intensive Trial Practice Workshop or Trial Advocacy.

Enrollment in the Employment Law Clinic Project is limited and preference will be given to students who take Pretrial Advocacy and the Intensive Trial Practice Workshop.

The student's grade is based on class participation.

Academic credit varies and will be awarded according to the Law School's general criteria for clinical courses as described in the Law School Announcements and by the approval of the clinical faculty.

Evidence is a prerequisite for 3Ls in the clinic.

Pretrial Advocacy and the Intensive Trial Practice Workshop (or an equivalent trial practice course) are highly recommended for 3Ls in the clinic.

Newly enrolling 3Ls need instructor consent.

Autumn 2012 - Randall D. Schmidt

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Spring 2013 - Randall D. Schmidt

Employment Discrimination Law

LAWS 43401 - 01 (2 to 3) w, x, m

This seminar deals with the problem of discrimination in the American workplace and the federal and state statutes that have been enacted to prohibit it. Primary focus will be on the major federal equal employment opportunity statutes (Title

VII of the Civil Rights Act of 1964, the Equal Pay Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act), the types of claims that are brought under these laws (disparate treatment, disparate impact, mixed motives, and retaliation claims), and the varying burdens of proof/persuasion, procedural prerequisites, and remedies provided by these statutes, along with current proposals for legislative change.

Enrollment will be limited to 20 students.

The student's grade will be based on class participation and a final examination; students wishing to earn 3 credits for the class may write a 10-12+ page research paper in addition to the final exam.

Winter 2013 - James Whitehead

Entrepreneurship and the Law

LAWS 61902 - 01 (3) s, x, m

This seminar examines how the legal landscape and structural choices shape entrepreneurial enterprises, particularly micro-enterprises in the US. The seminar explores the position of the entrepreneur in society, in the economy, and in our constitutional framework, in order to analyze the entrepreneur's fundamental legal needs. The seminar then surveys legal questions particular to start-ups, including strategies for structuring a business organization, financing, and protecting intellectual property. Assignments require students to research hypothetical issues and analyze strategies for counseling entrepreneurial clients.

This seminar is a prerequisite for participation in the Institute for Justice Clinic on Entrepreneurship.

Students' grades will be based on active participation and several short writing assignments.

Winter 2013 - Elizabeth W. Kregor; Erika Pflieger

Environmental Law

LAWS 46001 - 01 (3) c/l

This course is an introduction to the laws, policies and theories related to environmental protection in the United States. The course covers the principal federal environmental regimes, including the National Environmental Protection Act, the Clean Air Act, the Clean Water Act, and those associated with toxic substances and waste. Illustrative topics include economic and non-economic perspectives on the use of and impacts on natural resources; the objectives of environmental regulation; the development of information about environmental quality; federalism issues; and the choice of regulatory tools, such as regulation, taxes, marketable permit schemes, liability rules, and informational requirements. The student's grade is based on a final examination.

Winter 2013 - Mark N. Templeton

Ethical Quandaries in Legal Practice

LAWS 41013 - 02 (3) p, x, m

With the advent of 24-hour news cycles and the proliferation of social media communications, the practice of law, like many professions, is under intense scrutiny from clients, the judiciary, regulators and peers. The attendant risk to the reputations of practicing attorneys is much higher than it has ever been.

This seminar will satisfy the professional responsibility/ethics graduation requirement. Through analysis of ethical issues that lawyers operating in the public and private sector face on a daily basis, we will study the challenges, pitfalls, consequences and opportunities associated with the ethical practice of law. Pending confirmation, seasoned attorneys with public sector experience, private practitioners and members of the judiciary will, at times, join portions of the seminar to discuss real world scenarios and provide insight into how attorneys can successfully navigate through ethical minefields.

Spring 2013 - Joseph Alesia

Evidence

LAWS 41601 - 01 (3) x

An examination of the federal rules governing proof at trial. On many points, the rules of most states are the same or similar (New York and California have the most differences, though even they have significant overlap with the Federal Rules). There will be somewhat more lecture than in a typical course, in order to facilitate coverage of material. Even so, certain relatively minor or easy topics will not be covered (Burdens of Proof, Presumptions, Judicial Notice), and others will be covered only briefly (e.g., Privileges, Impeachment of Witnesses). Approximately two-thirds of the term will be devoted to the two central topics in the law of evidence: relevance and hearsay (including the hearsay exceptions).

Winter 2013 - Brian Leiter

Evidence

LAWS 41601 - 01 (3) x

This course examines the law governing proof of disputed propositions of fact in criminal and civil trials, including relevance, character evidence, the hearsay rule and other rules of exclusion, and examination and privileges of witnesses.

The student's grade is based on a proctored exam.

Spring 2013 - Geoffrey R. Stone

Evolving Regulation of Financial Institutions and Markets

LAWS 94812 - 01 (2 to 3) x, m

In reaction to the recent market and financial institutions crisis, Congress enacted the Dodd–Frank Wall Street Reform and Consumer Protection Act, which mandates broad changes to the regulation of financial institutions. The Act requires numerous regulatory agencies to promulgate hundreds of new rules—a process that is currently underway. This seminar will consider certain areas addressed by the legislation and the ensuing rule-making process with particular attention to the causes of the crisis and its impact on the financial system. We will critically assess whether these measures are likely to promote the stated goals of the legislators, as well as the merits and feasibility of those goals. To that end, students will form groups concentrating on topics of interest leading to student oral reports and papers. No prior courses are required. The Lecturer will provide basic background information concerning the structure and regulation of financial institutions and the features of key transactional arrangements (such as mortgage-backed securities and derivatives). The reading will be eclectic, and will include academic commentary

on the subject, official reports on aspects of the crisis and, of course, portions of the legislation and proposed regulation.

Grades will be based on two papers (seven to ten pages each) and oral reports on selected topics.

Students wishing to earn three credits must extend one of the papers to 15-20 pages. Space is limited.

Spring 2013 - James Foorman

Exoneration Project Clinic

LAWS 67413 - 01 (1) +, a, s, x

The criminal justice system is not perfect. Innocent people are sometimes convicted of crimes they did not commit. When that occurs, the consequences for the lives of the wrongfully convicted and their families are truly devastating. By investigating and petitioning courts to reverse wrongful convictions, our Exoneration Project is dedicated to restoring justice. Our project represents innocent individuals who have been wrongly convicted. Students working in our project assist in every aspect of representation including selecting cases, investigating and developing evidence, as well as in-court litigation of post-conviction petitions, petitions for DNA testing, and federal habeas petitions. Students work closely with our clients and have an opportunity to develop their oral and written advocacy skills by preparing written pleadings and by appearing before trial courts and appellate court panels. Through participation in our project students will explore issues of error and inequality in the criminal justice system, including police and prosecutorial misconduct, the use of faulty scientific evidence, coerced confessions, unreliable eyewitness testimony, and ineffective assistance of counsel. The Exoneration Project is an intensive, rigorous experience designed for students who are committed to providing the best possible representation to deserving clients.

Second-year students wishing to enroll in the Project are encouraged to take Evidence in their second year.

Third-year students are required to complete, prior to their third year, Evidence and the Intensive Trial Practice Workshop.

Students are also encouraged but not required to take Pretrial Advocacy, Criminal Procedure I, and Criminal Procedure II.

Students selected for this project will receive credit for the work they do in accordance with the credit rules for all other clinical programs.

Autumn 2012 - Tara E. Thompson; Elizabeth Wang; Russell Ainsworth

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Spring 2013 - Tara E. Thompson; Elizabeth Wang; Russell Ainsworth

Family Law

LAWS 45001 - 01 (3) r, c/l

This course will examine the state's role in recognizing and regulating personal relationships between adults and between adults and children. Specific topics include marriage, other partnerships, friendship, divorce and other forms of dissolution, reproductive rights, child support and custody, and the allocation of childrearing authority among parents, other caregivers and the state. Throughout the quarter, we will compare various legal and social meanings of family and explore assumptions about the family that underlie existing legal regulation. A student's grade will be based on a take-home final examination or a major paper.
Spring 2013 - Emily Buss

Federal Counterterrorism Law

LAWS 70704 - 01 (3)

Counterterrorism policy imposes new demands on criminal procedure, constitutional rights, and international law. This course examines how legal frameworks and doctrines have changed to accommodate those demands. The aims of the class are (1) to explore emerging policy questions, (2) to familiarize students with the regulatory structures most often encountered by lawyers on the ground, and (3) to deepen understanding of pivotal constitutional rights.

No prior coursework is assumed.

The course has been designed so that overlap with Foreign Relations Law will be de minimus.

Grades will be based on class participation and a final exam.

Spring 2013 - Aziz Huq

Federal Courts from the Judge's Perspective

LAWS 51402 - 01 (2 to 3) +, r, w, x, m

This seminar is designed to be an advanced look at current issues that arise in the federal courts of the United States, with particular emphasis on the courts of appeals. Topics will be chosen with an eye to both the frequency with which they come up and the difficulty of the issues even if they make only rare, but predictable, appearances. The topics may change from year to year, but they will normally include the following: defining the scope and limits of the judicial power; Article III limitations such as standing, mootness, ripeness, and political questions; congressional control of the federal courts; non-Article III tribunals; subject matter jurisdiction – actual, potential, and optimal; actions against governmental units and officials, as well as related immunity doctrines; habeas corpus; standards of review; institutional reform litigation; and judicial federalism, including anti-injunction legislation, abstention doctrines, and Erie.

Either the basic Federal Jurisdiction course (LAWS 41101) or Instructor's permission is a prerequisite for this seminar. Students will have a choice of writing a paper or submitting a take-home examination.

Winter 2013 - Diane P. Wood

Federal Criminal Justice Clinic

LAWS 67513 - 01 (2) +, a, w, s, x

The Federal Criminal Justice Clinic zealously represents indigent defendants charged with federal crimes while giving students a unique opportunity to practice in federal district court and the Seventh Circuit Court of Appeals. The FCJC is the first legal clinic in the country to exclusively represent clients charged with federal felonies. The clinic's cases fall into two categories. The first category consists of cases we enter at the time of the arrest, carry through the district court to trial or guilty plea and sentencing, and then carry through appeal and beyond. The second category consists of cases we become involved in at a later stage of the proceedings because they present a novel legal issue or an issue on which there is a circuit split. We raise the legal issue at the district court level, handle or assist in any appeals that arise on the issue, and, if necessary, litigate the issue all the way to the United States Supreme Court. FCJC students are generally assigned to cases in teams of two. Students interview clients and witnesses; meet regularly with clients at the federal jail; conduct and participate in bond hearings, preliminary hearings, arraignments, plea hearings, sentencing hearings, and trials; write and argue motions and briefs; negotiate with prosecutors and probation officers; and participate in investigations. The seminar component includes skills exercises, simulations, lectures, and discussions.

Students enter the FCJC in their 3L year, must spend a full year in the FCJC, and must put a minimum of two credits towards the clinic per quarter (a ten-hour-per-week time commitment). The pre-requisites/co-requisites are Evidence and Criminal Procedure I; these courses may be taken at any time during 2L or 3L year. It is strongly recommended that students interested in joining the FCJC take Professor Siegler's Federal Sentencing seminar during 2L year, and take the Intensive Trial Practice Workshop at the beginning of 3L year.

Autumn 2012 - Alison Siegler; Erica K. Zunkel

Federal Criminal Justice Clinic

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Spring 2013 - Alison Siegler; Erica K. Zunkel

Federal Criminal Law

LAWS 46501 - 01 (3)

his course surveys the substance and structure of federal criminal law. The appropriate scope of federal criminal law and enforcement is a central theme of the course. Topics examined include: federal jurisdiction over crime and offenses that enlarge the reach of federal criminal law such as mail fraud; federal crimes occurring in markets, including transactions in illegal markets (such as drug trafficking) and illicit transactions in legal markets (such as securities fraud); federal crimes involving corrupt payments, such as bribery, extortion, and foreign corrupt

practices; federal crimes involving concealment, such as false statements, perjury, obstruction of justice, and money laundering; the regulation of criminal activity occurring in and through formal and informal organizations (such as RICO), and the allocation of liability between individuals and organizations with particular attention to deferred prosecution agreements.

Spring 2013 - Thomas J. Miles

Federal Criminal Practice

LAWS 47502 - 01 (3) x, m

This seminar, taught by two former Assistant United States Attorneys in Chicago and a litigation associate who focuses on white collar criminal defense work, will expand students' knowledge of the scope and application of federal criminal law, and will challenge students to think and act as practicing prosecutors and defense attorneys. The seminar will review five major areas of federal criminal law: (1) the role and scope of the federal criminal system; (2) narcotics and money laundering prosecutions; (3) the use of informants; (4) public corruption and mail fraud; and, (5) racketeering. Students will gain a working knowledge of the relevant case law on these topics, and will also review actual cases prosecuted in federal court in the Northern District of Illinois. This seminar is unique in that it will incorporate a practical component into the last four of these subject areas, including: writing and arguing a motion to suppress and a motion to dismiss, and writing and arguing an opening statement and closing argument. These practical exercises will be based on actual cases brought in federal court, and will give students an opportunity to represent both the government and the defendant.

Because of the practical component, class size will be strictly limited to 12 students. Students will submit for grading two written exercises (a motion to suppress, and a motion to dismiss), and will present or argue one of these assignments as well as either an opening or closing statement. These two written and two oral exercises will provide most of the basis for their grade. The two writings, up to ten pages each, will form the basis for 40 percent of each student's grade. The two practical exercises will form the basis for 40 percent of each student's grade. Lastly, to foster discussion on every topic covered, class participation will comprise 20 percent of each student's grade.

Spring 2013 - Daniel Rubinstein; Shannon T. Murphy; John Lausch

Federal Jurisdiction

LAWS 41101 - 01 (3)

This course will consider the role of the federal courts in the federal system. Topics will include the power of Congress to expand or contract the jurisdiction of the federal courts, federal question jurisdiction, litigation against federal and state governments and their officials, direct and collateral review of state-court decisions, abstention, and related doctrines.

Constitutional Law I is strongly recommended.

The student's grade is based on a proctored final examination and class participation.

Winter 2013 - Alison LaCroix

Federal Jurisdiction

LAWS 41101 - 01 (3) x

This course covers the role of the federal courts in the federal system. Topics will include federal question jurisdiction, litigation against federal and state governments and their officials, abstention and related doctrines, direct and collateral review of state-court decisions, and congressional control of the jurisdiction of the federal courts.

There are no prerequisites other than Civil Procedure II.

The student's grade is based on class participation and a final examination.

Students must be available for potential make-up meetings Wednesdays 6:00-8:00 p.m.

Spring 2013 - Adam K. Mortara

Federal Legislative Power

LAWS 66303 - 01 (2) +, w, x, m

This seminar examines the legislative powers granted to Congress by the Constitution. Covered topics include well known legislative powers (commerce and spending), lesser known powers (such as copyright power and monetary powers), and quasi-legislative powers (such as the treaty power). The seminar will focus on how courts have defined these powers and how the powers interact with one another—especially how they interact with the Commerce Clause. We will also evaluate federal statutes each week, to see how they comport with precedent.

Grades will be based on a series of short papers.

Constitutional Law I: Government Structure is a prerequisite.

Winter 2013 - Joshua Z. Rabinovitz

Federal Regulation of Securities

LAWS 42401 - 01 (3) +

The securities laws govern the way in which a company may raise, and seek to raise, capital; they also impose substantial ongoing obligations upon companies and their security holders in both private and public contexts. Accordingly, the aim of this course is to provide a basic working knowledge of the securities laws to soon-to-be lawyers who will find themselves advising clients that seek to raise (or have raised) either public or private capital. The course will analyze methods of regulation (and possible alternative methods), the financial/institutional context in which the securities regulations exist, and the application of these regulations to real-world situations.

Corporation Law/Business Associations I/Business Organizations is a prerequisite, although it may be taken concurrently. LLM students who have completed comparable work in a prior JD degree may register by contacting the registrar.

Grades will be based on class participation and a final examination.

Autumn 2012 - Thomas J. Miles

Federal Regulation of Securities

LAWS 42401 - 01 (3) +, x

This course covers the basic economic and legal principles of public equity markets. We will look at the public offering (IPO) and private placement process in some detail, paying special attention to the key securities statutes and the complex rules

issued by the Securities and Exchange Commission. We will also examine the basic principles of trading, including tender offers, private securities actions, and damages. The economics of finance and capital markets is employed to assist the analysis.

Corporation Law/Business Association I//Business Organizations is a prerequisite, although it may be taken concurrently.

Grades will be based on class participation and a standard final examination.

Spring 2013 - M. Todd Henderson

Federal Sentencing: Balancing Judicial and Prosecutorial Discretion

LAWS 47602 - 01 (3) w, x, m

The Supreme Court has dramatically changed the federal sentencing landscape in recent years, making federal sentencing the least settled and most dynamic area of federal criminal jurisprudence. This seminar examines the recent federal sentencing revolution in the context of the history of federal sentencing. We study the Federal Sentencing Guidelines and recent Supreme Court cases that struggle to define the Guidelines' proper role in sentencing. A central focus of the seminar is the ongoing struggle to balance judicial discretion and prosecutorial discretion, and the fundamental tension this creates between the executive branch and the judiciary. The seminar also focuses on the debate over sentencing disparities.

Reading materials are varied and include Supreme Court and lower court cases, the United States Sentencing Guidelines, law review articles, Sentencing Commission studies and reports, and Department of Justice internal directives. Various guest speakers will visit class, including a federal district court judge and an Assistant United States Attorney.

Each student is expected to research and write a 20-25 page paper in response to a specific assignment.

Students will be graded based on their written submissions and class participation.

Second-year students interested in participating in the Federal Criminal Justice Clinic during their 3L year are encouraged to enroll in this seminar, although it is not a prerequisite or corequisite for the clinic.

Winter 2013 - Alison Siegler

Feminist Philosophy

LAWS 47701 - 01 (3) +, c/l, e, x

The course is an introduction to the major varieties of philosophical feminism: Liberal Feminism (Mill, Wollstonecraft, Okin, Nussbaum), Radical Feminism (MacKinnon, Andrea Dworkin), Difference Feminism (Gilligan, Held, Noddings), and Postmodern "Queer" Feminism (Rubin, Butler). After studying each of these approaches, we will focus on political and ethical problems of contemporary international feminism, asking how well each of the approaches addresses these problems.

Undergraduates may enroll only with the permission of the instructor.

Spring 2013 - Martha C. Nussbaum

Food and Drug Law

LAWS 94501 - 01 (3) c/l

This course explores legal and policy issues in the federal regulation of foods, drugs, medical devices, and other products coming within the jurisdiction of the FDA. It will examine substantive standards applicable to these products and procedural issues in the enforcement of these standards. It will also address the tension between state and federal regulation in this area, constitutional constraints on such regulation, and a variety of other issues relating to the development and marketing of regulated products.

Winter 2013 - Jack R. Bierig

Food Law

LAWS 94503 - 01 (3) r, x, m

This seminar will examine issues relating to food law and food policy. Topic covered will include: food safety, food labeling, food patents, corn policy, regulation of food quality, factory farming, obligations of food retailers, and more.

Students will have to write an SRP paper and make a presentation in class.

Autumn 2012 - Omri Ben-Shahar

Foreign Relations Law

LAWS 97801 - 01 (3)

This course examines the constitutional and statutory doctrines regulating the conduct of American foreign relations. Topics include the allocation of foreign relations powers between the three branches of the federal government, the status of international law in U.S. courts, the scope of the treaty power, the validity of executive agreements and the power to declare and conduct war. The course will also focus on the political question and other doctrines regulating judicial review in foreign relations cases. Where relevant, current events will be explored, such as ongoing controversies regarding individual rights during wartime, the post-September 11 war on terrorism and the war in Iraq.

Grades will be based on a final examination.

Autumn 2012 - Daniel Abebe

French Law Seminar

LAWS 54903 - 01 (2) x, m

This seminar is intended for students who wish to get introductory knowledge of the French civil law system, serve French or international clients and organizations and conduct French or international legal transactions. The typical class session will consist of a presentation of a specific French law topic and related basic principles (including constitutional law, general civil law, corporation law, financial transactions, criminal law) followed by oral and written exercises giving students exposure to French court decisions, French statutes and other tools used by French legal practitioners.

Instruction will be in English.

Students will be evaluated based on class participation and a few written assignments; a final examination may be delivered.

Autumn 2012 - Caroline Paranikas

Fundamentals of Accounting for Attorneys

LAWS 79112 - 01 (3) s, x, m

This seminar will teach the basic fundamentals of accounting to better prepare you to recognize and understand financial business issues related to the practice of law. Topics include key accounting concepts, reading financial statements and financial statement analysis. The class sessions will include guest speakers presenting on current accounting hot topics such as Sarbanes Oxley, International Financial Reporting Standards (IFRS) and forensic accounting (investigating accounting frauds).

The class is designed for those who have never taken an accounting class and/or have little financial background. There are no prerequisites but you should not take this class if you have taken an accounting class before or if you have experience in finance or accounting.

Grades will be based on papers and a final examination.

Autumn 2012 - Philip Bach; Sean M. Young

Gendered Violence and the Law Clinic

LAWS 63313 - 01 (3) a, s, x

When confronted with domestic and sexual violence in our communities, arrest and prosecution of the perpetrator is only one of many potential legal responses. What actions should government and the legal system take to address gendered violence? What tools are available to survivors and how useful are those tools? How can we determine when government intervention is appropriate, required, or counter-productive? Students will explore these issues through a 2-hour weekly seminar, combined with 12 hours per week of field work spent working at the Legal Assistance Foundation of Metropolitan Chicago's office in the Loop (LAF). Students will work primarily in LAF's Children and Family Practice Group while accepting some assignments from LAF's Housing, Consumer, Public Benefits, and Immigrant and Workers' Rights Practice Groups. Students will assist with representation of domestic and sexual violence survivors to meet a broad range of legal needs, which could include protective orders, divorce and custody litigation, VAWA self-petitions and U-Visa applications, advocacy in child abuse and neglect proceedings, housing and eviction matters, unemployment insurance hearings, and TANF appeals. All students will be expected to interview clients, prepare written discovery, develop witness statements, conduct legal research, and draft pleadings, motions and court orders. Third-year students eligible for a 711 license will appear in court under attorney supervision.

Students will be assigned to the various practice groups based on the capacity of LAF to accommodate the students into each practice area. Prior experience and language skills may be considered in determining each student's clinical placement. Students' grades will be based on participation in the seminar, participation and quality of performance in the clinical field work, and a series of reaction/reflection papers.

Participation over both Winter and Spring quarters is required.

Winter 2013 - Neha Lall

Gendered Violence and the Law Clinic

LAWS 63313 - 01 (4) a, s

When confronted with domestic and sexual violence in our communities, arrest and prosecution of the perpetrator is only one of many potential legal responses. What actions should government and the legal system take to address gendered violence? What tools are available to survivors and how useful are those tools? How can we determine when government intervention is appropriate, required, or counter-productive? Students will explore these issues through a 2-hour weekly seminar, combined with 12 hours per week of field work spent working at the Legal Assistance Foundation of Metropolitan Chicago's office in the Loop (LAF). Students will work primarily in LAF's Children and Family Practice Group while accepting some assignments from LAF's Housing, Consumer, Public Benefits, and Immigrant and Workers' Rights Practice Groups. Students will assist with representation of domestic and sexual violence survivors to meet a broad range of legal needs, which could include protective orders, divorce and custody litigation, VAWA self-petitions and U-Visa applications, advocacy in child abuse and neglect proceedings, housing and eviction matters, unemployment insurance hearings, and TANF appeals. All students will be expected to interview clients, prepare written discovery, develop witness statements, conduct legal research, and draft pleadings, motions and court orders. Third-year students eligible for a 711 license will appear in court under attorney supervision.

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Participation over both Winter and Spring quarters is required.

Spring 2013 - Neha Lall

Global Inequality

LAWS 92403 - 01 (3) r, w, c/l, x, m

Global income and wealth are highly concentrated. The richest 2% of the population own about half of the global assets. Per capita income in the United States is around \$47,000 and in Europe it is around \$30,500, while in India it is \$3,400 and in Congo, it is \$329. There are equally unsettling inequalities in longevity, health, and education.

In this class, we ask what duties nations and individuals have to address these inequalities and what are the best strategies for doing so. What role must each country play in helping itself? What is the role of international agreements and agencies, of NGOs, and of corporations in addressing global poverty? How do we weigh policies that emphasize growth against policies that emphasize within-country equality, health, or education?

In seeking answers to these questions, the class will combine readings on the law and economics of global development with readings on the philosophy of global justice. A particular focus will be on the role that legal institutions, both domestic and international, play in discharging these duties. For, example, we might focus on how a nation with natural resources can design legal institutions to ensure they are exploited for the benefit of the citizens of the country.

Students will be assessed via a substantial research paper and class participation.
Winter 2013 - Martha C. Nussbaum; David A. Weisbach

Greenberg Seminar: 99:1 – Inequality Past and Present

LAWS 95902 - 04 (1) a, x

In this seminar we will read and discuss popular books such as Christopher Hayes, *Twilight of Elites: America after Meritocracy* and Branko Milanović's *The Haves and the Have-Nots: A Brief and Idiosyncratic History of Global Inequality*.

We will meet in the professors' home on five Thursday evenings spread across the Autumn and Winter Quarters. Students who register for this seminar should keep the evenings of October 4, October 25, November 8, January 10, January 24, and February 14 free.

Autumn 2012 - Saul Levmore; Julie Roin

Greenberg Seminar: Can You Have It All?

LAWS 95902 - 03 (1) +, a

The past thirty years have seen a dramatic rise in women's participation in the workforce, a rise paralleled by a dramatic shift in the composition of our law school class. Feminists cheered these developments and the leveling of the playing field. But a recent series of writings by prominent and successful women have sounded some alarms about work-life balance and what it takes to succeed professionally as well as personally. The issue is a large one for men and women, as well as society as a whole. It is also one you all will soon face directly. Perhaps our basic institutional arrangements, such as what the workplace is, how we measure performance, how we pay, and so forth, need to be rethought to accommodate professional women and a new breed of professional men. Or, perhaps, things are fine just the way they are. In this Greenberg, we will read books (fiction and non-fiction) and articles about work-life balance, which we hope will provoke a lively discussion on these issues, which affect not only the choices each of us make but also how our society is structured. We will address questions such as: To what extent are the issues faced by men and women the same? To the extent they are different, why are they different? Should employers accommodate those differences, and, if so, how and why? What policy implications flow from our recent experiences with greater gender equality in the workforce?

In the Greenberg tradition, we will meet at our houses. In the spirit of this particular Greenberg, we warn you in advance of interruptions from children, last minutes changes from one house to the other, and possible (unsolicited?) contributions from our professional (one lawyer; one doctor) spouses. Because we are eager to foster a broad conversation that incorporates a range of views with gender as a focus, we hope to achieve rough gender balance in the seminar.

Students wishing to register should email a short statement of interest to both professors by September 14.

Autumn 2012 - Emily Buss; M. Todd Henderson

Greenberg Seminar: Race and Place in Chicago

LAWS 95902 - 05 (1) a, x

In this Greenberg seminar, we will read a series of books concerning the way in which race has affected, in particular, the urban landscape of Chicago. Its aim is

to enable students to reflect on the rich and complex history and contemporary circumstances of their city.

Autumn 2012 - Daniel Abebe; Aziz Huq

Greenberg Seminar: The Book of Revelation and Literature It Has Inspired

LAWS 95902 - 01 (1) +, a

The Apocalypse of John (also called by other names, such as the Revelation and the Revelation of Jesus Christ), the last book of the New Testament, is itself a splendid work of literature (and the subject of an excellent recent study by Elaine Pagels) and, as important, the inspiration of a fascinating literary, artistic, and even musical (e.g., "Battle Hymn of the Republic") tradition that includes works ranging from *Paradise Lost* to classics of science fiction by such writers as E. M. Forster, H. G. Wells, Kurt Vonnegut, and Margaret Atwood and to popular fiction such as the "Left Behind" series. In the seminar we will read works and selections of works in the tradition inaugurated by the Apocalypse of John for the literary, ethical, religious, and epistemological contributions of these works.

Students wishing to register should email a short statement of interest to both professors, by September 14, including their background in relevant areas and the reasons for their interest in the seminar.

This seminar is capped at 15. 12 seats will be allocated to J.D. students and 3 to LL.M. students.

Graded Pass/Fail.

Autumn 2012 - Martha C. Nussbaum; Richard A. Posner

Greenberg Seminar: The Life and Times of the Warren Court (1954-1968)

LAWS 95902 - 02 (1) a, x

In this Greenberg Seminar, we will explore the historical significance and jurisprudence of the Warren Court, dealing with such issues as race and sex equality, the right to vote, criminal procedure, religion, and free speech. We will consider not only the Court's opinions, but also history, biography, film, novels and music.

Graded Pass/Fail.

Autumn 2012 - Geoffrey R. Stone; Jane Dailey

Health Care Policy

LAWS 68504 - 01 (3) r, w, c/l, x, m

This seminar will review basic health care economics and policy. We will discuss the regulation of providers (doctors, hospitals, drug companies) and insurance markets (government insurance through Medicaid and Medicare, state and federal regulation of insurance). Much of the seminar will focus on provisions in the new Patient Protection and Affordable Care Act. In the process we will discuss challenges that health care markets face, including physician-induced supply and moral hazard and adverse-selection in insurance markets. We will also discuss efforts to control costs and the impact of rising health care costs on the federal budget.

Students will be assessed via a substantial research paper and class participation.

Autumn 2012 - Anup Malani

Health Law

LAWS 46201 - 01 (3)

This course surveys the law and policy applicable to health care financing and delivery in the United States. The course will split its time between reviewing the new health care bill and covering traditional topics such as informed consent, medical malpractice liability, drug regulation, ERISA preemption, Medicare, Medicaid, and the application of antitrust law to health care.

Spring 2013 - Anup Malani

Higher Education and The Law

LAWS 52102 - 01 (3) w, x, m

The university has long maintained that its history and role as a creator of knowledge and refuge for society's critics require that the government and the courts extend a special respect to the academy's need to govern itself. This seminar discusses how the courts have dealt with this argument in areas such as academic freedom; student admissions and discipline; faculty tenure, dismissal, and unionization; and teaching and research restrictions. Discussions focus on the competing interests of society and the university and the role of the courts in balancing these interests.

The student's grade is based on class participation and a major or substantial paper.

Winter 2013 - Arthur M. Sussman

History of Civil Liberties in the United States

LAWS 70707 - 01 (2 to 3) r, w, x, m

This seminar examines changing understandings of civil liberties in American legal history. It emphasizes legal and ideological contests over the meaning of free speech, religious freedom, and reproductive rights during the nineteenth and twentieth centuries. Readings explore the intersection between legal struggles and broader developments in social, cultural, and political history, with a particular focus on the labor, civil rights, and feminist movements.

Grading will be based on class participation and a series of short response papers.

Students can also elect to write a longer paper that satisfies the SRP requirement for an additional credit.

Autumn 2012 - Laura Weinrib

Housing Initiative Clinic

LAWS 95013 - 01 (1 to 2) a, s, x

The Housing Initiative is a transactional clinic in which students provide legal representation to community-based housing developers, tenant groups, and other parties involved in affordable housing development. Students serve as deal lawyers, advising clients on structuring issues; negotiating, drafting and reviewing construction loan documents, construction contracts, purchase and sale agreements, partnership agreements, and other contracts; securing zoning and other governmental approvals; assisting clients in resolving compliance issues under the applicable state and federal housing programs; and participating in the preparation of evidentiary and closing documents. Some of our work also involves community organizing and legislative and policy advocacy around affordable housing and public housing issues. In addition to working on specific transactions and projects,

students in the Housing Initiative Clinic meet as a group in a weekly seminar in autumn quarter, and periodically during winter and spring quarters, to discuss the substantive rules and legal skills pertinent to housing transactions and to examine emergent issues arising out of the students' work.

Academic credit for the Housing Initiative Clinic varies and is awarded according to the Law School's general criteria for clinical courses as described in the Law School Announcements and by the approval of the clinical faculty.

Autumn 2012 - Jeffrey E. Leslie

Housing Initiative Clinic

LAWS 95013 - 01 (1 to 2) a, s

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Spring 2013 - Jeffrey E. Leslie

Immigration Law

LAWS 50001 - 01 (2)

This course will focus on an examination of US immigration policy with respect to the admission and exclusion of immigrants. In particular, the class will focus on: the federal government's authority over immigration law and policy; deportation and removal; the intersection of criminal and immigration law; family-based immigration; the law of asylum; and citizenship and naturalization.

Winter 2013 - Elizabeth Frankel

Independent Research

LAWS 49901 - 01 (1 to 2 to 3) +, r, w

Second-year, third-year, and LL.M. students may earn course credit by independent research under the supervision of a member of the faculty. Such projects are arranged by consultation between the student and the particular member of the faculty in whose field the proposed topic falls.

Autumn 2012 -

Independent Research

LAWS 49901 - 01 (1 to 2 to 3) +, r, w

Second-year, third-year, and LL.M. students may earn course credit by independent research under the supervision of a member of the faculty. Such projects are arranged by consultation between the student and the particular member of the faculty in whose field the proposed topic falls.

Winter 2013 -

Independent Research

LAWS 49901 - 01 (1 to 2 to 3) +, r, w

Second-year, third-year, and LL.M. students may earn course credit by independent research under the supervision of a member of the faculty. Such projects are arranged by consultation between the student and the particular member of the faculty in whose field the proposed topic falls.

Spring 2013 -

Institute for Justice Clinic on Entrepreneurship

LAWS 67613 - 01 (1) a, s, x

The Institute for Justice Clinic on Entrepreneurship, or IJ Clinic, provides legal assistance to local lower-income entrepreneurs who are pursuing the American Dream on a shoestring. Students in the IJ Clinic advise clients on issues such as business formation; license and permit application; contract and lease review; contract negotiations; intellectual property protection; and basic tax and regulatory compliance. Students are involved in all phases of client representation and have the opportunity to interview and counsel clients; draft business documents and

contracts; negotiate with contractors, investors, or lenders; prepare documents for filing; research complex regulatory schemes and advise clients on how to comply; and occasionally represent clients before administrative bodies. Students gain both practical skills in transactional lawyering and a deep understanding of the entrepreneur's role in the inner city.

Academic credit varies and will be awarded according to the Law School's general criteria for clinical courses as described in the Law School Announcements and by the approval of the clinical staff.

The seminar *Entrepreneurship & The Law* is a prerequisite unless a student has received special permission from the instructors based on equivalent coursework. A commitment of at least two quarters is required.

Autumn 2012 - Elizabeth W. Kregor; Erika Pflieger

Institute for Justice Clinic on Entrepreneurship

LAWS 67613 - 01 (1) a, s

The Institute for Justice Clinic on Entrepreneurship, or IJ Clinic, provides legal assistance to local lower-income entrepreneurs who are pursuing the American Dream on a shoestring. Students in the IJ Clinic advise clients on issues such as business formation; license and permit application; contract and lease review; contract negotiations; intellectual property protection; and basic tax and regulatory compliance. Students are involved in all phases of client representation and have the opportunity to interview and counsel clients; draft business documents and contracts; negotiate with contractors, investors, or lenders; prepare documents for filing; research complex regulatory schemes and advise clients on how to comply; and occasionally represent clients before administrative bodies. Students gain both practical skills in transactional lawyering and a deep understanding of the entrepreneur's role in the inner city.

Academic credit varies and will be awarded according to the Law School's general criteria for clinical courses as described in the Law School Announcements and by the approval of the clinical staff.

The seminar *Entrepreneurship & The Law* is a prerequisite unless a student has received special permission from the instructors based on equivalent coursework. A commitment of at least two quarters is required.

Winter 2013 - Elizabeth W. Kregor; Erika Pflieger

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Spring 2013 - Elizabeth W. Kregor; Erika Pflieger

Insurance Law

LAWS 43601 - 01 (3)

An exploration of risk spreading through common law and administrative regulation of insurance products. The primary emphasis of the course is liability insurance (including commercial, automobile, professional, and product liability), although the class also tackles other, more exotic forms of insurance (including reinsurance). The goal of the course is to alert students to how insurance institutions in the United States and abroad affect economic behavior, and in particular how they affect litigation and lawyers.

Grades will be based on a final examination.

Autumn 2012 - Omri Ben-Shahar

Intellectual Property-based Finance and Investment

LAWS 95113 - 01 (3) w, x, m

Developed economies once resembled a stable three-legged stool -- manufacturing, services and invention. Today, only Intellectual Property ("IP") and the value it generates remains to support the standard of wealth developed nations have come to enjoy. IP now dwarfs all assets in value-at-risk with intangible assets accounting for over 75 percent of a company's market capitalization. The seminar will focus on two general topic areas related to IP. First, the class will examine the multiple markets for IP which exist. Second, the class will focus on IP-based asset management and investment banking practices in an attempt to illustrate how economic value can be extracted from IP as an asset class.

Autumn 2012 - Michael D. Friedman

Intensive Trial Practice Workshop

LAWS 67503 - 01 (2) +, s, u

This practicum teaches trial preparation, trial advocacy, and strategy through a variety of teaching techniques, including lectures and demonstrations, but primarily through simulated trial exercises. Topics include opening statements, witness preparation, direct and cross examination, expert witnesses, objections at trial, and closing argument. Practicing lawyers and judges are enlisted to provide students with lectures and critiques from varied perspectives. The practicum concludes with a simulated jury trial presided over by sitting state and federal court judges.

Open to J.D. Students only.

Evidence is a prerequisite.

Students taking the Intensive Trial Practice Workshop may enroll in Pre-Trial Advocacy.

Completion of this workshop partially satisfies one of the requirements for admission to the trial bar of the United States District Court for the Northern District of Illinois.

This practicum is open only to students entering their 3L year and limited to 54 with preference given to students who have been accepted into a Clinic course. Students who have taken Trial Advocacy (LAWS 67603), Poverty and Housing Law Clinic (LAWS 90512), or Trial Practice: Strategy and Advocacy (LAWS 91702) may not take this course.

The student's grade is based on class participation.

This practicum meets everyday from 1 p.m. to 6 p.m. (sometimes later) for two weeks starting September 10. The simulated trial will be on September 22, time TBD. Autumn 2012 - Herschella G. Conyers; Craig B. Futterman; Randolph N. Stone; Erica K. Zunkel

International Arbitration

LAWS 94602 - 01 (3) w, s, x, m

This seminar gives students a practical foundation in the mechanics of international commercial arbitration and an understanding of the tactical choices that frequently confront international arbitration practitioners. With the emergence of the global economy and the explosive growth of cross-border transactions and multinational joint ventures, international arbitration has become the leading mechanism for resolution of international commercial disputes. With parties increasingly unwilling to accept the risks of litigation in the local courts of their foreign business partners, international arbitration agreements are now a mainstay of cross-border commercial transactions. Topics include the crafting of effective international arbitration agreements, the relative advantages and disadvantages of ad hoc UNCITRAL-style arbitration and institutional arbitration (ICC, AAA, etc.), the rules of procedure that govern international arbitration, the difficult procedural issues that commonly arise in international arbitration (such as the availability and extent of discovery, the consolidation of parties and claims, etc.), procedural and substantive issues applicable to investor-state arbitration, the effective presentation of evidence, and the enforcement of international arbitral awards.

The student's grade is based upon the quality of preparation for and oral participation in the seminar, as well as the quality of a required research paper. Spring 2013 - Alan D'Ambrosio

International Complex Litigation

LAWS 93605 - 01 (3) x, m

This seminar will explore international issues that arise in civil litigation in U.S. courts. We will consider the various procedural issues that arise when courts are presented with foreign parties, foreign conduct, foreign evidence, and foreign states, and the various international and domestic legal sources that govern how U.S. courts must deal with these ever-increasing complexities in civil litigation. Topics will include subject-matter and personal jurisdiction, forum and venue, choice of law, foreign judgments, and foreign states.

Grading will be based on a final examination, a presentation and short paper, and class participation.

Spring 2013 - Zachary Clopton

International Finance

LAWS 48901 - 01 (2)

Today the volume of international financial flows far exceeds the volume of international trade. This mini-course addresses the international regulatory aspects of U. S. domestic banking and security markets and contrasts them with foreign markets. The focus is on U.S., European, and other regulatory systems and the role of international financial institutions. In addition to introductory material on U.S. banking and securities regulation, foreign exchange markets, and the growth of Eurocurrency markets, two particularly current topics will be addressed: (1) international regulatory aspects of the recent international financial crisis and (2) changes in U.S. law made or under consideration to respond to that crisis. Special attention will be paid to the "Euro problem" and to Chinese financial markets. This course is intended to complement, rather than substitute for, courses in U.S. securities and banking regulation, but this course does not assume that students have taken those other courses.

The student's grade will be based on a take-home exam and class participation.

This mini course meets for the first four weeks of the quarter.

A vote will be taken on the first day of class to determine when the take-home final will be given.

Winter 2013 - Kenneth W. Dam

International Human Rights

LAWS 96101 - 01 (3) r, w, c/l

This course is an introduction to international human rights law, covering the major instruments and institutions that operate on the international plane. It includes discussion of the conceptual underpinnings of human rights, the structure of the United Nations System, the major international treaties, regional human rights machinery, and the interplay of national and international systems in enforcing human rights.

There are no prerequisites.

Grading will be on the basis of a take-home exam at the end of the quarter.

Students who wish to write, in lieu of the exam, a paper sufficient to satisfy the substantial writing requirement, may do so upon approval of the topic in advance.

Undergraduate students by instruction permission only.

Autumn 2012 - Thomas Ginsburg

International Human Rights Clinic

LAWS 67913 - 01 (2) s, x

The International Human Rights Clinic works for the promotion of social and economic justice globally, including in the United States. The Clinic uses international human rights laws and norms as well as other substantive law and strategies to draw attention to human rights violations, develop practical solutions to those problems using interdisciplinary methodologies, and promote accountability on the part of state and non-state actors. The Clinic works closely with non-governmental organizations to design, collaborate, and implement projects, which include litigation in domestic, foreign, and international tribunals

as well as non-litigation projects, such as documenting violations, legislative reform, drafting reports, and training manuals. Students work in teams on specific projects and will develop their international research, legal writing, oral advocacy, communication, interviewing, collaboration, media advocacy, and strategic thinking skills. Additionally, students will critically examine the substance and application of human rights law, as well as discuss and confront the the ethical challenges of working on human rights problems globally, and develop new techniques to address human rights violations, including those involving economic and social rights and women's rights.

Students who enroll in the Clinic in the Winter quarter are required to continue in the Spring quarter. During the Winter quarter instruction will include primarily classroom-based work, including seminar classes, simulation exercises, and background country and situational research in preparation for field-work during Spring break (which may involve international travel) on a selected topic. In the Spring quarter, students will work primarily on drafting, revising, and finalizing the draft report or litigation project, and will work on developing advocacy strategies in connection with their project. Students are encouraged but not required to take a course in International Human Rights Law.

Students will receive two credits each quarter in the International Human Rights Clinic in accordance with the Law School's general criteria for clinical courses as described in the Law School Announcements and by the approval of the clinical faculty.

Winter 2013 - Sital Kalantry

International Human Rights Clinic

LAWS 67913 - 01 (2) s

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Spring 2013 - Sital Kalantry

International Secured Lending

LAWS 71405 - 01 (3) +, x

As a result of the rapid globalization of U.S. business in recent years, many U.S. middle-market companies now require financing for their acquisitions and business operations in other countries, challenging U.S. banks and other financial institutions, and their lawyers, to develop innovative cross-border lending techniques to address these financing needs. This course examines the broad array of secured transactions, corporate, tax, regulatory, insolvency and other legal and practical issues confronted by lenders when they make loans to companies in other countries and in other currencies, obtain security interests in foreign collateral, finance the acquisition of foreign companies, obtain guaranties from foreign affiliates of a borrower, participate in syndicated credit facilities as the agent or a co-lender, and enforce their rights (both within and outside of insolvency proceedings).

The course also examines the impact upon these transactions of the ongoing efforts of the United Nations, the World Bank, and other international organizations to help countries modernize their secured transactions legal regimes as a way of promoting economic growth.

Grades will be based on a take-home exam and class participation.

Prerequisite: Secured Transactions.

Autumn 2012 - Richard M. Kohn

International Trade Law

LAWS 48401 - 01 (3) e, x

This course examines the law and policy of international trade in goods and services. It begins with an overview of the politics and economics of international cooperation on trade, and then moves on to study the core obligations that states have under the WTO/GATT rules. These rules address tariff and non-tariff barriers, discrimination of importers, regional trade agreements, anti-dumping duties, countervailing duties, and safeguards measures. We will discuss the negotiation, implementation and enforcement of international trade agreements, with a particular interest in the relationship between free trade and other areas of international cooperation, such as the environment, public health, intellectual property protection, human rights and development.

Student grades will be based on a final examination and class participation.

Spring 2013 - Daniel Abebe

Introductory Income Taxation

LAWS 44121 - 01 (3) x

This course provides a survey of the essential elements of the U.S. income tax, with principal focus on the taxation of individuals. Points of concern are the nature of income, its timing and measurement, the notions of tax benefit and tax incentive, realization, sales and exchanges, the boundary between personal and business expenditures, capital recovery and capital gains, and assignment of income among related taxpayers.

The student's grade is based on a proctored examination.

Autumn 2012 - Julie Roin

Introductory Income Taxation

LAWS 44121 - 01 (3) x

This course provides a survey of the essential elements of the U.S. income tax, with principal focus on the taxation of individuals. Points of concern are the nature of income, its timing and measurement, the notions of tax benefit and tax incentive, realization, sales and exchanges, the boundary between personal and business expenditures, capital recovery and capital gains, and assignment of income among related taxpayers.

The student's grade is based on a proctored examination.

Winter 2013 - Joseph Isenbergh

Islamic Law and Finance

LAWS 80222 - 01 (3) w, c/l, x, m

This seminar will provide students with an overview of the modern Islamic finance industry. We will review the basic sources of Islamic law and jurisprudence and consider the prohibitions on unjustified increase (riba) and excessive risk (gharar). We will explore the classical rules of Islamic contract and commercial law and their application in the modern context. The growth of the modern Islamic finance industry from the 1970's to the present will be examined. The main Islamic financial products will be reviewed. We will consider legal questions in structuring transaction documentation. We will explore the ethical underpinnings of Islamic finance and the social justice questions highlighted by the intersection of religion and finance. Regulatory issues will be discussed. We will also consider the political environment in which Islamic finance currently operates. The seminar is intended to familiarize students with the essential legal framework of the rapidly emerging market for highly technical and sophisticated Islamic financial products.

Autumn 2012 - Cynthia Shawamreh

Jurisprudence I: Theories of Law and Adjudication

LAWS 47411 - 01 (3) e

An examination of classic jurisprudential questions in and around the theory of adjudication: the theory of how judges actually do decide cases and how they ought to decide them. These questions include: Do legal rules really constrain judicial decision-making? What makes a rule (or norm) a rule of the legal system? Are principles of morality legally binding even when such principles have not been enacted into a law by a legislature? (Relatedly, are there objective principles of morality?) When no legal norm controls a case, how ought judges to decide that

case? Can there be right answers to legal disputes, even when informed judges and lawyers disagree about the answer? Are there principles or methods of legal reasoning that constrain judicial decision-making, or is legal reasoning essentially indeterminate, such that a skillful judge can justify more than one outcome for any given dispute? Is judicial decision-making really distinct from political decision-making of the sort legislators engage in? Readings drawn exclusively from major twentieth-century schools of thought - especially American Legal Realism (e.g., Karl Llewellyn, Jerome Frank), Natural Law (e.g., Ronald Dworkin, John Finnis), and Legal Positivism (e.g., H.L.A. Hart, Joseph Raz) - supplemented by other pertinent readings (from Leslie Green, Richard Posner, and the instructor, among others). No familiarity with either jurisprudence or philosophy will be presupposed, though some readings will be philosophically demanding, and the course will sometimes venture into (and explain) cognate philosophical issues in philosophy of language and metaethics as they are relevant to the core jurisprudential questions.

Take-home essay exam.

Spring 2013 - Brian Leiter

Jurisprudence II: Topics in Moral, Political, and Legal Theory

LAWS 47421 - 01 (3) x

This course will examine the philosophical foundations of free speech, with some attention to American constitutional doctrine on the subject, but primarily focused on foundational issues: Why should the law protect freedom of speech? What limits on freedom of speech are justified? What kinds of “harms” can justify such limits? Can or should the state regulate “hate speech”? Pornography? Illiberal speech? Offensive speech? In addition to selected court cases, readings will be drawn primarily from contemporary and historical authors including John Stuart Mill, Herbert Marcuse, Frederick Schauer, Catharine MacKinnon, T.M. Scanlon, Jeremy Waldron, and Geoffrey Stone, among others.

Spring 2013 - Brian Leiter

Labor Law

LAWS 43101 - 01 (3) x

This course examines the statutory, administrative, and judicial law governing collective labor relations. The principal subjects are union organizing and collective bargaining, with particular attention to the National Labor Relations Act. Students consider the strategies adopted by labor groups, employers, and legal actors in response to evolving economic and social conditions. The course draws on historical and comparative perspectives to evaluate emerging alternatives to the existing labor law regime.

Grading is based on class participation and a final examination.

Autumn 2012 - Laura Weinrib

Land Use

LAWS 61301 - 01 (3) x

This course will examine mechanisms for regulating land use and development. We will consider constitutional and other legal limitations on land use controls, as well as political, economic, and other policy considerations that bear on regulatory

choices. The interactions among land use controls undertaken by different governing bodies will also receive attention.

The student's grade is based on a proctored final examination; participation may be taken into account as indicated on the syllabus.

Winter 2013 - Lee Fennell

Law and Advances in Medicine

LAWS 93302 - 01 (3) w, x, m

This seminar will address the intersection of medicine, science, and law, focusing on issues related to human research, informed consent, the "new genetics," and other advances in biotechnology.

Enrollment is limited to 14 students.

Students will write a significant research paper, submitted in three stages, which can be used to satisfy the Writing Project requirement and which will count for 50 percent of the grade. The other 50 percent will be based on class participation.

Spring 2013 - Julie G. Palmer

Law and Political Thought: Punishment

LAWS 70705 - 01 (3) r, w, c/l

This course will focus on punishment paradigms—past, present, and future.

The United States experienced an exponential increase in its prison population beginning in 1973 and witnessed the collapse of earlier punishment paradigms, such as rehabilitation. At the same time, the early 1970s were marked by severe criticism of the excesses of the criminal justice system and many predictions of the future demise of the prison. This raises a host of questions: What happened in the 1970s that contributed to our present condition of mass incarceration? What is the punishment paradigm that governs the criminal justice system today? And can we envisage a radically different paradigm for the future? This course will explore these questions through readings of the classics of political, social, and legal theory on punishment since the 1970s.

Students will be assessed via a substantial research paper and class participation.

Winter 2013 - Bernard E. Harcourt

Law and Politics: U.S. Courts as Political Institutions

LAWS 51302 - 01 (3) +, r, w, c/l, m

The purpose of this seminar is twofold. First, it introduces students to the political nature of the American legal system. In reviewing social science literature on courts, students focus on the relationship between the courts and other political institutions. The questions asked include the following: Are there interests that courts are particularly prone to support? What effect does congressional or executive action have on court decisions? What impact do court decisions have? Second, by critically assessing approaches to the study of courts, the seminar seeks to highlight intelligent and sound approaches. Particular concern focuses on assumptions students of courts have made, how evidence is integrated into their studies, and what a good research design looks like.

There will be a mandatory preliminary meeting for interested students in the Autumn; law student enrollment is limited to 7.

There is a choice. Students can either write two 5-7 page analytic papers and complete a take-home final or they can write one 5-7 page analytic paper and undertake a substantial research paper.

Papers may meet substantial research paper (SRP) graduation requirement.

Winter 2013 - Gerald N. Rosenberg

Law and Practice of Zoning, Land Use, and Eminent Domain

LAWS 90602 - 01 (2 to 3) s, x, m

This seminar is a multi-disciplinary, multi-partisan discussion of the balance between private property rights and governmental regulation in land development. We primarily address (i) constitutional bases of private rights and public land use planning; (ii) eminent domain, takings and exactions (including impact fees and delays); (iii) current manifestations of local and regional planning and zoning, including City of Chicago Zoning Reform; and (iv) legal procedures and practical strategies for obtaining public financial incentives, land use approvals, and "relief" for real estate development projects, large and small.

Prior course work in real property and constitutional law are encouraged.

Course materials include cases, academic and trade-group commentaries, press coverage, and narrative and graphic exhibits for specific development projects.

The student's grade is based on attendance, spirited class participation, and, at each student's election, either a paper or an open-book examination. Students writing a paper of 25 or more pages will earn 3 credit hours. Students taking the exam or writing a shorter paper of approximately 15 pages will earn 2 credit hours.

Autumn 2012 - Thomas F. Geselbracht; Theodore Novak; Paul W. Shadle

Law and Religion

LAWS 97522 - 01 (3) +, w, x, m

This seminar will explore religious freedom in the United States in more depth.

In addition to First Amendment doctrine, readings will encompass philosophical antecedents and current controversies including but not limited to mandated birth control coverage, legislative chaplaincies, and aggressive religious speech.

In addition to assigned readings, students will be expected to find and present interesting scholarly articles on current or historical topics relating to the subject matter.

Grading will be based on short reactions to offered readings, presentation of articles, and a concluding paper.

Constitution Law V is a recommended by not required prerequisite.

Spring 2013 - Jeremy G. Mallory

Law and the Mental Health System

LAWS 47001 - 01 (3) r, w

The course examines the interrelationship between legal doctrine; procedural rules; medical, cultural, and social scientific understandings of mental disability; and institutional arrangements affecting the provision of services to the mentally disabled. Consideration is given to admission to and discharge from mental health facilities, to competency to consent to or to refuse treatment, to surrogate decision-making for those found incompetent, to the rights of those confined in mental health

facilities; to discrimination against the mentally disabled, and to the rights of the mentally disabled in the criminal justice system.

Grades are based on a final paper or a final take-home exam, and class participation.
Autumn 2012 - Mark J. Heyrman

Law and the Theory of the Firm

LAWS 61603 - 01 (2 to 3) w, x, m

This seminar examines legal and economic theories of why firms choose certain organizational and capital structures. The first part of the seminar will examine the decision between producing goods or services internally and purchasing those items from external markets. We will look at how agency, contract, corporate governance, and intellectual property laws interact with that decision. The second part of the seminar will examine the legal structures that determine how firms finance their operations. For example, why do some firms take on secured debt while others issue new equity? We will consider theories of how various laws (agency, contracts, corporate governance, and bankruptcy) can impact the agency and monitoring costs that drive the financing decision.

Grades will be based on class participation and either 1) short research papers, or 2) a series of response papers.

Autumn 2012 - Anthony J. Casey

Leadership

LAWS 75102 - 01 (3) +, w, s, m

The divide between law and business is becoming increasingly blurred as clients look to their lawyers not merely for legal advice but also for leadership and results-focused solutions to complex business problems. Increasing competition, early specialization, and client cost constraints provide junior attorneys with few opportunities to develop the skills necessary to meet these increasing expectations. Through this highly intensive seminar, students will develop the judgment and practical skills necessary to become effective leaders and problem solvers, as well as an understanding of the theoretical foundations of effective leadership. Topics will include project management, strategic vision, forms of influence, and business leadership. Materials will include cutting-edge research, case histories, videos, and literature. Class sessions occasionally will include speakers who have played important leadership roles.

The student's grade will be based on active and insightful class participation, reflection papers on assigned readings, and a final paper on an instructor-approved topic of the student's choosing (examples of potential topics include leadership in alliance formation, variations in governing board structures, performance consequences of executive succession, and leadership in outsourcing relationships). The seminar will require substantial out of class work and class participation will count toward the grade. Students will be developing leadership presentations and completing major projects outside of class. Enrollment is very limited given the unique nature of this seminar, and instructor approval is required. If there is sufficient student interest, there may be a follow-on leadership seminar offered in the Spring.

Winter 2013 - David J. Zarfes

Leadership

LAWS 75102 - 01 (2) x, m

How does one become a leader? Are leaders born or are they made? Do all leaders employ the same leadership style? What is the proper relationship between leaders and those they lead? This seminar will answer these questions by helping students to think critically about what makes for successful leadership and self-aware followership. Lessons and examples are drawn from history, literature, philosophy, politics, business, and law. The seminar is broken into two parts. In the first part, we will examine the moral psychology of leadership by reading works from Adam Smith, Benjamin Franklin, William Shakespeare, and Thorstein Veblen, among others. In the second part, we will examine the perils and possibilities for those who are members, but not heads, of a common enterprise. The authors we will discuss include Frederick Winslow Taylor, Hannah Arendt, Karl Marx, George Orwell, and Barbara Ehrenreich.

Spring 2013 - John P. Rollert

Legal Elements of Accounting

LAWS 79102 - 01 (1) s, x

This mini-course introduces accounting from a mixed law and business perspective. It covers basic concepts and vocabulary of accounting, not so much to instill proficiency with the mechanics of debits and credits as to serve as a foundation from which to understand financial statements. The course then examines accounting from a legal perspective, including consideration of common accounting decisions with potential legal ramifications. It also analyzes throughout the reasons for and roles of financial accounting and auditing, as well as the incentives of various persons involved in producing, regulating, and consuming financial accounting information. The course will touch on some limitations of, and divergent results possible under, generally accepted accounting principles, as well as detection of common accounting manipulation. Current cases, proposals, and controversies will be discussed.

Class will meet for nine sessions, four days during week 1 (M-Th Jan 7-10, 2013) and five days during week 3 (M-F Jan 21-25, 2013), and completion earns one credit. Attendance and participation will be very important. Grades will be based on a take-home final examination and class participation. Students with substantial prior exposure to accounting (such as students with an MBA, joint MBA/JD students, and undergraduate finance or accounting majors) must seek instructor permission to take the course and will be graded based on a medium-length term paper. Students may audit but cannot earn credit for both this course and any other law school introductory accounting course.

Winter 2013 - John R. Sylla

Legal Interpretation

LAWS 51602 - 01 (3) w, x, m

Many challenges in law come from the difficulty of interpreting words—always incomplete, often old. This seminar explores different methods of resolving interpretive problems: "plain meaning," its cousin textualism; a search for intent ("original," presumed, or imputed); functional analysis; and so on. The seminar

asks how the competing approaches to decoding texts stand up on different criteria, such as consistency with principles of democratic governance (including the contributions of public choice theory) and the philosophy of language. Constitutional and statutory interpretation receive approximately equal emphasis. Enrollment is limited to 20 students.

The student's grade is based on a series of short research papers.

Successful completion of this seminar qualifies for the fulfillment of the WP graduation requirement.

Autumn 2012 - Frank H. Easterbrook

Legal Issues in International Transactions

LAWS 42504 - 01 (2) m

This seminar explores the complex legal and political issues common in international transactions. It provides a brief introduction to a range of potential challenges for corporations engaging in international transactions including choice of law issues, extraterritorial regulation, international arbitration and investment rules, enforcement of arbitral awards, and compliance with the Alien Tort Statute and Foreign Corrupt Practices Act, among other areas.

Grades will be determined through a series of response papers and class participation.

Grades will be determined through a series of response papers and class participation.

Winter 2013 - Daniel Abebe

Legal Profession

LAWS 41002 - 02 (3) p, x

This course, which satisfies the professional responsibility requirement, will consider the law and the ethics governing lawyers. Among the topics that will be examined are the nature of the lawyer-client relationship, competency, confidentiality, and conflicts of interest.

A student's grade is based on a final examination.

Autumn 2012 - Thomas A. Lidbury

Legal Profession

LAWS 41002 - 03 (3) p, x

This course, which satisfies the professional responsibility requirement, will consider the law and the ethics governing lawyers. Among the topics that will be examined are the nature of the lawyer-client relationship, competency, confidentiality, conflicts of interest, and some fundamental questions about who we are and what we stand for as lawyers.

A student's grade is based on a final examination.

Autumn 2012 - Barry S. Alberts

Legal Profession: Ethics

LAWS 41002 - 01 (3) w, p, x

This course, which satisfies the professional responsibility requirement, will consider the law and the ethics governing lawyers. Among the topics that will be examined are the nature of the lawyer-client relationship, competency,

confidentiality, conflicts of interest, and some fundamental questions about who we are and what we stand for as lawyers.

Autumn 2012 - Adam Hoeflich

Legislation and Statutory Interpretation

LAWS 44201 - 01 (3) e, x

Much of lawyers' work today involves the close reading and interpretation of statutes or like texts. The focus of this class is the study of current theories and problems of reading statutes. The class also encompasses political theory and public choice approaches to the legislative process as they relate to legal interpretation.

The class has the aim of bolstering students' capacity to work with statutes in law school and beyond. At the end of the class, students will have a thorough grasp of the production of statutes by the legislative branch and their use by the courts.

The student's grade is based on a final examination.

Spring 2013 - Jennifer H. Nou

Life in the Law

LAWS 99403 - 01 (2) w, x, m

This seminar will explore the various definitions and valuations of life across diverse areas of the law. Readings will include seminal cases in reproductive rights, assisted suicide, right-to-die, and capital punishment. Background readings in related areas, i.e., scientific journals, papers, etc. will also be required. The seminar will discuss policy decision-making including actuarial analysis and social, medical and religious values inherent, implicit or ignored in the legal analysis.

Students will be required to write three short papers, co-draft a statute in one area of law, and participate in jury deliberations.

Grade will also be based on class participation.

Winter 2013 - Herschella G. Conyers

Litigation Laboratory

LAWS 91563 - 01 (3) w, s, x, u

This simulation class brings lawyers and students together to analyze and develop aspects of the lawyers' ongoing cases. It allows good lawyers to use law students for collaborative help with open cases, and allows law students to learn litigation skills by working with the lawyers. A different lawyer with a different case will participate in almost every class. Typically the lawyer will provide materials for the students to review before the class. During the class, students will discuss, argue, debate, and work with the lawyer to solve hard issues. Following each class, students will complete written materials analyzing and evaluating the problem. In classes when lawyers are not included, students also learn practical litigation skills through various advocacy exercises.

Students will be graded based on active participation and their written materials.

Autumn 2012 - James A. Clark; Catherine M. Masters

Litigation Laboratory

LAWS 91563 - 02 (3) w, s, x, u

This seminar brings lawyers and students together to analyze and develop aspects of the lawyers' ongoing cases. It allows good lawyers to use law students for

collaborative help with open cases, and allows law students to learn litigation skills by working with the lawyers. A different lawyer with a different case will participate in almost every class. Typically the lawyer will provide materials for the students to review before the class. During the class, students will discuss, argue, debate, and work with the lawyer to solve hard issues. Following each class, students will complete written materials analyzing and evaluating the problem. In classes when lawyers are not included, students also learn practical litigation skills through various advocacy exercises.

Students will be graded based on active participation and their written materials.
Winter 2013 - James A. Clark; Catherine M. Masters

Litigation Laboratory

LAWS 91563 - 02 (3) w, s, x, u

This seminar brings lawyers and students together to analyze and develop aspects of the lawyers' ongoing cases. It allows good lawyers to use law students for collaborative help with open cases, and allows law students to learn litigation skills by working with the lawyers. A different lawyer with a different case will participate in almost every class. Typically the lawyer will provide materials for the students to review before the class. During the class, students will discuss, argue, debate, and work with the lawyer to solve hard issues. Following each class, students will complete written materials analyzing and evaluating the problem. In classes when lawyers are not included, students also learn practical litigation skills through various advocacy exercises.

Students will be graded based on active participation and their written materials.
Spring 2013 - James A. Clark; Catherine M. Masters

Local Government Law

LAWS 71701 - 01 (3)

This course examines the law regarding provision of public goods and services at the state and local level. It explores the way in which local government law addresses the issues of what services a local government should provide, which residents should receive those services, who should pay for the services provided, and who should provide the answers to the previous questions. It explores the relationship among federal, state, and local governments, with particular emphasis on judicial analysis of the constitutional and statutory bases of those relationships. Grading is based on a proctored final examination; participation may be taken into account as indicated on the syllabus.

Spring 2013 - Julie Roin

Major Corporate Transactions: Legal and Business Issues

LAWS 64403 - 01 (3) x, m

This seminar focuses on the issues that arise in structuring large-scale transactions across a large number of areas, such as mergers and acquisitions, initial public offerings, and corporate reorganizations.

Required work includes short writing assignments, in-class presentations, and a take-home examination.

Winter 2013 - Douglas G. Baird

Managing Legal Risk in a Global Economy

LAWS 73913 - 01 (3) w, x, m

In today's global economy, companies, investors and other economic actors are operating on a cross-border basis more than ever before. As a result, they are faced with the daunting prospect of managing legal, regulatory and other business risks in a multitude of countries across the globe. This seminar will introduce students to the intriguing challenges of managing cross-border legal, regulatory and other risks in today's global and increasingly complex and interconnected economy. The seminar will cover an array of issues including, among other things, anti-corruption, regulation, economic sanctions, managing cross-border liability risks, tools for the effective resolution of cross-border litigation, including the use of bilateral investment treaties, and the management of political and country risks. The seminar also will explore the important relationship between counsel (in-house and external) and company management in effectively managing risk on a global basis. The seminar will be taught on the basis of readings as well as case studies. The format of the seminar will depend heavily upon active student participation.

Law students and business students are both encouraged to participate in the seminar. Students will be graded based upon the quality of their preparation for and participation in the course, as well as the quality of a required paper. This seminar will satisfy part of the lesser of the school's two writing requirements, if substantial research and written work is completed.

Spring 2013 - Javier Rubinstein

Mental Health Advocacy Clinic

LAWS 67013 - 01 (1 to 2) +, a, w, s, x

The Mental Health Advocacy Clinic teaches legislative advocacy and other policy advocacy skills. Under the supervision of the clinical teacher, students engage in legislative and other policy advocacy on behalf of persons with mental illnesses and not-for-profit organizations. Students may research and draft legislation and regulations and supporting materials, devise and implement strategies to obtain the enactment or defeat of legislation, negotiate with representatives of various interest groups, engage in coalition building and testify in legislative hearings.

The Mental Health Advocacy Clinic satisfies part of the writing requirement if substantial written work is completed. Prior or contemporaneous enrollment in either Legislation or a course on statutory interpretation is encouraged but not required.

The course includes a mandatory one hour weekly classroom component during the Fall Quarter for which one credit will be awarded.

2-7 credits by agreement with the clinical teacher.

Student may enroll in the course for no more than three quarters.

Autumn 2012 - Mark J. Heyrman

Mental Health Advocacy Clinic

LAWS 67013 - 01 (1 to 2) +, a, w, s

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Spring 2013 - Mark J. Heyrman

Mental Health Litigation Clinic

LAWS 67015 - 01 (1) +, a, w, s, x

The Mental Health Litigation Clinic teaches litigation skills. Under the supervision of the clinical teacher, students engage in litigation on behalf of indigent, mentally ill clients of the Law School's Edwin F. Mandel Legal Aid Clinic. Students may interview clients and witnesses; research and draft pleadings and legal memoranda, including briefs to reviewing courts; conduct formal and informal discovery; negotiate with opposing counsel and others; conduct evidentiary hearings and trials; and present oral argument in trial and appellate courts. The most common type of litigation will involve representing persons confined in state hospitals in state trial court hearings concerning the clients' conditional or unconditional release or their treatment within the hospital. Students will be licensed to appear, under the supervision of the clinical teacher, in state and federal courts pursuant to court rules and practices.

See the general rules for all clinical courses for further details concerning enrollment, including the rules governing the award of credit.

The Mental Health Litigation Clinic satisfies part of the writing requirement if substantial written work is completed.

Participation in the Mental Health Litigation Clinic is limited to third year students.

Prior completion of Evidence is required.

2-6 credits by agreement with the clinical teacher.

Autumn 2012 - Mark J. Heyrman

Mental Health Litigation Clinic

LAWS 67015 - 01 (1) +, a, w, s

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Prior completion of Evidence is required.

2-6 credits by agreement with the clinical teacher.

Spring 2013 - Mark J. Heyrman

Mergers and Acquisitions

LAWS 42311 - 01 (3)

In this course we will examine a number of the important legal and practical issues that arise in connection with mergers and acquisitions of U.S. businesses. These include: (1) the differences between mergers, tender offers, stock acquisitions and asset acquisitions and the advantages and disadvantages of each type of transaction; (2) the duties of directors in change of control transactions; (3) special considerations applicable to transactions, such as controlling shareholder buyouts or management buyouts, in which a director, officer or shareholder has a material conflict of interest; (4) disclosure issues in public M&A transactions; (5) issues that arise in connection with hostile takeovers and takeover defenses; (6) timing issues in public M&A transactions; (7) the enforceability of deal protection provisions in public merger agreements; (8) issues relating to fraud claims brought in M&A transactions; and (9) problems that arise between signing an M&A agreement and the closing of the transaction.

The course materials will include relevant judicial decisions as well as examples of disclosure documents and merger, stock purchase and asset purchase agreements. Grades will depend on a final exam and class participation.

Some of the topics in this course will also be covered more intensively in Buyouts, but that course is not a prerequisite for this course and students may take both courses.

This offering was previously listed as Advanced Corporations: Mergers and Acquisitions.

Winter 2013 - Scott Davis

Negotiation and Mediation

LAWS 98801 - 01 (3) w, s, x, u

This class will introduce the theory and practice of negotiation and mediation across various contexts, including deal-making and dispute resolution. It will give students an organized theoretical framework for analyzing various parties' positions and crafting thoughtful strategies. Students will develop their practical skills and individual styles through a series of simulation exercises, which will be executed inside and outside of class and then discussed and critiqued. Exposure to different techniques, styles, and contexts will be used to teach students what works best for them.

Enrollment is limited to 20 students, with a preference given to third-year students.

Grades will be based on in-class exercises, a series of reaction papers based on out-of-class assignments, and a final negotiation that will be observed and evaluated by the instructors.

Spring 2013 - David J. Zarfes

Network Industries

LAWS 73501 - 01 (3)

This course addresses state and federal regulation of price, quality, and entry, with an emphasis on the regulation of natural monopolies, cost-of-service rate-making, rate design, and the problem of partial competition within a regulated environment. While the scope of the course precludes a detailed investigation of any particular industry or system of regulation, particular attention is paid to electrical generation and transmission, the Internet, and telecommunications, with exposure to problems of the other network industries, such as transportation and consumer electronics.

This course emphasizes the substantive law and regulated industries and pays scant attention to the procedural questions addressed in Administrative Law, which should be taken at some point, but which is not a prerequisite for this course.

The student's grade is based on class participation and a final examination.

Winter 2013 - Randal C. Picker

Non-Profit Organizations

LAWS 67802 - 01 (2) +, c/l, x, m

The financial crisis and increase in political polarization that we have experienced has led to an increase in the role of non-profit organizations in our economy and democratic processes. However, few professionals understand how the rules applicable to non-profit organizations differ from comparable laws that govern the behavior of for-profit entities. This seminar attempts to fill that gap by exploring the tax and non-tax rules applicable to non-profit organizations. Such topics as fiduciary duties, commercial activities, federal and state tax exemptions, charitable deductions, and limits on lobbying and political activities are included. We dwell on the underlying question of why some activities (and not others) are carried out in the non-profit sector and the erosion of the difference between activities conducted by for-profit and non-profit entities. Think of hospitals; both for-profit and non-profit hospitals provide the same services to customers (patients). However, the tax and non-tax rules that apply to the two categories of hospitals are quite different. We examine these differences and consider whether they make sense.

The student's grade is based on class participation and a final examination.

Instructor's approval is required for students who have not completed or are currently enrolled in Introductory Income Tax.

Enrollment is limited to 20.

Autumn 2012 - William C. Golden

Obscenity Law and Pop Culture

LAWS 53013 - 01 (3) w, x, m

This seminar will examine a culturally relevant issue: the intersection of obscenity laws and pop culture. It will provide an in-depth look at the obscenity laws in the United States, with a particular focus on the laws that prohibit obscene materials of minors. The seminar will explore the "community standards" requirement of

obscenity, as it relates to the definition of obscenity and how it interacts with the law's treatment of a teenager's ability to consent to being featured in obscene material.

Students enrolled will write a seminar paper.

Spring 2013 - Rachael Pontikes

Oil and Gas Law

LAWS 45301 - 01 (3)

The basic law relating to the exploration, production, and development of oil and gas. The following principal topics are covered: ownership interests in natural resources, leasing and field development, the classification and transfer of production interests, and regulation of field operation-pooling, unitization, and environmental controls. Taxation and post-production marketing controls are not covered.

The student's grade is based on class participation and a final exam.

Winter 2013 - Richard H. Helmholz

Parent, Child, and the State

LAWS 47101 - 01 (3) r, c/l

This course examines the legal rights of parents and children and the state's authority to define and regulate the parent-child relationship. Among the topics discussed are children's and parent's rights of expression and religious exercise, termination of parental rights and adoption, paternity rights, the state's response to child abuse and neglect, the role of race in defining the family, and the legal issues raised by the development of new reproductive technologies.

A student's grade will be based on a take-home final examination or a major paper.

Winter 2013 - Emily Buss

Patent Law

LAWS 78001 - 01 (3)

This is a basic course in patent law, in which the class is introduced to the governing statutes, core concepts, and influential court decisions. No technical expertise is necessary, and students from all backgrounds are encouraged to enroll. Patent cases often involve complicated technologies, but the key to understanding the relevant legal issue almost never turns on an understanding of the patented technology itself. Student grades are based on an in-class final examination.

Winter 2013 - Jonathan Masur

Post Incarceration Reentry Clinic

LAWS 67243 - 01 (1) a, w, s, x

The Post Incarceration Reentry Clinic (PIRC) will assist individuals returning to society after detention and imprisonment. Approximately 600,000 people are annually released from state and federal prisons in the United States; in Illinois, about 40,000 prisoners return to their communities each year and a substantial percentage of Illinois prisoners return to a small number of Chicago neighborhoods (several on the Southside) where they encounter restricted housing, employment, and educational opportunities, inadequate social, medical, and mental health services, real obstacles to care and provide for their families, and other policies and

practices that make it difficult to become productive members of the community. Students will be engaged in individual representation, policy reform, and public education. In terms of direct representation, students may interview and counsel clients, prepare and present witnesses at hearings before the Circuit Court of Cook County or the Prisoner Review Board, provide advice and assistance on reviewing criminal records, prepare petitions for expungement and sealing of records, apply for certificates of good conduct and relief from disabilities, provide counsel in parole and probation revocation proceedings, and consider petitions for executive clemency and other post-conviction relief. With regard to policy and public education, we will, *inter alia*, collaborate with other community organizations and providers in advocating for alternatives to incarceration, legislative reform, and the elimination of barriers to employment, housing, public benefits, and education for those with criminal records. PIRC will engage in effective interdisciplinary collaboration with the Clinic social worker and social work students as well as related law school clinics, interested academics, and other university departments and disciplines.

Autumn 2012 - Herschella G. Conyers; Randolph N. Stone

Post Incarceration Reentry Clinic

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Spring 2013 - Herschella G. Conyers; Randolph N. Stone

Poverty and Housing Law Clinic

LAWS 90512 - 01 (3) a, s, x

This clinic, conducted over two sequential quarters, exposes students to the practice of poverty law work by giving them the opportunity to work on housing cases at LAF, which provides free legal services to indigent clients in civil matters. Students will spend twelve hours per week in LAF's Housing Practice Group, and may be asked to attend administrative grievance hearings, represent defendants in eviction actions, prevent landlords from performing lockouts or refusing to make necessary repairs, and participate in ongoing federal litigation. All students will be expected to interview clients, prepare written discovery, and draft motions. In addition to working at LAF, students will attend a weekly two-hour class at which they will learn about poverty law, subsidized housing programs, eviction actions, housing discrimination, the intersection between domestic violence and housing, using the bankruptcy code to preserve subsidized tenancies, challenging barred lists and "no trespass" policies, jury trial practice, and the extensive and often misunderstood connection between criminal law and subsidized housing.

Enrollment is limited to twelve students.

The seminar is taught by Lawrence Wood (Director, LAF's Housing Practice Group).

Each student's grade is based on his or her class participation (20%), one paper-10 pages minimum (10%), and work at LAF (70%).

Winter 2013 - Lawrence Wood

Poverty and Housing Law Clinic

LAWS 90512 - 01 (4) a, s

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Spring 2013 - Lawrence Wood

Presidential Powers

LAWS 68712 - 01 (3) x

The course will discuss the President's constitutional powers and duties. We'll consider law enforcement, prosecutorial control, independent agencies, the pardon power, signing statements, the duty to defend the constitutionality of federal statutes, the line-item veto, executive privilege, impeachment, suits against the President and other executive officers, authority over foreign affairs and the war powers, including questions related to the war against terrorism (detention, tribunals, targeting).

Autumn 2012 - Saikrishna B. Prakash

Privacy

LAWS 79501 - 01 (3)

This course surveys society's efforts to draw boundaries between the public and private spheres, with a focus on the legal regimes governing the collection, aggregation, and dissemination of private information. The course devotes substantial attention to the privacy-related torts, government surveillance, privacy-related First Amendment issues, and international privacy law. Other substantive topics that may be covered include consumer privacy on the Internet, Megan's Law, associational privacy, the Freedom of Information Act's privacy provisions, and medical privacy. The student's grade is based on a final examination and participation. This course is capped at 84 students.

Spring 2013 - Lior Strahilevitz

Private Equity Transactions: Issues and Documentation

LAWS 71402 - 01 (3) +, s, x, m

This seminar will examine from a practical perspective the issues and documentation arising in a typical private equity acquisition transaction. The seminar will follow this type of transaction through its various stages and provide students in-depth and practical experience with common deal issues and drafting contractual provisions to address those issues. The goal of the seminar is to help prepare students for the practical aspects of being a deal lawyer. Coursework will include reading acquisition contracts, cases and legal commentators and weekly written assignments (contract drafting and issue analysis).

Corporations/Business Associations I and Contracts are prerequisites.

Grades will be based on class participation and the written assignments.

Winter 2013 - Mark A. Fennell; Stephen L. Ritchie

Problems in Corporate Law

LAWS 52203 - 01 (1) x

This course examines current hot topics in Delaware corporate law, relying principally on judicial decisions and academic or practitioner commentary. It is not a high-level survey course; instead, the course will consider issues such as why Delaware occupies a dominant position in the field of corporate law, and will explore particular aspects of that law, including judicial standards of review, common law fiduciary duties of managers and directors, change of control transactions, conflict transactions, poison pills, and defensive mechanisms—all in the context of particular decisions by the Delaware Court of Chancery and Supreme Court. The class is intended to be a focused course on how corporate law is made in Delaware, as well as the policy reasons underlying its law.

Grades will be based on class participation and either a paper or an in-class examination.

This mini-course will meet January 7-10.

Winter 2013 - William B. Chandler

Professional Responsibility in the Real World

LAWS 41013 - 01 (3) p, x

This course, which satisfies the professional responsibility requirement, addresses real world ethical issues and challenges facing attorneys in private practice and public service. The instructors, members of a major international law firm, will make the rules governing the professional responsibilities of lawyers come alive by discussing a number of examples taken from the headlines and daily practice. Along the way, the instructors will give meaningful insight into what it is like to practice law in a broad range of practice areas, including transactions, litigation and public service. Class attendance and participation will be an essential aspect of this course. The student's grade will be based on class participation, a substantial series of short take-home exercises and a final, take-home examination.

Spring 2013 - James E. Clark; Teresa W. Harmon; Michael J. Sweeney

Project and Infrastructure Development and Finance

LAWS 42512 - 01 (2) +, w, x, m

This seminar will be of most interest to students interested in financial transactions as the core of a corporate law practice. There are no pre-requisites. The emphasis in this seminar will be on financings of identified operating assets, principally industrial and infrastructure projects and transportation equipment. These financings will be distinguished from financings of ongoing corporate enterprises, and representative transactions will be studied in depth in order to develop and then focus on selected legal structuring and legal practice issues, including, for example, legal opinions normally delivered at financial closings. Because these financings in practice employ nearly the full range of financial products, from commercial bank loans to capital market instruments, credit supports and derivatives, collateral security, and equity investments, the issues discussed have relevance to a broad range of financial transactions. The class will be discussion oriented; there will be no exam and grades will be based on short papers and class participation. The readings will include selected cases, portions of treatises and academic journals, and rating agency and official publications. One or more guest speakers from the financial community are expected.

Corporation Law is not a prerequisite, but is recommended.

Students wishing to meet the WP requirement must write a research paper.

Enrollment is limited to twenty-five students.

Autumn 2012 - Martin D. Jacobson

Property Theory

LAWS 95502 - 01 (2) x, m

This seminar will provide an introduction to the most influential contemporary theories of property, as well as an opportunity to discuss how those theories might approach several important questions within property law. The first half of the seminar will survey the contending theories, including various utilitarian/welfarist theories of property, Lockean and libertarian theories, as well as Aristotelian approaches. The second half will explore various property "controversies" through the lenses of these theories. We will discuss questions such as redistribution, eminent domain, and the right to exclude.

Winter 2013 - Eduardo M. Peñalver

Prosecution and Defense Clinic

LAWS 67713 - 01 (3 to 4) +, a, s, x

The Prosecution and Defense Clinic provides students with an opportunity to learn about the criminal justice system through: (1) a 2-quarter seminar taught by a former Assistant United States Attorney and a former Federal Defender; and, (2) a clinical placement in either a prosecutor's office or public defender's office. The goal of the clinic is to familiarize students with the legal procedures and issues which arise in a typical criminal case as well as ethical and other social justice issues (such as race and poverty) routinely considered by all criminal justice attorneys and courts. The clinic will provide students with a unique combination of substantive criminal law and procedure, ethics, trial practice (through participation

in courtroom exercises built around a single federal criminal case), and hands-on experience through a clinical placement.

Each student in the clinic will be responsible for securing a field placement and participating in a pre-screened externship program with a federal or state prosecutor or defender office for the winter and spring quarters. Examples include the U.S. Attorney's Office for the Northern District of Illinois or the Public Defender's office in any northern Illinois county. (Please note that some offices require law students to apply as early as September for externships beginning the following January.) Students will comply with the clinical placement's requirements regarding hours and assignments, which will be considered part of their course grade. In the clinical placements, students may be expected to research substantive criminal law issues, draft affirmative and responsive pleadings and memos, interview witnesses and clients, assist lawyers with court hearings and where permitted (and with an appropriate 711 license), appear in court under the supervision of practicing attorneys. Other components of each student's grade are: seminar classroom participation, including discussion of readings; participation in trial practice exercises; twice monthly journal entries; and, a 10-page practice paper or research paper. There is no final exam (in either quarter) and students will earn up to seven credits for the course, depending in part on the number of hours required for the student's field placement. Because of the practical component, the class size will be limited to 12 students. Both 2Ls and 3Ls may sign up for this course, provided they have taken Evidence (2Ls may take it concurrently). A 711 license is not required, but depending on the placement, may be encouraged. Winter 2013 - Lisa M. Noller; Gabriel B. Plotkin

Prosecution and Defense Clinic

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criminal law issues, draft affirmative and responsive pleadings and memos, interview witnesses and clients, assist lawyers with court hearings and where permitted (and with an appropriate 711 license), appear in court under the supervision of practicing attorneys. Other components of each student's grade are: seminar classroom participation, including discussion of readings; participation in trial practice exercises; twice monthly journal entries; and, a 10-page practice paper or research paper. There is no final exam (in either quarter) and students will earn up to seven credits for the course, depending in part on the number of hours required for the student's field placement. Because of the practical component, the class size will be limited to 12 students. Both 2Ls and 3Ls may sign up for this course, provided they have taken Evidence (2Ls may take it concurrently). A 711 license is not required, but depending on the placement, may be encouraged.
Spring 2013 - Lisa M. Noller; Gabriel B. Plotkin

Public Choice

LAWS 69001 - 01 (3)

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

Grades will be based on a final examination.

Spring 2013 - Saul Levmore

Public Corruption and the Law

LAWS 68314 - 01 (2 to 3) +, w, x, m

This seminar will focus on how governments use the law to prevent and catch public corruption, how the law is sometimes used to protect public corruption, and how one should determine the optimal response to corruption and its consequences. We will examine the substantive criminal laws and sentencing schemes used in the best public corruption prosecutions, ranging from RICO and "honest services" fraud to bribery and extortion laws. We will also examine the laws that create, authorize, or prevent the most effective investigative tools used by law enforcement against public corruption, including wiretap laws and related privacy issues. We will study several key topics within public corruption law, including patronage, its effect on democratic institutions, and its status under the First Amendment; campaign finance reform and whether money in campaigns is protected speech or a corrupting influence (or both); and the relationship between transparency, online access to information, and corruption. We will also consider an economic analysis of public corruption, including questions about whether the level of democracy, and the pervasiveness of corruption in the culture, affect the cost-benefit analysis. Constitutional Law I and II are recommended pre-requisites.

Students taking the class for 3 credits write one short reaction paper (or short research paper if appropriate), and one major paper. Those taking it for 2 credits write several short reaction papers.

Spring 2013 - David H. Hoffman

Public International Law

LAWS 72901 - 01 (3)

This course is an introduction to public international law, which is the body of law that nation states have jointly created for the purpose of governing their relations. The course focuses on the sources of international law, international institutions such as the United Nations, international adjudication, and various substantive fields of international law, such as the use of force, human rights, the treatment of aliens, and international environmental law.

Grades will be based on class participation and an examination.

Autumn 2012 - Eric A. Posner

Regulation of Investment Professionals

LAWS 42402 - 01 (3) +

This course will consider the rules regulating investment professionals. Topics will include the regulation of broker-dealers, hedge fund managers, private equity fund managers, venture capitalists, and others advising individuals and entities on investment matters. We will study the relevant laws, rules of the Securities Exchange Commission, Commodities Futures Trading Commission, and other agencies, as well as the regulations of self-regulatory bodies, like FINRA and the New York Stock Exchange.

Federal Regulation of Securities is a recommended prerequisite.

Spring 2013 - M. Todd Henderson

Religion, Law, and Politics

LAWS 97521 - 01 (3) w, c/l, x, m

This seminar examines the conceptualization and realization of religious liberty and the separation of church and state. We explore philosophical precepts and historical contexts, review the state of the law, and address current controversial issues.

There are no prerequisites.

Grades are based on a paper and class participation.

Spring 2013 - Sylvia Neil

Remedies

LAWS 41401 - 01 (2)

The way in which the law responds to violations of rights is no less important than the way in which those rights are allocated. The law of remedies determines the law's response to violations of rights, and in so doing, it delineates their boundaries and gives them legal meaning. Hence, the study of the law of remedies is closely related to the study of the substantive law, each field shedding light on the other. This course focuses on remedies in Contracts and Torts, referring to the goals of the substantive law to better understand the remedial law. It explores the law of damages in both Contracts and Torts and covers topics such as: restitutionary damages; probabilistic recoveries; the relationship between damages and non-legal

sanctions; evidential damage; and liquidated damages. The course also covers the remedies of specific performance in Contracts and injunction in Torts and compares and contrasts these remedies with monetary ones. Some of the defenses available to both the breaching party and the wrongdoer, such as mitigation of damages and comparative fault, in Torts and Contracts will also be discussed.

This mini-course meets during the first four full weeks of the quarter only (starting October 1 and ending October 25).

A student's grade will be based on a 8 hour-take-home exam.

Autumn 2012 - Ariel Porat

Roman Law

LAWS 47702 - 01 (3) r, w, e, x, m

The seminar develops skill in analyzing legal problems according to the processes of the Roman civil law, in contrast with those of the common law, and does not purport to give a comprehensive treatment of its detailed workings. The material provides an outline of the sources and procedure of Roman private law, followed by an examination of the Roman institutional system, the basis of most modern civil law codes. Particular emphasis is given to property and to obligations (contracts and torts). No knowledge of Latin is required for the seminar.

This class will be assessed via a series of short research papers and a final two-hour in-class exam.

Because this is a 1L elective, it will be graded on the curve usually applied to courses (as all 1L electives are) and will not count against the seminar limit.

Spring 2013 - Richard A. Epstein

Secured Lender Remedies and Workout Transactions

LAWS 71404 - 01 (2) s, x, m

Starting first by discussing the parameters under which a borrower company must typically operate under its secured loan facility, this seminar will focus on the remedies available to secured lenders when that borrower defaults and the various workout transactions that may ensue, either before bankruptcy or as a bankruptcy alternative. Remedies will be viewed from the perspective of the secured lender's counsel, including negotiation and documentation of forbearance agreements, consensual turnovers and UCC sales of assets and equity, as well as exercise of pledged equity voting rights.

Spring 2013 - Erin Casey

Secured Transactions

LAWS 42201 - 01 (3) x

This course deals with the many legal issues that come into play when there are collateralized loans for which the collateral is personal property. Students focus on Article 9 of the Uniform Commercial Code, the Bankruptcy Code, and other related laws. This form of lending is central to our economy, and the applicable legal doctrines are ones that every corporate and commercial lawyer should firmly grasp. The course is a useful, though not absolutely essential, preparation for Bankruptcy and Reorganization: The Federal Bankruptcy Code (LAWS 73601).

The student's grade is based on a proctored final examination.

Autumn 2012 - Douglas G. Baird

State and Local Finance: Selected Topics

LAWS 62202 - 01 (2) x, m

This seminar examines the implications of choosing between the various revenue sources available to states and localities. Students are asked to consider questions of inter-jurisdictional equity, inter-generational equity, and vertical equity in the context of topics such as public school finance, the use of municipal bonds, tax competition, and tax cooperation.

The student's grade is based on a series of reaction papers and class participation.
Winter 2013 - Julie Roin

Strategies and Processes of Negotiations

LAWS 46702 - 01 (3) s, x, u

This simulation class aims to make you a better negotiator by giving you the analytical frameworks as well as the hands-on experience of negotiating in various roles. In addition to discussing the theoretical "science" of negotiations, you will participate in a series of increasingly complex (and fun!) exercises where you will fine tune the "art" of negotiations. You will work your way from participating in simple two-party, single issues negotiations to multi-party, multi-issue negotiations with internal (within the organization) and external (outside the organization) parties. You will learn how to categorize the problem and prepare for the negotiation; how to create value in an ethical manner; how to ensure that you capture a fair share of the value created; how to form effective coalitions; and how to apply specific tactics to overcome common biases and mistakes made by negotiators. The class will enable you to hone your personal negotiating strengths and work on your personal weaknesses by giving constant feedback showing you how your strategies and tactics worked relative to those used by your classmates.

Attendance in every class is compulsory. Grades are based on preparation, participation and a final project.

Winter 2013 - Radhika Puri

Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions

LAWS 71401 - 01 (3) +, s

This course covers tax, legal, and economic principles applicable to a series of interesting, complex, current entrepreneurial transactions, utilizing venture capital or private equity financing, including (1) new business start up, (2) growth equity investment in existing business enterprise, (3) leveraged buyout of private or public company (including going-private transaction), (4) use of flow-through tax entity, such as S corporation, partnership, or LLC, for variety of venture capital or private equity financed transactions, (5) devising equity-based executive compensation program, (6) private equity financed restructuring or workout (in or out of bankruptcy) for troubled over-leveraged enterprise, (7) devising exit scenario for successful venture capital or private equity financed enterprise (such as IPO, SEC rule 144 sale, sale of company, or merger of company into larger enterprise), (8) utilizing NOL of troubled company after venture capital or LBO deal, and (9) forming new venture capital, LBO, or private equity fund.

Substantive subjects include federal income tax, securities regulation, corporate law, partnership law, LLC law, bankruptcy law, fraudulent conveyance law, and

other legal doctrines, as well as accounting rules and practical structuring issues (including use of common and preferred stocks, convertible debentures, convertible preferred stock, warrants, and options), all reviewed in a transactional context, and with discussion of their policy underpinnings and likely future evolution.

No specific prerequisites, but introductory income tax strongly recommended, entity taxation desirable, and knowledge of corporate law, securities regulation, bankruptcy, and accounting helpful. However, the course book appendix plus assigned supplementary readings contains adequate precedents for an understanding of the material covered by the course.

Spring 2013 - Jack S. Levin; Don Rocap

Taxation of Corporations I

LAWS 75801 - 01 (3) +

This course examines income tax aspects of the formations, distributions, and liquidations of corporations. The focus is on transactional and planning aspects of the corporate tax.

Introductory Income Tax is recommended.

The student's grade is based on class participation and a final examination.

Winter 2013 - David A. Weisbach

Taxation of Corporations II

LAWS 75901 - 01 (3)

This course surveys the taxation of reorganizations and other adjustments involving continuing businesses: mergers, asset and stock acquisitions and other similar shifts of ownership and control; recapitalizations; and divisions. Points of focus are the recognition of gain and loss and the survival and allocation of tax attributes (basis, earnings, and loss carryovers) in these transactions.

Taxation of Corporations I is a prerequisite, and Introductory Income Taxation is recommended.

Students' grades based on a final proctored examination.

Spring 2013 - David A. Weisbach

Technology Policy

LAWS 91311 - 01 (2 to 3) x, m

This seminar will look at a mixture of old and new materials on technology and the law, with a special focus on the intersection of antitrust and intellectual property.

We typically read 2-5 recent books.

Students write blog posts on the readings which will be posted on the class blog.

Students will also comment on posts by other students.

The blog postings do not fulfill one of the substantial writing requirements.

By default, this seminar is 2 credits, but you can take the seminar for 3 credits if you choose to write a meaningful additional paper for 1 credit.

The syllabus for the course is at <http://picker.uchicago.edu/seminar/syllabus.htm>

and the class blog is at http://picker.typepad.com/picker_seminar/.

The student's grade is based on class and blog participation.

Winter 2013 - Randal C. Picker; Steven J. Horowitz

Telecommunications Law and Regulation

LAWS 64702 - 01 (3) +, x

This is an introductory course looking at the regulatory regimes in the U.S. that apply to telephony (both wireline and wireless) and the infrastructure of the Internet. In particular, this course will explore the legal and policy history behind such regulation and the difficulty of classifying new technologies and applying these regulatory regimes in a world of rapidly converging technologies. This course will not cover mass media regulation (broadcast television and radio, or cable television).

Prior (or simultaneous) completion of a course in administrative law and/or antitrust law is helpful, but not required.

Grades will be based upon class participation, a few short reaction/advocacy papers, and a final in-class exam.

Spring 2013 - Joan E. Neal

The Comparative Law of Democracy

LAWS 95904 - 01 (3) +, r, w, x, m

This seminar offers a comparative examination of the major topics in election law, in particular the right to vote, reapportionment and redistricting, minority representation, and campaign finance. Issues the seminar addresses include the following: How and why do countries choose their various election law policies? What conditions are conducive to the reform of election laws? What sorts of normative and empirical judgments can we make about different countries' approaches? What changes would we recommend for the American model of election law?

Students will be assessed via a substantial research paper and class participation.

Winter 2013 - Nicholas Stephanopoulos

The Grand Jury: History, Law, and Practice

LAWS 51603 - 01 (2) x, m

The grand jury is one of the least-understood institutions within the United States criminal justice system. A pre-constitutional institution with medieval English origins, the grand jury system that survives today is unique to the United States. Critics suggest that the grand jury has become an institution that is paradoxically both too powerful and obsolete, and that its independence and role as a safeguard of liberty has been compromised. In contrast, other proposals have sought to expand the grand jury's authority to disclose its secret proceedings for national security purposes and to use grand jury evidence in parallel civil litigation. This seminar will examine critically the historical origin, development, and purposes of the grand jury. With this foundation, we will then devote most of the seminar to studying modern grand jury practice, including the law of secrecy and disclosure, parallel proceedings, the role of immunity and privileges, obstruction and false statement prosecutions, charging instruments, and the regulation of prosecutorial discretion. In doing so, we will consider the perspectives of counsel for witnesses or subjects, government prosecutors, and broader policy interests. Finally, we will consider reform proposals, alternatives to the grand jury, and how the institution may evolve.

Grades will be based on response papers together with participation and a practical exercise.

Winter 2013 - Mark E. Schneider

The Interbellum Constitution

LAWS 90203 - 01 (2 to 3) c/l, x, m

This seminar examines the legal and intellectual history of debates concerning American constitutional law and politics between the Revolution and the Civil War, approximately 1800 to 1860. Topics to be discussed include internal improvements, the market revolution, federal regulation of slavery in the territories, the role of the federal courts, and the development of a national culture.

Grades will be based on class participation and a series of short response papers. Students may also elect to write a longer paper that satisfies the substantial writing requirement for an additional credit.

Spring 2013 - Alison LaCroix

The Law and Economics of Natural Resource Markets

LAWS 92704 - 01 (3) c/l, x, m

Market-based mechanisms such as emissions trading are becoming widely accepted as cost-effective methods for addressing environmental concerns, especially as societies move towards a carbon-constrained future. In the last decade, we have witnessed the expansion of environmental finance to new products - carbon dioxide spot and futures contracts, sulfur dioxide futures and over-the-counter water contracts - that are now fully integrated financial instruments for hedging and speculation. These mechanisms also have potential benefits to address issues in other pressing matters such as water quality, fisheries and biodiversity protection. Like their commodity, equity and fixed-income predecessors, environmental markets did not start by spontaneous combustion. Their successful evolution required the development of specific legal and institutional infrastructures. Financial innovation in general, and the development of the first organized greenhouse gas market in particular, should be of interest to economists, lawyers, policy makers and members of the capital markets.

The seminar will look at financial innovation utilizing the Coasean framework. The study of his work indicates that price mechanism use costs (the sum of infrastructure and transaction costs) have three components: (1) property rights and government regulation; (2) institution-building to minimize transaction costs; and, (3) minimization of per unit transactions costs. The seminar will draw on practical examples from the lecturer's career to explain the origin and evolution of other markets as a guide in the development of new environmental markets. The historical evolution and current developments of market-based mechanisms to address environmental issues will be carefully analyzed. Special attention will be given to the analysis of the cap-and-trade program on sulfur dioxide (SO₂) established by the Clean Air Act of 1990. A significant part of the course material will be devoted to discussion of the emerging market for greenhouse gas emissions both in the United States and abroad. Other environmental markets (smog, renewable energy, water, sustainability indices and biodiversity) will also be featured.

The seminar will also draw on guest lecturers with expertise in environmental finance, energy and economics.

Grading will be based on the writing and presentation of a case study during the last class (80%); attendance and participation will account for the balance of the grade.

Spring 2013 - Richard Sandor

The Law and Economics of White Collar Crime

LAWS 69103 - 01 (2 to 3) r, x, m

This seminar will cover topics such as the choice between civil and criminal sanctions for wrongful conduct by financial wrongdoing, the debate about the appropriateness of using the criminal laws against organizations such as corporations as well as survey legal developments in the area.

Students taking the seminar will be given a choice between writing a paper or taking an exam.

Spring 2013 - Daniel R. Fischel

The Law and Policy of Climate Change

LAWS 46013 - 01 (3) e, x

This course will examine legal and policy issues related to climate change. We will examine domestic responses to climate change, international treaties and European responses, issues related to the ethics of mitigation and adaptation, and the problem of deep uncertainty about the likely effects. Coverage will vary from examining the science and economics of climate change to large scale policy issues to legal issues related to existing environmental statutes and treaties.

Students will generally be required to take a 2 hour exam but students who wish to instead write a paper may do so with permission of the instructor.

Spring 2013 - David A. Weisbach

Theories of Financial Regulation

LAWS 94504 - 01 (2 to 3) r, w, m

This seminar will focus on the intersection between law and finance. We will survey the major theories that explain why and how the government should regulate financial markets. Attention will be given to the movement to deregulate financial markets, the financial crisis of 2008, and the Dodd-Frank Act.

The seminar is jointly taught by a law professor and a business school professor with expertise in financial economics.

Law students may opt for two credits (series of short reaction papers) or three credits (major paper).

Winter 2013 - Eric A. Posner; Luigi . Zingales

Topics in Chinese Law

LAWS 80805 - 01 (2) c/l, x, m

This seminar will introduce students to the legal system of the People's Republic of China. After a brief survey of pre-Revolutionary legal thought and legal structure, we will plunge into the present day. Our topics may include the structure of the legal system; the role of the Communist Party and the government branches; administrative law; criminal law; corporate law; intellectual property; labor law;

constitutional law; legal reform; and participation in the international legal system. As we cover these topics, we will also ask how law in practice deviates from law on the books, discuss the polycentric nature of the Chinese legal system, and consider sources of authority that compete with the authority of legal institutions.

Spring 2013 - Anya Bernstein

Trademarks and Unfair Competition

LAWS 45701 - 01 (3) x

Course covering federal and state doctrines governing trademarks, domain names, and geographical indications; state law unfair competition doctrines; trademark dilution; publicity rights; and federal registration of trademarks.

The student's grade is based on a final proctored examination.

Autumn 2012 - William M. Landes

Trial Advocacy

LAWS 67603 - 01 (3) +, s, x, u

This class will explore the trial lawyer's craft, with a focus on both the written submissions important in litigation and the courtroom skills required at various stages in the life of a case. The instruction will be by lectures, demonstrations, and participation in learning-by-doing exercises (including a mini-trial). Students will learn how to use motions, depositions, written discovery, expert witnesses, exhibits, and technology as effective litigation tools.

Enrollment is limited to 24.

Students who have taken LAWS 67503 Intensive Trial Practice Workshop or LAWS 91702 Trial Practice: Strategy and Advocacy may not take LAWS 67603 Trial Advocacy.

While the instructors strongly recommend that students have a good understanding of the Federal Rules of Evidence before taking the seminar, this is not an absolute prerequisite.

Final grades will be based on class participation, performance during courtroom exercises and the mini-trial, a fifteen-page trial brief, brief in support of a motion, or post-trial brief, and two shorter written pieces. Performance in the mock trial will count for 60% of the students' grade.

Winter 2013 - Tom Dutton; Kevin Van Wart

Trusts and Estates

LAWS 45201 - 01 (3)

This course examines American systems governing the transfer of property at death and related issues, with occasional glances at other legal systems. We first address statutory schemes for intestate succession. We then contrast the relatively formalistic law of wills (including capacity, execution, modification and revocation, and interpretation) with will substitutes and other comparatively flexible non-testamentary means of transferring property at death, including trusts. We close with a look at fiduciary duties, and in particular the modern prudent investor rule. We will consider both Illinois statutes and the Uniform Probate Code and Trust Act. Recurring course themes are the idea of testamentary freedom; statutory and other constraints on the disposition of property; and legal and other responses to

social and technological changes such as assisted conception, artificial life support, untraditional families, and changes in the predominant forms of wealth.

Grades will be based on participation in class discussion, contribution to the class Wiki, and a final examination.

Winter 2013 - Howard M. Helsing; Michelle Huhnke

U.S. Supreme Court: Theory and Practice

LAWS 50311 - 01 (2) x, m

This seminar will provide an in-depth look at the Supreme Court--its current docket and recent trends in its decisions, the modern debate over its proper role, and both written and oral advocacy before the Court.

In addition to class participation, students are graded on a legal brief (generally 15-25 pages in length) and on their performance in a moot court

Winter 2013 - Michael A. Scodro

U.S. Taxation of International Transactions

LAWS 44601 - 01 (3) +

This course provides a survey of the income tax aspects of investments and business operations of foreigners in the United States and overseas investments and business operations of Americans. Though the principal focus of the course is on the U.S. tax system, some attention is paid to adjustments between tax regimes of different countries through tax credits and tax treaties.

The student's grade is based on a final examination.

Winter 2013 - Julie Roin

Workshop: Constitutional Law

LAWS 63612 - 01 (1) a, r, w, m

This workshop, conducted over three sequential quarters, exposes students to current academic work in constitutional law and theory and other areas of public law. Workshop sessions are devoted to the presentation and discussion of papers from outside speakers, at six to eight sessions to be conducted regularly throughout the academic year.

Enrollment may be limited.

This workshop may be taken for fulfillment of the Substantial Research Paper graduation requirement.

Grading is based on a substantial paper (or two shorter papers) plus brief reaction papers on each of the workshop papers.

Autumn 2012 - David A. Strauss; Aziz Huq

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Spring 2013 - David A. Strauss; Aziz Huq

Workshop: International and Comparative Law

LAWS 63412 - 01 (1) m

This workshop offers students the opportunity to read and respond to cutting-edge research in the field of international and comparative law. It consists of four workshops with invited speakers—two on international law and two on comparative constitutional law – as well as a brief introductory meeting with Professor Ginsburg to introduce key concepts and protocols for the workshop.

Assessment for the workshop will be based on four response papers (each 5 double-spaced pages in length) setting out and explaining potential questions raised by the workshop papers.

Please see <http://www.law.uchicago.edu/workshops/internationallaw> for the current schedule.

Spring 2013 - Daniel Abebe; Thomas Ginsburg

Workshop: Judicial Behavior

LAWS 63812 - 01 (1) +, a, r, m

The Workshop on Judicial Behavior provides students with a unique opportunity to read and analyze cutting-edge scholarship that focuses on how judges reach their decisions. In a case law system such as that of the United States, a realistic understanding of judicial behavior, which conventional legal instruction does not convey, is essential to the understanding and practice of law. Over the course of the academic year, six scholars from the fields of law and the social sciences will present their work.

By the end of the academic year, students will produce a major research paper on judicial behavior.

The Workshop is limited to twenty law students; interested students should contact Prof. Landes (land@uchicago.edu) by September 7, 2012.

It will meet six times over the course of the academic year.

Autumn 2012 - Frank H. Easterbrook; Lee Epstein; William M. Landes; Richard A. Posner

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Workshop: Law and Economics

LAWS 56012 - 01 (1) a, x, m

This workshop, conducted over three sequential quarters, 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 meets every other week throughout the academic year. Students enrolled in the workshop receive three credits; one in Autumn, one in Winter, and one in Spring.

Grading is based on the completion of a series of reaction papers as well as a short research paper.

While this workshop is intended to provide groundwork for students' own research in law and economics, it does NOT have an SRP component.

Autumn 2012 - William H. Hubbard

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Spring 2013 - William H. Hubbard

Workshop: Law and Philosophy

LAWS 61512 - 01 (1) +, a, r, w, c/l, m

The Workshop will explore a broad range of topics that arise in ethics, philosophy of action, and philosophy of criminal law related to questions of freedom and responsibility: what is it to act freely? Is responsibility compatible with the causal determination of action? Does the assignment of responsibility in the criminal law make philosophical sense? How does addiction or mental illness affect ascriptions of responsibility in the law, and how should it? Readings will be drawn from philosophy, psychology, and criminal law theory.

Coates and Leiter will meet with enrolled students for two two-hour sessions in October to go over some classic readings on the subject of freedom and responsibility. We will then host six or seven outside speakers addressing these issues. Coates or Leiter will meet with the students a week in advance for one hour (4-5 pm) to go over the readings. Confirmed speakers so far include Pamela Hieryonmi (Philosophy, UCLA), Stephen Morse (Law & Psychiatry, Penn), Hanna Pickard (Philosophy, Oxford), Derk Pereboom (Philosophy, Cornell), and Gary Watson (Law & Philosophy, Southern California).

Attendance at all sessions of the Workshop is a requirement. JD students should contact bleiter@uchicago.edu with a resume and a brief statement of background and/or interest in the topic in order to secure permission to enroll. Philosophy PhD students may enroll without submitting these materials.

Autumn 2012 - Brian Leiter; Daniel J. Coates

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LAWS 61512 - 01 (1) +, a, r, w, c/l, m

The Workshop will explore a broad range of topics that arise in ethics, philosophy of action, and philosophy of criminal law related to questions of freedom and responsibility: what is it to act freely? Is responsibility compatible with the causal determination of action? Does the assignment of responsibility in the criminal law make philosophical sense? How does addiction or mental illness affect ascriptions of responsibility in the law, and how should it? Readings will be drawn from philosophy, psychology, and criminal law theory.

Coates and Leiter will meet with enrolled students for two two-hour sessions in October to go over some classic readings on the subject of freedom and responsibility. We will then host six or seven outside speakers addressing these issues. Coates or Leiter will meet with the students a week in advance for one hour (4-5 pm) to go over the readings. Confirmed speakers so far include Pamela Hieryonmi (Philosophy, UCLA), Stephen Morse (Law & Psychiatry, Penn), Hanna Pickard (Philosophy, Oxford), Derk Pereboom (Philosophy, Cornell), and Gary Watson (Law & Philosophy, Southern California).

Attendance at all sessions of the Workshop is a requirement. JD students should contact bleiter@uchicago.edu with a resume and a brief statement of background and/or interest in the topic in order to secure permission to enroll. Philosophy PhD students may enroll without submitting these materials.

Spring 2013 - Brian Leiter; Daniel J. Coates

Workshop: Legal Scholarship

LAWS 78711 - 01 (3) a, c/l, x, m

This workshop may be taken for a full year on only in the fall quarter. It is open to all students, JSDs and LLMs are welcome. Both versions count as 1 seminar.

Students registered for the full year are required to either write a paper of publishable quality or revise a previously written paper for publication. The goal is to prepare students for the academic job market. Special attention is paid to topic selection, how to approach working on an original (not synthetic) project, and presentation skills. Students enrolled for the year will be expected to conduct themselves as they would if they were junior faculty members at a top law school, reading and commenting on the work of their peers. Optional lunches to discuss writing will be held throughout the year in the same format as the Faculty Round Table. The goal is to create a learning community that will provide students with the type of scholarly atmosphere the faculty here enjoys. There will be meetings on average every other week during Winter and Spring Quarters.

The fall quarter only option is designed for several audiences: (1) students who want to decide if an academic career is for them; (2) students who wish to improve their skills as a public speaker; (3) students who want to improve their skills of critique while reading papers from a wide variety of subject areas; (4) and students who simply enjoy arguing about the law. Each week a young scholar present works-in-progress and students play the role of the faculty in a faculty workshop. The class and the professor then provide feedback and suggestions to the presenter on aspects of both presentation style and the substance of the paper.

The FALL ONLY version is graded on the basis of short reactions papers and class participation. The full year version may fulfill the WP or the SRP. May be taken concurrently with any other class or workshop.

During Winter, the workshop is expected to meet the first four Mondays of the quarter; during Spring, the last four Mondays of the quarter.

Autumn 2012 - Lisa Bernstein

Workshop: Legal Scholarship

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Winter 2013 - Lisa Bernstein

Workshop: Legal Scholarship

LAWS 78711 - 01 (2) +, a, r, w, c/l, m

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Spring 2013 - Lisa Bernstein

Workshop: Public Law and Legal Theory

LAWS 63402 - 01 (1) a, x, m

Working from a variety of methodological orientations, the workshop examines questions arising at the intersections of public law, legal theory, and interdisciplinary work in law and the social sciences, with an emphasis on criminal law, legal history, and politics. Sessions are devoted to the presentation and discussion of papers by faculty members from other institutions.

Students must enroll for the entire year and will receive one pass/fail credit.

Students are required to read the papers, attend the workshop, ask questions, and to submit one reaction paper per quarter on a paper of their choosing.

Autumn 2012 - Bernard E. Harcourt; Alison LaCroix; Nicholas Stephanopoulos; Laura Weinrib

Workshop: Public Law and Legal Theory

LAWS 63402 - 01 (0) a, m

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Spring 2013 - Bernard E. Harcourt; Alison LaCroix; Nicholas Stephanopoulos; Laura Weinrib

Writing and Research in the US Legal System

LAWS 79903 - 01 (3) x, m

In this seminar, international LLM students learn research and writing skills essential to the practice of US law. Students learn how to use these skills to win arguments, persuade clients and sharpen their own thinking. We discuss and practice the major principles of legal writing in plain English – no jargon, no legalese. The class functions largely as a workshop where we apply multiple research techniques and analyze the impact of various writing styles.

Students meet individually with the instructor throughout the seminar.

Regular class attendance is mandatory.

Students will meet with the instructor regularly outside of class to discuss writing and research techniques. Students will generate multiple drafts for each writing assignment.

Students must complete all assignments before the take-home examination, which determines the student's grade.

This course is open only to LLM students and satisfies the legal research and writing prerequisite for the New York Bar exam.

Winter 2013 - Elizabeth Duquette

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Spring 2013 - Elizabeth Duquette

Young Center Immigrant Child Advocacy Clinic

LAWS 65013 - 01 (1) a, w, s, x

The Young Center Immigrant Child Advocacy Clinic combines international human rights, immigration and children's rights law. Students in the Young Center clinic serve as Child Advocate (similar to a guardian ad litem) for unaccompanied immigrant children detained in Chicago. Unaccompanied immigrant children come to the U.S. from all corners of the world, on their own. They are apprehended—

typically at the U.S./Mexico border, or through an internal enforcement action—then detained and placed in deportation proceedings. Pursuant to federal law, the Young Center is appointed as Child Advocate for the most vulnerable of these children. Students in the Young Center Clinic are assigned to work one-on-one with children at Chicago-area detention facilities. Each student meets weekly with the child and advocates for the best interests of the child with federal officials, immigration judges and asylum officers, under the supervision of Young Center attorneys. In addition to serving as Child Advocate, clinic students have the opportunity to engage in legislative and public policy advocacy regarding human rights protections for immigrant children in removal proceedings. The Young Center Clinic admits both second-year and third-year law students.

Students who enroll in the clinic must:

1. Speak Spanish, Mandarin, Hindi, Gujarati, Punjabi or Arabic (each year the Young Center admits a few students who speak other languages or only English);
2. Participate in a 2-day orientation on Friday, September 28 and Saturday, September 29;
3. Participate in a 2-hour weekly seminar during the Fall Quarter;
4. Participate in bi-weekly brown bag lunch meetings during the Winter and Spring Quarters;
5. Commit to at least 2, but no more than 3, quarters in the clinic.

For more information about the Young Center, visit: www.TheYoungCenter.org or contact Maria Woltjen at mwoltjen@uchicago.edu or 773-702-0349 or Elizabeth Frankel at efrankel@law.uchicago.edu or 773-702-9587.

Autumn 2012 - Elizabeth Frankel; Kristin G. Love; Maria Woltjen

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Spring 2013 - Elizabeth Frankel; Kristin G. Love; Maria Woltjen

