

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

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 2014 - William H. Hubbard

Civil Procedure I

LAWS 30211 - 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. Autumn 2014 - 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. This class will meet twice weekly during two of the three listed times. Spring 2015 - Diane P. Wood

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 2015 - Anthony J. Casey

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.

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

Autumn 2014 - Omri Ben-Shahar

Contracts

LAWS 30511 - 02 (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.

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

Autumn 2014 - Douglas G. Baird

Contracts

LAWS 30511 - 01 (3) 1L, a

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

Winter 2015 - Omri Ben-Shahar

Contracts

LAWS 30511 - 02 (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.

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

Winter 2015 - 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.

The student's grade is based on class participation and a single final examination at the end of the Spring quarter.

Winter 2015 - Jonathan Masur

Criminal Law

LAWS 30311 - 02 (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.

The student's grade is based on class participation and a single final examination at the end of the Spring quarter.

Winter 2015 - Richard H. McAdams

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.

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

Spring 2015 - Thomas J. Miles

Criminal Law

LAWS 30311 - 02 (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.

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

Spring 2015 - Richard H. McAdams

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 2014 - Richard H. McAdams

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.

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

Autumn 2014 - Geoffrey R. Stone

Elements of the Law

LAWS 30101 - 03 (3) 1L

This course examines certain issues that occur in many different areas of the law and considers the relationship between these issues and related 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 2014 - David A. Strauss

Legal Research and Writing

LAWS 30711 – 01, 02, 03, 04, 05, 06 (2, 1, 1) 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 2014, Winter 2015, Spring 2015 - Paul T. Crane, Ryan D. Doerfler, Genevieve Lakier, Nadia Nasser-Ghods, John Rappaport, Heather Whitney

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 at the conclusion of the Spring quarter.

Winter 2015 - Richard H. Helmholz

Property

LAWS 30411 - 02 (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 an in-class examination at the conclusion of the Spring quarter.

Participation may be taken into account as indicated in the syllabus.

Winter 2015 - Lior Strahilevitz

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.

Spring 2015 - Richard H. Helmholz

Property

LAWS 30411 - 02 (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.

Participation may be taken into account as indicated in the syllabus.

Spring 2015 - Lee Fennell

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) dealing with injury to person or property. Special stress is placed on the legal doctrines governing accidental injury, including negligence and strict liability.

Grades are based on a single final examination at the end of the two-quarter sequence, though participation may be taken into account as indicated on the syllabus.

Autumn 2014 - Saul Levmore

Torts

LAWS 30611 - 02 (3) 1L, a

The focus of this course, offered over two sequential quarters, is on the Anglo-American system (mainly judge-created) dealing with injury to person or property. Special stress is laid on the legal doctrines governing accidental injury, including negligence and strict liability.

Grades are based on a single final examination at the end of the two-quarter sequence, though participation may be taken into account as indicated on the syllabus.

Autumn 2014 - M. Todd Henderson

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) dealing with injury to person or property. Special stress is laid on the legal doctrines governing accidental injury, including negligence and strict liability.

Grades are based on a single final examination at the end of the two-quarter sequence, though participation may be taken into account as indicated on the syllabus.

Note: Class will not meet on Friday, January 16, 2015.

Winter 2015 - Lee Fennell

Torts

LAWS 30611 - 02 (3) 1L, a

The focus of this course, offered over two sequential quarters, is on the Anglo-American system (mainly judge-created) dealing with injury to person or property. Special stress is laid on the legal doctrines governing accidental injury, including negligence and strict liability.

Grades are based on a single final examination at the end of the two-quarter sequence, though participation may be taken into account as indicated on the syllabus.

Winter 2015 - M. Todd Henderson

Abrams Environmental Law Clinic

LAWS 67813 - 01 (1, 2, or 3 per quarter, 9 maximum) a, s

Primarily through litigation, students in the Abrams Environmental Law Clinic work to address climate change, water pollution and legacy contamination and to protect natural resources and human health. To date, the Clinic has focused on holding accountable natural resource extraction companies for actual or anticipated damage to the environment, as well as the government agencies that permit such activities. The Clinic has also recently become more involved in the development and implementation of rules and regulations regarding climate change, renewable energy, and energy efficiency, with an eye toward future litigation on these issues. Clinic students engage in a wide variety of activities to learn practical legal skills, from conducting factual investigations, to interviewing witnesses and preparing affidavits, to reviewing administrative determinations, to drafting motions, to conducting depositions, to working with experts, to arguing motions and to presenting at trial or an administrative hearing. The Clinic generally represents

regional and national environmental organizations and works with co-counsel, thus exposing students to the staff of these organizations and other experienced environmental lawyers. The Clinic may also engage in legislative reform and rule-making efforts; students interested solely in that kind of work should notify the instructor before joining the clinic, if possible. Students interested in environmental transactional work should let the instructor know so that projects around this kind of work can be developed.

While it helps for students to have taken or be taking one or more of Environmental Law, Administrative Law, Evidence, or Trial Advocacy, these courses are not prerequisites or co-requisites.

Furthermore, it is not necessary to have an environmental, science or engineering background; all are welcome.

Autumn 2014, Winter 2015, Spring 2015 - Mark N. Templeton; Sean M. Helle

Accounting and Financial Analysis

LAWS 79103 - 01 (3) +, s, x

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. The topics to be discussed 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 2015 - Philip G. Berger

Administrative Law

LAWS 46101 - 01 (3)

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; and public participation in agency rulemaking. 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.

Autumn 2014 - Jennifer H. Nou

Administrative Law

LAWS 46101 - 01 (3)

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.
Winter 2015 - Nicholas Stephanopoulos

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 2014 - 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 actions and arbitration. Topics in the second category include electronic discovery, expert witnesses, and preservation. In addition, this course studies how the federal rulemaking process, statutes, and judicial decisions compete to define the procedures that govern civil litigation.

The student's grade is based on a final examination with some consideration of class participation.

Autumn 2014 - William H. Hubbard

Advanced Law and Economics: Theory and Practice

LAWS 55401 - 01 (3) +, r, w, c/1

This course 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 the 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 2015 - Anup Malani

Advanced Legal Research

LAWS 79802 - 01 (2 or 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 class 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.

A 20-25 page paper will be required for the 3-credit option for this seminar, along with 4 research assignments. For the 2-credit option for this seminar, 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.

Autumn 2014 - Todd Ito

Advanced Legal Research

LAWS 79802 - 01 (2 or 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.

Winter 2015 - Sheri H. Lewis

Advanced Legal Research: Foreign and International Law

LAWS 79803 - 01 (2) c/l, s, x, m

The purpose of this seminar is to enhance students' knowledge of foreign, comparative, and international legal sources and to develop their global legal research skills. The seminar will cover the basic categories of legal research in depth and with a focus on practical skills and efficiency, including locating constitutions, legislation, treaties, cases, decisions of international tribunals, documents of international organizations such as the EU, UN, WIPO, and the WTO, and secondary sources. This seminar also will address a series of practice areas such as comparative corporate law (focus on cross-border practice areas), comparative constitutional law, international intellectual property, international criminal law, international trade law, international environmental law, and international human rights, focusing on the substantive resources and practical research skills for each. It will also highlight gaps in international legal research resources and techniques for bridging them. 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 international legal research tools, and will develop extensive research knowledge in at least one area from their work on a final research paper.

Winter 2015 - Lyonette Louis-Jacques

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.

NB: The first meeting of this class will be 6:10-8:10 p.m. on Thursday, March 26. All other meetings will be on Tuesdays, 4:00-6:00 p.m. The class will not meet Tuesday, March 31.

Spring 2015 - Elizabeth Duquette

Advanced Topics in Corporate Reorganizations

LAWS 43702 - 01 (2 or 3) +, w, x, m

This seminar will explore emerging issues in corporate reorganization. We are principally interested in the ever-present tension between bankruptcy law and policy and the practical reality of managing a company's business in Chapter 11.

The seminar will address four broad topics: (i) asset sales and restructuring agreements, (ii) inter-creditor agreements and post-petition financing, (iii) the safe harbors for financial contracts, and (iv) cross-border insolvency. We will devote two seminar meetings to each topic. During the first, we will discuss case law and hypotheticals, academic and practice-oriented articles, and pleadings, briefs and orders from recent Chapter 11 cases. During the second meeting, we will invite a leading professional to join our seminar and discuss his or her perspectives on the topic that we are studying. Students will lead this discussion. If time permits, our group will join the professional for dinner after the seminar.

Grades will be based on class participation (40%) and four short papers (60%).

The papers are intended to prepare you to engage deeply in discussion with the invited professionals.

Each paper should not exceed six double-spaced pages, should analyze and raise questions about an aspect of a topic that we are studying, and should be submitted no later than noon on the day when we are hosting a professional.

Although there is no pre- or co-requisite for this seminar, we recommend that you have taken or are currently taking a course in bankruptcy law.

The instructor is Judge Christopher Sontchi of the United States Bankruptcy Court for the District of Delaware.

Students wishing to take the seminar for three credits must write an additional 10-12 page research paper.

Spring 2015 - Douglas G. Baird; Christopher S. Sontchi

Advanced Topics in Criminal Law: Vice and Victimless Crimes

LAWS 99004 - 01 (3) w, x, m

This seminar will explore major topics in vice law, including: the philosophical foundations for punishing vice; the political economy and social history of vice law in the United States; drug crime; gambling; and prostitution. It will ask students to engage with both the law governing vice, and the philosophical as well as political debates about whether this is an arena of human activity in which the state has the right or duty to intrude.

Spring 2015 - Genevieve Lakier

Advanced Topics in Moral, Political and Legal Philosophy

LAWS 78603 - 01 (3) +, r, w, c/l, m

The topic for Winter 2015 is "Freedom and Responsibility, Contemporary and Historical." We will begin by canvassing the major philosophical positions in the Anglophone literature on free will and moral responsibility over the past half-century, with readings drawn from some or all of P.F. Strawson, G. Strawson, R. Kane, H. Frankfurt, G. Watson, and others. In the second half of the seminar we will step back to look at the treatment of these same issues by major figures in the history of philosophy, including M. Frede's *A Free Will: Origins of the Notion in Ancient Thought*, as well as primary texts by some or all of Hume, Kant, Hegel, Schopenhauer, Nietzsche, and Sartre.

The seminar is open to philosophy Ph.D. students without permission; to J.D. students with instructor permission; and to others with instructor permission.
Winter 2015 - Brian Leiter; Michael N. Forster

Advanced Trademarks and Unfair Competition

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

This seminar addresses current issues in trademark law and their evolution since the latter half of the 19th century, such as trademark law's constitutional foundations; competing justifications of trademark rights (incentivizing manufacturers while lowering consumer search costs, fostering commercial morality, protecting property rights, vindicating speech interests, and so on); the reciprocal development of trademark doctrine and commercial practice; the interplay of trademark and First Amendment law; statutory and judicial limitations on trademark rights and those limitations' normative underpinnings; counterfeiting, contributory infringement, and the online marketplace; and the peculiar role (especially in light of other nations' practices) of federal registrations in the acquisition and maintenance of U.S. trademark rights.

Enrollment is limited to twenty-five students.

Previous or concurrent coursework or professional experience in intellectual property is recommended but not required.

A student's grade is based on class participation and either a series of short thought papers for two credits, or a series of longer research papers totaling at least 20 pages, or a major research paper, both for three credits.

Winter 2015 - Chad J. Doellinger; Uli Widmaier

American Law and the Rhetoric of Race

LAWS 49801 - 01 (3) +, c/1

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 registering in LLSO, PLSC, HIST cross-listed offerings must request faculty consent prior to registration. Law students do NOT need consent.

Grades are based on class participation and a final examination.

Spring 2015 - Dennis J. Hutchinson

American Legal History: The Twentieth Century

LAWS 97603 - 01 (3) e, x

This course examines major legal and constitutional conflicts in twentieth century American history. Topics include law and social movements, the role of the courts, rights consciousness, the legal profession, and legal thought. Students will connect legal texts and legal struggles to broader developments in social, cultural, and political history.

Grading is based on class participation and a final examination.

Spring 2015 - Laura Weinrib

Animal Law

LAWS 46022 - 01 (3) w, x, m

This seminar will survey the treatment of animals in the law. Students will explore the legal status of animals in a variety of contexts. Topics will include: the uses to which animals are put and scientific understanding of their capacities; the ramifications of the legal classification of animals as "property;" how the law impacts people's relationship with companion animals; use of animals by industry, including agribusiness; current animal protection laws, state and federal, as well as efforts to reform such laws through legislation and litigation; "standing" and other problems of litigating on behalf of animals; developing theories on the economic valuation of animals; and the way the law regulates the dissemination of information regarding animals. The seminar will cover several different areas of the law as they intersect with animal rights and animal welfare issues, including first

amendment/constitutional law, criminal law, administrative law, torts, contracts, and consumer protection law. Conducted in a discussion format centered around weekly reading assignments, the seminar will allow students to explore the latest cases, legislation, and legal theories developing in animal law. All perspectives are both welcome and open to critique.

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

Autumn 2014 - Roshna B. Keen; Vincenzo Field

Anthropology and Law

LAWS 93812 - 01 (3) r, w, x, m

This seminar for law students and graduate students in the social sciences will provide an introduction to the field of legal anthropology. We will address anthropological theories of the nature of law and disputes, examine related studies of legal structures in non-Western cultures, and consider the uses of anthropology in studying facets of our own legal system. By examining individual legal institutions in the context of their particular cultural settings, we can begin to make cross-cultural comparisons and contrasts. In so doing, we confront the challenge of interpreting and understanding the legal rules and institutions of other cultures while assessing the impact of our own social norms and biases on the analysis. Thus, our analytic and interpretative approach will require us to examine the cultural assumptions that underpin various aspects of our own belief systems and the American legal system.

The grade is based on a final written paper (80%) and class participation (20%).

Winter 2015 - Christopher C. Fennell

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 grade is based on a final in-class examination.

Winter 2015 - Randal C. Picker

Banking Law

LAWS 80201 - 01 (3) x

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.

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

Spring 2015 - Eric A. Posner

Bankruptcy and Reorganization: The Federal Bankruptcy Code

LAWS 73601 - 01 (3) x

This course studies the Federal Bankruptcy Code and the law of corporate reorganization. Topics include the rights of creditors in bankruptcy, 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.

Booth students do not require instructor consent in order to submit a registration request.

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

Winter 2015 - Anthony J. Casey

Bankruptcy and Reorganization: The Federal Bankruptcy Code

LAWS 73601 - 01 (3) x

This course studies the Federal Bankruptcy Code and the law of corporate reorganization. Topics include the rights of creditors in bankruptcy, 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.

Booth students do not require instructor consent in order to submit a registration request.

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

Spring 2015 - Douglas G. Baird

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 two papers -- an opening brief and a reply.

Spring 2015 - Michele L. Odorizzi

Business of Law

LAWS 61602 - 01 (2) 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 short reaction papers.

Winter 2015 - Bruce W. Melton

Business Organizations

LAWS 42301 - 01 (4) +, 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.

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

Autumn 2014 - Daniel R. Fischel

Business Organizations

LAWS 42301 - 02 (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.

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

Autumn 2014 - Kelli A. Alces

Business Organizations

LAWS 42301 - 01 (3) +, x

This is an introductory course on the law of business organizations. We will focus primarily on the law of corporations and limited liability companies. The course will cover the duties of managers and directors to the business and its stakeholders.

Issues of control, litigation procedure, and mergers and acquisitions will also be covered.

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

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

Spring 2015 - George S. Geis

Buyouts

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

In this seminar we will examine conflicts of interest in mergers and acquisitions, and especially in 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. Both types of transactions raise conflict of interest issues because some of the company's directors or officers, who are charged with protecting the public shareholders, may be accused of having interests adverse to those of the public shareholders.

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 transactions even if they are neither management nor 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 seminar will also be covered in Mergers and Acquisitions, but that course is not a prerequisite for this seminar and students may take both classes.

Spring 2015 - Scott Davis

Canonical Ideas in Legal Thought

LAWS 57013 - 01 (3) +, a, m

This year-long research seminar is the equivalent of a research colloquium in a PhD program. During the Autumn 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 Autumn quarter, students will write short reaction papers on the readings, and each student will once during the term facilitate the class discussion of an article, drawing on their outside research to do so. Students will also work with faculty to 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 an Autumn quarter grade based on the reaction papers, discussion facilitation, 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 Autumn quarter.

Students may only enroll with the permission of the instructors. Students interested in enrolling should email Professors Abebe, Malani, and Masur a resume and a one-paragraph statement explaining why they would like to enroll in the seminar no later than August 18, 2014.

Autumn 2014 - Daniel Abebe; Anup Malani; Jonathan Masur

Canonical Ideas in Legal Thought

LAWS 57013 - 01 (2, 2) a, r, w, m

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Every student must enroll for the entire year; students may not drop the class after the Autumn quarter.

Students may only enroll with the permission of the instructors. Students interested in enrolling should email Professors Abebe, Malani, and Masur a resume and a one-paragraph statement explaining why they would like to enroll in the seminar no later than August 18, 2014.

Winter 2015, Spring 2015 - Daniel Abebe; Anup Malani; Jonathan Masur

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.

The grade is based on a final written paper.

Winter 2015 - Virginia M. Kendall

Chinese for Lawyers

LAWS 98003 - 01 (1)

This class offers an introduction to the legal environment of the People's Republic of China and basic concepts and terminology of Chinese law. Although not designed as a comprehensive survey, the class will cover a list of topics the general knowledge on which may serve as a good basis for the students' further studies in

Chinese law. Students interested in China-related law practice/working opportunities in the Greater China region may also find the class useful as it aims to improve the students' language and communication skills in legal settings. Classroom instruction and reading material are both expected to be in Chinese. English interpretation will be provided from time to time as the instructors may determine necessary during the course of instruction.

Other adjustments to course material are also possible based on the enrolled students' general proficiency in Chinese.

The instructors encourage interested students to discuss expected language proficiency in advance.

The class meets once a week and the students will receive pass/fail grades.

Three short papers in Chinese on assigned topics (500 characters or more) are required for receiving one credit.

Autumn 2014 - Xin Dai; Zhuang Liu

Cicero on Friendship and Aging

LAWS 52403 - 01 (3) +, c/1

Two of Cicero's most enduring works are *De Amicitia* (On Friendship) and *De Senectute* (On Old Age). We will read the entirety of both works in Latin and study their relationship to Cicero's thought and life. Other readings in translation will include related works of Cicero and quite a few of his letters to Atticus and other friends.

The first hour of each course meeting will be devoted to translation, the rest to discussion, in order to give opportunities for auditors who are reading in translation.

The requirements include a midterm, a final exam, and a paper.

Anyone from anywhere in the university may register if you meet the prerequisite.

This is a Latin course that presupposes five quarters of Latin or the equivalent preparation. Others interested in taking it may register for an Independent Study and have different requirements, more writing and no Latin, but they will take a final exam (different).

Winter 2015 - Martha C. Nussbaum

Civil Rights Clinic: Police Accountability

LAWS 90913 - 01 (1, 2, or 3 per quarter, 9 maximum) +, a, s

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 2014, Winter 2015, Spring 2015 - Craig B. Futterman

Collective Bargaining in Sports and Entertainment

LAWS 63903 - 01 (2) s, 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. 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 course paper based on the accumulation of these exercises.

Autumn 2014 - Michael H. LeRoy

Commercial Law

LAWS 42102 - 01 (3) x

This course examines the basic principles of commercial law, including negotiable instruments, letters of credit, negotiable documents of title, and agency.

The grade is based on a final in-class examination.

Winter 2015 - Douglas G. Baird

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 2015 - Seth McNary

Comparative Constitutional Design

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

Recent constitutional reconstructions in the Middle East have called new attention to the problems of institutional design of political and legal 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.

The grade is based on a series of short research papers and a final written paper.

Autumn 2014 - Thomas Ginsburg

Comparative Legal Institutions

LAWS 50101 - 01 (3) 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. In particular, we will focus on the economic impact of legal traditions. 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. Furthermore, American institutions are explicitly included in the comparison: this is not simply a course in foreign law. The grade is based on a final take-home examination. There is a paper option for upper-level students.

Spring 2015 - Thomas Ginsburg

Complex Financial Institutions—the conundrum of "too big to fail?"

LAWS 94813 - 01 (3) x, m

This seminar will examine how the financial crisis ignited the debate about whether global systemically important financial institutions are "too big to fail"; how current and proposed regulations in the US and EU have sought to address these issues; and what are the implications for the economy and capital formation from having different approaches.

Class will be assessed by short papers in the form of blog postings, class participation, and a final research paper.

Spring 2015 - Barry L. Zubrow

Complex Litigation

LAWS 52412 - 01 (2) 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 2015 - Brian Murray

Computer Crime

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

This seminar will explore the legal issues raised by computer crime. Topics will include: computer hacking and other computer crimes, the Fourth Amendment and civil liberties in cyberspace, the law of electronic surveillance, the freedom of

speech online, technological tools used to combat cybercrime, and international cybercrime. No previous experience is required. Our primary source will be a casebook: Orin Kerr, *Computer Crime Law* (3rd ed. 2012), which will be supplemented with additional materials as listed in the syllabus.

Students are required to participate in class sessions, prepare short response papers, and write a paper on an approved topic.

Students may opt to write a major research paper for three credits that may meet the WP graduation requirement.

Winter 2015 - William Ridgway

Conflict of Laws

LAWS 41501 - 01 (3) e, x

This course will examine the legal framework for the resolution of interstate conflict of laws within the U.S., focusing on the choice of law principles that courts apply to determine the rule of decision in cases where the relevant parties, conduct or transactions have connections to more than one state. The course will consider how conflict of laws rules implicate important separation of powers, federalism and private international law concerns. Topics include the federal constitutional limitations on choice of law, the extent to which courts must give full faith and credit to the judgments of courts in other states, and the role of international conflict of laws rules on the domestic enforcement of foreign judgments.

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

Spring 2015 - Daniel Abebe

Constitutional Law I: Governmental Structure

LAWS 40101 - 01 (3) x

This course provides an introduction to the U.S. Constitution. We will cover the traditional topics in separation of powers and federalism, including Congress's enumerated powers, the scope of executive power, judicial review, and so on. In the course of covering those substantive topics, we will sometimes explore the Constitution's meaning outside of judicial doctrine, asking how it should be interpreted by different people and institutions.

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

Autumn 2014 - William P. Baude

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 take-home final examination.

Spring 2015 - Justin Driver

Constitutional Law II: Freedom of Speech

LAWS 40201 - 01 (3) +, x

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, protest in public places, regulation of campaign finance, and selective government subsidies of speech.

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.

Autumn 2014 - David A. Strauss

Constitutional Law II: Freedom of Speech

LAWS 40201 - 01 (3) +, x

This course explores 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, protest in public places, regulation of campaign finance, and selective government subsidies of speech.

Students who have completed Constitutional Law IV are ineligible to enroll in this course. The grade is based on a final in-class examination.

Winter 2015 - Geoffrey R. Stone

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, sexual orientation, and other characteristics, and the recognition of certain fundamental rights. 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 take-home examination and class participation.

Winter 2015 - Justin Driver

Constitutional Law III: Equal Protection and Substantive Due Process

LAWS 40301 - 01 (3)

This course considers the history, theory, and contemporary law of 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 the course, students consider foundational questions about the role of courts in a democracy and how the Constitution should be interpreted.

The grade is based on a final in-class examination and class participation.

Spring 2015 - Gerald N. Rosenberg

Constitutional Law IV: Speech and Religion

LAWS 40401 - 01 (3) +

In this course we will examine the Free Speech and Religion clauses of the First Amendment of the United States Constitution. We will focus on historical and contemporary Supreme Court cases. We will also draw on major works of constitutional and political theory to help frame the issues. Topics of study include advocacy of revolution, hate speech, the public forum doctrine, state speech, religion-based exemptions to legal requirements, the role of religious symbols in public life, public vouchers for religious schools and state funding of religious organizations. We will also examine the ways that the Free Speech, Free Exercise and Establishment clauses relate to one another, including an inquiry into whether religious conscience is afforded "special" protection under the Constitution.

Students who have completed Constitutional Law II or V are ineligible to enroll in this course. The grade is based on a final take-home examination and class participation.

Autumn 2014 - Corey Brettschneider

Constitutional Law V: Freedom of Religion

LAWS 40501 - 01 (3) +, r

This course explores religious freedom in America, especially under the first amendment.

It is recommended that students first take Constitutional Law I.

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

The grade is based on a substantial paper, series of short papers, or final examination, with class participation taken into account.

Paper writers require permission of the instructor.

Spring 2015 - Mary Anne Case

Contract Drafting and Review

LAWS 79912 - 01 (3) 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 substantial out-of-class weekly drafting exercises, and a final take-home assignment.

Autumn 2014 - Joan E. Neal

Contract Law for LL.M. Students

LAWS 48605 - 01 (3)

This course in contracts is designed for LL.M. 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 each class. 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 2015 - 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 2015 - Joan E. Neal; David J. Zarfes

Contracts and Commercial Transactions

LAWS 91553 - 01 (2 or 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. 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.

A 2-CREDIT OPTION IS AVAILABLE WITH PERMISSION OF INSTRUCTOR.

Autumn 2014 - David J. Zarfes

Copyright

LAWS 45801 - 01 (3) x

This course explores the major areas of copyright law, with special emphasis on how law has responded to new technologies and political pressures. Topics include copyright duration, subject matter, and ownership; the rights and limitations of copyright holders, including the fair use doctrine; remedies for copyright infringement; and federal preemption of state law.

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

Winter 2015 - Saul Levmore

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 three 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.

COURSE PROCEDURES

For each class meeting, I will assign study questions concerning one or two case studies. For most of the class period, we will consider the questions and the material in the cases. This includes the first meeting. You are allowed and encouraged, but not required to meet in groups outside of class to discuss and analyze the cases.

Each group will submit a two-page memorandum of analysis and recommendations at the beginning of each case discussion. If you are working in a group, I will accept one memorandum from the group and count it for all students in the group. If you choose to do this, the group can include up to 3 students. Each memorandum should be typed and double-spaced. Write these as if you were writing a recommendation to the CEO or major decision maker in the case. The two page limit is for text only. You may attach as many numerical calculations as you wish. Memoranda will not be accepted after the class has met. A memorandum will be given credit if it is handed in and no credit if it is not. Initially, therefore, I will not grade them. However, I will use the memoranda to determine final grades for those students who are on the border of two grades.

You should prepare a memorandum for UST, the first class.

The readings and articles that I have assigned and will hand out are largely non-technical in nature and summarize the findings of academic research in corporate finance in the recent past. These articles are meant to be background material that will help you analyze the cases. They should not necessarily be cited in the case discussion. You should argue as if you were in a corporate boardroom rather than in a doctoral seminar. The process of arriving at the answer is as important as getting the answer.

Because of the nature of this course (and its grading criteria), it is extremely important that you attend every class, arrive on time and be prepared to participate. To help me out, you should bring your name cards to each class. I may not remember who said what without those cards.

In the past, students have asked me to hand out my case analysis after the class has discussed the case. I will not do this, because there are usually no absolute right answers. The best cases are deliberately written to be ambiguous. While there are no right answers, there are good arguments and bad arguments. This course is designed to help you learn to distinguish between sensible and senseless arguments. Handing out my analyses would reduce the ambiguity in the cases and partially defeat the purpose of doing cases. If you are uncomfortable with ambiguity, this class may not be for you.

GRADING

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.

PREREQUISITE

Students should have an understanding of financial statements. i.e., students should be able to read an income statement, cash flow statement and balance sheet. Spring 2015 - Steven N. Kaplan

Corporate Criminal Prosecutions and Investigations

LAWS 66702 - 01 (3) w, 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 three-credit class.

The student's grade will be based on a major paper (20-25 pages) and class participation.

Papers will be due on Monday, April 13, 2015, which is four weeks after final exams for the Winter quarter.

Winter 2015 - Andrew S. Boutros

Corporate Finance

LAWS 42501 - 01 (3) +, x

This course provides an overview of the basic principles of corporate finance and financial economics and goes on to evaluate the extent to which courts make use of modern finance theory in rendering decisions on questions like valuation and directors' duties. Topics include discounting and present value; portfolio theory and diversification; the efficient capital markets hypothesis and the capital asset pricing model; corporate capital structure and bond covenants, dividends, share repurchases and hybrid securities; the analysis of options and other derivative instruments; and the duties of corporate directors to different classes of claimants. The principles and concepts of corporate finance are essential to understanding, structuring and documenting modern corporate transactions. These principles are also of great value to lawyers outside the corporate area: financial principles can be fruitfully applied to a wide range of legal questions, such as estate planning, divorce settlements and the calculation of tort awards, and to many regulatory questions, such as banking and public utilities regulation. This class assumes no background in finance, and is aimed primarily at students with little or no prior exposure to the field. It does not use any mathematics beyond simple algebra. Business Associations is a recommended prerequisite (may be taken concurrently).
Winter 2015 - Douglas Levene

Corporate Finance

LAWS 42501 - 01 (3) x

This course provides an overview of the application to law of the basic principles of corporate finance and financial economics. Topics include discounting and present value, portfolio theory and diversification, the theory of efficient capital markets and its applications in securities litigation, corporate capital structure, and the analysis of options and other derivative instruments. This class assumes no background in finance, and is aimed primarily at students with little or no prior exposure to the field (rather than those with an MBA or with an undergraduate finance major). It does not use any mathematics beyond basic arithmetic and some simple algebra.

The grade is based on a final in-class examination (90%) and class participation (10%).

Spring 2015 - Dhammika Dharmapala; Eric A. Posner

Corporate Governance

LAWS 75001 - 01 (2 or 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

Autumn 2014 - Thomas A. Cole

Corporate Governance in Emerging Markets

LAWS 75006 - 01 (3) r, w, x, m

This seminar provides an overview of recent developments and scholarship relating to corporate governance, primarily from a "law and finance" perspective. It particularly emphasizes the context of developing and transitional economies and other jurisdictions without a long tradition of strong corporate and securities law and enforcement. Topics to be covered include:

- 1) The emerging markets context, the distinctive legal and governance issues raised by firms with controlling shareholders, and the legal and institutional preconditions for stock market development
- 2) The debate on the impact of historical legal origins on stock market development
- 3) Legal and economic aspects of tunneling and other forms of self-dealing among firms with controlling shareholders
- 4) The evidence on the impact of corporate law and corporate governance reforms on firm value and stock market development
- 5) The distinctive context of corporate governance in China, including issues raised by the role of governmental entities as controlling shareholders

- 6) Regulatory dualism and the regulation of hostile takeovers in emerging markets
- 7) The causes and implications of the phenomenon of international cross-listing
- 8) The role of public and private enforcement of securities law in stock market development
- 9) The relationship between taxation and corporate governance

While some background in areas such as corporate and securities law would be helpful, there is no formal prerequisite for the seminar.

Some readings from the “law and finance” literature will be interdisciplinary in approach, and some undertake statistical analysis. However, no background in finance or statistics will be assumed. Rather, the emphasis will be on understanding the implications of the readings for law and policy.

The grade is based on a substantial paper and class participation.

Winter 2015 - Dhammika Dharmapala

Corporate Lab Transactional Clinic

LAWS 91562 – 01, 02 (3 per quarter, 9 maximum) +, a, s, x

The Corporate Lab Transactional Clinic provides students with a forum for working closely with legal and business teams at top-tier multinational companies, leading nonprofits, and smaller entrepreneurial startups. The primary goal of the Corporate Lab is for students to learn practical legal skills, both substantively, in terms of the corporate “building blocks” necessary to understand complex transactions and agreements, and professionally, in terms of implementing such knowledge efficiently and meaningfully within the context of a wide array of careers as lawyers and business leaders. This class mirrors the real world work experience of both litigators and corporate lawyers: students will receive hands-on substantive and client-development experience and will be expected to manage and meet expectations and deadlines while exercising a high level of professionalism. As a result, this class is likely to involve a significant commitment (with a substantial amount of work to be completed outside of class).

Clients will include some or all of the following: Amazon, Baxter Healthcare, Blue Haven Initiative (a Pritzker family NGO), Booth School of Business New Venture Challenge (Spring Quarter), GE Capital, Honeywell, Lincoln Center for the Performing Arts, Microsoft, Motorola, Nike, Northern Trust, Schreiber Foods, and Verizon Communications. Students will be required to sign nondisclosure agreements with participating clients. Corporate Lab students also will have the opportunity to negotiate a simulated transaction across the table from Northwestern Law students as part of the negotiation workshop component of the Corporate Lab (Autumn Quarter).

Please note that (i) students entering in or after Autumn Quarter 2014 are expected to remain in the Corporate Lab for a minimum of two consecutive quarters, (ii) students may not take the Corporate Lab for more than nine credits, (iii) LL.M. students may register by instructor permission only, and (iv) this offering will not count toward seminar restrictions.

While not a prerequisite, “Contracts and Commercial Transactions” (offered Autumn Quarter) is strongly recommended to all students prior to, or concurrent with, taking the Corporate Lab.

Student grades will be based upon participation in the classroom, appropriate attention to client services, collaborative efforts within a team environment, and quality of work product.

For additional information, see the Corporate Lab website at

<http://www.law.uchicago.edu/corporatelab>.

Autumn 2014, Winter 2015, Spring 2015 - David J. Zarfes; Sean Z. Kramer; David A. Finkelstein; Ellis A. Regenbogen

Criminal and Juvenile Justice Project Clinic

LAWS 67213 - 01 (1, 2, or 3 per quarter, 9 maximum) +, a, s, x

The Project provides law and social work students the supervised opportunity to represent children and young adults accused of crime in juvenile and adult criminal court. Representation includes addressing the social, psychological and educational needs of our clients and their families. In addition to direct representation, students are involved in policy reform and public education including work with coalitions on issues of juvenile life without parole, youth violence, mass incarceration, and the collateral consequences of conviction.

Autumn 2014 - Herschella G. Conyers; Randolph N. Stone

Criminal and Juvenile Justice Project Clinic

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Winter 2015, Spring 2015 - Herschella G. Conyers; Randolph N. Stone; Laura Ferry

Criminal Procedure I: The Investigative Process

LAWS 47201 - 01 (3) x

The course focuses on the constitutional law regulating searches, seizures, and confessions. It considers both physical searches and seizures and also searches and seizures of electronic data.

Grades are based on a final examination and class participation.

Autumn 2014 - Aziz Huq

Criminal Procedure I: The Investigative Process

LAWS 47201 - 01 (3) x

This course focuses on the constitutional law dealing with searches, seizures, self-incrimination, and confessions.

The grade is based on a final in-class examination.

Winter 2015 - Louis M. Seidman

Criminal Procedure III: Further Issues in Criminal Adjudication

LAWS 49701 - 01 (3)

We will cover a variety of criminal procedure topics not addressed elsewhere including: double jeopardy and criminal collateral estoppel, appellate review standards, and joinder. We will also cover in depth post-conviction review and federal habeas corpus proceedings, which is especially beneficial to those students with or interested in judicial clerkships.

Winter 2015 - Adam K. Mortara

Cross-Border Transactions: Lending

LAWS 71406 - 01 (3) s, x, m

The worlds of corporate finance and secured transactions law reform interact to make cross-border lending a dynamic, cutting-edge field of law. Due to the rapid globalization of U.S. business, U.S. banks and other lenders are increasingly being asked to finance the international business activities of U.S. middle-market companies, often in countries that have laws incompatible with U.S. secured transactions law. At the same time, the United Nations Commission on International Trade Law (UNCITRAL), the World Bank and other international organizations are actively encouraging developing countries, where access to capital is scarce, to modernize their secured transactions laws to promote the availability of low-cost secured credit for small and medium-sized enterprises as a way of creating jobs, raising standards of living and contributing to a country's overall economic growth and political stability.

This seminar explores both worlds. Students will examine the broad array of legal and practical issues encountered by U.S. lenders as they make loans to foreign companies, obtain security interests in foreign collateral and finance foreign corporate acquisitions. They will also study recent initiatives in secured transactions law reform, and consider how they are exerting a profound influence on cross-border corporate finance in developed as well as developing countries. Richard Kohn, a founder of the Chicago law firm Goldberg Kohn Ltd., specializes in representing banks in cross-border lending transactions and has been active for over a decade as a member of the Expert Group in the development of various secured transactions law reform texts, including the UNCITRAL Legislative Guide on Secured Transactions. Because cross-border lending touches upon many areas of law, the seminar provides a useful introduction to international commercial transactions in general.

There are no prerequisites.

Grades will be based on a team project involving interaction with lawyers in other countries, a number of short papers, class participation and a take-home exam.

Winter 2015 - Richard M. Kohn

Cross-Border Transactions: Securities, M&A, and Joint Ventures

LAWS 71408 - 01 (3) s, x, m

In this seminar we will examine M&A, securities and financing transactions from a comparative perspective looking at how cross-border transactions vary from purely domestic transactions with a focus on negotiations. We will also look at joint ventures and related concerns for bribery and the Foreign Corrupt Practices Act. The class will focus on recent transactions such as Instagram/Facebook (domestic); Skype/Microsoft (US/Luxembourg), the Mail.ru IPO (Russia/UK), and various other multijurisdictional transactions. The class will feature accomplished guest speakers from legal and business backgrounds. The class will also develop cultural negotiation skills through mock negotiations as well as discussing cultural faux pas and peculiarities across borders.

Substantial out of classroom work, group projects, etc. Each week the students will meet in teams to markup contracts and spend a portion of the subsequent class negotiating the contracts.

Autumn 2014 - Tarek Sultani

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 2015 - Richard Shepro

Current Issues in Criminal and National Security Law

LAWS 70708 - 01 (3) +, w, x, m

This seminar covers a series of current issues in criminal and national security law, often comparing and contrasting the two approaches, with a particular focus on challenges arising from acts of terrorism and other national security prosecutions (including a focus on substantive terrorism offenses, espionage offenses as well as the leaking of classified information), a discussion of criminal and intelligence investigative tools (comparing Title III electronic surveillance with Foreign Intelligence Surveillance Act), application of constitutional principles to terrorism investigations and prosecutions (particularly the First, Fourth, Fifth and Sixth Amendments and the application of Miranda, Quarles and Corley decisions and

certain state bar rules in that context), the President's war powers and congressional oversight (including discussions of drone strikes, law of war detention, and Presidential and Congressional authority to use military force), and in other select areas, including the Classified Information Procedures Act, and economic sanctions, and national security leaks.

Each class will focus on a different topic, with advance reading assigned around each topic, and grading on the basis of two short reflection papers (3-5 pages each) and a final paper or legal brief (20-25 pages) on a select issue in criminal and national security law.

Guest speakers will help facilitate discussion on certain topics.

Pre-requisites: Criminal Law and Constitutional Law I.

Winter 2015 - Patrick J. Fitzgerald; Michael Y. Scudder

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 seminar also allows each student to see what he or she has learned in the class 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 2015 - Preston M. Torbert

Early Stage Ventures: The Legal Challenges for Lawyers and Entrepreneurs

LAWS 61611 - 01 (2) x, m

This seminar will explore the legal challenges that arise in taking a business concept and growing it into a sustainable entity. Tapping a number of legal disciplines, the seminar will examine how to identify a concept's value proposition along with its risks. The seminar will further explore securing funding with an emphasis on raising money under safe-harbor provisions of current securities regulations. Students will identify, negotiate, and document potential new business concepts.

A student's grade is based upon 3-4 short writing assignments and class participation.

Winter 2015 - Michael J. Kennedy

Economic Analysis of the Law

LAWS 73201 - 01 (3) c/l, x

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 2014 - Anup Malani

Election Law

LAWS 95903 - 01 (3)

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.

The grade is based on a final take-home examination.

Winter 2015 - 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.

There is a short presentation on the same topic as the student's written paper - this counts for 20% of the grade.

Winter 2015 - Marsha F. Nagorsky

Employee Benefits Law

LAWS 55503 - 01 (3) w, x, m

This seminar will provide an introduction to the Employee Retirement Income Security Act (ERISA) and other federal statutes regulating employee benefit plans in the private sector. The seminar will cover many types of plans, including defined benefit pension plans, individual account retirement plans (such as 401(k) plans), medical plans, other welfare benefit plans and executive compensation programs. It will provide a basic understanding of fiduciary standards governing plan administration and the investment of plan assets; minimum standards for benefits and funding; benefit claim dispute resolution procedures and standards of judicial review; federal preemption of state laws; and key issues which arise in ERISA litigation. The seminar is intended for students interested in a broader labor and

employment practice; a mergers and acquisitions or general corporate practice; or a civil litigation practice. Although our primary mission will be to prepare students for the practice of law, we also will explore whether the law governing employee benefit plans is operating effectively and in accordance with its stated purposes. Students will be graded on class participation and on a series of short reaction and research papers.

There are no prerequisites required for this seminar.

Autumn 2014 - Charles B. Wolf

Employment Discrimination Law

LAWS 43401 - 01 (2 or 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 2015 - James Whitehead

Employment Law

LAWS 43511 - 01 (2 or 3) w, x, m

This seminar is designed to provide the student with an overview of the common law principles and leading federal and state statutes that govern the private-sector employment relationship. Among the topics to be covered are (1) the contractual nature of the employment relationship and the employment-at-will doctrine; (2) contractual, tort-based, and statutory erosions of the employment-at-will doctrine; (3) the contractual and common law duties and obligations owed by an employee to the employer; (4) wage and hour, child-labor, and employee leave statutes, including the Family and Medical Leave Act (FMLA); and (5) other employee protective statutes.

This seminar supplements, but will not cover the topics presented in, the Law School's courses in Labor Law (LAWS 43101), Employment Discrimination Law (LAWS 43401), and Employee Benefits Law (LAWS 55503), which are not prerequisites to enrollment.

Enrollment will be limited to 20 students. The student's grade will be based on 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.

Spring 2015 - James Whitehead

Employment Law Clinic

LAWS 67113 - 01 (1, 2, or 3 per quarter, 9 maximum) +, a, w, s

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.

It is recommended that third-year students take, prior to their third year, either the Intensive Trial Practice Workshop or some other trial practice course. 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 3L's in the clinic. The Intensive Trial Practice Workshop (or an equivalent trial practice course) is recommended for 3L's in the clinic.

Autumn 2014, Winter 2015, Spring 2015 - Randall D. Schmidt

Energy Law Seminar

LAWS 45302 - 01 (3) x, m

The Energy Law Seminar exposes students to current issues facing energy industry practitioners. Topics covered during the first half of the seminar include United States shale developments, international energy projects, the natural resources curse, energy finance challenges, and energy litigation/arbitration trends. The second half of the seminar consists of a West Africa simulation, in which student teams bid on real petroleum licenses in West Africa, engage in a multilateral negotiation with other teams to acquire and divest license interests, and then drill wells by rolling dice to determine which of the 50 petroleum prospects are discoveries.

The grade is based on in-class participation (including presentations and simulation performance), negotiation sessions between class meetings, and a series of written memoranda.

Spring 2015 - Shelby S. Gaille

Entrepreneurship and the Law

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

This seminar examines how the law and legal counsel influence innovation and entrepreneurship in the US, particularly by micro-enterprises. 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. We then survey legal questions particular to start-ups, including strategies for structuring a business organization, financing, and protecting intellectual property. Assignments require students to research issues that apply to hypothetical and real start-ups and practice lawyerly skills like strategic planning, negotiation, drafting, and counseling.

This seminar is required for participation in the Institute for Justice Clinic on Entrepreneurship, unless students make other arrangements with the Clinic instructors.

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

Autumn 2014 - Elizabeth W. Kregor; Salen M. Churi

Environmental Law

LAWS 46001 - 01 (3)

This course introduces students to the laws, policies and theories related to environmental protection in the United States. No environmental, engineering or science background is required, and it is not necessary to take Administrative Law before or during enrollment in this course. The course begins by reviewing different, and often competing, objectives related to the environment: development and use of natural resources, preservation of nature, protection of human health, economic efficiency, and distributional equity. The course then explores in depth how the common law and the major federal environmental statutes (e.g. the National Environmental Policy Act, the Clean Air Act, the Clean Water Act, the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation, and Liability Act, etc.) address these objectives.

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

Winter 2015 - Mark N. Templeton

Ethical Quandaries in Legal Practice

LAWS 41017 - 01 (3) p, x, m

Given 24-hour news cycles, macro-economic pressures facing many law firms, government entities and corporations, and the proliferation of social media, the

practice of law is under increasingly intense scrutiny from clients, the public, the judiciary, governments, 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 attorneys face on a daily basis, we will study the challenges, pitfalls, consequences and opportunities associated with the ethical practice of law. Additionally, we will examine the tension caused by attorneys' competing interests in: exercising independent judgment, serving as officers of the court, providing zealous advocacy and earning a living. Seasoned attorneys in private practice, in-house counsel and the judiciary will join portions of the seminar to discuss real world scenarios and provide insight into how attorneys can successfully navigate through today's ethical minefields.

The grade assessment is: 40% class participation, 30% based on 3 reaction papers, and 30% on a take-home final exam.

Winter 2015 - Joseph Alesia; Sharon R. Fairley

EU Competition Law: With Special Emphasis on the Application of Advanced Topics in Antitrust

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

The seminar provides an introduction to interesting and cutting edge topics in antitrust economics using European competition law as the backdrop for applying and discussing this. European competition law and its application by the European Commission have evolved rapidly since around 2000. The seminar focuses on this modern period and the evolving use of economics in the Commission decisions and court judgments. It does not provide an introduction to black-letter EU competition law or a discussion of pre-2000 cases. Topics covered in recent years include the design of antitrust regimes, ordo-liberalism, two-sided markets, screening methods for cartels, dynamic competition, and behavioral economics. Cases covered in recent years have included the Commission's decisions against MasterCard under Article 101 and Microsoft under Article 102.

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

Spring 2015 - David S. Evans

European Legal History

LAWS 91901 - 01 (2 or 3) r, w, x, m

This seminar aims to give students an appreciation of the basic themes and most important events in European (as opposed to English) legal history. It begins with the Roman law formulated under the Emperor Justinian and moves forward to the 19th century. Among the subjects covered are Germanic law, the rise of legal science beginning in the 12th century, the nature of the *ius commune*, legal humanism, the reception of Roman law, the natural law school, and the movement towards Codification.

In addition to the text book, students are expected to read one law review article each week and to share it with the class.

They are permitted to write a research paper, but a final examination will also be offered as an option.

Winter 2015 - Richard H. Helmholz

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.

Winter 2015 - Emily Buss

Evidence

LAWS 41601 - 01 (3) e, 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 grade is based on a final in-class examination.

Spring 2015 - Geoffrey R. Stone

Evolving Regulation of Financial Institutions and Markets

LAWS 94812 - 01 (2 or 3) w, x, m

In this seminar we will consider the recent financial crisis that led to the enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act in 2010. The Act mandates broad changes to the regulation of financial institutions in the U.S. and requires numerous regulatory agencies to promulgate hundreds of new regulations. The seminar will concentrate on certain areas addressed by the Act and the ensuing rule-making process, which is still underway—paying particular attention to the causes of the crisis and its impact on the financial system. Our goal will be to critically assess whether these measures are likely to promote the stated objectives of the legislators, as well as the merits and feasibility of those objectives. For 2 credits, two short (10-12 pg.) papers; for 3 credits, one short and one long (approximately 20 pg.) papers.

Each student also must make a class presentation on one of the paper topics.

Autumn 2014 - James Foorman

Exoneration Project Clinic

LAWS 67413 - 01 (1, 2, or 3 per quarter, 9 maximum) +, a, s

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 strongly encouraged but not required to take 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 2014, Winter 2015, Spring 2015 - Russell Ainsworth; David B. Owens; Tara E. Thompson

Federal Courts

LAWS 41101 - 01 (3) +

This course considers the role of the federal courts in the U.S. 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.

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

Constitutional Law I is highly recommended.

Winter 2015 - Alison LaCroix

Federal Courts

LAWS 41101 - 01 (3) +

This course covers the role of the federal courts in the federal system. Topics will include the jurisdiction of the federal courts, Congress's power over those courts, litigation against federal and state governments and their officials, and the relationships between federal and state courts.

There are no formal prerequisites, but Constitutional Law I and Administrative Law are both recommended.

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

Spring 2015 - William P. Baude

Federal Criminal Justice Clinic

LAWS 67513 - 01 (1, 2 or 3 per quarter, 9 maximum) +, a, w, s, x

The Federal Criminal Justice Clinic zealously represents indigent defendants charged with federal crimes and gives students a unique opportunity to practice in federal court. The FCJC is the only legal clinic in the country that exclusively represents indigent clients charged with federal felonies. We enter our federal district court cases at the time of arrest, take them to trial or guilty plea and sentencing, and then carry them through appeal and beyond. As part of our broader mission to promote fairness in the criminal justice system, we also take Seventh Circuit appeals and write amicus briefs and petitions for certiorari to the U.S. Supreme Court.

FCJC students interview clients and witnesses; meet with clients at the federal jail; conduct and participate in bond hearings, preliminary hearings, arraignments, evidentiary hearings, plea hearings, sentencing hearings, and trials; research, write, and argue motions and briefs; negotiate with prosecutors; and participate in case investigations. Students involved in our appellate litigation research and write briefs to the Seventh Circuit and the Supreme Court and conduct oral argument in the Seventh Circuit. The seminar component includes skills exercises, simulations, lectures, case rounds, and discussions. 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 as 3Ls take the Federal Sentencing seminar during 2L year and take the Intensive Trial Practice Workshop at the beginning of 3L year. The FCJC is a year-long clinic and is typically only open to 3Ls, who must put a minimum of 7 credits towards clinic work. Any slots that remain after bidding closes will be opened to 2Ls, who will receive a total of 3 credits in 2L year and must put 6 credits towards clinic work during 3L year.

Autumn 2014, Winter 2015, Spring 2015 - Alison Siegler; Erica K. Zunkel; Judith P. Miller

Federal Habeas Corpus

LAWS 58502 - 01 (3)

Habeas corpus is a central mechanism for challenging criminal convictions and executive detention in immigration and military contexts. This course covers the operation of habeas corpus in detail, focusing on those parts of the doctrine that are

likely most relevant to students intending to clerk, to work as public defenders, or to work in states' attorneys general offices.

It is designed to complement the Federal Courts coverage of habeas without excessive overlap. The grade is based on a final in-class examination.

Autumn 2014 - Aziz Huq

Federal Legislative Power

LAWS 66303 - 01 (2) +, 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 the power to punish counterfeiting of securities and currency), and quasi-legislative powers (such as the treaty power). The seminar will focus on how courts have defined these powers, how the courts' treatment comports with different theories of constitutional interpretation, and also more broadly how the specific powers interact with one another—especially how they interact with the Commerce Clause.

Prerequisite: Constitutional Law I.

The grade is based on a series of reaction papers and class participation.

Winter 2015 - Joshua Z. Rabinovitz

Federal Regulation of Securities

LAWS 42401 - 01 (3) +

This course provides an overview of the regulation of securities offerings and trading under the Securities Act of 1933 and the Securities Exchange Act of 1934. The course explores the elaborate disclosure obligations that this country imposes on the distribution and trading of investment securities as well as the role of the Securities Exchange Commission and private plaintiffs in shaping and enforcing these disclosure obligations. Topics to be covered include: public offerings of securities and the registration process under the Securities Act of 1933, exemptions from these registration requirements and the role of exemptions in the financing of private and public firms, and the disclosure obligations of publicly-traded issuers. The course will also examine the role of anti-fraud rules in the issuance and trading of securities.

Business Associations/Business Organizations/Corporation Law is a recommended prerequisite.

The casebook required for the class is James D. Cox, Robert W. Hillman and Donald C. Langevoort, *Securities Regulation: Cases and Materials* (7th edition, 2013)

The grade is based on a final in-class examination.

Autumn 2014 - Stavros Gadinis

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.

Spring 2015 - Thomas J. Miles

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 federal sentencing revolution in the context of the history of federal sentencing. We study the Federal Sentencing Guidelines and recent Supreme Court cases that try 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 judiciary and the executive branch. 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 strongly encouraged to enroll in this seminar, although it is not a prerequisite or corequisite for the clinic.

Winter 2015 - Alison Siegler

Feminist Economics and Public Policy

LAWS 70502 - 01 (2 or 3) x, m

This seminar will explore advances in feminist economics and the implications for public policy in local and global communities. Drawing from feminist economics research, the seminar will address the persistence of gender inequality in societies around the world and proposed policy solutions. Topics will include gender relations and the organization of domestic and market work, violence against women, workplace and pay equality, gendered access to resources, education, and healthcare, and gender and property rights.

Grades will be based on a series of short writing assignments and class participation.

Spring 2015 - Diana L. Strassmann

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.

The grade is based on an 8-hour open book take-home examination, or a final written paper if permission for the paper option is given. Class participation will occasionally be taken into account as a positive.

Spring 2015 - Martha C. Nussbaum

Food and Drug Law and Policy

LAWS 94501 - 01 (3) w, 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.

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

Spring 2015 - Jack R. Bierig

Food Law

LAWS 94503 - 01 (3) r, w, 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 2014 - 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 Iraq war. Grades will be based on a final examination.
Autumn 2014 - Daniel Abebe

Fourteenth Amendment Seminar

LAWS 68304 - 01 (3) w, s, x, m

The only reading for this seminar is some introductory material about the legislative history of the fourteenth amendment. At the beginning of the quarter, students will be assigned to "courts" and will receive three cases every two weeks to discuss and vote on. They will then produce as many majority, dissenting, and concurring opinions as appropriate. These opinions should rely solely on the fourteenth amendment, its legislative history, and the prior precedent of each "court." Thus, during the course of the semester, each "court" will develop its own, hypothetical jurisprudence. Once during the quarter, each court will be excused from writing opinions and will, instead, divide into two law firms that will brief and argue a case before another of the courts. Regular "events from the real world" will occur based on the opinions each court files.

Students enrolling in this seminar should be aware of the following:

1. Part of the seminar grade will be based upon the opinions students sign whether or not they write them;
2. No feedback will be provided on the opinions during the quarter, but at the end of the seminar, students may select one or two opinions on which they will receive detailed feedback;
3. Many students find that the seminar is an intense experience, often involving many hours of intra-court discussion and negotiation over outcomes and opinions.

The grade is based on a series of reactions paper and class participation.
Spring 2015 - Louis M. Seidman

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.

The grade will be based on a series of reaction papers, attendance, and class participation.

Autumn 2014 - 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 topics such as Sarbanes Oxley, working with the SEC 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 2014 - Philip Bach; Sean M. Young

Gendered Violence and the Law Clinic

LAWS 63313 - 01 (3 or 4 per quarter, 7 maximum) 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 other legal tools are available to survivors and how useful are those tools? Students will explore these issues through a 2-hour weekly seminar, combined with 12 hours per week of field work spent working at the civil legal services office of LAF. Students will work primarily on family law and immigration cases, while accepting some assignments from LAF's other practice areas where the legal rights of survivors of gendered violence are implicated. 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 public benefits 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. Students eligible for a 711 license may appear in court under attorney supervision. Prior experience and language skills may be considered in determining each student's clinical placement.

Students' grades will be based on participation and case presentations in the seminar, performance in the clinical field work, and a series of reaction/reflection papers.

Students will also participate in a simulated hearing at the end of the course.

Participation over both Winter and Spring quarters is required.

Winter 2015, Spring 2015 - 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 expected to write a paper, which may qualify for substantial writing credit.

Non-law students are welcome but need permission of the instructors, since space is limited.

Winter 2015 - Martha C. Nussbaum; David A. Weisbach

Government Litigation

LAWS 52503 - 01 (3) x, m

The United States government is a party in about one-fifth of civil cases filed in federal courts. Similarly, state and local governments are routine civil litigants in state courts. This seminar explores issues that arise in civil cases in which government actors are plaintiffs or defendants. Topics covered will include sovereign immunity, legislative and executive standing, government preclusion, and attorney fees, as well as major regimes of government liability (e.g., Federal Tort Claims Act, Tucker Act, Bivens and Section 1983, and *parens patriae* litigation). This seminar also covers statutes under which private parties may sue on behalf of the government, most prominently the False Claims Act. Finally, this seminar will consider professional responsibility issues particular to government litigation.

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

Spring 2015 - Zachary Clopton

Greenberg Seminar: 1968

LAWS 95902 - 08 (1, 0, 0) a, x

This Greenberg Seminar, which will be taught by Geoffrey Stone and Jane Dailey (History Department), will explore the extraordinary events and historical significance of the year 1968. Using a range of materials, including art, literature, music, film, and historical sources, we will touch upon such events as the student takeover of Columbia University and the radical student movement; the Vietnam War and the anti-war movement; the growth of the Black Power movement; the emergence of the Women's Liberation Movement; the assassinations of Martin Luther King and Robert F. Kennedy; Prague Spring; the 1968 Democratic Convention; the 1968 presidential election and its consequences.

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - Geoffrey R. Stone; Jane Dailey

Greenberg Seminar: Criminal Justice and Medical Ethics in Literature

LAWS 95902 - 04 (1, 0, 0) a, x

Students in this seminar will read and discuss literature that relates to the respective disciplines of Professor Alison Siegler and of her father, Professor Mark Siegler of the Medical School. We will study selected criminal justice topics and medical ethics issues through the lens of novels, plays, and other primary sources. We will also explore the centrality of storytelling in lawyering and doctoring. Topics will include *mens rea* in Capote; sentencing in Shakespeare; end-of-life decision-making in Tolstoy; and crime, punishment, and ethics in Dylan's music.

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - Alison Siegler; Mark Siegler

Greenberg Seminar: Democracy's Limits

LAWS 95902 - 10 (1, 0, 0) a, x

Twenty years ago Francis Fukuyama declared democracy to be triumphant, heralding the "end of history." Today, Fukuyama's prediction contrasts with a retreat from democracy in Asia and Africa, and democracies in deep economic turmoil in Europe (and, arguably, the US). This Greenberg explores the state of democracy today, drawing on critiques mustered by economists and political scientists as well as looking at case studies from the US to India.

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - Adam Chilton; Aziz Huq

Greenberg Seminar: Law and the Literature of the British Empire

LAWS 95902 - 01 (1, 0, 0) +, a

This seminar will read fiction written during and about the British Empire, with a particular, though not exclusive, focus on India. Authors read will include John Buchan, H. Rider Haggard, Rabindranath Tagore, E. M. Forster, Joseph Conrad, Mulk Raj Anand, George Orwell, and J. G. Farrell.

Students interested in participating should send Prof. Nussbaum a short statement giving your reasons for your interest in the seminar and telling us about your background in literature and relevant parts of history.

This seminar is capped at 12.

Approximately 10 seats will be allocated to J.D. students and the rest to LL.M. students.

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - Dipesh Chakrabarty, Martha C. Nussbaum; Richard A. Posner

Greenberg Seminar: Law Docs

LAWS 95902 - 03 (1, 0, 0) a, x

This Greenberg Seminar will involve discussion of notable documentary films with some connection to law. Participants will view the films (through Netflix for example) and then meet to discuss the films on five Thursday evenings during the Autumn and Winter Quarters. Likely films include *The Art of the Steal* (the story of the Barnes Foundation art collection and the fight to undo provisions in the original bequest); *Capturing the Friedmans* (credibility of witnesses in a case alleging sex abuse of young children); *The Central Park Five* (New York's criminal justice system dealing with a racially charged crime); *Portrait of Wally* (legal battle over painting stolen by Nazis); *West of Memphis* (innocence on death row in Arkansas); *Big Boys Gone Bananas* (corporate campaign to prevent film-makers from showing their documentary about a lawsuit against the company).

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - Saul Levmore; Julie Roin

Greenberg Seminar: Legal Themes in the Theater

LAWS 95902 - 09 (1, 0, 0) a, x

This Greenberg seminar, run with the artistic director of the Court Theater, Charles Newell, will explore how legal themes, such as conflict, and resolution, revenge, the state versus the individual, and the nature of authority, are explored in plays and theater. Most sessions will involve discussing one or more plays that explore a particular legal theme, sometimes exploring how the same theme is portrayed in different time periods and cultures. Pairings might include plays such as *The Eueminiades*, *MoLaRa* (a South African reinterpretation of the *Oresteia*) and *Death and the Maiden*. Other plays (not yet set) may include plays such as *Antigone*, *Measure for Measure*, *The Merchant of Venice*, *The Cain Mutiny*, *Inherit the Wind*, *All My Sons*, and *The Man in the Glass Booth*.

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - David A. Weisbach; Charles Newell

Greenberg Seminar: Native Americans

LAWS 95902 - 02 (1, 0, 0) a, x

In this Greenberg Seminar, professors Todd Henderson (Law) and Justin Richland (Anthropology) will lead discussions of works of fiction and non-fiction regarding Native Americans.

Professor Henderson lived briefly on the Navajo/Hopi Reservation and recently taught a seminar on American Indian Law. Professor Richland specializes in Native American law and politics. He has served as a justice on the Hopi Appellate Court and is the founder of a non-profit designed to bring social justice services to native peoples. The historical plight of Native Americans is well known, but often misunderstood; the current situation is not as well known, and equally misunderstood where it is. The aim of this Greenberg is to put the history in perspective, and to illuminate the current situation of the nearly 500 semi-autonomous tribes of American Indians that exist today.

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - M. Todd Henderson; Justin B. Richland

Greenberg Seminar: Redistribution in America and Abroad

LAWS 95902 - 05 (1, 0, 0) a, x

The redistribution of resources is perhaps the most important -- and controversial -- task of government. In this seminar, we will consider redistribution both in America and abroad. The following are some of the issues we will examine: What circumstances prompt governments around the world to engage in redistribution? Is redistribution an effective or feasible response to rising inequality? What are the economic costs and benefits of redistribution? How do the affluent prevent greater redistribution in democracies given their relatively small numbers? The materials we will cover include works by Daron Acemoglu and James Robinson, Lawrence Lessig, and Thomas Piketty.

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - Nicholas Stephanopoulos; Michael Albertus

Greenberg Seminar: Villains: Real and Imaginary

LAWS 95902 - 07 (1, 0, 0) a, x

There can be no heroes without villains, whether in literature, popular media, or the law. This seminar explores real and imaginary villains: how such villains are created, who creates them, and how these so-called villains experience their vilification. In particular, we consider villains in the corporate and government contexts — the evil CEO, the corrupt politician, the unscrupulous lobbyist — and how they are portrayed (or mis-portrayed) in films, newspapers, and novels. We will meet on Wednesday evenings throughout the year.

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - Anthony J. Casey; Jennifer H. Nou

Greenberg Seminar: Wine and the Law

LAWS 95902 - 06 (1, 0, 0) a, x

This seminar will consider the law and politics of wine production and regulation in the US and elsewhere. There will be an empirical research component.

Graded Pass/Fail.

Autumn 2014, Winter 2015, Spring 2015 - Thomas Ginsburg; Jonathan Masur

Health Law and Policy

LAWS 78801 - 01 (3) w, c/1

This course will explore various policies that underlie regulation of the provision of health care in the United States. We will begin with an examination of the principal government programs for financing the delivery of health care in America -- Medicare and Medicaid. This first third of the course will focus on how these programs seek to resolve the tension between controlling costs, promoting quality, and assuring access. We will next address other federal legislation affecting the delivery of health care, including the Affordable Care Act. We will then move to a consideration of policy issues relating to managed care organizations, including the functioning of these organizations and the impact of ERISA on their actions. Next, we will explore issues relating to the behavior of physicians, hospitals, and nursing homes. This exploration will focus on the impact of the antitrust, labor, and tax laws on these entities. The goal of the course is to expose the student to the conflicting law and policy issues that impact on the delivery of health in this country.

The grade will be based on a final written paper or an in-class examination – depending on how many students enroll. Class participation will also be taken into account.

Autumn 2014 - Jack R. Bierig

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 2015 - Arthur M. Sussman

Hinton Moot Court Competition

LAWS 99911 - 01 (0, 0 or 3) +, a, w

The Hinton Moot Court Competition is open to all second- and third-year students (except those third-year students who made it to the semi-finals during the previous year). The competition provides students the opportunity to develop skills in writing and appellate advocacy. Moot Court participants advance through three rounds.

The Fall Round: The focus of the preliminary round is on oral argument—no brief writing is required at this stage. After studying the briefs and record of an actual case and participating in practice arguments with student judges, each competitor must argue both sides of the case to panels of local alumni attorneys.

Approximately 12-14 students advance to the semi-final (Winter) round.

The Winter Round: The students who have advanced to the semi-final round must brief and argue a new case during the Winter quarter. A panel of faculty members judge the semi-final arguments and select the four best advocates on the basis of their written and oral advocacy skills. Semifinalists are recognized as winners of the Mulroy Prize for Excellence in Appellate Advocacy.

The Spring Round: The four finalists work in teams of two on another new case during the Spring quarter. A panel of distinguished judges, usually federal appellate judges, presides at the final argument before the Law School community. The winning team is awarded the Hinton Cup; the runners-up are awarded the Llewellyn Cup.

Students participating in the semifinal round may be eligible for three pass/fail credits and may satisfy the WP graduation requirement. Please see the *Student Handbook* for additional details.

Autumn 2014, Winter 2015, Spring 2015 - Faculty

History of Civil Liberties in the United States

LAWS 70707 - 01 (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.

The grade is based on a final written paper and class participation.

Spring 2015 - Laura Weinrib

Housing Initiative Clinic

LAWS 95013 - 01 (1, 2, or 3 per quarter, 9 maximum) a, s

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. During the Autumn quarter seminar, returning clinic students need only attend the first hour; new students should attend for the full two hours.

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 2014, Winter 2015, Spring 2015 - Jeffrey E. Leslie

How to Avoid a Regulatory Nightmare: Compliance and Regulatory Strategies for the Post Crisis World

LAWS 94814 - 01 (3) w, s, x, m

Since the financial crisis of 2008, regulators and prosecutors around the world increasingly expect companies to have state of the art governance, risk and compliance programs as a condition for remaining in business and for avoiding liabilities for regulatory missteps.

Increasingly, regulatory rules are becoming more complex and authorities are becoming more unforgiving, with stepped up efforts to secure criminal and civil penalties against companies, their executives, lawyers and auditors. For companies, such liability can at best result in plummeting share prices, and at worst the shutting down of an enterprise. For individuals, they can result in incarceration, fines, penalties and removal from the business.

While many of the principles apply to all industries, the seminar will explore the regulatory and legal foundations for these programs primarily through the lens of the financial services sector, which includes banks, brokerage firms, investment companies and investment advisers. We will also explore how the design and execution of these programs can avoid or limit potential liabilities from regulatory and criminal authorities.

From the perspective of a corporate executive or counsel, students will develop the ability to understand the fundamentals of regulatory regimes overseeing these businesses, as well as strategies for successfully engaging the regulators. Students will consider the steps a firm should take to mitigate regulatory and reputation risk, including the importance of an effective corporate ethics program, as well as how, in the process, a firm can enhance its brand, meet the expectations of its board of directors and create value for its shareholders.

The grade is based on a final take-home exam, a short research paper and class participation.

Spring 2015 - Charles V. Senatore

Human Rights and the Responsibility to Protect

LAWS 96204 - 01 (2) x, m

Despite its very recent development, the doctrine of 'Responsibility to Protect' (RtP) is now a prominent normative framework in global governance. One of the most significant driving factors in its emergence has been despair about the international community's failure to intervene in the Rwandan Genocide in 1994 and in the Srebrenica Massacre in 1995. RtP doctrine rejects a Westphalian conception of state sovereignty, and is instead predicated upon the view that the sovereignty of state governments is conditional upon them neither perpetrating, nor allowing the perpetration of, certain kinds of egregious human rights abuses within their borders. In this seminar we will begin by surveying the recent history of RtP as a guiding normative framework in international law and politics, and considering some of the challenges that have arisen around the implementation of RtP. We will then investigate three sets of questions related to RtP – and though our questions will be theoretical, we will be aiming to respond to them in a way that is informed by empirical considerations. First, what should we make of the provocative claim that RtP mobilizes a set of parochially Western values, or that it is a pretext for powerful states to enact a neo-Colonialist agenda in Africa and the Middle East?

Second, if we have rejected the first criticism, are there nevertheless in-principle reasons to doubt the effectiveness of RtP as a means of decreasing egregious humanitarian abuses in the long term? Third, does the emergence of RtP as a norm in global governance shed any light on the debate in Human Rights Theory, between those who think we must understand human rights primarily as institutional artefacts (i.e. proponents of the Political conception of Human rights), and those who think we can properly regard human rights as a species of natural rights (i.e. proponents of the Orthodox conception of Human Rights)?

The grade is based on a final research paper (90%) and class participation (10%).

Winter 2015 - Robert M. Simpson

Immigration Law

LAWS 50001 - 01 (3)

This course explores the U.S. immigration system. The course will focus on the federal laws and policies that regulate the admission and exclusion of immigrants. Topics covered will include: the visa system, deportation and removal, the law of asylum, the role of the states in regulating migrants, and proposed reforms to the immigration system. The course will also consider how immigration law connects to both constitutional law and foreign policy.

The grade is based on a final in-class examination.

Autumn 2014 - Adam Chilton

Independent Research

LAWS 49901 - 01 (1, 2, or 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 2014, Winter 2015, Spring 2015 - Faculty

Innovative Solutions for Business, Law, and Social Issues

LAWS 91304 - 01 (3) w, x, m

Many business, legal, and social problems cry out for the kind of imagination typically found in the fields of art, design, and invention. Yet, very few of us take time to cultivate the analytic and creative skills that give rise to truly innovative solutions. In this seminar, we will apply "design thinking," originally developed by the founders of IDEO (the design firm behind Steve Jobs and Apple), and a variety of related techniques, to important business, legal, and social problems. We will look at how successful innovators obtain breakthroughs, and we will then practice the techniques on simple challenges such as inventing a new product before we progress to larger, more complex challenges like designing an organization that continuously invents streams of new products. In law, we will look at why corporate clients hold creative lawyers in the highest regard, and as an

exercise in design thinking, we will design a system that enables compliance with the Foreign Corrupt Practices Act (FCPA) in a company striving for growth in risky, emerging markets. We will also look at legal education and determine how design thinking can lead to more imaginative and meaningful reform. In the area of social impact, we will look at how we as a society can enable universal access to potable water, and we will also consider new approaches to building sustainable, green cities amidst the new surge in urbanization taking place in India, China, and the developing world.

Grading will be determined by class participation and by performance across three papers. The first paper will examine best practices in innovation. The second paper will focus on a specific case in business or the legal profession. The third paper will address a large-scale problem such as climate change, political polarization, or North Korea – and require students to work in teams and present their work to the class at the conclusion of the seminar.

Autumn 2014 - Tom J. Manning

Insider Trading

LAWS 65803 - 01 (2) +, x, m

Insider trading remains a controversial area of the law, characterized by strong opinions about the desirability of regulating insider trading and a proliferation of theories for such regulation. This seminar will concentrate on the leading law review articles staking out positions on insider trading, with a focus on the policy reasons advanced by each side. The first week we will review the leading insider trading cases. For each of the following seminar sessions, the class will read and discuss assigned law review or economics journal articles.

For each seminar session, a few students will be assigned to write 6-8 page critiques of the assigned articles in advance of the class meeting and then to lead the discussion of those articles.

Over the course of the seminar, each student will write three critiques.

All students not writing a critique on any particular article will be required to submit six written questions about that article in advance of each seminar session and to participate in the discussion for each class.

Grades will be based 60% on the written critiques and questions and 40% on seminar participation.

There will be no final exam or seminar paper.

Prerequisite: Business Associations I/Business Organizations (may be taken concurrently).

Spring 2015 - Douglas Levene

Institute for Justice Clinic on Entrepreneurship

LAWS 67613 - 01 (1, 2, or 3 per quarter, 9 maximum) +, a, s

The Institute for Justice Clinic on Entrepreneurship, or IJ Clinic, provides legal assistance to low-income entrepreneurs who are pursuing the American Dream in

spite of legal obstacles. IJ Clinic students develop practical skills in transactional lawyering while helping creative entrepreneurs earn an honest living, innovate, and build businesses that build neighborhoods. Students advise clients on issues such as business formation, licensing, zoning, strategic relationships, intellectual property protection, and regulatory compliance. Students become trusted advisors for their clients and have the opportunity to consult with clients on business developments; draft and review custom contracts; negotiate deals; research complex regulatory schemes and advise clients on how to comply; and occasionally appear before administrative bodies. Students may also work on policy projects to change laws that restrict low-income entrepreneurs. Policy work may involve legislative drafting, lobbying, and community organizing. 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 pre- or co-requisite unless a student has received special permission from the IJ Clinic instructors.

A commitment of at least two quarters is required.

Autumn 2014, Winter 2015, Spring 2015 - Elizabeth W. Kregor; Salen M. Churi

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.

Spring 2015 - 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.

The grade is based on a final written paper and will be adjusted to reflect class participation.

Autumn 2014 - Michael D. Friedman

Intensive Trial Practice Workshop

LAWS 67503 - 01 (3) +, 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.

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 48 with preference given to students who have been accepted into a Litigation 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 class.

This practicum is offered for approximately six hours/day during the two weeks prior to the beginning of the Autumn quarter.

The 2014 Workshop is scheduled from 9/15 through 9/26, and the final trial is scheduled for Saturday, September 27.

The student's grade is based on a compilation of daily performance evaluations.

Autumn 2014 - Herschella G. Conyers; Craig B. Futterman; Mark J. Heyrman; Randall D. Schmidt; Randolph N. Stone

Interdisciplinary Approaches to Criminal Justice

LAWS 60804 - 01 (2) x, m

We will read literature from fields including economics, criminology, sociology, history, and psychology in an attempt to make sense of various features of the American criminal justice system. These include the determinants of crime; the effects of policing, incarceration, and social programs on crime rates; and the consequences of criminal punishment. We will discuss how the approaches of these disciplines differ and what each has to offer.

The grade is based on a series of reaction papers.

Spring 2015 - John Rappaport

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 2015 - Alan D'Ambrosio

International Environmental Law

LAWS 92702 - 01 (3) w, x, m

This seminar examines how global resources can be protected within an international legal framework where state actors reign supreme. Sources of international environmental law and associated enforcement mechanisms will be discussed with reference to various environmental problems such as loss of biodiversity, climate change, ozone depletion, trans-boundary air pollution, and oil spills. The relationship between trade, development, and environmental protection will receive particular attention throughout the seminar, as will issues arising from the evolving role of non-state actors.

The student's grade will be based on class participation and a major paper. This seminar may be taken to fulfill one of the substantial writing requirements if the major paper is certified by the professor as having met the criteria.
Spring 2015 - Georgie B. Geraghty

International Finance

LAWS 48901 - 01 (3) r, w, c/l, x, m

Today the volume of international financial flows far exceeds the volume of international trade. This seminar 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. The grade is based on a final written paper.

Autumn 2014 - 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.

Winter 2015 - Thomas Ginsburg

International Human Rights Clinic

LAWS 67913 - 01 (2 or 3) +, a, s

The International Human Rights Clinic (IHRC) works for the promotion of social and economic justice globally, including in the U.S. The Clinic uses international human rights laws and norms, other substantive law, and multidimensional 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 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. Working in teams on active human rights cases and projects, students will develop and hone their international research, legal and non-legal writing, oral advocacy, communication, interviewing, collaboration, media advocacy, cultural competency, strategic thinking, and transnational lawyering skills. Additionally, students will critically examine the substance and application of human rights law, discuss and confront the ethical challenges of working on human rights problems globally, and develop new techniques to address human rights violations. During Autumn quarter only, Clinic students are required to also enroll in the 2-credit International Human Rights Lawyering and Advocacy

seminar. Students are also encouraged, but not required, to take a course in international human rights law or public international law. Some students may have the option, but are not required, to undertake international or domestic travel in connection with their projects during the break periods. Students in their first quarter of IHRC must enroll for 2-3 credits; students can enroll in the IHRC for 1-2 credits in subsequent quarters, in accordance with the Law School's general criteria for clinical courses.

Autumn 2014 - Caroline Bettinger-López; Brian S. Citro

International Human Rights Clinic

LAWS 67913 - 01 (1 or 2 per quarter) +, a, s

The International Human Rights Clinic (IHRC) works for the promotion of social and economic justice globally, including in the U.S. The Clinic uses international human rights laws and norms, other substantive law, and multidimensional 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 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. Working in teams on active human rights cases and projects, students will develop and hone their international research, legal and non-legal writing, oral advocacy, communication, interviewing, collaboration, media advocacy, cultural competency, strategic thinking, and transnational lawyering skills. Additionally, students will critically examine the substance and application of human rights law, discuss and confront the ethical challenges of working on human rights problems globally, and develop new techniques to address human rights violations. During Autumn quarter only, Clinic students are required to also enroll in the 2-credit International Human Rights Lawyering and Advocacy seminar. Students are also encouraged, but not required, to take a course in international human rights law or public international law. Some students may have the option, but are not required, to undertake international or domestic travel in connection with their projects during the break periods. Students in their first quarter of IHRC must enroll for 2-3 credits; students can enroll in the IHRC for 1-2 credits in subsequent quarters, in accordance with the Law School's general criteria for clinical courses.

Winter 2015, Spring 2015 - Brian S. Citro

International Human Rights Lawyering and Advocacy

LAWS 96205 - 01 (3) s, x, m

This seminar considers major issues in contemporary international human rights from the perspective of the advocate. It is designed to introduce students to the range of human rights advocacy, grounded in the history of human rights

movements, the development of international human rights norms, and contemporary case studies. The initial class sessions will familiarize participants with key human rights standards and their implementation and enforcement through international, regional and national institutions and by non-governmental organizations. The remainder of the seminar will evaluate human rights advocacy tools and strategies applied in current political and social contexts. Through case studies and simulated human rights research and advocacy projects, students will develop the skills to conduct international human rights work, including international field-work and fact-gathering, interviewing witnesses and victims of abuses, assessing various litigation and non-litigation strategies, conducting legal research using diverse sources, evaluating successes and challenges, and developing cross-cultural competency skills. Class discussions and readings will expose students to cutting-edge research methodologies and technologies used to monitor and promote human rights. Additionally, students will learn how to grapple with and navigate the ethical challenges of international human rights work.

The grade for the class will be based on class participation, in-class simulation exercises, and short assignments that will require students to conduct research, develop strategic advocacy plans, and draft documents aimed at advancing particular human rights issues.

Autumn 2014 - Caroline Bettinger-López

International Income Taxation

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 2015 - Julie Roin

International Trade Law and Investment Law

LAWS 48401 - 01 (3)

This course focuses on two distinct areas of international economic law: international trade law and international investment law. The international trade section of the course will focus on the laws established by the World Trade Organization. This will include an in-depth analysis of the treaties, regulations, and case law that govern international trade. The international investment section of the course will focus on the regime of laws created by Bilateral Investment Treaties. The course will specifically cover the growth of this regime, the content of the agreements, investor-state arbitration, and proposals for reforming the system. By

exposing students to both trade and investment law, this course will provide students with a foundation in two growing areas of international law.

The grade is based on a final in-class examination.

Winter 2015 - Adam Chilton

Introductory Income Taxation

LAWS 44121 - 01 (3) x

This course provides an introduction to the essential elements of the federal income tax, with a special emphasis on issues related to the taxation of individuals. The topics covered include the nature, timing and measurement of income, the role played by "basis" in calculating gain (and loss) in transactions involving property, the boundary between personal and business expenditures, and the use of the tax system to provide behavioral incentives and disincentives. The course stresses the complex interactions between political and administrative concerns in the tax system.

The grade is based on a final in-class examination.

Autumn 2014 - Julie Roin

Introductory Income Taxation

LAWS 44121 - 01 (3) x

This class provides an introduction to federal income tax law. Topics covered in this course include (but are not limited to) what constitutes income; deductions; the tax treatment of gains and losses; realization and timing; tax shelters. The class uses a combination of lectures, class discussion and problems, focusing on the application of the Internal Revenue Code, Treasury Regulations, cases, and other sources of tax law. Policy issues underlying the tax law will also be analyzed.

This class has no prerequisites.

The grade is based on a final in-class examination and class participation.

Winter 2015 - Dhammika Dharmapala

Islamic Law and Finance

LAWS 80222 - 01 (3) w, c/1, 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.

The grade is based on a final written paper and class participation.

Autumn 2014 - Cynthia Shawamreh

Judicial Opinions and Judicial Opinion Writing

LAWS 52003 - 01 (3) w, s, x, m

For many graduates of this law school, their first job is as a judicial law clerk, usually in a federal court of appeals. A few graduates will eventually become judges. More important, many, many graduates will have a litigation practice. As law clerks or judges, they must learn to write judicial opinions. As practicing lawyers, they must learn to think like judges so that they will know how to communicate with them effectively, in briefs and at oral argument: something few lawyers know how to do. The seminar aims to teach law students how to think and write like judges, and so to equip them for a future as law clerks, judges, practicing lawyers--or all three.

The grade will be based on a series of short research papers.

Winter 2015 - Richard A. Posner

Jurisprudence I: Theories of Law and Adjudication

LAWS 47411 - 01 (3) e, x

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.

Attendance at the first session is mandatory for those who want to enroll.
Take-home essay exam.
Spring 2015 - Brian Leiter

Juvenile Justice

LAWS 60102 - 01 (2) c/l, x, m

This seminar considers how our legal system should respond to crimes committed by minors. In particular, students consider the appropriateness of treating minors differently from adults in preventing, adjudicating, and imposing consequences for criminal behavior.

Readings on adolescent development and urban sociology help inform discussions. The student's grade is based on class discussion, and a series of short papers and/or blog posts.

Enrollment is limited to 20.

Winter 2015 - Emily Buss

Kapnick Initiative Leadership Effectiveness and Development Lab I: Development

LAWS 75710 - 01 (3) +, c/l

This is the first of a two-course series that develops the self-awareness and effectiveness of the student (facilitator) at influencing, motivating, and developing people. The series is experiential in nature. Its two distinct components are: Development (LAWS 75710, see below) and Implementation (see LAWS 75711). Facilitators spend the Spring quarter developing self-awareness and the influencing, public speaking, facilitating, coaching and mentoring skills essential to leadership and to their ability to run the LEAD component of the Kapnick Initiative effectively in the Autumn quarter. Within their designated four-person squad, facilitators select specialties in order to devise and master the source material with the depth of understanding necessary to facilitate classroom discussions on key leadership topics. The Spring quarter will culminate in a 'preview day' where facilitators will have the opportunity to deliver their sessions before a live audience to help calibrate for the Autumn quarter.

Students do not need to bid for this course. Interested students apply during Autumn quarter of their 2L year and undergo an extensive application process from which successful applicants are invited to participate.

Students are assessed on both their ability to develop the requisite knowledge and skills to run the program and their effectiveness at doing so. A substantial component of the grade comes from feedback that facilitators are expected to give to and receive from other facilitators. Class attendance in both Spring and Autumn quarters is mandatory.

Cannot be taken Pass/Fail. Numerical grade issued at the end of the Spring quarter.

Spring 2015 - Stacey R. Kole

Kapnick Initiative Leadership Effectiveness and Development Lab II: Implementation

LAWS 75711 - 01 (1) +, c/1

This is the second of a two-course series that develops the self-awareness and effectiveness of the student (facilitator) at influencing, motivating, and developing people. The series is experiential in nature. Its two distinct components are: Development (see LAWS 75710) and Implementation (LAWS 75711, see below).

The overarching mission of 'Implementation' is to deliver an outstanding development program during Autumn quarter for all the incoming first-year Law students (1Ls). The LEAD class is run by teams of four facilitators. Each facilitator team is responsible for the learning experience of one Bigelow section of 1L students. The Implementation phase starts during the Law School Orientation and lasts into Week 3 of the Autumn quarter, culminating with the successful recruitment of student facilitators to partake in the following year's program. Students do not need to bid for this course. Students registered for the Spring quarter course (LAWS 75710) will be automatically registered into this course. Students are assessed on both their ability to develop the requisite knowledge and skills to run the program and their effectiveness at doing so. A substantial component of the grade comes from feedback that facilitators are expected to give to and receive from other facilitators.

Class attendance in both Spring and Autumn quarters is mandatory.

Graded Pass/Fail. Pass/Fail grade issued at the end of the Autumn quarter.

Autumn 2014 - Stacey R. Kole

Labor Law

LAWS 43101 - 01 (3)

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.

The grade is based on a final in-class examination and class participation.

Winter 2015 - Laura Weinrib

Land Use

LAWS 61301 - 01 (3)

Few areas of law have as immediate an impact on our lived environment than the law of land use. This course will provide a broad introduction to the theory, doctrine, and history of land use regulation. Topics will include zoning, homeowners' associations, nuisance, suburban sprawl, eminent domain and

regulatory takings. Throughout, we will discuss the ways land use regulation affects land use patterns, economic efficiency, distributive justice, social relations, and the environment.

The grade is based on a final in-class examination.

Spring 2015 - Richard A. Epstein

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

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

The purpose of this seminar is two-fold. First, the seminar aims to introduce students to the political science literature on courts understood as political institutions. In examining foundational parts of this literature, the seminar will focus on the relationship between the courts and other political institutions. The sorts of questions to be asked include: Are there interests that courts are particularly prone to support? What factors influence judicial decision-making? What effect does congressional or executive action have on court decisions? What impact do court decisions have? While the answers will not always be clear, students should complete the seminar with an awareness of and sensitivity to the political nature of the American legal system. Second, by critically assessing approaches to the study of the courts, the seminar seeks to highlight intelligent and sound approaches to the study of political institutions. Particular concern will focus on what assumptions students of courts have made, how evidence has been 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 the substantial research paper (SRP) graduation requirement.

Winter 2015 - Gerald N. Rosenberg

Law and Race

LAWS 69104 - 01 (3) r, w, x, m

This seminar explores the intersection of race with legal institutions in both historical and contemporary contexts. Given that the seminar is designed to culminate in a scholarly paper, much of the reading will consist of canonical law review articles and other forms of legal scholarship. Although students are welcome to address a wide range of paper topics, the assigned readings will include: jury nullification, racial profiling, racial tokenism, and critical race theory (and its discontents).

Students will be evaluated upon class participation and a substantial written paper.

Spring 2015 - Justin Driver

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 2014 - Mark J. Heyrman

Law of Governance, Risk Management, and Compliance

LAWS 75005 - 01 (2 or 3) r, w, x, m

This seminar will focus on the practices by organizations to encourage ethical behavior, observe legal norms, and discourage unsound or unsafe practices. While the focus will be on the for profit corporation, attention will also be given to nonprofit entities and religious bodies.

The grade will be based on a final in-class exam or a final written paper.

Spring 2015 - Daniel R. Fischel

Leadership

LAWS 75102 - 01 (2 or 3) +, r, 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.

A 2-CREDIT OPTION IS AVAILABLE WITH PERMISSION OF INSTRUCTOR.

Winter 2015 - David J. Zarfes

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. Current cases, proposals, and controversies will be discussed.

Attendance and participation will be very important.

Grades will be based on a take-home final examination.

Students with substantial prior exposure to accounting (such as students with an MBA, joint MBA/JD students, and undergraduate finance or accounting majors) may not take the course for credit.

Class will meet for nine sessions, five days during week 2 (Monday January 12-Friday January 16, 2015) and four days during week 4 (Tuesday January 27-Friday January 30, 2015).

Winter 2015 - 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 2014 - Frank H. Easterbrook

Legal Profession

LAWS 41002 - 01 (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.

This class will be capped at 50.

Spring 2015 - Barry S. Alberts

Legal Profession: Ethics

LAWS 41003 - 01 (3) w, p, x, m

This seminar will address ethical considerations raised during the practice of law, including strategic, practical, and moral considerations with which attorneys should be familiar. Students will need access to Selected Standards on Professional Responsibility, and Professional Responsibility, Problems and Materials (University Casebook Series), by Thomas D. Morgan and Ronald D. Rotunda, and reading materials provided during the course. Students will also need access to Westlaw and/or Lexis. We will also discuss additional material I will send by email.

During class we will discuss both the rules and the ethical situations that lawyers face in a variety of situations. While I will expect students to read the rules and the casebook, this will not be a class where I ask students to recite the facts of cases and analyze them. There will instead be a greater focus both on rules lawyers need to know and on the ambiguities of how to handle particularly difficult issues lawyers may encounter in practice.

I will teach this class as a participatory seminar.

Students will be evaluated both on the basis of a paper of 20 pages in length on a topic relating to professional responsibility of the student's choosing and on participation.

Attendance is mandatory.

My practice and travel make me unavailable from time to time. I may hold

makeups 2-3 times during the quarter. They will take place on Wednesday or Friday mornings at 8:00.

Autumn 2014 - 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 interpretive theories and their application. 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 process through which statutes are produced by the legislative branch and their interpretation by the courts.

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

Spring 2015 - 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.

Spring 2015 - Herschella G. Conyers

Litigating Financial Disputes

LAWS 52523 - 01 (3) r, w, s, x, m

This seminar will explore the practice, theory, and strategy of litigating financial disputes. These disputes include bankruptcy proceedings, shareholder derivative suits, securities fraud cases, white collar investigations, and suits alleging the breach of financial contracts. On the practical side, the seminar will explore the procedures for choosing and preparing financial experts to testify on valuation and other issues, interviewing and deposing executive officers and investment bankers, and common discovery issues that arise. On the theoretical side, we will explore critiques of the current systems of litigating these disputes and proposals for reform. In all areas, we will consider the strategic implications that lawyers must take into account both in litigating the disputes and in negotiating agreements in ways to avoid future disputes or reduce the risk of losing a dispute if one arises. In

general, we will explore the overlap between litigation and transactional work that is at the heart of these disputes. For example, we will look at cases where litigation positions are used to facilitate leverage in transactions. The seminar materials will be a mix of court opinions, pleadings filed in actual cases, transactional documents, and academic articles.

The grade is based on a series of short research papers or a final written paper.
Spring 2015 - Anthony J. Casey

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 most class sessions. 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 2015 - James A. Clark; Catherine M. Masters

Local Government Law

LAWS 71701 - 01 (3)

This course examines the law regarding the 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 pays for the services provided, and how these decisions are reached. In the process, it explores the relationship among federal, state, and local governments, with particular emphasis on judicial analysis of the constitutional and statutory basis of those relationships.

The grade is based on a final in-class examination.

Spring 2015 - Julie Roin

Mental Health Advocacy Clinic

LAWS 67013 - 01 (1, 2, or 3 per quarter, 9 maximum) +, a, w, s

Mental Health Advocacy teaches a variety of advocacy skills. With the permission of the clinical teacher, students may choose to focus on litigation, legislation, or both. Students engaged in litigation 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 fifty percent of the credits needed for graduation may 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. Students engaged in legislative advocacy may research and draft legislation and supporting materials, devise and implement strategies to obtain the enactment or defeat of legislation, negotiate with representatives of various interest groups, and testify in legislative hearings. 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, between litigation and legislative advocacy, and between advocacy on behalf of individual clients and advocacy for systemic change.

Prior or contemporaneous enrollment in Law and the Mental Health System is encouraged, but not required, for all students.

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

There is a mandatory one-credit seminar component for this course which meets once a week during the Autumn Quarter.

Mental Health Advocacy satisfies part of the writing requirement if substantial written work is completed.

Student may enroll in this clinical course for between one and six quarters.

Autumn 2014, Winter 2015, Spring 2015 - Mark J. Heyrman

Mergers and Acquisitions

LAWS 42311 - 01 (3) x

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 and tender offers, 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) the enforceability of deal protection provisions in public merger agreements; (7) issues that arise in connection with merger, stock purchase, and asset purchase agreements; (8) issues relating to fraud claims brought in M&A transactions; (9) problems that may arise between signing an M&A agreement and the closing or termination of the transaction; and (10) issues that arise in connection with preliminary agreements. 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 in Buyouts, but that course is not a prerequisite for this course and students may take both courses.

Winter 2015 - Scott Davis

Modern Professional Responsibility

LAWS 41018 - 01 (3) p, x

This course will explore a variety of legal, ethical and real-world issues commonly faced by modern lawyers in their daily practices. It will address the relationship among the Model Rules of Professional Responsibility, the Restatement (Third) of the Law Governing Lawyers, and various common law and statutory sources of the standards that govern the practice of law today. It will focus on several noteworthy professional liability cases involving lawyers and law firms. Course materials will include traditional texts and statutory materials, hypotheticals drawn from unreported matters, as well as the results of jury focus groups and at least one mediation.

The course will meet two hours per week and will satisfy the professional liability requirement.

The grade will be based on a combination of a proctored, in-class, two hour open-book examination, a short (10 to 12 pages) research paper, and class participation. Although a list of possible research topics will be provided, students will be encouraged to develop and write about their own research topics, subject to final approval by the instructor.

Class attendance is required, with class discussion an integral part of the course and critical to a full understanding of the course materials.

The class will be capped at 50.

Autumn 2014 - Mark D. Nozette

Multidistrict Litigation and Complex Class Actions

LAWS 93603 - 01 (3) w, x, m

This seminar addresses legal and ethical requirements, as well as strategic and practical considerations, around handling multidistrict litigation, including mass tort and complex class actions. Using materials from recent and current cases, the class will discuss topics such as early case assessment, coordination of multijurisdictional litigation, use of dispositive motions, the importance of expert testimony and mechanisms for resolving scientific disputes, resolution options, media coverage of MDLs and bellwether selection methods and trial of bellwether cases. Discussions will involve the Vioxx, Baycol, diet drug, Teflon, and Firestone litigations, among others.

Expectations: This class will be taught as a participatory seminar. Students will not be expected to have already taken a complex litigation course, but should be willing to seek out answers to legal questions as they arise. Students will be evaluated on the basis of class participation and a written paper.

Students will need access to the Federal Rules of Civil Procedure, the Manual for Complex Litigation Fourth (http://www.fjc.gov/public/home.nsf/autoframe?openform&url_l=/public/home.nsf/inavgeneral?openpage&url_r=/public/home.nsf/pages/470), the website of the Judicial Panel on Multidistrict Litigation (www.jpml.uscourts.gov), and reading materials that I will email to students each week. Students also will need access to Westlaw and/or Lexis.
Winter 2015 - Adam Hoeflich

National Security Issues and the Development of Legal Practice Skills

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

This seminar will address current national security issues including presidential power, indefinite incarceration, assassination, electronic surveillance, and cyberwarfare. More than the typical seminar, this class will also focus on helping students develop a range of skills required for successful law practice. Students will form teams of 2-4 persons.

Each team will present its analysis of a topic to the class and help facilitate class discussion of the topic.

Each team will also submit a short memo on its selected topic.

Constitutional Law I or the equivalent is recommended but not required (and can be taken concurrently).

Spring 2015 - Robert A. Helman

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.

Prerequisite: Introductory Income Taxation (may be taken concurrently).

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

Autumn 2014 - William C. Golden

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.

Autumn 2014 - Richard H. Helmholz

Partnership Taxation

LAWS 44301 - 01 (3) +, s, x

A review of the principals of partnership taxation, with an emphasis on the tax consequences of the formation, operation and dissolution of partnerships. Matters discussed include the treatment of leverage, capital accounts, disguised sales, mixing bowls, anti-abuse rules and other aspects of partnership taxation.

Introductory Income Tax is a prerequisite.

Meetings will be held at the offices of Baker & McKenzie, 300 E. Randolph, in the Loop. Dinner is provided. The grade is based on a final take-home examination.

Spring 2015 - Todd D. Golub; Richard M. Lipton

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 whatsoever, 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 a take-home final examination.

Students from all backgrounds -- technical or not -- are encouraged to enroll.

Spring 2015 - Jonathan Masur

Philosophy of Criminal Law

LAWS 99003 - 01 (3)

This course examines the philosophical foundations of criminal law. We shall discuss notions of criminal responsibility, the justifiability of criminal sanctions, the role of the state in punishing, the privatization of punishment and prisons, the concept of compassion and its relevance to criminal law.

The grade is based on a final take-home examination.

Autumn 2014 - Alon Harel

Post-Judgment Proceedings and Asset Recovery

LAWS 47302 - 01 (3) w, x, m

A plaintiff client's ultimate goal in bringing a lawsuit is to actually recover any money judgment that is awarded to the client. If you as the client's lawyer cannot collect -- that is, if you cannot actually get the money, the judgment is of virtually no use to the client. This seminar will explore the procedural and practical steps that a plaintiff can and should take to collect and execute on a judgment, including review and analysis of among other subjects: (a) pre-judgment discovery regarding assets; (b) pre-judgment approaches to freezing assets; (c) finality of judgments for purposes of collection and execution; (d) post-judgment proceedings under federal and state law; (e) collections from third parties that hold assets of the judgment debtor; and (f) overcoming asset protection vehicles such as offshore trusts and companies.

Approximately fifty percent (50%) of the final grade will depend upon a seminar paper grade on a topic related to the issues covered in class.

Approximately fifty percent (50%) of the final grade will depend upon class participation and 1-2 smaller assignments.

Winter 2015 - Gabriel Aizenberg

Poverty and Housing Law Clinic

LAWS 90512 - 01 (3 or 4 per quarter, 7 maximum) a, s

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 (30%) and work at LAF (70%).

Winter 2015, Spring 2015 - Lawrence Wood

Pre-Trial Advocacy

LAWS 67403 - 01 (2) +, s, x, u

This class focuses on fundamental pretrial litigation strategies and skills, including creation and evaluation of legal and factual theories, motion practice, interviewing clients, discovery planning, depositions, and pretrial preparation. The class employs a variety of learning methodologies, including lectures, small group discussions, simulated exercises, and oral arguments.

Students taking Pre-Trial Advocacy are also eligible to enroll in the Intensive Trial Practice Workshop. Because of the overlap in topics, students are ineligible for Pre-Trial Advocacy if they have taken or are currently enrolled in any of the following litigation clinics: Criminal and Juvenile Justice Project Clinic; Civil Rights Clinic: Police Accountability; Mental Health Litigation Clinic; Complex Mental Health Litigation Clinic; Exoneration Project Clinic; Employment Discrimination Clinic; Abrams Environmental Law Clinic; and Federal Criminal Justice Clinic.

The student's grade is based on class participation and written work product. Evidence is a prerequisite (may be taken concurrently).

Spring 2015 - Erin E. Kelly

Privacy

LAWS 79501 - 01 (3) x

This course surveys America's efforts to draw boundaries between the public and private spheres. The course primarily deals with three types of law: the privacy-related torts, constitutional privacy law, and various federal statutes and regulations that govern the collection, aggregation, and dissemination of private information. Substantive topics of discussion may include Internet privacy; health care and genetic privacy; sexual privacy; the relationship between privacy and the First Amendment; the Fourth Amendment and other restrictions on governmental investigations and surveillance; and European privacy law.

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

Spring 2015 - 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).

Grades will be based on class participation and the written assignments.
Business Organizations and Contracts are prerequisites.
Winter 2015 - Mark A. Fennell; Stephen L. Ritchie

Professional Responsibility

LAWS 41016 - 01 (3) p, x

This course will focus on the rules governing the legal profession and practical applications of the rules. Course materials will include the ABA Model Rules of Professional Conduct and a textbook; we may also read supplemental materials from time to time.

Grades will be based on an in-class final exam and a class participation component. This course will fulfill the professional responsibility requirement.

Spring 2015 - Martha M. Pacold

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 from daily practice. Along the way, the instructors will give meaningful insight into what it's like to practice law in a broad range of practice areas, including transactions, litigation, and public service. Classes will include both a lecture portion and a discussion of practical exercises.

Class attendance and participation will be an essential and worthwhile aspect of this course.

The student's grade will be based on an examination, a series of short homework exercises, and class participation.

Winter 2015 - James E. Clark; Teresa W. Harmon; Michael J. Sweeney

Project and Infrastructure Development and Finance

LAWS 42512 - 01 (2 or 3) w, x, m

This seminar is focused on the development and project financing of infrastructure facilities. These transactions feature a wide variety of commercial agreements and financial instruments, legal and financial structuring, and a significant role for lawyers. Public private partnership structures will be examined. Representative transactions, principally in the energy, transportation and public infrastructure sectors, will be selected for analysis and discussion. Infrastructure projects such as these provide a convenient vehicle for discussion of contractual provisions, structuring parameters, financial analysis, and legal practice issues common to a broad range of business and financial transactions.

The classes will be discussion oriented; grades will be based on short papers, a case study and class participation. There are no pre-requisites, although basic corporation law would be helpful.

The readings will be taken from textbooks, professional journals, and actual commercial and financial contracts.

A speaker from the financial community with a wide range of experience is expected.

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

Enrollment is limited to 25 students.

Autumn 2014 - Martin D. Jacobson

Prosecution and Defense Clinic

LAWS 67713 - 01 (3 or 4 per quarter, 7 maximum) +, a, s

The Prosecution and Defense Clinic is designed to provide 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 course is to enable students to gain hands-on criminal clinical experience, as well as to familiarize students with the legal procedures and issues which arise in a typical criminal case, including ethical and 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 actual criminal cases), and hands-on experience through a clinical placement.

Each student in the clinic is responsible for securing a field placement prior to the beginning of the first day of class in a pre-screened placement program with a federal or state prosecutor or defender office. A list of potential placements is available upon request. Field placements will run for both the Winter and Spring quarters (January through May) and will be formally supervised by coordinators within each program's office. The faculty instructors will monitor the student's substantive work and performance in conjunction with the field placements.

Students must comply with the clinical placement's requirements regarding hours and assignments, which will be considered part of the 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.

The clinic will be held only if a minimum of nine (9) students secure internships and sign up for the course.

Winter 2015, Spring 2015 - Lisa M. Noller; Gabriel B. Plotkin

Public Choice

LAWS 69001 - 01 (3) x

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 2015 - Saul Levmore

Public Corruption and the Law

LAWS 68314 - 01 (2 or 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 2015 - David H. Hoffman

Public International Law

LAWS 72901 - 01 (3) c/l

This course is an introduction to public international law, the body of law that governs relations between states. It will cover the basic features of the international

legal order, including: the nature and sources of international law; its principal actors, including states, international organizations, individuals and corporations; state responsibility and diplomatic protection; the relationship between international law and U.S. domestic law; and state jurisdiction and immunities. It will also provide an introduction to selected substantive areas: the law of the sea, international criminal law, and the use of force. The course will incorporate discussion of current events, and will consider the interaction of international law and politics.

Grades will be based on class participation and an examination.

Autumn 2014 - Pierre-Hugues Verdier

Public Opinion, Public Policy, and the Law

LAWS 69002 - 01 (3) r, w, x, m

This seminar will explore the intersection of public opinion, public policy, and the law. To date, questions about whether and how public opinion influences public policy have been addressed primarily by political scientists. But these questions are also vital to several legal domains, in particular constitutional law and election law. In the constitutional law context, the mistranslation of public opinion into public policy may be evidence of a political malfunction that requires judicial intervention. In the election law context, one of the most important functions of elections is to align the preferences of the electorate with the policies enacted by their representatives. The seminar will tackle these complex and interesting issues through readings drawn from legal scholarship, political theory, and empirical political science. An effort will also be made to have outside speakers present papers once or twice during the quarter.

The grade is based on a final written paper.

Winter 2015 - Nicholas Stephanopoulos

Racism, Law, and Social Sciences

LAWS 54303 - 01 (3) r, w, x, m

This seminar will provide an in-depth study of theories and methods for analysis of racialization in past and present societies. Analyses of the social construction of racial and ethnic identities have facilitated studies of the ways in which social differences are created, maintained, and masked. Subjects to be addressed in this seminar include the interrelation of racializing ideologies with other cultural and social dimensions, such as class, ethnicity, gender, political and legal structures, and economic influences. We will also consider the related histories of biological and genetic concepts of different races within the human species as part of the context of our study of racism operating within social processes.

The seminar includes a major writing project in the form of a seminar paper. The grade is based on a final written paper (80%) and class participation (20%).

Winter 2015 - Christopher C. Fennell

Regulation of Sexuality

LAWS 72201 - 01 (3) +, r, c/1

This course explores the many ways in which the legal system regulates sexuality, sexual identity, and gender and considers such regulation in a number of substantive areas as well as the limits on placed on such regulation by constitutional guarantees including free speech, equal protection, and due process. Readings include cases and articles from the legal literature together with work by scholars in other fields.

The grade is based on a substantial paper, series of short papers, or final examination, with class participation taken into account.

Paper writers require permission of the instructor.

Undergraduates require permission of the instructor.

Constitutional Law I, III, and/or IV are recommended but not required prerequisites.

Spring 2015 - Mary Anne Case

Regulatory Interpretation

LAWS 51604 - 01 (3) +, r, w, x, m

This seminar will explore whether regulatory texts warrant interpretive theories distinct from those applicable to statutes, and what those approaches should entail. Relevant topics will include the institutional differences between agencies and Congress; judicial doctrines regarding an agency's interpretation of its own rules; and the extent to which agencies should interpret regulations differently than courts.

Administrative Law or Legislation and Statutory Interpretation is a prerequisite (both are recommended); students who have not taken either will require instructor permission.

Grades will be based on class participation, including weekly short questions or comments posted to Chalk, and a research paper.

Spring 2015 - Jennifer H. Nou

Religion Law and Politics

LAWS 97521 - 01 (3) w, c/1, 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 2015 - 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 September 30 and ending October 24).

A student's grade will be based on a 3-hour in-class exam.

Autumn 2014 - 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.

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 2015 - Richard A. Epstein

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 2014 - Randal C. Picker

Secured Transactions

LAWS 42201 - 01 (3) x

Secured lending is central to our economy, and the applicable legal doctrines are ones that every corporate and commercial lawyer should grasp. Focusing primarily on Article 9 of the Uniform Commercial Code, students will learn about different forms of collateral, how security interests are created and perfected, and the remedies available to secured lenders. This course is a useful preparation for Bankruptcy and Reorganization courses, and will be worthwhile for students contemplating private practice in corporate, commercial finance or bankruptcy/workout groups.

Grades will be based on a final examination.

Open to MBA students.

Winter 2015 - Erin M. Casey

State and Local Finance: Selected Topics

LAWS 62202 - 01 (2) x, m

This seminar looks at a variety of fiscal challenges facing state and local governments, and at the legal constraints on politically attractive solutions to these challenges. In past years, topics have included educational funding, pension funding, "welcome stranger" property tax assessment, eminent domain, tax nexus, and tax allocation formulas.

The grade is based on a series of reaction papers and class participation.

Spring 2015 - Julie Roin

Strategic Business Partnerships

LAWS 79917 - 01 (2 or 3) s, x, u

As modern businesses face increasing pressure to increase innovation and speed to market while cutting costs and mitigating risk, they have increasingly recognized that the path to success includes partnering with third parties. Success in these relationships requires significant advance planning, a focus on shared goals, and the ability to capture the essence of the transaction in a legal document that is often negotiated on an accelerated time frame. Lawyers working for or with these businesses must bring more than legal expertise and negotiating skills to the table; they must also draw upon sound business principles, their knowledge of the underlying business, its core competencies and strategic needs, to implement successful and durable arrangements. This class, intended for those planning

careers as either business/transactional attorneys or business leaders, will explore various alternative partnering options and how they are documented by the legal and business teams. These alternatives, intersecting law and business, will be examined, discussed, and negotiated against a backdrop of real-world business intelligence and agreements, using a publicly traded Fortune 100 retailer as the business case upon which much of the class will be based. A former CEO of the company will join the class as a guest speaker to provide business context; external attorneys involved in many of the transactions will provide occasional commentary and additional context.

Grades will be based on a series of short reflection papers, substantial in-class exercises and negotiations, and out-of-class projects.

A 2-CREDIT OPTION IS AVAILABLE WITH PERMISSION OF INSTRUCTOR.

Spring 2015 - David J. Zarfes; Matthew T. Myren

Strategic Drafting

LAWS 79914 - 01 (2) s, x, m

Effective drafting requires not only clarity and precision, but also (a) an awareness of the fundamental principles of contract interpretation and (b) a consideration of the context and strategic objectives. In this seminar, we will discuss principles of contract interpretation and explore scenarios in which a lawyer may be called upon to draft/revise contracts and related documents. These scenarios may be informed by a variety of factors, including the objectives and leverage of the parties, the nature of the transaction, and the allotted resources (e.g., time, money) for drafting and negotiating. Through encountering these scenarios, students will develop the ability to draft strategically.

Grades will be based on class participation, a series of short exercises, and a final exercise.

Spring 2015 - David A. Finkelstein

Strategies and Processes of Negotiation

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

Increasingly negotiation is part of the day-to-day life of managers. The aim of this class is to make students more effective negotiators. Students should leave the class with (1) a structured approach for preparing for and thinking about negotiations; and (2) a refined set of skills for carrying out negotiations. A central part of the class is an extensive set of negotiation simulations. These simulations take students through a variety of negotiations: single and multiple issue; two-negotiator and multiple-negotiator (coalitional); and internal (within organization) and external. In addition, the class includes a number of cases. Lectures, readings, and structured analytical exercises supplement the simulations and cases.

The grade is based on a series of reaction papers and problem sets, class

participation, and a final group paper.

Note: The class will end at 11:30 a.m. on November 13 and 20.

Autumn 2014 - George Wu

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 and utilizing troubled company's NOL after restructuring, (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), and (8) 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 stock, subordinated debt, convertible debt, 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 and the course book appendix contain adequate discussion and supplemental precedents for an understanding of the material covered by the course.

Booth students do not require instructor consent in order to submit a registration request.

The grade is based on a final in-class examination.

Spring 2015 - Jack S. Levin; Donald Rocab

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.

Prerequisite: Introductory Income Tax required except with permission of the instructor.

The student's grade is based on class participation and a final examination.
Winter 2015 - 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.

Prerequisites: Taxation of Corporations I.

Students' grades based on a final proctored examination.

Spring 2015 - David A. Weisbach

Technology Policy

LAWS 91311 - 01 (2 or 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 seminar 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 2015 - Randal C. Picker

Telecommunications and Internet Law

LAWS 64702 - 01 (3)

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 the existing regulatory regimes to new technologies. This course will not cover mass media regulation (broadcast television and radio, or cable television).

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

Spring 2015 - Joan E. Neal

The Chicago Journal of International Law

LAWS 99903 - 01 (1) a, r

The Chicago Journal of International Law, a biannual student-edited journal, is the Law School's newest journal. It publishes short Comments and articles by students and scholars on matters of international law and foreign affairs.

Students gain access to participate as a staff member via the Write-on Competition or via the Topics Access process.

Each student is paired with a faculty member who supervises the writing of the comment.

Students may receive three credits for their work in writing the comments. The comments may also satisfy the SRP graduation requirement.

Please see the *Student Handbook* for additional details regarding the competition, credits, and the SRP.

For more information on the journal, please visit <http://cjil.uchicago.edu>.

Autumn 2014, Winter 2015, Spring 2015 - Faculty

The Constitution in Congress

LAWS 50122 - 01 (2 or 3) r, w, x, m

For much of American history, most important constitutional questions were resolved outside of the courts. Using the books by the late Professor David Currie as our guide, we will discuss a series of constitutional issues debated in Congress and the Presidency in the first century of the Constitution. Topics will likely include the organization of the judiciary and the executive branch; the powers of Congress; war and peace; and rights to free speech, religion and due process -- essentially much of the modern constitutional docket. The goal will be to understand the original arguments and also to assess their persuasiveness.

Students will write several reaction papers to stimulate class discussion and a short research paper.

Students may also get credit for an SRP by writing a more substantial version of the research paper.

No prior constitutional law course is necessary.

Winter 2015 - William P. Baude

The Evolving Relationship between the Federal Government and the States

LAWS 97604 - 01 (3) w, c/l, x, m

This seminar will examine the origins of federal and States' powers; how conflicts between the two have been resolved; how and why there has been an expansion or contraction of States' powers in specific substantive areas; and what political, policy, economic and other factors have affected these changes. Some of the substantive topics to be discussed include K-12 education, election and voting rights, environmental laws, health care, gun control, and the legalization of marijuana. Resources will include current news articles and commentaries. Guest

lecturers to be invited will include practitioners and politicians.
 The grade is based on a final written paper and class participation.
 Spring 2015 - Fay Hartog-Levin

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 practical exercises.

Autumn 2014 - Mark E. Schneider

The Interbellum Constitution

LAWS 90203 - 01 (3) r, w, 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. The grade will be based on a final written paper, a short in-class presentation, and class participation.

Winter 2015 - Alison LaCroix

The Law and Ethics of Lawyering

LAWS 41014 - 01 (3) p, x, m

This seminar, which satisfies the professional responsibility requirement, will consider the law and ethics of lawyering. Working with materials from a leading casebook, the ABA Model Rules, and supplementary readings, we will devote

considerable attention to the question: What does the law that governs lawyering say that I should do. Topics will include conformity to law, corporate fraud, confidentiality, and conflicts of interest. At the same time, we will explore the gap between what the law of lawyering says I should do and what I (all things considered) might think I should do. What different kinds of reasons can a lawyer have for doing or not doing what the law of lawyering says should be done? Enrollment will be limited to 20.

Students will be evaluated on the basis of participation, a series of short written assignments, and an in-class final exam.

Attendance is mandatory.

Winter 2015 - Clark Remington

The Legal and Social Implications of the War on Drugs

LAWS 98704 - 01 (2) x, m

The seminar will survey the War on Drugs from President Richard Nixon's declaration in 1970 that drug abuse was "public enemy number one in America" to present. It can be argued that no development in recent times has had a greater impact on our criminal justice system than the War on Drugs. It has led to the passage of increasingly harsh laws and a resulting explosion in our prison population. More Americans are arrested for a drug offense each year—approximately 1.5 million in 2011—than for any other category of crime.

Approximately half of all inmates in federal prison have been convicted of a drug crime. Meanwhile, the War on Drugs has raised significant constitutional issues, and has led to seminal Fourth, Fifth, and Fourteenth Amendment decisions. The seminar will begin by examining arguments for and against drug prohibition and the proliferation of new drug laws in the 1970s and 1980s. We will then discuss the enforcement of these laws and its effect on civil liberties. After that, we will discuss appropriate punishment for drug offenses, law enforcement techniques in drug cases, and rationales for legalization and harm reduction strategies. Throughout the quarter, we will focus on the social implications of the War on Drugs, including issues of race, gender, public health, mass incarceration, and resource allocation. Readings are varied and will include cases, law review articles, legislation, statutes, and policy papers.

Each student is required to write a series of reaction papers over the course of the quarter. Grades will be based on those papers, as well as class participation.

Spring 2015 - Erica K. Zunkel

The Life and Times of the Warren Court

LAWS 50313 - 01 (3) +, r, w, c/l, m

This seminar will explore the historical and constitutional dimensions of the Warren Court. It will examine the Court's decisions in such areas as racial discrimination, voting, freedom of speech, freedom of religion, criminal procedure, and privacy. The focus will be not only on the decisions, but also on the historical,

political, legal, and cultural factors that shaped the Warren Court's work. We will also examine several of the Justices as individuals as well as the Warren Court's legacy.

Each student will write several short papers during the course of the quarter.

Upper-level History undergraduates with consent of instructors.

Spring 2015 - Geoffrey R. Stone; Jane Dailey

The Roberts Court

LAWS 50312 - 01 (3) r, w, x, m

Co-taught by Professor Lee Epstein and Mr. Adam Liptak (Supreme Court correspondent of the New York Times) with Judge Richard A. Posner and Professors Dennis Hutchinson and William M. Landes also participating, this seminar will examine the contemporary Supreme Court. Topics include the Court's membership; its procedures for selecting cases for review; the role of lawyers, law clerks, and journalists; and doctrinal developments in several areas of the law.

This is a special seminar that will meet on:

Friday, April 10, 2015: 9 am-Noon; 2-4 pm

Saturday, April 11, 2015: 9 am-Noon; 2-4 pm

Sunday, April 12, 2015: 9 am-Noon

In April or May, we will hold a session for student paper presentations

Spring 2015 - Lee Epstein; Dennis J. Hutchinson; William M. Landes; Adam Liptak; Richard A. Posner

The University of Chicago Law Review

LAWS 99901 - 01 (1) a, r

The Law Review publishes articles and book reviews by leading scholars along with Comments written by students. In addition to participating in the editing and publication of legal scholarship, staff members have the unique opportunity to develop their own skills as writers and scholars.

Students gain access to participate as a staff member via the Write-on Competition (which includes a Grade-on component) or via the Topics Access process.

Each student is paired with a faculty member who supervises the writing of the comment.

Students may receive three credits for their work in writing the comments. The comments may also satisfy the SRP graduation requirement.

Please see the *Student Handbook* for additional details regarding the competition, credits, and the SRP.

For more information on the Law Review, visit <http://lawreview.uchicago.edu>.

Autumn 2014, Winter 2015, Spring 2015 - Faculty

The University of Chicago Legal Forum

LAWS 99902 - 01 (1) a, r

The Legal Forum is the Law School's topical law journal. Its student board annually publishes a volume of articles (by academics and practitioners) and Comments (by students) that focus on a single area of the law. Each fall the Legal Forum hosts a symposium at which the authors of the articles present their work.

Students gain access to participate as a staff member via the Write-on Competition or via the Topics Access process.

Each student is paired with a faculty member who supervises the writing of the comment.

Students may receive three credits for their work in writing the comments. The comments may also satisfy the SRP graduation requirement.

Please see the *Student Handbook* for additional details regarding the competition, credits, and the SRP.

For more information on the Legal Forum, please visit <http://legal-forum.uchicago.edu>.

Autumn 2014, Winter 2015, Spring 2015 - Faculty

The US-China Treaty Project

LAWS 80806 - 01 (3) w, x, m

The United States and China are engaged in the most important bilateral relationship of our era, yet the relationship remains random, fragile, and mistrustful. China's rising influence threatens to change the global status quo, and the United States is understandably concerned. If these two giants learn how to collaborate, they could conceivably solve the world's greatest problems.

Alternatively, if they elect to contest each other at every turn, the result will be global instability and crisis. Unfortunately, the Shanghai Communiqué, which helped to open China forty years ago, is no longer sufficient as a guide; a new framework is needed. The world has grown less structured and more volatile, and the two nations are more competitive than ever. The risk of conflict is growing along with the volume of sensitive interactions. It is time for both nations to negotiate a new bargain that will guide and support the steady maturation of their high-potential, high-risk relationship.

This seminar will advocate that the two nations develop a new, fifty-year treaty in the form of a strategic cooperation agreement. We will define the rationale and the case for action, draft major components of the proposed treaty, outline the pathway required for adoption, and transmit our end-product to foreign policy authorities in Washington and Beijing.

Grading will be determined by class participation and by performance across three short papers.

The first paper will examine best practices in bilateral treaty development; the second will focus on critical factors in the future United States – China relationship; and, the third will require drafting of key components for the proposed treaty.

Spring 2015 - Tom J. Manning

Trade Secrets

LAWS 45902 - 01 (3) x, m

This seminar will examine the law that governs the protection of trade secrets and other confidential proprietary information. This body of law is typically given short shrift in intellectual property courses, notwithstanding the importance of trade secrecy protection in the information-based economy. The goal of this seminar is to provide trade secrecy with more sustained attention. Most of the reading for the seminar will consist of trade secret case law, to be supplemented by some interdisciplinary readings on trade secrecy protection.

Students will be graded on the basis of short response papers due every other week (some of which will require outside research) and class participation.

Autumn 2014 - Lior Strahilevitz

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 2014 - William M. Landes

Trial Advocacy

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

This class will focus on the trial phases of civil litigation. Simulated trial problems designed to promote knowledge of the litigation process and to afford individual experience in selected phases of trial practice will be employed to familiarize students with pragmatic tactical issues and solutions. Written trial materials will be used and instruction will be by lecture, demonstration, and exercise (including a mini-trial).

Students who have taken the Intensive Trial Practice Workshop (LAWS 67503) may not take Trial Advocacy (LAWS 67603).

An understanding of the Federal Rules of Evidence is preferred but not a prerequisite.

Final grades will be based on class participation, performance during courtroom exercises and the mini-trial, and one or more written assignments.

Enrollment is limited to 24 students.

Spring 2015 - Jay Cohen

U.S. Supreme Court: Theory and Practice

LAWS 50311 - 01 (2) s, 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.

Autumn 2014 - Michael A. Scodro

Uncorporations

LAWS 42305 - 01 (2) x, m

Businesses today are more likely to be organized as limited partnerships, LLCs, trusts, or other alternatives to the standard corporation. In this seminar, we will examine these "uncorporate" entities in a range of contexts, ranging from law firms to investment funds to plain vanilla businesses. We will consider the theory of uncorporate entities, the major laws governing them, the differences between them and corporate entities, and the bubbling policy questions.

Grades will be based on in-class presentations and a paper.

Winter 2015 - M. Todd Henderson

Utilitarian Ethics

LAWS 51206 - 01 (3) +, c/l, m

The British Utilitarians were social radicals who questioned conventional morality as a basis for both personal and public choice and proposed an alternative that they believed to be both more scientific and more morally adequate. In part because of the widespread acceptance of pieces of their views in economics and political science, the original subtlety and radical force of the views is often neglected. This seminar, focusing on John Stuart Mill and Henry Sidgwick, aims to examine sympathetically what classical Utilitarianism may still offer to philosophical ethics, and to see how the strongest criticisms of Utilitarianism measure up to the texts of its founders. Although it is hardly possible to study Utilitarianism as an ethical theory without attending to its political role, we shall focus for the most part on ethics, and on two works above all: Mill's Utilitarianism and Sidgwick's *The Methods of Ethics*, combining these with Mill's *The Subjection of Women*, his *Autobiography*, and several key essays. Along the way we shall be investigating the views of Bentham, Mill, and Sidgwick about animal suffering, women's equality, and sexual orientation. Among the critics of Utilitarianism, we shall consider writings of Bernard Williams, John Rawls, Amartya Sen, Jon Elster, Elizabeth Anderson, and John Harsanyi.

Admission by permission of the instructor. Permission must be sought in writing by September 15.

Prerequisite: An undergraduate major in philosophy or some equivalent solid philosophy preparation. This is a 500 level course.

The grade is based on a final seminar paper of 20-25 pages, an oral seminar presentation, and class participation.

Autumn 2014 - Martha C. Nussbaum

When is Political Power Legitimate?

LAWS 98403 - 01 (2 or 3) w, c/l, x, m

When political power is exercised, what makes it legitimate? Political theorists have long wondered how to justify political rule, which in general is any system whereby certain people get to make decisions on behalf of others and direct them to comply with the decisions, often ensuring their compliance through the threat or use of force. What justification can be provided for the normative standing of such systems of rule? The question of legitimacy is distinct from whether political rule is just or whether it is lawful (exercised according to a constitutional order), although those questions are not entirely separable.

In this seminar, we will examine the possible grounds on which we might begin to establish why and how a particular political order is legitimate. We will begin with the paradigmatic case of the state, but we will also look at sub-national and international forms of political rule. We will examine and assess the prominent kinds of answers offered to this question: the common good / social welfare, individual freedom / natural rights, the social contract, and the democratic ideal of equality. Readings will include philosophers such as Plato, Hobbes, Locke, and Rousseau, as well as contemporary theorists such as Hannah Arendt, John Rawls, and Joseph Raz.

Students will be evaluated based on class participation and their final option. Students have the option of taking a final exam or submitting a series of thought papers (for two credits), or submitting a set of short research papers or a major research paper (for three credits).

Spring 2015 - Amanda R. Greene

Workshop: Constitutional Law

LAWS 63612 - 01 (1, 1, 1) a, r, w, x, 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.

As an alternative to writing a long paper, you may write two or more extended reaction papers (i.e., 10-12 pages) to the papers presented in the workshop. You have to get our approval in advance for this option. We encourage it if you find

that you have a lot to say about some of the workshop papers. If you wish to receive Writing Project (WP) credit for this option, you must submit a draft of each of the two long response papers to us and satisfactorily incorporate our suggestions.

Autumn 2014, Winter 2015, Spring 2015 - David A. Strauss; Aziz Huq

Workshop: International Law

LAWS 63412 - 01 (0, 1, 1) a, x, m

This workshop, conducted over three sequential quarters, is devoted to the intensive examination of current scholarship in international law. The workshop will meet four times per quarter for ninety minutes. Three of the workshop sessions each quarter will be devoted to the presentation and discussion of papers by legal scholars and social scientists. The workshop will give students insight into cutting-edge research on why states form international agreements, and whether those agreements change state behavior. These sessions will occur roughly every other week.

Grading is based on the completion of a series of reaction papers.

Students enrolled in the workshop receive two credits.

Autumn 2014, Winter 2015, Spring 2015 - Daniel Abebe; Adam Chilton; Thomas Ginsburg; Eric A. Posner

Workshop: Judicial Behavior

LAWS 63812 - 01 (1, 1, 1) +, a, r, w, 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 the start of Autumn quarter 2014.

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

Autumn 2014, Winter 2015, Spring 2015 - Frank H. Easterbrook; Lee Epstein; William M. Landes; Richard A. Posner

Workshop: Law and Economics

LAWS 56012 - 01 (1, 1, 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 faculty. In addition to workshop sessions, which occur approximately every other week, there will be discussion sessions, which will serve as opportunities for students to engage in in-depth, informal discussion of topics in law and economics with the instructor.

This workshop does not require a research paper, but students interested in academic writing in law and economics are encouraged to use this workshop to develop their ideas.

Grading is based on the completion of a series of reaction papers.

Students enrolled in the workshop receive three credits; one in Autumn, one in Winter, and one in Spring.

Autumn 2014, Winter 2015, Spring 2015 - William H. Hubbard

Workshop: Law and Philosophy: Free Speech and Its Critics

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

The topic for 2014-15 will be "Free Speech and Its Critics." The Workshop will consider important philosophical defenses of free speech and critics of those rationales. Topics will include the idea of the "marketplace of ideas," autonomy interests in free speech, the harms of speech, and the problem of propaganda and other manipulative speech. Speakers during the year will include some or all of Susan Brison (Dartmouth), Frederick Schauer (Virginia), Robert Simpson (Monash), Seana Shiffrin (UCLA), Jason Stanley (Yale), and David Strauss (Chicago), among others. The instructors will meet with students for one hour a week before each speaker's arrival to discuss the paper (Monday, 4-5 pm). They will also meet with enrolled students for at least two two-hour sessions in Autumn to read and discuss at least Mill's *On Liberty*. Most of the visiting speakers will come in the Winter and Spring Quarters (roughly three per quarter).

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 2014 - Brian Leiter; Martha C. Nussbaum

Workshop: Law and Philosophy: Free Speech and Its Critics

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

The topic for 2014-15 will be "Free Speech and Its Critics." The Workshop will consider important philosophical defenses of free speech and critics of those rationales. Topics will include the idea of the "marketplace of ideas," autonomy interests in free speech, the harms of speech, and the problem of propaganda and other manipulative speech. Speakers during the year will include some or all of Susan Brison (Dartmouth), Frederick Schauer (Virginia), Robert Simpson (Monash), Seana Shiffrin (UCLA), Jason Stanley (Yale), and David Strauss (Chicago), among others. The instructors will meet with students for one hour a week before each

speaker's arrival to discuss the paper (Monday, 4-5 pm). They will also meet with enrolled students for at least two two-hour sessions in Autumn to read and discuss at least Mill's *On Liberty*. Most of the visiting speakers will come in the Winter and Spring Quarters (roughly three per quarter).

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.

Winter 2015, Spring 2015 - Brian Leiter; Martha C. Nussbaum; Robert M. Simpson

Workshop: Legal Scholarship

LAWS 78711 - 01 (3) c/l, s, 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 LL.M.s are welcome. Both versions count as 1 seminar for purposes of the seminar limit. 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 reaction papers, a short research paper, and class participation. During Winter, the workshop is expected to meet the first four weeks of the quarter; during Spring, every other week. College students by instructor permission only.

Autumn 2014 - Lisa Bernstein

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LAWS 78711 - 01 (1, 2) a, r, w, c/l, m

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Winter 2015, Spring 2015 - Lisa Bernstein

Workshop: Public Law and Legal Theory

LAWS 63402 - 01 (1, 0, 0) 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 politics, legal history, and legal theory. 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 2014, Winter 2015, Spring 2015 - Richard H. Helmholz; Alison LaCroix; Jonathan Masur; Richard H. McAdams; Jennifer H. Nou; Nicholas Stephanopoulos

Workshop: Regulation of Family, Sex, and Gender

LAWS 63312 - 01 (1, 1) a, r, w, c/l, x, m

This workshop exposes students to recent academic work in the regulation of family, sex, gender, and sexuality and in feminist theory. Workshop sessions, to be held irregularly throughout the winter and spring, are devoted to the presentation and discussion of papers from outside speakers and University faculty. The substance and methodological orientation of the papers will both be diverse. The grade is based on a substantial paper or series of short papers, with class participation taken into account.

Substantial paper writers require permission of the instructor.

Undergraduates admitted only with permission of the instructor.

Winter 2015, Spring 2015 - Mary Anne Case

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

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

Autumn 2014, Winter 2015 - Elizabeth Duquette; Margaret Schilt

Young Center Immigrant Child Advocacy Clinic

LAWS 65013 - 01 (1, 2, or 3 per quarter, 9 maximum) a, w, s

The Young Center for Immigrant Children's Rights Clinic combines international human rights, immigration law and children's rights law. Students in the 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—then detained and placed in deportation proceedings. Law students are appointed to serve as Child Advocate for the most vulnerable of these children and are responsible for advocating for the best interests of the assigned child on issues relating to care, custody, release, legal relief and safe repatriation. Since there is no substantive best interests standard under the Immigration and Nationality Act, students look to state child welfare law and international human rights law, including the Convention on the Rights of the

Child and UNHCR Guidelines. In addition, students have the opportunity to engage in legislative and policy advocacy aimed at reforming the immigration system to better protect the rights of children.

Students are assigned to work one-on-one with children at Chicago-area detention facilities. Each student meets weekly with the child, and advocates on behalf of the child with federal officials, immigration judges and asylum officers. The clinic admits both 2Ls and 3Ls. Language skills are not required, but students who speak Spanish, Mandarin, Romanian, or American Sign Language are strongly encouraged to apply.

Students who enroll in the clinic must:

1. Participate in a 2-day orientation on Oct. 4 & 5, 2014;
2. Participate in bi-weekly brown bag lunch meetings during the Winter and Spring Quarters.

For more information, visit: www.TheYoungCenter.org or contact Elizabeth Frankel at efrankel@law.uchicago.edu or 773-702-9587.

Autumn 2014, Winter 2015, Spring 2015 - Elizabeth Frankel; Marcy Phillips; Maria Woltjen; Xiaorong J. Wu

