

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 at registrar.uchicago.edu/classes. The course descriptions below, however, provide a representative overview of the curriculum.

FIRST YEAR COURSES

Civil Procedure I

LAWS 30211 - 01 (3)

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.

Autumn - Buss, Emily

Civil Procedure I

LAWS 30211 - 02 (3)

Civil Procedure is offered in two parts. Part I meets in the Autumn Quarter and addresses the mechanics of civil litigation in federal court, with special reference to pleading, discovery, motions practice, and judgment. 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; and principles of finality of judgments. The student's grade is based on an examination given at the end of each quarter.

Autumn - Casey, Anthony

Civil Procedure II

LAWS 30221 - 01 (3)

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 - LaCroix, Alison

Civil Procedure II

LAWS 30221 - 02 (3)

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

Spring - Hubbard, William

Contracts

LAWS 30511 - 01 (3)

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

Winter, Spring - Baird, Douglas

Contracts

LAWS 30511 - 02 (3)

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

Winter, Spring - Ben-Shahar, Omri

Criminal Law

LAWS 30311 - 01, 02 (3, 3)

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. Autumn, Winter - Lakier, Genevieve; Rappaport, John; Masur, Jonathan

Elements of the Law

LAWS 30101 - 01 (3)

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 degree to which materials that are not distinctively legal should be considered in deciding what the law is; the role that notions such as consent, coercion, and voluntary choice should play in legal decisions and policy decisions that affect the law; the question whether to impose rules or allow discretion; the problems of interpreting statutes and other authoritative texts; and some issues about moral judgments.

Autumn - Strauss, David

Elements of the Law

LAWS 30101 - 02 (3)

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

Autumn - Stone, Geoffrey

Elements of the Law

LAWS 30101 - 03 (3)

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 - Strahilevitz, Lior

Lawyering: Brief Writing, Oral Advocacy and Transactional Skills

LAWS 30712 - 01, 02, 03, 04, 05, 06 (2)

This experiential class provides first-year students with a broad range of transactional and litigation-oriented lawyering skills including brief writing; oral advocacy; contract-drafting; and negotiation strategy. In preparation for this class, all first-year students must complete a specially-designed transactional module taught by members of the Law School's clinical faculty and focusing on a range of key competencies, including contract-drafting and negotiation strategy, among other areas. Students then move to developing their research and writing skills by drafting an appellate brief based on a factual scenario that mirrors real life cases encountered in day-to-day legal practice. During the brief-writing process, students will be introduced to the Federal Rules of Appellate Procedure and the basic rules of professional conduct that govern formal court submissions. After completing the brief, students will focus on developing their presentation skills and attend a lecture on oral advocacy by a federal appellate judge. The class culminates in the formal Bigelow Moot Court, in which students argue before a three-judge panel of law professors and distinguished attorneys who will provide students with (1) an opportunity for self-assessment, and (2) individualized feedback on their oral advocacy. Each of the experiential components of the Lawyering class - brief writing, oral advocacy, and the transactional module - builds upon the competencies that students have developed throughout the first-year legal writing program and provides them with an introduction to basic lawyering skills.

Spring - Sommers, Roseanna; Didwania, Stephanie; Crum, Travis; Kaufman, Emma; Padi, Manisha; Jones, Cree

Legal Research and Writing

LAWS 30711 - 01, 02, 03, 04, 05, 06 (1, 1)

All first-year students participate in the legal research and writing program, which provides an introduction to the key tools and methods of lawyering. Students will develop several skills core to legal practice, including legal research, application of law to facts, and effective communication of legal reasoning and analysis through written work. The course work includes two major writing assignments: a fall "closed" and winter "open" memo. Both memos require students to identify relevant facts, weigh legal arguments available to each side, and assess which side is likely to prevail on each issue. All research required for the closed memo will be provided by the Bigelow Fellows. The open memo assignment requires students to research the relevant cases, statutes, and other sources of law using an electronic legal database. After submitting the final draft of their open memos, students will

transition to the transactional module taught by members of the Law School's clinical faculty.

Autumn, Winter - Sommers, Roseanna; Didwania, Stephanie; Crum, Travis; Kaufman, Emma; Padi, Manisha; Jones, Cree

Property

LAWS 30411 - 01 (3, 3)

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.

Winter, Spring - Strahilevitz, Lior

Property

LAWS 30411 - 02 (3, 3)

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

Winter, Spring - Fennell, Lee

Torts

LAWS 30611 - 01, 02 (3, 3)

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.

Autumn, Winter - Hemel, Daniel; Nou, Jennifer; Levmore, Saul; Chilton, Adam

SECOND- AND THIRD-YEAR OFFERINGS

Abrams Environmental Law Clinic

LAWS 90224 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

Students in the Abrams Environmental Law Clinic fight against water pollution, promote clean energy, protect natural resources and human health, and address legacy contamination. Clinic students engage in a wide variety of activities to learn practical legal skills, such as conducting factual investigations, interviewing witnesses and preparing affidavits, reviewing administrative determinations, drafting motions, working with experts, arguing motions and presenting at trial or an administrative hearing, among other activities. 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. In addition to litigation, 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.

Environmental Law is a co-requisite. A student enrolling in the Clinic for the first time should sign up for two credits; in subsequent quarters, she or he may enroll for one, two or three credits per quarter after consultation with clinic faculty.

Autumn, Winter, Spring - Templeton, Mark; Weinstock, Robert

Accounting and Financial Analysis

LAWS 43248 - 01 (3)

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. It is REQUIRED that students registering for this course have a thorough exposure to accounting course work, at least at the level provided by the Booth course Financial Accounting (B30000). Fundamentals of Accounting for Attorneys (LAWS 79112 or 53260) does not provide a sufficient foundation for this course. Students who have not taken B30000, but feel they have taken an equivalent level of accounting coursework, must petition for a waiver from Professor Berger at Philip.berger@chicagobooth.edu.

Spring - Berger, Philip

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. A central theme 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. In particular, the course focuses on 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 also given to the Administrative Procedure Act (APA) and other statutory requirements for lawful agency action. Other 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. The student's grade is based on class participation and a final examination.

Spring - Nou, Jennifer

Admiralty Law

LAWS 43224 - 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 - Schmidt, Randall

Advanced Administrative Law

LAWS 53385 - 01 (2)

This seminar will explore contemporary issues and controversies in administrative law through recent cases, contemporary scholarship, and in-depth case studies. One aim of the course is to help participants develop greater familiarity with regulatory materials and a more grounded understanding of the practical development of regulatory policy. Students will have option between writing a major paper of 20-25 pages or a series of reaction papers. Prerequisite:

Administrative Law

Spring - Nou, Jennifer

Advanced Civil Procedure

LAWS 43208 - 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, multi-district litigation, and arbitration. Topics in the second category include electronic discovery, expert witnesses, and preservation of evidence. 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 limited consideration of class participation.

Autumn - Hubbard, William

Advanced Contract Skills

LAWS 54274 - 01 (2)

This two-credit seminar will include a series of discrete topics to help students who want to become transactional lawyers hone more advanced contract skills to help clients achieve their goals. Issues covered may include: issue spotting in more complex types of agreements, effective negotiation, use of master agreements, use of term sheets/letters of intent, pros and cons of contract simplification, more complex drafting exercises, analysis of more complex risk allocation provisions, etc. Some classes will include guest speakers from practice (both law firm and in-house counsel). Contract Drafting and Review is a prerequisite for this seminar. Grades will be based upon class participation, preparation for guest speakers, and a series of weekly written homework assignments and in-class exercises.

Spring - Neal, Joan

Advanced Contracts: Sales Law for A Modern Economy

LAWS 81006 - 01 (3)

This seminar is an advanced contracts seminar that focuses on Article 2 of the Uniform Commercial Code. It presents the material from a hybrid jurisprudential, transactional and litigation perspective in an effort to help students integrate what they have learned about contracts in theory, into the types of tasks that they will face as a transactional lawyer. For (almost) every class students will prepare a written exercise (about 2-4 pages) applying the material in the reading, these range from writing letters to clients, to lecturing the loading dock staff of a company, to researching the content of industry norms, to drafting contract clauses to deal with particular transactional realities. During the quarter students will do a mock appellate argument, a negotiation, and will draft a sales agreement. There is no exam. Written assignments and the final contract will count for 60% of the grade, the other 40% will be based on class preparation and participation.

Winter - Bernstein, Lisa

Advanced Legal Research

LAWS 53264 - 01 (2 TO 3)

The purpose of this seminar is to enhance students' knowledge of legal sources and to develop their ability to research the law. The class 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 class, 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 course, 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 and nature 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 course. For the 2-credit option for this seminar, students will write a 10-15 page paper. 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 - Ito, Todd

Advanced Legal Research

LAWS 53264 - 01 (2 TO 3)

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 - Lewis, Sheri

Advanced Legal Writing

LAWS 43251 - 01 (2)

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 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 period begins. This course satisfies the Writing Project writing requirement. Legal Research and Writing is a pre-requisite.

Spring - Duquette, Elizabeth

Advanced Topics in Moral, Political, and Legal Philosophy: Nietzsche on Morality, Suffering, and th

LAWS 53256 - 01 (3)

Nietzsche objects to Judeo-Christian morality (and its 'ascetic' analogues in non-Western traditions) because he argues it is a fatal obstacle to certain kinds of human flourishing and cultural excellence. This is closely connected to his opposition to Schopenhauer's pessimistic view that the inescapable fact of suffering renders life without value (a life without human excellence would, on Nietzsche's view, lack value). These issues (and others, e.g., the nature of philosophy and tragedy, the conception of Dionysus) have antecedents in his early work as a scholar of antiquity and the influence of his Basel colleague, the important historian Jacob Burckhardt. Roughly the first five sessions will be devoted to reconstructing the "mature" Nietzsche's view, as represented by the *Genealogy*, but also excerpts from *Daybreak*, *Beyond Good and Evil*, *Twilight of the Idols*, and *Ecce Homo*. The remaining four sessions of the seminar will explore the historical background, in Greek literature and philosophy, the reception of Greek culture in German philosophy, and in the seminal work of his colleague Burckhardt. The ultimate goal is to reconstruct Nietzsche's view from a philosophical point of view and, as importantly, in light of the historical context. Open to philosophy PhD students without permission and to others with permission; those seeking permission

should e-mail Leiter with a resume and a detailed description of their background in philosophy (not necessarily in the study of Nietzsche). In the event of demand, preference will be given to J.D. students with the requisite philosophy background. (I) and (III) M. Forster; B. Leiter This class requires a major paper of 20-25 pages. Winter - Forster, Michael; Leiter, Brian

Advanced Trusts and Estates

LAWS 45221 - 01 (3)

The second of two connected courses on the law and practice of private wealth management and transmission, typically within the family and often across generations. This course focuses on the substantive provisions of wills and trust instruments, with concentrated attention being given to recurring construction problems and pitfalls in drafting, the creation and exercise of powers of appointment, the classification (and consequences of classification) of estates and future interests, and the impact of rules of policy restricting the disposition of property, including the rule against perpetuities. The provisions of the Uniform Trust Code, Uniform Probate Code, and other uniform laws will be emphasized. The final examination will be "open laptop" (open book but no internet).

Prerequisite: Trusts and Estates.

Spring - Gallanis Jr, Thomas

American Legal History: The Twentieth Century

LAWS 43268 - 01 (3)

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 take-home examination.

Spring - Weinrib, Laura

Animal Law

LAWS 53129 - 01 (3)

This seminar will explore the treatment of animals in the law. We will cover several 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. Topics will include: factory farming practices; religious exemptions to animal protection laws; standing and other challenges to litigating on behalf of animals; and evolving theories of economic valuation of animals. Conducted in a discussion format centered around weekly reading assignments, the course 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. Students will be asked to form teams and lead the

discussion for a selected week's readings, and to submit a final research paper (20-25 pages).

Winter - Field, Vincenzo

Anthropology and Law

LAWS 53306 - 01 (3)

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. Requirements for this seminar course include preparation of a research paper and thoughtful class participation. Writing for this seminar may be used as partial fulfillment of the JD writing requirement (SRP or WP).

Winter - Fennell, Christopher

Antitrust Law

LAWS 42801 - 01 (3)

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, 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 and vertical integration. The grade is based on a final in-class examination. The syllabus for the current version or most recent version of the course can be found at picker.uchicago.edu/antitrust/Syllabus.htm

Winter - Picker, Randal

Art Law

LAWS 53263 - 01 (3)

This seminar examines legal issues in the visual arts including artist's rights and copyright, government regulation of the art market, valuation problems related to authentication and artist estates, disputes over the ownership of art, illicit

international trade of art, government funding of museums and artists, and First Amendment issues as they relate to museums and artists.

Autumn - Landes, William; Hirschel, Anthony

Bankruptcy and Reorganization: The Federal Bankruptcy Code

LAWS 43234 - 01 (3)

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.

Autumn - Baird, Douglas

Behavioral Law and Economics

LAWS 51702 - 01 (3)

This seminar will explore a set of frontier issues at the intersection of law and human behavior, including people's conduct under risk and uncertainty; the commitment to fairness; social influences and peer pressure; extremism; adaptation; happiness; discrimination; and judicial behavior. Some discussion will be devoted to the uses and limits of paternalism. Grades will be based on class participation and a series of short papers (20-25 pages).

Autumn 2018, Spring 2019 - Masur, Jonathan

Big Problems

LAWS 53377 - 01 (2 TO 3)

The Big Problems course will use multidisciplinary approaches to try to understand and tackle the most important problems facing our country or the world. The first 8 weeks will be taught by the instructors and outside experts, focusing on problems such as the Zika virus, Syrian migration to Europe, cybersecurity, nuclear waste storage, opioid addiction, sex trafficking, and policing and race relations. Students will work in teams of 2 business and 2 law students to develop feasible policy or private sector solutions to a problem of their choosing and make a presentation in the last 2 weeks. Presentations will be made to instructors, outside experts and fellow students. This class requires instructor consent. Interested students should email their CV to Professor Weisbach at d-weisbach@uchicago.edu no later than Friday, February 16. Final grade will be based on a major paper (20-25 pages).

Spring - Weisbach, David; Malani, Anup; Topel, Robert; Murphy, Kevin

Brief-writing and Appellate Advocacy Seminar

LAWS 53268 - 01 (3)

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.

Winter - Odorizzi, Michele

Business Organizations

LAWS 42301 - 01 (3)

This is an introductory course on the law of business organizations. The course surveys the ground rules for the organization, internal governance, and financing of corporations and other forms of business associations such as partnerships and limited liability companies, with a special emphasis on the corporation. Topics include limited liability, fiduciary duties, shareholder voting, derivative suits, and control transactions.

Autumn - de Fontenay, Elisabeth

Business Organizations

LAWS 42301 - 01 (3)

This course will examine the law of the various ways in which businesses are organized, including partnerships, limited liability companies, and corporations, with an emphasis on corporate law. This is a foundational course, so there are no prerequisites and no familiarity with business, economics, or anything else is required. Whether you are interested in working in litigation or transactional work, for the government, a law firm, an NGO, or a business, understanding the law of business associations is essential.

Winter - Henderson, M. Todd

Business Organizations

LAWS 42301 - 01 (3)

This course examines law that allows for the creation and governance of business entities, including partnerships, corporations, and limited liability companies, with special emphasis on corporations and corporate governance. Specific topics will include the role of law in creating entities that are separate and distinct from their partners, members, or shareholders and other stakeholders, the rules governing decision making by those managing the entity, mergers and acquisitions, and investor activism, including hedge fund activism. We will make use of some concepts from financial economics, including behavioral finance, but absolutely no prior experience with economics or finance is needed.

Spring - Heaton, J.B.

Buyouts

LAWS 53111 - 01 (3)

In this course we will examine possible conflicts of interest in mergers and acquisitions, and especially in going private transactions in which publicly held

companies are acquired by controlling shareholders or by entities with the participation or support of the company's management. Both types of transactions may 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 possible conflicts of interest, the consequences of employing these methods, and some of the remedies provided by that law. We will also look at some other issues raised by going private transactions and certain conflict and other issues that can arise in transactions even if they are neither controlling shareholder buyouts nor buyouts involving the company's management. Finally, we will examine the role of the financial advisors and lawyers who are involved in these transactions. 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. Grades will be based on a paper (20-25 pages) and on class participation.
Spring - Davis, Scott

Canonical Ideas in American Legal Thought

LAWS 57013 - 01 (3, 2, 2)

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 and other forms of legal writing from the past 150 years. The readings will consist of a mix of public law and private law, and various scholarly methodologies, including critical race theory, law and economics, and the legal process school. Students will have short research and writing assignments on the readings. 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 will receive an Autumn quarter grade based on their short writing assignments, 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 Ginsburg and Huq a resume and a one-paragraph statement explaining why they would like to enroll in the seminar no later than midnight on August 31, 2018. Credits for this workshop: Autumn quarter: 3 Winter quarter: 2 Spring quarter 2
Autumn, Winter, Spring - Ginsburg, Thomas; Huq, Aziz; Miles, Thomas

Child Exploitation, Human Trafficking & the Supply Chain

LAWS 53132 - 01 (2 TO 3)

This seminar provides a comprehensive, practical introduction to the history and present-day reality of child sexual exploitation and trafficking, 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 class 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 class 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 including the arrival of commercial supply chain 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. Final grade will be based on a major paper of 20-25 pages.

Winter - Kendall, Virginia

Civil Rights Clinic: Police Accountability

LAWS 90913 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

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, Winter, Spring - Futterman, Craig

Civil Rights Practicum

LAWS 53388 - 01 (1, 1, 1)

In this practicum, students will engage in a range of research and analysis under the supervision of Prof. Huq, in relation to a number of active civil rights cases or other matters. Initial projects will include work on hate-crimes regulation. The aim is to cultivate experience in litigation and advocacy-related tasks in a real world setting, albeit without the structured format of a clinic.

Autumn, Winter, Spring - Huq, Aziz

Class Action Controversies

LAWS 53299 - 01 (2 TO 3)

The purpose of this seminar is to discuss and understand the rules applicable to class action litigation, the major doctrinal and policy issues that influence class action litigation, and the strategic, ethical, and practical considerations class counsel and litigants face in class action litigation. We will address class certification, notice, settlements, attorneys fees, collateral attack of class judgments, and due process considerations in class cases. There is no case book. Instead, each week I will assign cases and other materials for you to read and for us to discuss. Students may submit a major paper for three credits or a series of reaction papers for two credits. Class participation may influence the grade -- i will not reduce a grade for lack of class participation but in an unusual case I may increase a grade where I believe the student's class participation reflects greater understanding than may be indicated by the student's written submissions.

Autumn - Brody, Michael

Communications and Advocacy for Lawyers

LAWS 53398 - 01 (2 TO 3)

No skill is more important for a lawyer than communication, and this is especially true when lawyers are engaged in public advocacy. Students in this hands-on seminar will develop skills in writing, analysis, and presentation geared toward advocacy. Students will take on the role of a spokesperson for an organization

(non-profit, business, or law firm) and learn to advocate for that organization through writing op-eds, press releases, blog posts, and communications plans; preparing and delivering a presentation and slide decks; and engaging through media interviews and crisis communications. Topics covered will include creating and adjusting communications based on audience and medium; writing persuasively, especially for non-legal audiences; communications plan development, media training, and public speaking with and without preparation. Students will be expected to speak before the class and outsiders, write on a weekly basis, and edit each other's work. Students will be graded on quality of work product, participation in class, and improvement over the class time, with the majority of the grade coming from a final presentation and slide deck and a capstone communications plan.

Winter - Nagorsky, Marsha

Comparative and Global Immigration Regulation

LAWS 53433 - 01 (2)

The topic of Immigration has recently been among the most acute areas of focus on the national and international public agendas. This seminar will explore how the law tackles core and complex issues presented by Immigration policy design. We will address various topics including unauthorized migration, the crisis of the asylum seekers and Refugee Law, family reunification, work migration and guest worker programs and temporary versus long term migration. We will analyze those topics and others from a normative perspective as well as through a rigorous institutional design analysis adding a comparative and global perspective. We will inquire how other countries have been tackling some major immigration challenges and explore whether there are useful lessons to be drawn from these comparative experiences. We will also examine the current level of international coordination around global immigration issues and assess whether the global arena may provide a potential platform for creative solutions to tough immigration challenges. Final grade will be based on class participation and a series of short reaction papers.

Spring - Sadeh, Moran

Comparative Legal Institutions

LAWS 43201 - 01 (3)

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. Assessment is by a three-hour take-home exam. There is an option to write a 20-25 page research paper sufficient to fulfill the substantial writing requirement; LLM, second-year and third-year students can exercise this option freely but only a limited number of first-year students may avail themselves of it.

Spring - Ginsburg, Thomas

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

LAWS 53314 - 01 (3)

This seminar will examine how events during the financial crisis shaped the debate about global systemically important financial institutions and whether they are "too big to fail"; how current and proposed regulations in the US and EU have sought to address these issues; and what the implications are from the current debate over "repeal" of the Dodd-Frank Act. Final grade will be based on: a series of short research postings, class participation and a final team paper.

Spring - Zubrow, Barry

Compliance and Regulatory Strategy

LAWS 53317 - 01 (2)

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. 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, board member 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 series of short reaction papers, attendance and class participation. While courses which contain elements of securities or financial services regulation would be helpful, they are not required. However, the course should be limited to students who have completed

their first year, whether in the Law School, the Booth School of Business or other graduate level programs at the university.

Spring - Senatore, Charles

Conflict of Laws

LAWS 41501 - 01 (3)

States frequently have different laws, and so it is frequently important which state's law applies to a given case or transaction. This course will confront the choice and enforcement of law in these conflicts. We will cover the competing theories of choice of law, constitutional limits on state authority, and full faith and credit.

Application to international law and internet transactions may also be covered.

Winter - Baude, William

Constitutional Decisionmaking

LAWS 50202 - 01 (3)

Students enrolled in the seminar will work as "courts" consisting of five "Justices" each. During each of the first eight weeks of the quarter, each court will be assigned two hypothetical cases raising issues under the Equal Protection Clause of the Fourteenth Amendment. All cases must be decided with opinion (concurring and dissenting opinions are permitted). The decisions may be premised on the "legislative history" of the Equal Protection Clause (materials on that history will be provided) and on any doctrines or precedents created by the "Justices" themselves. The "Justices" may not rely, however, on any actual decisions of the United States Supreme Court. The seminar is designed to give students some insight into the problems a Justice confronts in collaborating with colleagues, interpreting an ambiguous constitutional provision, and then living with the doctrines and precedents he or she creates. Enrollment will be limited to three courts. Since the members of each court must work together closely under rigid time constraints, students must sign up as five-person courts. This seminar will not have regularly-scheduled classes (except for introductory and concluding meetings), but you should not underestimate the time demands. It is a very demanding seminar. If more than three courts sign up, I will select the participating courts by lot. To be eligible for participation in the seminar, students should send me an e-mail (gstone@uchicago.edu) including the names and e-mail addresses of all five "Justices." This seminar will not have regularly-scheduled classes (except for an introductory meeting), but you should not underestimate the time demands. It is a very demanding seminar. If more than three courts sign up, I will select the participating courts by lot and I will email you to let you know whether your court has been selected.

Winter - Stone, Geoffrey

Constitutional Law for LL.M. Students

LAWS 70801 - 01 (3)

This course is designed to introduce LL.M. students to U.S. constitutional law. Topics to be covered include the theory, development and practice of judicial review, the power of, and limitations on, judicial power, the allocation of powers among the legislative, executive, and judicial branches, judicial involvement in economic policy, and the role of the Supreme Court in adjudicating disputes between the states and the federal government. In addition, the course will cover key doctrines in the areas of equal protection and substantive due process.

Autumn - Rosenberg, Gerald

Constitutional Law I: Governmental Structure

LAWS 40101 - 01 (3)

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 - Baude, William

Constitutional Law I: Governmental Structure

LAWS 40101 - 01 (3)

This course provides an introduction to U.S constitutional law. Topics to be covered include judicial review; the role of the states and the federal government in the federal system; and the allocation of powers among the legislative, executive, and judicial branches. We will consider questions about the nature of constitutional law and constitutional interpretation throughout.

Winter - Huq, Aziz

Constitutional Law I: Governmental Structure

LAWS 40101 - 01 (3)

This course provides an introduction to federal constitutional law and constitutional theory. Topics to be covered include the function of judicial review; the role of the states and the federal government in the federal structure; and the allocation of powers among the legislative, executive, and judicial branches. Students who have taken Constitutional Law for LL.Ms may not register for this course.

Spring - LaCroix, Alison

Constitutional Law II: Freedom of Speech

LAWS 40201 - 01 (3)

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 examination and class participation.

Autumn - Lakier, Genevieve

Constitutional Law II: Freedom of Speech

LAWS 40201 - 01 (3)

A study of the doctrine and theory of the constitutional law of freedom of speech. The subjects for discussion include advocacy of unlawful conduct, defamation, invasion of privacy, commercial speech, obscenity and pornography, offensive speech, symbolic expression, protest in public places, regulation of campaign finance, and selective government subsidies of speech.

Winter - Stone, Geoffrey

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 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.

Winter - Strauss, David

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.

Spring - Driver, Justin

Constitutional Law V: Freedom of Religion

LAWS 40501 - 01 (3)

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 of 20-25 pages, series of short papers, or final examination, with class participation taken into account. Instructor consent required for paper to be considered for SRP certification.

Spring - Case, Mary Anne

Constitutional Law VII: Parent, Child, and State

LAWS 47101 - 01 (3)

This course considers the role that constitutional law plays in shaping children's development. Among the topics discussed are children's and parent's rights of expression and religious exercise; parental identity rights including rights associated with paternity claims, termination proceedings, assisted reproduction, and adoption; the scope of the state's authority to intervene to protect children, to regulate their conduct, or to influence their upbringing; and the role of race and culture in defining the family.

Spring - Buss, Emily

Contract Drafting and Review

LAWS 53271 - 01 (3)

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, Winter, Spring - Neal, Joan

Contract Law for LL.M. Students

LAWS 70850 - 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. Special attention will be paid to negotiation strategies and the application of the law to firms outsourcing decisions and contracts. The class will culminate in the drafting of a commercial agreement. This class will help students practice American contract law at a high level of skill.
Spring - Bernstein, Lisa

Copyright

LAWS 45801 - 01 (3)

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.

Autumn - Levmore, Saul

Corporate and Entrepreneurial Finance

LAWS 42603 - 01 (3)

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 divided into four sections: (1) financing decisions; (2) investment decisions; (3) private equity; and (4) venture capital. In addition to analyzing financing issues, we will consider how those issues relate to firm strategy. It will be important to examine the "big picture" assumptions used in the numerical calculations. This course also places a strong emphasis on presentation and discussion skills. **COURSE PROCEDURES** For each class meeting, I will assign study questions concerning one or two cases. 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. group can include up to 3 students. **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. 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. 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 - Kaplan, Steven

Corporate Compliance and Business Integration

LAWS 53406 - 01 (2)

This seminar explores the rapidly expanding scope of Corporate Compliance across industries and the evolving role of corporate compliance officers as business partners and culture champions. Study begins with a foundational overview of the relevant legal and policy mandates, proceeds to explore Corporate Compliance's role in operational oversight and risk mitigation, and finishes with an examination of Corporate Compliance's evolving role in enterprise risk, strategy and culture. The first section of the course will provide insight into the legal, regulatory and risk management considerations that have driven business organizations to develop and enhance their internal programs for identifying and managing compliance risks. The second section will focus on case studies from different industries, and from the separate perspectives of business leaders, regulators, consumers and employees. The final section of the course will focus on the intersection of compliance and organizational culture, and illustrate how to leverage the tools of policy, training, and leadership engagement to build cultures of integrity. The course will include academic, regulatory and business readings as well as interactive case studies, where students will apply practical solutions to real risk and corporate integrity challenges faced by multinational organizations in a variety of sectors and explore the consequences for the compliance function.

Autumn - Deegan, Forrest

Corporate Criminal Prosecutions and Investigations

LAWS 53201 - 01 (3)

The criminal investigation and prosecution of large-scale corporate fraud and corruption are among the hottest areas 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, prosecuting, and resolving corporate criminal matters, including those arising under the Foreign Corrupt Practices Act. The seminar will address legal and practical issues and concerns from the perspective of the prosecutor, the defense attorney, and in-house counsel. Among other topics, students will learn about: (i) foundational principles of corporate criminal liability; (ii) the whistleblower frameworks under the Dodd-Frank Act and Sarbanes-Oxley Act; (iii) conducting internal investigations as well as government investigative techniques and tools; (iv) strategic considerations for the prosecutor and defense lawyer in white collar criminal investigations; (v) prosecutorial and SEC charging policies, including creating incentives to encourage voluntary disclosure and cooperation; (vi) pre-trial diversion, including deferred and non-prosecution agreements; (vii) compliance monitors and the monitorship process; (viii) the Foreign Corrupt Practices Act; and (ix) proposals for corporate criminal reform. The seminar 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. This is a three-credit

class. The student's grade will be based on a major paper (20-25 pages) and class participation. Papers are eligible to satisfy the writing project (WP) requirement and will be due approximately four weeks after final exams for the Winter quarter.

Winter - Boutros, Andrew

Corporate Finance

LAWS 42501 - 01 (3)

This course provides an overview of the application to law of the basic principles of corporate finance and financial economics. Topics include the concept of discounting and present value, portfolio theory and diversification, the theory of efficient capital markets and its applications in securities litigation, corporate capital structure and bond covenants, and the analysis of options and other derivative instruments. The principles and concepts of corporate finance are essential to understanding modern corporate transactions. Increasingly, lawyers must understand these principles in order to structure transactions in ways that achieve particular business objectives. The concepts in this class are also of great value to lawyers outside the corporate area: financial principles can be fruitfully applied to a wide variety of legal questions, ranging from estate planning to the calculation of tort awards. 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.

Autumn - Dharmapala, Dhammika

Corporate Governance

LAWS 53237 - 01 (2 TO 3)

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 - Cole, Thomas

Corporate Governance in Emerging Markets

LAWS 53240 - 01 (3)

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) Legal and economic aspects of tunneling and other forms of self-dealing among firms with controlling shareholders 3) The debate on the impact of historical legal origins on stock market development 4) The evidence on the impact of corporate and securities law reforms on firm value and stock market development, introduced through country-level studies of major recent reforms in Korea, India and Russia 5) The distinctive context of corporate governance in China, including issues raised by the role of governmental entities as controlling shareholders 6) Regulatory dualism, as exemplified by Brazil's Novo Mercado, 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 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. Final grade will be based on a major paper (20-25 pages).

Winter - Dharmapala, Dhammika

Corporate Tax I

LAWS 43242 - 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 Taxation required except with permission of the instructor. The student's grade is based on class participation and a final examination.

Winter - Weisbach, David

Corporate Tax II

LAWS 43243 - 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 or Corporate Tax I
Spring - Weisbach, David

Criminal and Juvenile Justice Project Clinic

LAWS 90217 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

The Project provides law and social work students the supervised opportunity to represent children and young adults accused of crime in juvenile and 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. Students will participate in case selection and litigation strategies. Students will be expected to do legal research and writing including drafting motions and memoranda on various legal issues, i.e. evidentiary questions, sentencing, etc. and brief writing. Additionally, students will do pre-trial investigation and fact development including interviewing clients and witnesses. 3L students who have taken a trial practice course will have the opportunity to argue motions and second chair hearings and trials. Policy work will include general research on issues, drafting statement and position papers and attendance at meetings. Corequisite: Evidence must be taken at some point that the student is in the clinic.

Autumn, Winter, Spring - Conyers, Herschella

Criminal Procedure I: The Investigative Process

LAWS 47201 - 01 (3)

This course covers the constitutional law of governmental investigation of crime, primarily focusing on the law of searches, seizures, and custodial interrogations. The grade is based on a final in-class examination.
Winter - McAdams, Richard

Criminal Procedure I: The Investigative Process

LAWS 47201 - 01 (3)

This course focuses on the law regulating the investigatory process, including searches, seizures, and confessions. The grade is based on a final examination.
Spring - Rappaport, John

Criminal Procedure II: From Bail to Jail

LAWS 47301 - 01 (3)

Criminal Procedure II surveys the criminal process after a case comes into court, from the formal filing of charges through the pretrial process, the trial, and beyond. Criminal Procedure I is NOT a prerequisite, and no knowledge of Criminal Procedure I is needed for this course. While Criminal Procedure I examines the rules that govern police investigations, this course examines the constitutional and procedural rules that govern at the next chronological stage, as the case moves from the arrest through the court process. Topics include: pretrial release and detention, the preliminary hearing, the grand jury, the charging instrument, joinder and severance, discovery, selected trial issues (including confrontation rights), plea bargaining and negotiation, and sentencing. We also examine prosecutorial discretion and ethical issues surrounding the representation of criminal defendants. Guest speakers typically include two U.S. District Court judges, a federal magistrate judge, and a current or former Assistant U.S. Attorney. The final grade is based on an eight-hour take-home examination.

Spring - Siegler, Alison

Critical Legal Studies vs. Law and Economics

LAWS 51704 - 01 (2)

This seminar will explore two kindred (!) schools of legal thought: critical legal studies (including critical race theory and critical legal studies scholarship on gender and status) and law and economics. We will read canonical and representative works from both schools, with special attention to their critiques of each other. We will attempt to identify the ways in which these critiques have influenced, or should influence, current research and teaching in law. Grades will be based on class participation and a series of short papers.

Spring - Hubbard, William

Cross-Border Transactions: Lending

LAWS 53227 - 01 (3)

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 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 laws. 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 limited) to modernize their secured transactions laws to make low-cost secured credit available to small and medium-sized enterprises, thereby 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 these initiatives exert 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 lenders in cross-border lending transactions, and has been active for over a decade as a member of the UNCITRAL Expert Group in developing various secured transactions law reform texts, including the UNCITRAL Model Law 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.

Winter - Kohn, Richard

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

LAWS 53229 - 01 (1)

This seminar is a survey of cross-border transactions and how successfully negotiating a transaction may vary across borders. We will first examine M&A, securities and financing transactions to gain comparative oversight. After covering this foundational overview, we will turn to Europe to gain an understanding of how various governance rules and local laws can impact transactions and procedures. Next, we will devote some time to Asian markets to show how recent changes in local law have expanded the opportunities for cross-border transactions, particularly for global supply chain transactions, and the implications of such changes on the legal profession. The course will cover a hands-on simulated negotiation. The course will also discuss the increasingly important issue of bribery, focusing primarily on the Foreign Corrupt Practices Act and the UK Bribery Act. We will then put all this together to discuss multi-jurisdictional transactions and how to best negotiate cross-border legal, procedural and cultural differences. Final grade will be based on: Substantial out of classroom work, class participation.

Autumn - Sultani, Tarek

Current Controversies in Corporate and Securities Law

LAWS 52202 - 01 (3)

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. Students may select a paper (law firm style memo) topic from a list provided in the first class, or with the instructor's permission, choose their own topic. A few of the suggested topics will relate to an industry area, which for 2018-19 will include controversies over regulation of certain foods (e.g., foie gras, haggis, sugary drinks, overfishing . . .). Each student

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

Winter - Shepro, Richard

Current Issues in Criminal and National Security Law

LAWS 53221 - 01 (3)

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 preferably written in the form of a U.S. Supreme Court opinion (20-25 pages, including a majority and dissent) on a select issue in criminal and national security law. Guest speakers will help facilitate discussion on certain topics. Pre-requisite: Criminal Law

Winter - Fitzgerald, Patrick; Scudder, Michael

Cybercrime

LAWS 53354 - 01 (3)

This seminar will explore the legal issues raised by cybercrime. 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. Students are required to participate in class sessions, prepare short response papers, and write a paper on an approved topic. Grading in the course will be based on classroom participation (25%), discussion papers (35%), and the final paper (40%).

Spring - Driscoll, Sean; Ridgway, William

Disruptive Technologies and the Evolution of Corporate Law

LAWS 53115 - 01 (1)

This short class will introduce students to the unique financial, legal and entrepreneurial culture of the San Francisco Bay Area ("Silicon Valley") and explore

how that unique entrepreneurial culture influences the development of Delaware corporate law. Silicon Valley is the story of business renegades with limitless determination, self-confidence and immense wealth. These new titans of industry-the tech industry-are rewriting the rules of business and often attempting to circumvent legal obstacles or invent new legal rules. This course will focus on areas of Delaware's jurisprudence that have evolved to meet or address emerging developments in certain disruptive technologies and respond to some of the most radical companies to arise in the unique culture of Silicon Valley.

Spring - Chandler III, William

Divorce Practice and Procedure

LAWS 53397 - 01 (3)

This is a simulation class providing exposure to the dynamic process of representing clients in dissolutions of marriage and issues related to them. The class will make you aware of the complexities arising whenever the ever changing family unit becomes divided. Topics are covered through an evolving case with you in the role of a practicing lawyer. Issues include interstate and international parental kidnapping, determination of jurisdiction, domestic violence, restraining orders and injunctions, temporary and permanent parenting rights and responsibilities (custody and visitation), temporary and permanent maintenance (alimony), child support, the characterization of property and division of assets and liabilities; also, premarital and post marital agreements, ethical issues, federal tax law affecting divorce and the effects of bankruptcy. The class will also discuss same-sex marriage, civil unions and issues unique to LGBTQ relationships. Students will discuss and argue issues not only with instructors, but also with one or more sitting Illinois Domestic Relations Court Judges, interacting with the class. Readings will be drawn from case law, statutes, and Court approved forms used in contested proceedings. Two-thirds of a student's grade is based on preparation for and class participation including 2 short papers, and one-third on an open book final exam comprised of essay questions.

Autumn - Schiller, Donald; Wyatt, Erika

Election Law

LAWS 43260 - 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.

Spring - Stephanopoulos, Nicholas

Employee Benefits Law

LAWS 55503 - 01 (3)

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 course 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 course 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 short reaction and/or research papers (20-25 pages). There are no prerequisites required for this seminar. Students must submit either: a) a series of short reaction and research papers which must total at least 20-25 pages, including at least one research paper of 10 or more pages or b) a major research paper of at least 20-25 pages.

Autumn - Wolf, Charles

Employment Law

LAWS 43511 - 01 (2 TO 3)

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 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.
Autumn - Whitehead, James

Employment Law Clinic

LAWS 90216 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

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, Winter, Spring - Schmidt, Randall

Energy Law Seminar

LAWS 53127 - 01 (3)

The Energy Law Seminar exposes students to current issues facing energy industry practitioners. Topics covered include United States shale developments, international energy projects, facilities procurement/construction, the natural resources curse, energy finance challenges, and energy litigation/arbitration trends. The Energy Law Seminar also includes two competitive simulations: (1) shale/private equity simulation in which students are divided into management and private equity backers and seek to negotiate joint ventures; and (2) West Africa exploration simulation, in which 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, written agreements/memoranda, and a final essay (in the form of a blog post).

Autumn - Gaille, Shelby

Enforcement Risk in Cross-Border Transactions

LAWS 53222 - 01 (3)

This seminar will examine enforcement risk and mitigation strategies encountered in international and cross-border transactions. In particular, we will spend time considering the contours of risk flowing from bribery, corruption, economic sanctions and money laundering issues. We will focus on legal and reputational risk, as well spend some time on financial risk incident in these transactions. Students will gain an in-depth understanding of key U.S. and foreign laws (like the U.S. Foreign Corrupt Practices Act and the U.K. Bribery Act) relating to cross-border enforcement, explore common red flags found in global transactions, explore how different transactions (including LBOs, real estate, credit, and other alternative investment vehicles) impact international risk mitigation strategies, and how to structure deals based on the varying risks presented. A major paper of 20-25 pages is required for this class.

Spring - Goel, Asheesh

Entrepreneurship and the Law

LAWS 53192 - 01 (3)

This seminar examines how the law and legal counsel influence innovation and entrepreneurship in the US, including by micro-enterprises and high-growth disruptors. 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 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. Students' grades will be based on active participation, a written assignment, and a research paper.

Autumn - Kregor, Elizabeth; Hermalik, Amy

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 reviews 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 explores in depth how the common law and the major federal environmental statutes (e.g. the Clean Air Act, the Clean Water Act, etc.) address these objectives. The student's grade is based primarily on a final examination.

Autumn - Templeton, Mark

Ethical Quandaries in Legal Practice

LAWS 53103 - 01 (3)

With the advent of 24-hour news cycles and the proliferation of social media, the practice of law, like many professions, is under increasingly intense scrutiny from clients, the public, the judiciary, regulators and peers. The attendant risk to the reputations of practicing attorneys remains sky high. This seminar will satisfy the professional responsibility/ethics graduation requirement. Through analysis of ethical issues that lawyers operating in the public and private sectors face on a daily basis, we will study the challenges, consequences and opportunities associated with the ethical practice of law. Pending confirmation, seasoned attorneys with public sector experience, private practitioners, in-house counsel and members of 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.

Spring - Fairley, Sharon

Ethics for Transactional Lawyers

LAWS 41015 - 01 (3)

This class will focus on ethical issues faced by transactional lawyers. We will consider the role of a transactional lawyer, the various sources of guidance for transactional lawyers (in light of the fact that the Model Rules are largely litigation focused), the intersection of personal morality and rules-based ethics, individual and organizational practice pressures that can cause lawyers to violate ethics norms, and select ethics issues faced by transactional lawyers in practice (including, e.g., ethics issues arising when drafting contracts, negotiating agreements, conducting due diligence, and providing opinion letters). Grades will be based upon active class participation in discussions and simulations, plus a final paper (20-25 pages).

Winter - Neal, Joan

European Legal History

LAWS 53292 - 01 (2 TO 3)

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 (20-25 pages), but a final examination will also be offered as an option.

Autumn - Helmholz, Richard

Evidence

LAWS 41601 - 01 (3)

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.

Winter - Rappaport, John

Exoneration Project Clinic

LAWS 90220 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

The Exoneration Project is a post-conviction clinical project that represents people convicted of crimes of which they are innocent. Students working in our project assist in every aspect of representation including selecting cases, advising clients, investigating and developing evidence, drafting pleadings, making oral arguments, examining witnesses at evidentiary hearings, and working on all aspects of appellate litigation. Through participation in our project, students 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, Winter, Spring - Thompson, Tara; Owens, David; Tepfer, Joshua; Ainsworth, Russell; Leonard, Karl

Fairness in Law and Economics

LAWS 51705 - 01 (2)

This seminar will explore the connections between fairness and the economic analysis of law. We will probe the standard view that fairness and the economic concept of efficiency are rival considerations, and consider the extent to which they may complement each other. Topics will include a mix of positive analysis (how

fairness perceptions influence the way parties behave), normative analysis (including questions of how best to carry out redistribution), and selected legal applications in different doctrinal areas (likely including property, contracts, torts, and criminal law, among others). The student's grade will be based on a series of short papers and class participation.

Winter - Fennell, Lee; McAdams, Richard

Family Law

LAWS 45001 - 01 (3)

This course will explore legal issues relating to the formation, maintenance, and dissolution of family relationships. Topics include (1) the changing social and legal definitions of the family; (2) the legal formation of traditional and non-traditional adult intimate relationships; (3) legal parentage and adoption; (3) dissolution of family relationships and obligations at divorce; (4) and constitutional issues arising out of government regulation of family relationships. Special attention will be paid to the interaction between law and social change, including changing social norms concerning extra-marital sex, women's increased participation in the workforce, the rise of non-traditional families, and advances in reproductive technology. Grading is based on a final examination and class participation.

Autumn - Collins, Kristin

Federal Courts

LAWS 41101 - 01 (3)

This course deals with the allocation of judicial work between the state and federal courts, as well as the jurisdictional tensions that arise from a dual judicial system. In addition, the course considers the relationship between the federal judiciary and Congress, particularly as it implicates legislature's power to structure and limit the federal courts' subject matter jurisdiction. This is a practical course, as well as one that implicates important theoretical issues about decision-making institutions under our federal system of government.

Autumn - Smith Jr., Fred

Federal Courts

LAWS 41101 - 01 (3)

This course will consider the functioning of the federal courts in our larger federal system. Particular attention will be paid to doctrinal questions pertinent to those intending to litigate in federal court or serve as federal law clerks. It is recommended that students take Constitutional Law I before taking this class. The student's grade is based on a proctored final examination.

Winter - Huq, Aziz

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. Constitutional Law I is a prerequisite, though it may be waived in special circumstances. The student's grade is based on class participation and a final take-home examination.

Spring - Baude, William

Federal Criminal Justice Clinic

LAWS 90221 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

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 first legal clinic in the country to exclusively represent 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 may have an opportunity to interview clients and witnesses; meet with clients at the jail and out on bond; 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 appellate litigation write briefs to the Seventh Circuit and the Supreme Court and may 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 take Prof. Siegler's Criminal Procedure course in Spring 2019 and 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. Any slots that remain after bidding closes will be opened to 2Ls. Students who want to learn more about the FCJC may contact Professor Siegler or Professor Zunkel for more information.

Autumn, Winter, Spring - Siegler, Alison; Zunkel, Erica; Miller, Judith

Federal Criminal Justice Practice and Issues

LAWS 53386 - 01 (2)

This practice-oriented course integrates instruction on federal pretrial criminal procedures and issues with student practice exercises overseen by the instructor. The course will cover federal criminal practice from investigation up to trial,

utilizing examples from recent federal criminal investigations and cases. The course will provide opportunities for student performance to develop professional skills and understanding. In particular, the course will provide instruction on (i) federal investigations and related issues (including Grand Jury proceedings, witness immunity, and search warrants); (ii) corporate internal investigations; (iii) federal charging decisions; (iv) initial appearances following arrest and accompanying bail/detention hearings (v) discovery under the federal criminal rules; (vi) pretrial motions and practice; and (vii) plea agreements and hearings. Students will engage in periodic practice simulations related to the pretrial stages of a federal criminal case. For example, students will conduct mock witness interviews in the context of a corporate internal investigation, present motions and arguments seeking, and objecting to, pretrial detention, and present motions and argument seeking to exclude or admit evidence. The course thus will provide opportunities for oral and written advocacy focusing on federal criminal pretrial practice. Each class session will also include discussion of practical and strategic issues facing both the defense and the prosecution under real-world circumstances at each pretrial stage. A student's grade will be based on class participation and written and oral performance in the simulated practice exercises.

Winter - Doss, Michael

Feminist Economics and Public Policy

LAWS 53215 - 01 (2 TO 3)

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. Evaluation will be based on class participation, and short research/response papers. Non-law students must have instructor consent to enroll.

Spring - Strassmann, Diana

Food and Drug Law and Policy

LAWS 43259 - 01 (3)

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, the conflict between state tort law and federal 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 of 20-25 pages.

Spring - Bierig, Jack

Food Law

LAWS 53308 - 01 (3)

This seminar will examine issues relating to food law and food policy. Topic covered will include: food safety, food labeling, genetically modified agriculture, corn policy, regulation of food quality, factory farming, restaurant regulations, and more. Students will have to write an SRP paper of 20-25 pages and make a presentation in class.

Spring - Ben-Shahar, Omri

Foreign Relations Law

LAWS 43269 - 01 (3)

This course examines the constitutional and statutory law 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. Grades will be based on a final examination.

Spring - Posner, Eric

Global Inequality

LAWS 53294 - 1 (3)

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 interdisciplinary seminar, 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, of political institutions, 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 (20-25 pages), which may

qualify for substantial writing credit. Non-law students need instructor consent to enroll.

Winter - Weisbach, David; Nussbaum, Martha

Greenberg Seminars: Identity Politics and the State

LAWS 92000 - 04 (1, 0 TO 1)

We live in an era of identity politics, though a preference for one's family and "group" seems to be hard-wired. How do these affiliations affect loyalty to a state or the emerging preference, especially by the well-educated, for thinking of oneself as a global citizen rather as one loyal to a particular tribe, religion, state, or nation? How do these affiliations affect domestic politics, our own lives, and national policies? We will discuss these and related questions by grounding them in five books, beginning with Amy Chua's *Political Tribes: Group Instinct and the Fate of Nations*, before moving on to more local puzzles and conflicts.

Autumn, Winter - Roin, Julie; Levmore, Saul

Greenberg Seminars: Our Algorithmic Futures

LAWS 92000 - 07 (1, 0 TO 1, 0 TO 1)

Machine learning, and other 'artificial intelligence' tools, increasingly sculpt the regulatory, discursive, political, economic, and scientific landscapes. This Greenberg addresses the ways in which these new technologies will alter our lives and societies, or reproduce (for better or worse) entrenched elements of those societies.

Autumn, Winter, Spring - Huq, Aziz; Stephanopoulos, Nicholas

Greenberg Seminars: Stories of Migration

LAWS 92000 - 05 (1, 0 TO 1, 0 TO 1)

People migrate for many reasons. Some search for better lives and opportunities, others flee poverty, violence and political unrest, and still others migrate to join family and build communities. Many family histories include a migration story, and these stories are a central aspect of modern life for people around the world. This seminar will explore these stories, from the decision to leave home, to the journey itself, to the process of finding a temporary or permanent home, through novels and films. Reading and viewing will likely include: *Americanah*, by Nigerian author Chimamanda Ngozi Adichie (2013 novel which tells the story of a young Nigerian woman who emigrates to the United States to attend university); *Exit West*, by Pakistani author Mohsin Hamid (2017 novel focused on themes of emigration and refugees); a selection of short stories from *The Refugees* (2017), by Vietnamese author Viet Thanh Nguyen; *Which Way Home* (2009 documentary that follows unaccompanied child migrants on their journey through Mexico toward the United States); and *The Joy Luck Club* (1993 film telling the story of four Chinese

women who immigrated to the United States, and their relationship to their adult daughters who grew up in the United States).

Autumn, Winter, Spring - Buss, Emily; Flores, Claudia

Greenberg Seminars: The Law and Economics of Craft Beer

LAWS 92000 - 06 (1, 0 TO 1, 0 TO 1)

In the early 1980s, the United States was home to fewer than 100 breweries. Today, there are more than 6,000. This spread of small "craft" breweries has happened at a time when most other industries have been characterized by greater concentration. This seminar will explore the history of craft brewing as well as the legal and economic issues facing the industry today. Topics covered will include: Prohibition and its aftermath; the three-tier system of alcohol distribution; the 1978 excise tax exemption for home brewing and the craft beverage provisions in the December 2017 federal tax law; trademark issues in the craft beer industry; and ongoing conflicts regarding state regulation of brewpubs. The seminar also will compare U.S. and foreign laws regarding beer and will consider implications of international trade law for the beer industry.

Autumn, Winter, Spring - Hemel, Daniel; Chilton, Adam

Greenberg Seminars: The McCarthy Era and the Writers

LAWS 92000 - 01 (1, 0 TO 1, 0 TO 1)

During the McCarthy era from the late 1940s through the 1950s, many prominent writers and other artists were hounded by the House Un-American Activities Committee, and some were blacklisted from working in media. This Greenberg looks at a group of distinguished left-wing writers who testified before HUAC and who dealt with the challenge in a variety of ways: Lillian Hellman, Arthur Miller, Clifford Odets, and Howard Fast. We will read Hellman's *Scoundrel Time* to examine the hearings, and then we'll look at a group of works to see how they express themes of anti-capitalism and/or anti-authoritarianism: Miller's *Death of a Salesman*, *The Crucible*, and *All My Sons*; Hellman's *The Little Foxes* and *Watch on the Rhine*; Odets's *Waiting for Lefty* and *Golden Boy* (as well as *Darkness at Noon* by Arthur Koestler as an international example); and Fast's *Spartacus*. Does the political analysis stand up today, and what else helps make these works lasting parts of literary history?

Autumn, Winter, Spring - Birdthistle, William; Nussbaum, Martha

Greenberg Seminars: Why I don't like to talk about race (and gender)

LAWS 92000 - 02 (1, 0 TO 1, 0 TO 1)

In this class we will explore why it is so difficult for people to have conversations about race and gender. Our quest throughout the seminar will be to develop a better understanding of the unique historical and cultural underpinnings that make modern discussions about race and gender fraught with blame, denial, fear and discomfort, and we will do so primarily through materials focused on race. We will

explore the history of racism in the U.S. by reading portions of *Stamped from the Beginning* by Ibram X. Kendi. We will also explore how whiteness interacts with this history by reading *White Fragility: Why It's So Hard for White People to Talk About Racism* by Robin DiAngelo. We will watch the TedX talk by Chimamanda Ngozi Adichie that was the basis for her book *We Should All Be Feminists* and may watch an additional movie or read a supplemental article. While there are significant differences in what underpins discussions about race and gender, there is also significant overlap and conversations about either are incomplete when they don't acknowledge that both matter. In developing a better understanding of why modern discussions about race and gender are so difficult, we intend for participants to walk away from the seminar with a better understanding of their own relationship with the issue and how to navigate it in social and political contexts.

Autumn, Winter, Spring - Conyers, Herschella; Hermalik, Amy

Greenberg Seminars: Wine and the Law

LAWS 92000 - 03 (1, 0 TO 1, 0 TO 1)

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, Winter, Spring - Ginsburg, Thomas; Masur, Jonathan

Hate Crime

LAWS 53704 - 01 (3)

This seminar will provide students with an overview of hate crime. The course will explore the emergence of modern hate crime laws in the United States and the legal controversies surrounding them. We will examine the challenges of data collection and the impact of data on policy analysis. Law enforcement and hate crime prosecution will be reviewed. The course will also consider the limits of the legal system to effectively address hate crime through conventional methods and discuss alternative options. Grading will be based on class participation and a final research paper of 20-25 pages.

Spring - Linares, Juan

Health Law

LAWS 46201 - 01 (3)

Health Law is a survey course covering key issues including the financing of healthcare, health regulation, bioethics, and public health. A major paper of 20-25 pages is required.

Spring - Ahmed, Aziza

Hellenistic Ethics

LAWS 43206 - 1 (3)

The three leading schools of the Hellenistic era (starting in Greece in the late fourth century B. C. E. and extending through the second century C. E. in Rome) - Epicureans, Sceptics, and Stoics - produced philosophical work of lasting value, frequently neglected because of the fragmentary nature of the Greek evidence and people's (unjustified) contempt for Roman philosophy. We will study in a detailed and philosophically careful way the major ethical arguments of all three schools. Topics to be addressed include: the nature and role of pleasure; the role of the fear of death in human life; other sources of disturbance (such as having definite ethical beliefs?); the nature of the emotions and their role in a moral life; the nature of appropriate action; the meaning of the injunction to "live in accordance with nature". If time permits we will say something about Stoic political philosophy and its idea of global duty. Major sources (read in English) will include the three surviving letters of Epicurus and other fragments; the skeptical writings of Sextus Empiricus; the presentation of Stoic ideas in the Greek biographer Diogenes Laertius and the Roman philosophers Cicero and Seneca. This course complements the Latin course on Stoic Ethics in the winter quarter, and many will enjoy doing both. 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, plus my permission. This is a 500 level course. Ph.D. students in Philosophy, Classics, and Political Theory may enroll without permission.

Autumn - Nussbaum, Martha

History of the Law of Corporate Reorganizations

LAWS 53117 - 01 (3)

This seminar reviews the development of the law of corporate reorganizations, beginning with 18th century insolvency and bankruptcy laws before turning to 19th century compositions and receiverships, followed by a study of the passage of the 1898 Bankruptcy Act, the Chandler Act, and then the 1978 Bankruptcy Reform Act. Each session will focus on discrete issues in reorganization law. Students will both make oral presentations and write reaction papers totaling 20-25 pages.

Winter - Baird, Douglas

Housing Initiative Transactional Clinic

LAWS 90226 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

The Housing Initiative Transactional Clinic provides legal representation on complex real estate development projects to build affordable housing. Clients include nonprofit, community-based affordable housing developers and housing cooperatives. Students serve as deal lawyers, working with clients and teams of professionals -- such as financial consultants, architects, marketing professionals, property managers, and social service providers -- to bring affordable housing and

mixed use development projects to fruition. Projects range from single family rehabs with budgets in the \$30,000 to \$75,000 range, to multi-million dollar rental and mixed use projects financed by low income housing tax credits, tax exempt bonds, TIF, and other layered subsidies. Students also counsel nonprofit clients on governance and tax issues related to their work. In addition to their client work, students meet as a group in a weekly two-hour seminar in autumn quarter, and in a weekly one-hour seminar during winter and spring quarters, to discuss the substantive rules and legal skills pertinent to real estate development transactions and to examine emergent issues arising out of the students' work. During the fall quarter seminar, returning clinic students need only attend the first hour; new students should attend for the full two hours. In the winter and spring quarters, all students should attend all the one-hour seminar sessions. Academic credit for the Housing Initiative Transactional 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, Winter, Spring - Leslie, Jeffrey

How Law & Legal Instit. Address (Or Fail to Address) the Impacts of Racial Segregation in Chicago

LAWS 53311 - 01 (2)

Chicago is among the most racially segregated major cities in America and also has one of the greatest disparities in poverty rate by race. Racial segregation in Chicago is the product of governmental policies and socio-economic trends. Such segregation has in turn given rise to many social justice issues that impact the Chicago communities that surround the Law School. This two-credit seminar is designed to examine social and legal problems in Chicago that are connected to racial segregation in the city. In doing so, the seminar will provide an opportunity to evaluate how different areas of law interact with and effect a complex web of social problems. This seminar will meet once a week, for two hours. The introductory session will provide an overview of the historic drivers of racial segregation in Chicago, key contemporary racial, socio-economic, administrative and political dynamics in the City. After that introductory meeting, each subsequent session will be led by a different faculty member and focused on exploring the ways key laws, policies, and legal institutions within a particular area of law create or exacerbate social ills related to racial segregation. Sessions focused on criminal law, policing, environmental justice, human rights, corporate law, immigration, and housing are anticipated. Each session will present a tailored mix of substantive legal doctrine, interdisciplinary insights, and practical perspectives on the way law and legal institutions redress or reinforce a particular social challenge in contemporary Chicago. In particular, each session will feature either a skills-based component, to present how the law operates in reality, or a presentation conveying the real-world effect of legal institutions on a community. Students will be assessed in the following ways: 1) weekly blog-style reactions to

the readings in advance of the week's seminar; 2) a final short reaction paper; and 3) class participation.

Spring - Weinstock, Robert; Albinak, Kelly; Zunkel, Erica; Hermalik, Amy; Tepfer, Joshua

Immigration Law

LAWS 43200 - 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.

Autumn - Tirres, Allison

Institute for Justice Clinic on Entrepreneurship

LAWS 90223 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

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. A commitment of at least two consecutive quarters is required.

Autumn, Winter, Spring - Kregor, Elizabeth; Hermalik, Amy

Intensive Negotiation Seminar

LAWS 81003 - 01 (2)

This intensive negotiation skills seminar ("bootcamp") offers students an opportunity to develop skills and strategies for application in all areas of personal and professional life. Students will be introduced to conceptual frameworks for understanding how agreements are reached or not reached, and they will have ample opportunities to practice negotiation in structured simulations and other experiential exercises. Seminar discussions will consider contributions from law,

game theory, psychology, and more. Students will be encouraged to develop their own tools and practices of inquiry to enable continued learning about negotiation beyond this seminar.

Autumn, Spring - Solomon, Ian

Intensive Trial Practice Workshop

LAWS 81009 - 01 (2 TO 3)

This is a required class for participation in the Civil Rights-Police Accountability Clinic, the Criminal & Juvenile Justice Project Clinic, and the Exoneration Project Clinic. This class is strongly recommended for participation in the Employment Law Clinic and the Federal Criminal Justice Clinic. This class 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 demonstrations and critiques from varied perspectives. The class concludes with a simulated jury trial presided over by sitting state and federal court judges. Open to 3L J.D. students only. Completion of this class partially satisfies one of the requirements for admission to the trial bar of the United States District Court for the Northern District of Illinois. Students who have taken Trial Advocacy (LAWS 67603) or Trial Practice: Strategy and Advocacy (LAWS 91702) may not take this class.

Autumn - Conyers, Herschella; Futterman, Craig; Zunkel, Erica; Stone, Randolph

International Arbitration

LAWS 53310 - 01 (2)

This seminar provides a basic foundation in the law and mechanics of international commercial arbitration and international investment arbitration. It will give students an understanding of the substantive and strategic issues that frequently confront international arbitration practitioners. The Seminar covers, among other things, the crafting of international arbitration agreements, the relative advantages and disadvantages of ad hoc UNCITRAL-Rules arbitration and institutional arbitration (e.g., ICC, LCIA, CAS, ICSID). The seminar also addresses the rules of procedure that commonly govern international arbitration, including procedural issues that commonly arise in international arbitration, including the availability and extent of discovery, pre-hearing procedure, the presentation of evidence, and the enforcement of international arbitral awards. The Seminar also will cover the fundamentals of international investment arbitration, including the jurisdictional issues that commonly arise in investor-state arbitration and the types of treaty claims that are commonly asserted under international law. While there will be a fair amount of traditional lecture, the format of the Seminar will depend heavily upon active student participation, including a mock arbitration exercise. Students will be graded based upon the quality of their preparation for and participation in

the Seminar, as well as the quality of a required paper (20-25 pages). This Seminar will satisfy part of the lesser of the school's two writing requirements, if substantial research and written work is completed.

Autumn - Rubinstein, Javier

International Business Transactions

LAWS 53123 - 01 (3)

This seminar provides a detailed review and analysis of a number of business transactions in a complex international setting. The documents underlying these transactions include: (i) an acquisition agreement, (ii) a joint venture agreement, (iii) an outsourcing agreement and (iv) a distribution agreement for the sale of goods. These documents will be reviewed in the context of these transactions, which involve business entities in several countries. Students will be asked to identify and address key legal issues. They will be asked to analyze, draft and revise key provisions of these agreements and determine whether the drafted provisions achieve the objectives sought. Students will also be asked to prepare several short papers addressing key legal issues underlying provisions of these agreements and the transactions involved. Students will be graded based upon (i) the quality of their preparation for and participation in the seminar (ii) their work product in connection with several drafting assignments and (iii) the quality of the short papers addressing specific issues. There will not be a final examination.

Spring - D'ambrosio, Alan

International Human Rights

LAWS 43262 - 01 (3)

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.

Spring - Ginsburg, Thomas

International Human Rights Clinic

LAWS 90225 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

The International Human Rights Clinic works for the promotion of social and economic justice globally and in the United States. 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 and promote accountability on the part of state and non-state actors. The Clinic

works with clients and organizational partners through advocacy campaigns, research and litigation in domestic, foreign, and international tribunals. Working in project teams, students develop and hone essential lawyering skills, including oral advocacy, fact-finding, research, legal and non-legal writing, interviewing, media advocacy, cultural competency and strategic thinking. Some students may have the option (but are not required) to undertake international or domestic travel in connection with their projects during the Autumn, Winter or Spring quarter breaks. Students may enroll for up to three credits a quarter. New students should plan to take the clinic for three quarters for a minimum of two credits each quarter. Returning students may enroll for one credit each quarter.
Autumn, Winter, Spring - Flores, Claudia; Guruli, Nino

International Humanitarian Law

LAWS 53322 - 01 (3)

This course is an introduction to international humanitarian law (IHL), otherwise known as the law of armed conflict. It will cover cover sources of IHL, including: the Hague and Geneva treaty regimes; jurisprudence of international and national courts; national legislation, especially in the United States; and the practice of both state militaries and non-state actors. The course will explore three fundamental tensions that structure recurring debates in IHL: between humanitarianism and war; between state and non-state forms of organized violence; and between the formal equality of sovereign states and the realities of an unequal international system. The class will require a series of research papers totaling 20-25 pages.
Winter - Li, Darryl

International Law of Sovereign Debt Crises

LAWS 43289 - 01 (3)

This seminar will cover the international law that applies to sovereign debt crises, i.e., crises that occur when nation states default on their bonds or loan obligations. We will begin by discussing the elements of sovereign debt finance, the key contractual provisions of debt agreements, legal doctrines bearing on sovereign debt (such as sovereign immunity, odious debts and state succession), and the process for rescheduling or otherwise resolving impaired debt. Such recent cases as Argentina, Greece and Ukraine will provide concrete and practical context for our discussions. We also will consider the roles of various international bodies, such as the IMF and the European Central Bank, and proposed international regimes for resolving defaulted debt. We will use Lastra and Buchheit, "Sovereign Debt Management", Oxford University Press 2014 and other materials to be provided by the Lecturer. There are no prerequisites for the course. The grade will be based on a paper of approximately 25 pages, as well as on class participation.
Winter - Foorman, James

International Trade Law

LAWS 48401 - 01 (3)

This course focuses on the law governing international trade. It will specifically 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 course will both cover the basic principles governing trade law, as well as the trade laws governing intellectual property, environmental regulation, food safety, trade in services, and technical standards. The course will also examine the implication of the international trading regime for developing countries, and the political economy of trade negotiations.

Spring - Chilton, Adam

Introduction to Law and Economics

LAWS 43231 - 01 (3)

This class is an introduction to the economic analysis of law, an approach that has grown rapidly in the last thirty years and now exerts a profound influence on how law is taught and on how courts make decisions. The class will provide you with a set of tools for analyzing transactions and how they are shaped by legal rules, through systematic exposure to the economic way of thinking about law across a variety of legal contexts. These tools are intended to complement, not to challenge, the traditional doctrinal approach to law. The objective is to equip you to use economic reasoning in an informed and critical spirit to analyze cases and transactions of the sort you may encounter in practice. More generally, you should be able to understand and critically evaluate the use of economic analysis in legal scholarship, judicial opinions, and other legal contexts.

Winter - Dharmapala, Dhammika

Introductory Income Taxation

LAWS 44121 - 01 (3)

This class provides an introduction to the design and operation of the federal income tax. Topics covered in this class include the definition of income, deductions, the tax treatment of gains and losses generated by sales and other dispositions of assets, realization and other timing issues, and tax shelters. The class uses a combination of lectures, problems, and class discussions to teach students about the interplay of the Internal Revenue Code, regulations and other agency interpretations of the Code, and judicial opinions in the administration of tax law. This class will also look into the policies underlying the design of the tax system. There are no prerequisites for this course.

Autumn - Roin, Julie

Introductory Income Taxation

LAWS 44121 - 01 (3)

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.

Spring - Hemel, Daniel

Islamic Law: Foundations and Contemporary Issues

LAWS 53360 - 01 (3)

Since its inception, Islamic Law has grown from a set of rules governing life in 6th century Arabia to a global body of law developed across time and place with application to religious, civil, criminal, constitutional, commercial, and international law. The primary objective of the seminar will be to give students a basic understanding of Islamic Law and the issues faced in applying Islamic Law in the modern context. The seminar will cover the origins and historical development of Islamic Law, Islamic legal theory, scope and application of Islamic Law, and selected current issues such as Islamic Finance. Modern constitutional law issues regarding sources of law, religious freedom, public interest, and related issues in Muslim majority countries will be reviewed as well as the debates around the application of Islamic Law for Muslim minorities living in secular states. Special attention will be paid to comparative law aspects of Western legal theory and Islamic legal theory in light of the historical introduction of Western legal systems to the Muslim world through Colonial and post-Colonial experiences. Current political debates around Shari'ah law and the concept of a Caliphate will be assessed against Islamic legal theory and constitutional law, specifically in light of the Arab Spring revolutions and the phenomenon of violent extremism. As such, in addition to a theoretical understanding of Islamic Law in the modern context, students will also develop an understanding of the practical impact of legal theory on political, social, and economic realities in the Muslim world and beyond. This is a one semester seminar for 2L and 3L students. There are no pre-requisite courses required in Islam. Weekly readings will be assigned in English language source materials. The seminar will draw on the lecturer's extensive personal experience with the subject matter and knowledge of the legal systems of Muslim majority states such as Saudi Arabia, Turkey, UAE, Pakistan, Egypt, Malaysia, and elsewhere. Professor Kamran Bajwa studied classical Islamic Law and Islamic Theology at the Al-Azhar seminary in Cairo, Egypt prior to attending the University of Michigan Law School where he also took advanced courses in Islamic Law. After graduating from law school, Professor Bajwa trained as a corporate

transactional lawyer at the law firm of Kirkland & Ellis and then moved to the Middle East and practiced law in that region for 8 years. During his time working in the Middle East, Professor Bajwa continued his studies in Islamic Law and served as an advisor to major Islamic scholars and political leaders throughout the Muslim world involved in legal reform and intellectual projects. Professor Bajwa currently heads the Middle East regional practice for Kirkland & Ellis and travels regularly to the region. Grading will be based on student participation and a collaborative student presentation on a sub-topic of the student's choice. Non-law students who seek to enroll in this class should email Professor Bajwa at:

Kamran.bajwa@kirkland.com.

Autumn - Bajwa, Kamran

Jenner & Block Supreme Court and Appellate Clinic

LAWS 90219 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

The Jenner & Block Supreme Court and Appellate Clinic represents parties and amici curiae in cases before the United States Supreme Court and other appellate courts. Students work on all aspects of the clinic's cases -- from formulating case strategy; to researching and writing merits briefs, amicus curiae briefs, and petitions for certiorari; to preparing for oral arguments. Students also conduct research on cases that may be suitable to bring to the U.S. Supreme Court. Although the clinic's focus is the U.S. Supreme Court, the clinic may also handle cases in the United States Courts of Appeals and the Illinois Supreme Court. The clinic is supervised by Assistant Clinical Professor Sarah Konsky, Professor David Strauss, and members of the Appellate and Supreme Court Practice group at Jenner & Block. U.S. Supreme Court: Theory and Practice (LAWS 50311) is a required co-requisite for 2L and 3L students participating in the clinic. Students who have successfully completed a course covering content comparable to the U.S. Supreme Court: Theory and Practice seminar may seek consent from Professor Konsky to waive the co-requisite requirement. If you have taken LAWS 50311 previously, no special approval is needed. Academic credit for the 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, Winter, Spring - Strauss, David; Konsky, Sarah

Judicial Federalism

LAWS 59903 - 01 (3)

In this seminar, we will explore the various doctrines that police the line between the role of the U.S. federal courts and the often-parallel role of the state courts (or occasionally tribal courts). Those doctrines include the limits on the subject-matter jurisdiction of the federal courts found in Article III; the Rooker-Feldman doctrine; constitutional or common-law limitations on federal authority such as those for domestic-relations and probate cases; the various abstention doctrines (Pullman, Burford, Younger, Colorado River); the Anti-Injunction Acts; notions of lis pendens

that apply in both federal and state courts; "complete" versus defense preemption, and habeas corpus review of state-court criminal judgments in federal courts. We will also compare the U.S. system to that of the European Union. There are no prerequisites. Students will write a paper (which can qualify for the substantial writing requirement) for credit in the seminar. All students are required (1) to have an individual conference at which the paper topic is approved, (2) to turn in a rough draft for comments, and then (3) to turn in a final paper of 20-25 pages.
Winter - Wood, Diane

Judicial Opinions and Judicial Opinion Writing

LAWS 52003 - 01 (3)

Judicial opinions are the means by which judges explain their rulings to the litigants and their lawyers, and in many instances (depending largely, but not exclusively, on whether the judge is writing on behalf of a court of review) to the bar as a whole, other judges, other branches of government, and/or the public at large. For those of you planning to serve as a law clerk after graduation, opinion drafting and editing likely will comprise the lion's share of your work. For those of you planning on a career as a litigator, understanding the elements of judicial opinion writing will help you to effectively frame your arguments in your briefs and at oral argument. And for all of you, reinforcing the skills necessary to write clearly and edit wisely will serve you well whatever your future plans.

The class will begin with a careful review of the work of some well known judges, past and contemporary. The remaining sessions will proceed largely in a workshop format. For the first half of the remaining sessions, each of you will rewrite a recent, published appellate opinion that we will select. For the second half, each of you will write an appellate opinion from scratch based on a real case that we will select and that will recently have been argued. If your opinion is up for discussion for a given week, we will ask that you post it to the class site by noon on the Monday preceding the class so that we and the other students can read it. More than one student will be assigned each rewritten and original opinion, enabling the class to compare different approaches taken to the same set of problems. The point of this, as you'll see, is entirely pedagogical; it is not to turn this class into the law school equivalent of Top Chef or Project Runway. There is no single right way to construct an eminently readable and learned opinion.

Winter – Hochman, Robert; Feinerman, Gary

Jurisprudence I: Theories of Law and Adjudication

LAWS 47411 - 01 (3)

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 - Leiter, Brian

Kirkland & Ellis Corporate Lab Clinic

LAWS 91562 - 01, 02 (2 TO 3, 2 TO 3, 2 TO 3)

The Kirkland & Ellis Lab provides students with a forum for working closely with legal and business teams at top-tier multinational companies, leading nonprofits, and entrepreneurial startups. The primary goal of the 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. Clients will include Abercrombie & Fitch, Accenture, Baxter Healthcare, Booth School of Business New Venture Challenge (Spring Quarter), GE Healthcare, Honeywell, IBM, John Deere, Microsoft, Nike, Northern Trust, Schreiber Foods, and Verizon Communications. Corporate Lab students also will have the opportunity, should they wish, to negotiate a simulated cross-border transaction opposite students of a leading foreign law school as part of the negotiation workshop component of the Corporate Lab (Autumn Quarter). Please note: (i) students 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, and (iii) this offering will not count toward seminar restrictions.

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 www.law.uchicago.edu/corporatelab. (Reduced 2-credit option available with instructor permission.)

Autumn, Winter, Spring - Zarfes, David; Kramer, Sean; Avratin, Joshua

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.

Winter - Weinrib, Laura

Law and Economic Development

LAWS 43232 - 01 (3)

Why do some nations perform better than others, whether measured by income, happiness, health, environmental quality, educational quality, freedom, etc.? We explore the proximate causes of inequality across countries, including the role of human capital, natural resources, technology and market organization. We also explore the root causes of long term differences in welfare. We will consider the role of geography (e.g., location in tropical areas) and technological development (e.g., the impact of plow agriculture) on welfare. We will spend a substantial amount of time on the role of institutions, broadly defined, on development. We will explore the value of state capacity, democracy, and the common law. We will study the impact of disruptions such as the slave trade, colonialism and war. Ultimately, we will try to understand the implications of each explanation for development policy. Time permitting, we will also consider optimal, second-best rules for countries with weak state capacity and limited rule of law. Students will be required to complete a review and critical analysis of the literature on a specific topic in development. The topic must be approved by the professor.

Spring - Ginsburg, Thomas; Malani, Anup

Law and Public Policy: Case Studies in Problem Solving

LAWS 53218 - 01 (2)

This class examines the intersection of law and public policy and the lawyer's role in helping to formulate and defend public policy choices, using recent, real-world problems based on the instructor's experience as Corporation Counsel for the City

of Chicago and senior legal advisor to Mayor Rahm Emanuel. While the course will be conducted in a seminar/discussion format, a significant portion of each class will be devoted to hands-on role-playing in which students will play the role of legal advisors to an elected official, grappling with and proposing solutions to vexing issues of public policy. While this course may be of particular interest to students who are interested in public service and public policy-making, its emphasis on developing students' analytical and problem-solving skills and on providing hands-on, practical experience in advising clients on complex issues should be of benefit to any student, regardless of interests and career objectives. Providing legal analysis and advice and counseling clients on available options are a critical part of almost every legal career, whether as a litigator or transactional lawyer in a private firm or as in-house counsel for a corporation or not-for-profit. Assigned reading will include press articles, proposed legislation, briefs and pleadings, and other materials concerning the case studies/public policy issues that will be examined. Students will be expected to identify and analyze legal issues and limits, competing legal and policy interests, and possible policy alternatives and advise their "client" accordingly. Grades will be based on class participation and performance in role-playing exercises and short (5 page) reaction papers concerning three of the case studies that will be examined.

Autumn - Patton, Stephen

Law and Society

LAWS 43219 - 01 (3)

This seminar offers an introduction to the central themes and major debates in the field of Law and Society. The field of sociolegal studies is an interdisciplinary one, and reflecting this, the course will emphasize research in sociology, political science, psychology, anthropology, and legal studies. We will explore classic readings from the Law and Society canon as well as more contemporary research and theory. We will analyze the readings for both their theoretical and empirical contributions, as well as for the methodologies the authors deploy. The themes we will consider over the course of the quarter include the tension between state or "official" law and nonlegal norms for ordering everyday life; the factors that influence who mobilizes the law (and who doesn't); and what it means to use law in contexts other than courtrooms, such as in families, neighborhoods, workplaces, social movements, and mass media. We will explore the debate about the value of rights and litigation strategies in efforts to produce social change, and we'll examine the ubiquitous role of law in popular culture. The course will conclude with a look forward at future directions in law and society research. Final grade will be based on a major paper.

Autumn - Marshall, Anna-Maria

Law and the Economics of Natural Resources Markets

LAWS 53297 - 01 (3)

Market-based mechanisms such as emissions trading are becoming widely accepted as cost-effective methods for addressing environmental concerns, especially as societies move towards a carbon-constrained future. In the last decade, we have witnessed the expansion of environmental finance to new products - carbon dioxide spot and futures contracts, sulfur dioxide futures and over-the-counter water contracts - that are now fully integrated financial instruments for hedging and speculation. These mechanisms also have potential benefits to address issues in other pressing matters such as water quality, fisheries and biodiversity protection. Non-law students must apply by emailing Curtrice Scott, Esq., Director, Coase-Sandor Institute at curtrice@uchicago.edu. A series of research papers is required totaling 20-25 pages.

Spring - Sandor, Richard

Law and the Mental Health System

LAWS 47001 - 01 (3)

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 (20-25 pages) or a final take-home exam, and class participation.

Autumn - Heyrman, Mark

Legal Elements of Accounting

LAWS 43247 - 01 (1)

This mini-class 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 seminar 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 exam. 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.

Winter - Sylla, John

Legal Profession

LAWS 41002 - 01 (3)

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 - Alberts, Barry

Legal Profession: Ethics

LAWS 53101 - 01 (3)

This seminar addresses ethical considerations and issues encountered during the practice of law, including strategic, practical, and moral considerations with which attorneys should be familiar. Using materials from casebooks, the Model Rules of Professional Conduct, cases or articles of particular interest and videos, we will discuss within the context of the Model Rules the ethical situations that lawyers face. There will be a particular focus on the ambiguities of how to handle particularly difficult issues encountered in the practice of law and the rules and framework to which attorneys can turn in determining how to handle those situations. Throughout the seminar, we will consider certain overarching questions, including: a. are lawyers authorized by their duties to clients to lie, b. is civility consistent with the duty of vigorous representation, c. are aspects of the practice of law beyond the rules, and d. can there be a conflict without direct adversity. This seminar will be taught as a participatory class and will use structured hypotheticals, role playing, class discussions, and class competitions. A short quarter ending presentation is required. Students will be evaluated both on the quality and extent of their participation and the presentation and on the basis of a paper of 20 pages in length on a topic relating to professional responsibility chosen by and of particular interest to the student. Attendance is mandatory.

Winter - Morris, Hal

Legal Profession: Ethics in Government and Public Interest Legal Practice

LAWS 53104 - 01 (3)

This seminar, which satisfies the professional responsibility requirement, will address the ethical rules and principles that govern public interest and government attorneys. Among the topics that will be explored is the challenge of defining who the client is in government practice and how that interplays with conflict of interest rules. Time will also be devoted to exploring the nature of the attorney-client

relationship, candor requirements and various other duties and obligations imposed upon government and public interest attorneys, whether they litigate cases or not. Real world scenarios will be used to illustrate the various ethical issues attorneys face each day. The class will meet once a week. A student's grade will be based upon the quality of in-class participation, a take-home final exam and a 10 page paper on a topic of the student's choosing in consultation with the Instructor.
Spring - Peters, Lynda

Legislation

LAWS 44201 - 01 (3)

This course is an introduction to lawmaking in the modern administrative state. It will examine how Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the ways that implementing institutions – courts and administrative agencies – interpret and apply these rules. The course will consider the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts. The text for the course is Manning & Stephenson, eds., *Legislation and Regulation*, 3d Edition (Foundation Press 2017). Grades will be based on an examination at the end of the semester.

Winter – Doerfler, Ryan

LGBT Law

LAWS 53365 - 01 (3)

This seminar examines the treatment of gender, sexual orientation and related questions of sexuality and identity in the U.S. legal system. The course emphasizes constitutional jurisprudence and theory with a particular focus on the First Amendment and the equal protection and due process guarantees, and statutory antidiscrimination provisions. Topics covered include marriage rights, student speech, the definition of sex under the equal protection guarantee and statutory antidiscrimination provisions, the rights of students to access sex segregated facilities, public and private workplace concerns, rights of intimate and expressive association, and asserted conflicts between religious liberty and nondiscrimination principles.

Winter - Taylor, Camilla

Life (and Death) in the Law

LAWS 53348 - 01 (2)

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 two response papers, co-draft a statute in one area of law, and participate in jury deliberations. Grade will also be based on class participation.
Spring - Conyers, Herschella

Litigation Laboratory

LAWS 81015 - 01 (3)

This seminar brings lawyers and students together to analyze and develop aspects of the lawyers' ongoing cases. It allows good lawyers to use law students for collaborative help with open cases, and allows law students to learn litigation skills by working with the lawyers. A different lawyer with a different case will participate in 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 - Masters, Catherine; Clark, James

Marketing Strategy

LAWS 43256 - 01 (3)

I use a framework based approach to teach this course. The first half of the class is spent on building a structured approach using customer analysis (assessing how the firm could provide unique benefits to an attractive target market segment); company analysis (assessing strategic fit based on long-term strategy and core capabilities) and competitor analysis (ascertaining how to build sustainable competitive advantage). The second half of the class uses the strategic marketing analysis described above to identify issues and challenges the firm faces, and articulate marketing objectives that are used to develop the marketing plan (product development, positioning and product strategy; setting prices to capture value, determining potential channel or places of distribution and promotion & communication strategies to communicate benefits to the target market). I also try to use multiple pedagogical tools to help students comprehend and assimilate the material. This includes lectures that introduce tools, concepts and frameworks on each topic in the framework followed by a rigorous case analysis to illustrate application. In addition, I will discuss current events, recent industry examples, and ask you to play a real-world data based pricing simulation. I have also been working with firms applying these frameworks for the last 25 years and hope that students will also share their experiences in class discussions. Given the rigorous and highly interactive nature of class discussion, as well as framework based approach used, this class is helpful to students for case analysis preparation. Therefore, this class is helpful to students pursuing consulting careers, developing

entrepreneurial businesses, or interested in understanding and analyzing growth and demand strategies of a corporation. Previous business experience is helpful for this course.

Winter - Dhar, Sanjay

Mental Health Advocacy Clinic

LAWS 90213 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

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. 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. 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, Winter, Spring - Heyrman, Mark

Mergers and Acquisitions

LAWS 53107 - 01 (3)

In this course we will examine a number of the important legal and practical issues that arise in connection with mergers and acquisitions of U.S. businesses. These include: (1) the differences between mergers and tender offers, and the advantages and disadvantages of each type of transaction; (2) the duties of directors in change of control transactions and some of the remedies that may be available; (3) developments in the appraisal remedy; (4) special considerations applicable to going private transactions in which publicly held companies are acquired by controlling shareholders or by entities with the participation or support of the company's management; (5) disclosure issues in public M&A transactions; (6) some

issues that arise in connection with hostile takeovers and takeover defenses; (7) deal protection provisions in public merger agreements; (8) some issues that arise in connection with merger, stock purchase, and asset purchase agreements; (9) some issues relating to fraud claims brought in M&A transactions; and (10) some issues that arise in connection with preliminary agreement. Some of the topics we will cover in this course may be covered in introductory business law courses, but students who have taken or are taking introductory business law courses should not hesitate to sign up for this course. Introductory business law courses are not a prerequisite for this course. Some of the topics in this course will also be covered in Buyouts and in Negotiating Merger and Acquisition Agreements, but those courses are not a prerequisite for this course and students may take all three courses.

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

Autumn - Davis, Scott

Modern Professional Responsibility

LAWS 41018 - 01 (3)

This course satisfies the professional responsibility requirement. It 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 Conduct, the Restatement of the Law Governing Lawyers and the Sarbanes-Oxley Act. It will also focus on several noteworthy legal malpractice and securities claims in which lawyers and major law firms were involved. Course materials will include traditional texts and statutory materials, hypotheticals drawn from unreported matters, as well as the results of mock trials and jury focus groups in which the conduct of lawyers was at issue.

Autumn - Nozette, Mark

Money and Criminal Justice

LAWS 53367 - 01 (2)

This seminar explores the pervasive role of money in the criminal justice system. Potential topics include indigent defense funding, "for-profit policing," the "prison-industrial complex," liability insurance, private prisons and police, federal grants, and bail. Readings will be interdisciplinary. Grades will be based on class participation and reaction papers and/or online posts.

Spring - Rappaport, John

Moot Court Boot Camp

LAWS 95030 - 01 (1 TO 2)

Moot Court Boot Camp has two components: oral advocacy and writing. The oral advocacy component will cover the basics of appellate oral argument. Students will receive two different cases and prepare and submit argument outlines in advance. During the workshop, students will gain hands-on experience by conducting multiple oral arguments before a variety of alumni and other practicing attorneys,

judges, and faculty, who will provide feedback. The writing component will cover the basics of appellate brief writing. Students will prepare a short, written assignment that we will discuss and revise during class. We will focus on strong issue statements, effective headings, and powerful conclusions. We'll also explore sentence structure and word choice. Students will learn to define themes in their writing and carry them into the oral argument. Focused writing, we will learn, promotes successful oral advocacy, and vice versa. This class, which will meet for the weekend of October 28-29, is an optional supplement to the Hinton Moot Court Competition. One credit will be granted for the weekend course and an additional credit will be granted upon completion of two judged arguments as part of the Hinton Moot Court Competition. There are no prerequisites, but good faith participation in the Hinton Moot Court Competition is required. Students may receive credit for this class only once during their Law School career. The Moot Court Boot Camp is open to J.D. students only and is graded Pass/Fail.
Autumn - Noller, Lisa

Negotiating Merger and Acquisition Agreements

LAWS 53366 - 01 (2)

In this experiential seminar the members of the class will negotiate certain issues that may arise in the negotiation of: (1) merger agreements in which the target is a public company; and (2) asset purchase agreements. For each type of agreement, we will begin with an examination of certain aspects of a model agreement and a discussion of some significant issues that may be present. The members of the class will then have simulated negotiations based on written hypothetical situations in which they will be attempting to reach an agreement and negotiate contractual language on the open points. In the simulated negotiation for each type of agreement all members of the class will be identified as counsel for either (a) the buyer or (b) the target or the seller. The simulated negotiations will begin in class, though they may need to be finished outside of class. We will also examine certain ethical issues that may arise in negotiations. Grades will be based on: (i) two three to five page papers describing the student's simulated negotiating experience for each type of agreement, and what the student would do differently in the future; and (ii) classroom performance (including in-class performance in the simulated negotiations). Some of the topics in this course will also be covered in Mergers and Acquisitions, but that course is not a prerequisite for this course and students may take both classes.

Spring - Davis, Scott

Network Industries

LAWS 43233 - 01 (3)

This course addresses the regulation of natural monopoly. Historically, the industries that match with that description have been public utilities (think electricity and telecommunications) but modern platform industries (say Google,

Facebook and the like) also are naturally relevant. The emphasizes the substantive law and pays little attention to the procedural questions addressed in Administrative Law, which should be taken at some point, but which is not a prerequisite for this course. The student's grade is based on a final examination. The syllabus for the last version of the course is located at picker.uchicago.edu/NetIndus/Syllabus.htm but the course is likely to change a fair amount with more of an effort to target modern platform industries.
Spring - Picker, Randal

Non-Profit Organizations

LAWS 53202 - 01 (2)

This seminar explores the laws and policies governing nonprofit organizations and charitable giving. Topics covered include: the formation, dissolution, and restructuring of nonprofit organizations; fiduciary duties of officers and directors; criteria for exemption from federal income tax; political activities of nonprofit organizations; rules governing private foundations; deductibility of charitable contributions; and the tax treatment of social welfare organizations, labor unions, business leagues, social clubs, and fraternal organizations. Students will have several opportunities throughout the quarter to meet and speak with leaders of local nonprofit organizations, who will be guests in the seminar. Grades will be based on a final examination. Instructor's approval is required for students who have not completed or are not currently enrolled in Introductory Income Tax.
Spring - Hemel, Daniel

Partnership Taxation

LAWS 44301 - 01 (3)

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.
Prerequisite: Introductory Income Tax
Spring - Golub, Todd; Lipton, Richard

Patent Law

LAWS 43244 - 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 sometimes involve complicated technologies, but the key to understanding the relevant legal issue almost never turns on an understanding of the patented technology itself. Student grades are based on an in-

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

Spring - Masur, Jonathan

Patent Litigation

LAWS 53254 - 01 (3)

This course is a hands-on introduction to patent litigation. Using a hypothetical case, students will explore the practical application of key patent law and litigation concepts. Students will follow the litigation over the course of the term as counsel for plaintiff or defendant. Students will be asked to produce written work (e.g., pleadings, motion papers, deposition outlines, etc.) and to orally argue motions. Potential topics include motions to dismiss or transfer, discovery disputes, claim construction, expert discovery, summary judgment, and appeals. In addition to oral argument, class will discuss practical and legal topics pertaining to patent litigation, typically to assist in preparation of the next week's assignment.

Spring - Cherny, Steven; Wilcox, Jason

Poverty and Housing Law Clinic

LAWS 91301 - 01 (3 TO 4, 3 TO 4)

This clinic, conducted over two sequential quarters, exposes students to the practice of poverty law by giving them the opportunity to work on housing cases at LAF, the Midwest's largest provider of free civil legal services to people who are living in poverty or otherwise vulnerable. Students may be asked to attend administrative grievance hearings, represent tenants facing unwarranted evictions, and prevent landlords from performing lockouts or refusing to make necessary repairs. All students will be expected to interview clients, prepare written discovery, conduct research, and draft motions. In addition to working 12 hours a week at LAF, students will attend a weekly two-hour class to learn about subsidized housing programs, eviction actions, housing discrimination, representing tenants with disabilities, the intersection between domestic violence and housing, and the extensive and often misunderstood connection between criminal law and housing.

Winter, Spring - Wood, Lawrence

Poverty Law

LAWS 57402 - 01 (2 TO 3)

This seminar offers an introduction to the substantive law and procedure of public benefit programs in the United States. The seminar will identify persistent controversies in poverty law, including means-test design, funding structure, federalism issues, and behavioral rules, as well as how poverty law interacts with immigration enforcement and disability law. Throughout, we will examine to what extent the agencies that administer these public benefits are vulnerable to federal litigation and what remedies may result from such litigation. Final grade will be

based on: a series of short reaction papers and class participation (2 credits).
Student who wish to earn 3 credits will be writing an additional long paper.
Spring - Hammond, Andrew

Precedent

LAWS 53403 - 01 (3)

In this seminar we will consider several different aspects of the doctrine of precedent. Do lower courts have to obey the precedents of higher courts? If so, why, and when? Does the Constitution permit the Supreme Court to follow precedent, even when that precedent misinterprets the Constitution? If so, why? And under what circumstances can or should precedents be overturned? Is it possible to have a principled doctrine of precedent? We will consider both examples from case law and arguments from text, structure, and history. A major paper of 20-25 pages is required.
Spring - Baude, William

Pretrial Litigation: Strategy and Advocacy

LAWS 52410 - 01 (3)

This seminar will focus on litigation skills and strategies that are instrumental in the day-to-day life of any litigator. Indeed, a lawyer will use many of the same strategies and skills in both the pretrial and trial phases of litigation. Students will learn how to evaluate and develop fact and legal theories; develop themes; draft pleadings and discovery; take and defend depositions; draft pretrial motions; and use various tactics to prepare a case for trial. The seminar will use a variety of learning methodologies, including lectures, demonstrations, and participation in mock exercises. Evidence is a prerequisite. The student's grade will based on class participation, including participation in mock exercises, and written work product (research papers totaling 20-25 pages..
Winter - Fields, Barry

Private Equity Transactions: Issues and Documentation

LAWS 53224 - 01 (3)

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 - Fennell, Mark; Ritchie, Stephen

Professional Responsibility and the Legal Profession

LAWS 43284 - 01 (3)

This course provides a systematic treatment of the law of professional responsibility. The central goal is to understand how the rules of professional conduct guide lawyer conduct and shape the legal profession. Toward that end, we will begin by examining the lawyer's key duties to clients in different contexts, paying attention to differences based on what lawyers do (advocacy, advising, negotiating), where they work (law firms, corporate legal departments, government legal offices, public interest organizations, legal services groups), and what types of clients they represent (individuals, classes, organizations). Drawing upon case materials and problems, our emphasis will be on how lawyers define and resolve ethical problems while promoting their public duties in the real world of practice. We will pay special attention to the two foundational rules of professional responsibility (client confidentiality and conflicts of interests) and will consider how market changes and demographic shifts impact the lawyer's role. Overall, the course is designed to help you think critically about the challenges you will face in the profession you are about to enter and how you can best meet them in the pursuit of your professional goals.

Autumn - Marshall, Anna-Maria

Professional Responsibility: Representing Business Organizations

LAWS 41016 - 01 (3)

This seminar concerns the rules governing the legal profession and practical applications of the rules, with a focus on representing business organizations. Materials will include the ABA Model Rules of Professional Conduct and a casebook; we may also read supplemental materials from time to time. Grades will be based on an in-class final exam, several short response papers, and a class participation component. This seminar will fulfill the professional responsibility requirement.

Winter - Feeney, Daniel; Koski, John; Weidner, Brant

Project and Infrastructure Development and Finance

LAWS 53110 - 01 (3)

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 3-4 short papers, an analytical paper of at least 10-13 pages based on a case study and class participation. There are no pre-requisites, although basic corporation law is recommended. 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. Enrollment is limited to 25 students. Recommended but not required: Corporations or the equivalent.

Autumn - Jacobson, Martin

Property and Land Use: Comparative and Theoretical Perspectives

LAWS 44511 - 01 (3)

The right to private property is a fundamental right, necessary for the safeguarding of personal freedom and autonomy, and for human flourishing. Land is one of the most important assets that an individual may own, both economically and personally. In the course, we will discuss several issues involving property rights and land use - such as the good faith purchase doctrine, the numerus clausus principle, land-use deregulation, takings compensation, buildings' conservation, encroachments, dead hand control, property exempted in bankruptcy proceedings, landlord and tenant law, and rent-control - from analytical, theoretical, and comparative perspectives. The theoretical analysis will include, among other things, subjective and objective theories of welfare, economic analysis of law, game theory, the personhood theory, libertarianism, behavioral law and economics, and theories of distributive justice. The comparative analysis will include common law legal systems (such as the United States and England), civil law systems (such as Germany) and mixed legal systems (such as Israel). The course will introduce the students to the relevant theories in philosophy, economics, and psychology. No prior knowledge is necessary. All comparative reading materials will be in English.

Spring - Lewinsohn-Zamir, Daphna

Public Choice

LAWS 43218 - 01 (3)

This course focuses on the relationship between modern perspectives on voting and interest groups on the one hand and legislation and judicial interventions on the other. Public choice is essentially the science of collective decision-making, and it comes with several well developed tools of analysis. With these tools, and that perspective, we revisit the interactions between legislatures and judges, democracy's attempt to solve certain problems, and the roles played by a variety of legal doctrines and constitutional institutions (from takings law to the meaning of precedents and to the way we structure appeals). 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.

Winter - Levmore, Saul

Public International Law

LAWS 43230 - 01 (3)

International law is the system of rules, principles and procedures that regulate activity at the inter-state level. The system plays a critical role in contemporary life, effecting issues of war and peace, the global economy, human rights, and the natural environment. International law is a complete system of law, distinctive from national legal systems. The main objective of the course is to provide a comprehensive overview of the system by introducing how international law is made, applied, and enforced. The course will also introduce the four major subfields. Additional objectives include:

- Learning about the nature and purpose of international law by comparing international law to other legal systems and by reviewing various theories of law;
- Understanding the relationship between the general principles and processes that characterize the system as a whole and the subfields of war/peace, economy, human rights, and environment;
- Understanding the strengths and weaknesses of the systems as well as creatively considering how to enhance the effectiveness of the international legal system; and
- Preparing for the practice of international law.

Autumn - O'Connell, Mary

Public Land Law

LAWS 44501 - 01 (3)

This course introduces the law governing public lands in the United States, including the preservation and the exploitation of the natural resources on those lands. The course deals with the administrative structures and the legal doctrines that have been developed to control use and enjoyment of the public lands. It takes up selected subjects to illustrate how the system works. Among possible subjects for inclusion are: the national parks, timber policy, grazing rights, mining law, protection of wildlife, and wilderness preservation. The choice of subjects to be studied will depend in large part on the interests of the students who enroll.

Autumn - Helmholz, Richard

Racism, Law, and Social Sciences

LAWS 54303 - 01 (3)

The domains of racism, law, and the social sciences impact one another in myriad ways. At times, a system of racism is deployed through law, which in turn shapes questions asked in the social sciences. In other instances, the sciences articulate conceptual frameworks that lead to the creation of new forms of racism within society and law. Particular systems of racism have operated across a spectrum from incidents of overt violence to the daily impacts of implicit biases. Our readings and

class discussions will consider a sample of case studies from across the globe in addition to past and present dynamics in the United States. 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 course include the interrelation of racial ideologies with other cultural and social dimensions, such as class, ethnicity, gender, political and legal structures, and economic influences. At an international scale, policy makers confront the challenge of balancing calls for multicultural tolerance with demands for fundamental human rights. We will also consider the related histories of biological, genetic, and epigenetic concepts of different races within the human species. Requirements for this course include thoughtful class participation and a final, take-home examination.

Spring - Fennell, Christopher

Real Estate Transactions

LAWS 44801 - 01 (2)

Real Estate Transactions will focus on the lawyer's role in structuring and negotiating investments in commercial real estate. The first half of the course will explore legal issues encountered when acquiring, selling and financing commercial real estate investments, including through mortgage and mezzanine debt. The second part of the course will focus on "joint ventures" and other capital aggregation vehicles. For many reasons, including capital requirements, diversification, expertise and resource allocation, it is typical today for an investor to own real estate with one or more other investors in a joint venture. Because decisions about the ownership of an asset necessarily involve information regarding the underlying real estate, and because joint ventures are relationships put in place to work (or not!) for a period of time, studying joint ventures is an ideal way to learn how to become an effective transactional attorney. Our goal in the course is to provide you with an understanding of how an attorney can be most effective in negotiating and documenting sophisticated real estate transactional agreements. Students will learn to look at the motives, goals and roles of each party to a transaction and to make sure that the legal structure most efficiently accommodates the client's business objectives. Final grade will be based on a major paper of 20-25 pages and class participation.

Winter - Small, Andrew

Regulation of Sexuality

LAWS 43229 - 01 (3)

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 of 20-25 pages, series of short papers, or final examination, with class participation taken into account.

Spring - Case, Mary Anne

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; offsetting benefits and offsetting risks; liquidated damages; damages for pure economic losses; and damages for severe bodily injury and death. 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. Finally, the course explores a new topic, recently identified and developed in scholarly writings, which is "Aggregation of Claims." This mini-course meets for four weeks (starting September 26 and ending October 18).

Autumn - Porat, Ariel

Reproductive Health and Justice

LAWS 53131 - 01 (3)

This seminar will examine the history and evolution of legal protections for abortion, contraception and other reproductive health care. We will look at state and federal constitutional, statutory and common law theories used to secure and protect these rights. We will explore current threats and growing barriers to access, including ever-expanding assertions of religious beliefs to limit access to reproductive health care. We will also look at advocacy strategies for addressing those threats and barriers. Grades are based on a final paper and class participation.

Winter - Chaiten, Lorie

Restructuring in Bankruptcy: Strategy and Tactics

LAWS 53235 - 01 (3)

This experiential seminar focuses on strategy and tactics in restructuring financially stressed and distressed companies. We will use a series of case studies to illustrate

the dynamics of advising boards of directors regarding fiduciary duties, stakeholder negotiations, and complex legal issues facing troubled companies. The seminar will culminate with students preparing and presenting to a mock board of directors of a financially distressed company and drafting a related pleading. Grades will be based 50% on the mock board presentation, 25% on class participation, and 25% on 10-15 page reply brief on a litigation topic discussed in the litigation session.

Winter - Husnick, Chad

Retail Law and Transactions

LAWS 81024 - 01 (2 TO 3)

This seminar addresses the principal legal issues and commercial challenges facing the retail sector. Particular attention will be paid to relations with vendors and other third-party business associates, and customers, the effect of the evolving economy on these relations, and the challenges and opportunities brought about by globalization, technology, social media, and e-commerce. Students will develop an understanding of key corporate, IP, contracting, sourcing, regulatory and other legal issues and practice pitfalls. The instructors will emphasize the practical interplay and tension between commercial realities and legal requirements, and strive to demonstrate the increasing professional burdens and responsibilities to which "in-house" counsel are subject. At times, the instructors will use a case-study format to emphasize identification and resolution of key issues and risks experienced by retailers, as well as to highlight examples of retailers both thriving and struggling to adapt to change. The instructors also will use actual contracts, retailer policies and practices, litigation materials and internal-investigation documents. The class will participate in multiple role-playing scenarios, including contract negotiations and a crisis management reenactment. Final grade will be based on: substantial out of classroom work, group projects.

Spring - Zarfes, David

Roman Law

LAWS 53137 - 01 (3)

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 - Epstein, Richard

Secured Transactions

LAWS 42201 - 01 (3)

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 43234). The student's grade is based on a proctored final examination. The current syllabus for the course is located at picker.uchicago.edu/sectrans/STSyllOnline.htm
Autumn - Picker, Randal

Securities Regulation

LAWS 42401 - 01 (3)

This course examines the federal statutes and administrative regulations governing the issuance and sale of securities in the United States. We will cover the registration and distribution of securities by issuers, such as through initial public offerings and private placements; exemptions from registration requirements, such as those used by private equity and hedge funds; federal disclosure obligations, such as quarterly reports and proxy filings; and theories of liability for securities violations, such as insider trading and fraud. The student's grade will be based primarily on a final in-class examination but valuable class participation may also be taken into account.

Autumn - Birdthistle, William

Securities Regulation

LAWS 42401 - 01 (3)

We will examine in detail the law regulating the issuance and sale of securities (that is, stocks, bonds, and other financial instruments) in the United States. Topics will include: initial public offerings (IPOs), the regulation of stock exchanges, private placements of stock, securities fraud litigation, and the regulation of broker-dealers. Booth Students may petition to register for this class without instructor consent.
Spring - Henderson, M. Todd

Stoic Ethics Through Roman Eyes

LAWS 97121 - 1 (3)

The major ideas of the Stoic school about virtue, appropriate action, emotion, and how to live in harmony with the rational structure of the universe are preserved in Greek only in fragmentary texts and incomplete summaries. But the Roman philosophers give us much more, and we will study closely a group of key texts from Cicero and Seneca, including Cicero's *De Finibus* book III, his *Tusculan Disputations* book IV, a group of Seneca's letters, and, finally, a short extract from

Cicero's *De Officiis*, to get a sense of Stoic political thought. For fun we will also read a few letters of Cicero's where he makes it clear that he is unable to follow the Stoics in the crises of his own life. We will try to understand why Stoicism had such deep and wide influence at Rome, influencing statesmen, poets, and many others, and becoming so to speak the religion of the Roman world. Prerequisite: ability to read the material in Latin at a sufficiently high level, usually about two-three years at the college level. Assignment will usually be about 8 Oxford Classical Text pages per week, and in-class translation will be the norm.

Winter - Nussbaum, Martha

Strategic Considerations in Securities and Corporate Governance Litigation

LAWS 53395 - 01 (2)

This seminar will introduce students to the most important strategic considerations that lawyers encounter in today's highly sophisticated financial services litigation. The litigators (and corporate lawyers) who concentrate in this area must function in an environment where the stakes are high, leverage is critical, and "victory" is defined by the client, not the court. Accordingly, this seminar examines the critical questions faced in virtually every financial services litigation matter including: (1) which is the most favorable venue for this litigation, including consideration of how legal principles vary jurisdiction by jurisdiction; (2) how does Directors and Officers Liability insurance impact the litigation, itself; (3) strategic considerations relating to the composition of the board and use of special litigation committees; (4) how dispositive motions can be used to, at a minimum, best frame and limit the litigation; (5) how derivative and class certification mechanisms can be used to narrow or defeat claims; (6) how to use the timing and positioning of mediation to produce a favorable result for the client; (7) who of your pool of potential experts should be identified, on what topics, and when to maximize chances of success; and (8) what is jury research and what role does it play in making thematic and settlement decisions. To further the student experience, we will supplement our sessions by bringing some of the nation's top practitioners in fields like jury research, D&O insurance, mediation and/or damage analysis to share their years of expertise drawn from real world situations. Grading will be based on class participation and two relatively short papers (under 10 pages) which will focus on discrete topics covered in class and in the reading assignments. Each paper will count for approximately 30% of your grade, and the remaining 40% will be based on class participation.

Spring - Feirson, Steven; Jacobsen, Joni

Strategies and Processes of Negotiation

LAWS 81002 - 01 (3)

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.

Winter - Wu, George

Structuring Financial Instruments

LAWS 53223 - 01 (2 TO 3)

This seminar introduces tax, legal, accounting and economic principles relevant to the structuring of complex financial instruments—from forwards, swaps and options to convertible bonds and other securities with embedded derivatives. Throughout the seminar, different products designed to achieve similar economic goals will be examined to highlight the significance of structuring choices and the range of techniques available. For example, there are various products that can be used to approximate the economics of buying an asset, without an actual purchase of that asset. The seminar will examine how these products are treated differently for tax, securities law, commodities law, bankruptcy, accounting and other purposes, notwithstanding their economic similarity. Students will develop the ability to optimize transactions by selecting among existing financial instruments or inventing new ones. The seminar will also include discussion of policy issues. No specific prerequisites, but introductory income tax recommended, and knowledge of securities law and bankruptcy law helpful. The seminar will be assessed via a) a series of reaction papers (2 credits) or b) via a full-length research paper of 20-25 pages (3 credits). Class participation and attendance will be considered in the final grading.

Spring - Sussman, Jason

Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions

LAWS 43225 - 01 (3)

Course covers tax, legal, & economic principles applicable to series of interesting, complex, current entrepreneurial transactions, utilizing venture capital (VC) or private equity (PE) 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 both double-tax C corps and flow-through single-tax S corps, partnerships, or LLCs for variety of VC or PE financed transactions, (5) devising equity-based exec comp program, (6) PE financed restructuring or workout (in or out of bankruptcy) for troubled over-leveraged enterprise and utilizing troubled corp's NOL post restructuring, (7) exit scenarios for successful VC or PE financed enterprise (such as IPO, series of SEC rule 144 stock sales, sale of company, or merger of company into larger enterprise), & (8) forming VC, PE, or LBO fund. Substantive subjects include federal income

tax, federal securities regulation, state corp, partnership, & LLC law, federal bankruptcy law, state & federal fraudulent conveyance law, & other legal doctrines, as well as accounting rules (exec comp and acquisition accounting) & practical structuring issues (including use of common & preferred stock, subordinated or mezzanine debt, convertible debt & preferred stock, warrants, options, & substantial-risk-of-forfeiture stock), all reviewed in transactional context, with discussion of policy underpinnings & likely future evolution. No specific prerequisites, but introductory income tax strongly recommended, entity taxation desirable, & knowledge of corp law, securities regulation, bankruptcy, & accounting helpful. However, course book & course book appendix contain adequate discussion & supplemental material so student can (with careful reading) adequately comprehend these topics. Grade based on final in-class examination. Instructor consent not required.
Spring - Levin, Jack; Rocap, Donald

Tax Issues in Bankruptcy

LAWS 53371 - 01 (2)

This seminar provides a basic background in tax issues that affect troubled companies, with special attention to tax issues that arise in bankruptcy cases and insolvency workouts. The seminar will primarily focus on corporations in bankruptcy under Chapter 11, but there will also be discussion of the tax effects on individuals and partnerships. Specific topics to be covered include modifying debt and its consequences, the exclusion for discharge of indebtedness income, taxable versus tax-free reorganizations of companies in bankruptcy, special net operating loss change in ownership rules, and certain related consolidated return considerations. Registration Requirements: Introductory Income Taxation is required except with permission of instructor. Taxation of Corporations I and II will provide helpful background and introduction to some of the technical issues that will be addressed in the course, but they are not required. Evaluation Methods: Final Examination.

Spring - Maynes, Todd; Sexton, Anthony; Davis, Thad

Tax Policy

LAWS 55801 - 01 (3)

This seminar explores fundamental concepts underlying tax policy, with a special emphasis on the economic implications of tax rules and design elements. The topics covered include the choice of tax base (income vs. consumption vs. wealth), the effectiveness of tax law as a redistributive mechanism, the use of tax tools to correct externalities, and the role of tax expenditures. Each student will work toward a final project that applies insights from the course to a question of tax policy.
Spring - Rozema, Kyle

Technology Policy

LAWS 53287 - 01 (2)

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.

See the syllabus at picker.uchicago.edu/seminar/Syllabus.htm

Winter - Picker, Randal

The Board of Directors

LAWS 81114 - 01 (2 TO 3)

In this seminar, we will simulate nine meetings of a board of directors of a hypothetical company. Students will act as board members. Each week, the board will face a discrete issue of corporate governance. Students will take turns acting as the chair of the board, leading the board of directors through a discussion of the issues. The board will have one week leading up to each class to do legal and other research, to communicate amongst each other and with external stakeholders (played by the professors), and to prepare a presentation for the board and the CEO. The chair will present the case and run the meeting. The course will focus on the normal functioning of United States publicly listed companies, as well as on the duties of directors in times of crisis or significant change to the corporation. Grades will be based on class participation and out of class work. Instructor consent required. Prerequisite: Business Associations/Corporate Law.

Spring - Henderson, M. Todd; Kamerick, Eileen

The Chicago Journal of International Law

LAWS 94130 - 01 (1, 1, 1)

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 cjl.uchicago.edu.

Autumn, Winter, Spring - McAdams, Richard

The Constitution Goes to School

LAWS 43205 - 01 (3)

This course will examine how the Supreme Court's constitutional opinions have both shaped and misshaped the nation's public schools. In 1969, the Supreme Court famously declared that students do not "shed their constitutional rights when they enter the schoolhouse gate." Not surprisingly, though, Supreme Court Justices both

before and since have bitterly contested the precise scope of students' constitutional rights in the elementary and secondary school contexts. Some Justices, moreover, have concluded that it is typically unwise for the judiciary to enter the educational realm, lest the Supreme Court turn into a schoolboard for the entire nation. Even if such fears are overblown, however, there can be no doubt that the Court's constitutional interpretations have had significant consequences for schools charged with transforming students into citizens. Constitutional topics will include: freedom of speech, establishment of religion, free exercise of religion, searches and seizures, cruel and unusual punishment, due process, and equal protection. Educational topics will include: homeschooling, zero tolerance policies, corporal punishment, school funding, school uniforms, racial desegregation, strip searches, single-sex schools, off campus speech, drug testing, unauthorized immigration, the school-to-prison pipeline, and book banning. There are no prerequisites for enrollment. The student's grade is based on a take-home final examination and class participation. This class is open to non-law students.
Spring - Driver, Justin

The Constitutional Rights of Minors from the Minors' Point of View

LAWS 53382 - 01 (2)

In this seminar, a small number of law students will collaborate with Professor Buss in teaching a course to high school students from the Woodlawn Charter School and the Laboratory Schools on students' constitutional rights in school. Each class will focus on a different case and related doctrine, and will engage the high school students in a discussion of a scenario that asks them to apply the doctrine to new facts. Topics will include student speech and religious exercise, drug testing and locker searches, procedural rights in the context of disciplinary actions, and race and gender discrimination, among others. Before each class students will read an edited version of a Supreme Court case and will prepare to discuss a case study. After each class the high school students will write a brief reflection piece. Each law student will be paired with two high school students, and will interact with those students in and out of class. Law students will check in with the high school students to assist with class preparation, and will review and comment on the students' reflection pieces. During class, law students will help facilitate the small group discussions. Law students will also submit brief weekly reports of their students' class participation and their out-of-class interactions. At some point in or after the quarter (the timing will be at the law students' discretion, within the time frame permitted under the Law School's paper policy), Law Student's will write a paper that discusses one of the topics we have covered, and that particularly draws on the high school students' perspective, shared in and out of class, to develop a theme relevant to the doctrine in question. Students interested in applying for this class should send a note of interest to Professor Buss ebussdos@uchicago.edu.
Autumn - Buss, Emily

The Demagogue and Executive Power

LAWS 53400 - 01 (2)

This seminar explores the question of executive power through the figure of the demagogue, and the related phenomenon of populism. Taking a historical approach, we examine the role of the demagogue at several stages of American history: the founding, the Jeffersonian era, the Jacksonian era; the populist era; the New Deal; and the modern era. We ask, What is a demagogue? What is wrong with demagoguery? What is the relationship between the demagogue and the U.S. Constitution? What is the role of the demagogue in a democracy? We also look at some international comparisons. The readings will be mainly historical. Grades will be based on class participation and reaction papers.

Autumn - Posner, Eric

The Effectiveness of International Law

LAWS 53405 - 01 (2)

This class will explore when and why international law changes state behavior. While traditional scholarship on international law focused on normative and doctrinal questions-like why countries are obligated to comply with agreements and the legal requirements contained within those agreements-recent interdisciplinary scholarship on international law has focused on descriptive and empirical questions-like why countries sign agreements and how those agreements change behavior. We will explore how these insights can explain the effectiveness of international law. A series of reaction papers will be required.

Spring - Chilton, Adam

The Future of Voting Rights

LAWS 53402 - 01 (3)

This seminar will cover the past, present, and future of one of the most important civil rights statutes ever passed: the Voting Rights Act. Topics to be addressed include: (1) the Act's constitutionality; (2) how the Act applies to redistricting; (3) how the Act applies to restrictions of the right to vote; and (4) the intricate relationships between descriptive representation for racial minority groups, substantive representation, and American political geography. Students may write papers of 20-25 pages either on the Act or on any topic pertaining to race and election law.

Spring - Stephanopoulos, Nicholas

The History of Civil Liberties in the United States

LAWS 53220 - 01 (3)

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. This class requires a major paper of 20-25 pages.

Winter - Weinrib, Laura

The Interbellum Constitution: Union, Commerce, and Slavery in the Early 19th Century

LAWS 53282 - 01 (3)

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 the federal-state relationship, the commerce power, internal improvements, the market revolution, federal regulation of slavery in the territories, and the role of the federal courts. The grade will be based on a final written paper 20-25 pages, a short in-class presentation, and class participation.

Winter - LaCroix, Alison

The Regulation of Noncitizens

LAWS 53434 - 01 (2)

Courses on immigration law typically focus on the rules for admission and deportation. This framework obscures the varied, subtle ways that law regulates noncitizens in the United States. When can the government discriminate against noncitizens? How does citizenship affect constitutional rights? When should courts control citizenship policy? These questions will guide the seminar as we examine the history of migration into the United States, the current state of the American immigration system, and landmark cases in citizenship law. Topics covered include the detention and imprisonment of noncitizens, the relationship between citizenship and race, noncitizens' access to public benefits, and the use of national injunctions. Students will leave the course fluent in alienage doctrine and equipped to debate the state's legal duties to noncitizens. A series of reaction papers will be required.

Spring - Kaufman, Emma

The Roberts Court

LAWS 50312 - 01 (3)

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 course 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.

Spring - Epstein, Lee; Liptak, Adam

The Role and Practice of the State Attorney General

LAWS 53404 - 01 (3)

All 50 States and the District of Columbia have an Attorney General, each of whom enjoys broad discretion over a range of legal issues. This seminar will address the institutional role of these officials, including their status within their respective state systems and their relationship to the federal government. The course will also address a host of critical and often controversial areas-including civil rights, criminal justice, consumer fraud, and environmental regulation-where state Attorneys General have come to play a leading role on the local and national stage. Students will be graded based on class participation and a final paper of 20-25 pages.

Spring - Scodro, Michael; Madigan, Lisa

The University of Chicago Law Review

LAWS 94110 - 01 (1, 1, 1)

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 lawreview.uchicago.edu.

Autumn, Winter, Spring - McAdams, Richard

The University of Chicago Legal Forum

LAWS 94120 - 01 (1, 1, 1)

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 legal-forum.uchicago.edu.

Autumn, Winter, Spring - McAdams, Richard

Topics in State and Local Finance

LAWS 53193 - 01 (2)

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, and municipal bankruptcy. Final grade will be based on a series of short reaction papers and class participation. Students are required to write four 3-5 page papers over the course of the quarter. The papers should be based on the assigned readings, rather than independent research.

Winter - Roin, Julie

Trade Secrets and Restrictive Covenant Litigation

LAWS 53130 - 01 (3)

This interactive course will explore legal principles applicable to trade secret and restrictive covenant litigation. Students will review recent cases and articles addressing cutting edge legal issues, and then will argue motions pertinent to those issues. Students will be expected to argue at least two motions (which may include motions to dismiss, motions to compel discovery, preliminary injunction, summary judgment, or other motions), and to serve as the judge during at least one argument conducted by other students in the class. Among other things, the class will cover the federal Defend Trade Secrets Act, the Uniform Trade Secrets Act, and non-competition and non-solicitation law in several states. The goal is to help students understand how to present and litigate trade secret and restrictive covenant cases. The students will also be expected to write two short papers on trade secret or non-competition issues.

Winter - Sieve, Brian; Slade, Michael

Trademarks and Unfair Competition

LAWS 45701 - 01 (3)

The course covers federal and state doctrines governing trademarks and rules designed to protect against consumer confusion and appropriation of commercial goodwill. In addition to the technical requirements for trademark eligibility, registration, and infringement, the course covers the constitutional and economic underpinnings of trademark protection, evaluate current shifts toward the "propertyization" of trademark law, First Amendment defenses, and the role of the right of publicity. Grades are based on a final take home examination.

Winter - Ben-Shahar, Omri

Trial Advocacy

LAWS 81010 - 01 (2 TO 3)

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 12 students.
Spring - Cohen, Jay

Trusts and Estates: Wealth Management and Transmission

LAWS 45211 - 01 (3)

This course examines the law and practice of private wealth management and transmission, typically within the family and often across generations. Among the topics covered are: (1) the policy basis of inheritance and the changing character of intergenerational wealth transfer; (2) intestate succession; (3) the execution and revocation of wills; (4) the rise of will substitutes, including revocable trusts, life insurance, and pension and retirement accounts; (5) spousal protection against disinheritance; (6) the creation, modification, and termination of trusts; (7) the particular rules applicable to charitable trusts; (8) the fiduciary duties of trustees, the principles governing trust investments, and the emerging use of directed trusts; and (9) the nature of a beneficiary's interest in trust, the range of the trustee's discretion, and the rights of a beneficiary's creditors, with special reference to discretionary, spendthrift, and asset protection trusts. The provisions of the Uniform Trust Code, Uniform Probate Code, and other uniform laws will be emphasized. The final examination will be "open laptop" (open book but no internet).

Winter - Gallanis Jr, Thomas

U.S. Courts as Political Institutions

LAWS 51302 - 01 (3)

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. In addition, 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.

Winter - Rosenberg, Gerald

U.S. Supreme Court: Theory and Practice

LAWS 50311 - 01 (3)

This seminar will provide an in-depth look at the U.S. Supreme Court, with particular emphasis on the skills required to practice successfully in that forum. Students will not only discuss the Court as an institution, but they will also hone skills needed to navigate the certiorari process and to brief and argue before the Court. In addition to class participation, students will be graded on a legal brief (generally 15-25 pages in length) and on their performance in a moot court.

Students interested in enrolling should email Mr. Scodro (mscodro@mayerbrown.com) and Professor Konsky (konsky@uchicago.edu), on or before September 1, a resume and short statement of interest explaining why they would like to enroll in the seminar. Students will be informed of their enrollment status by September 5.

Autumn - Konsky, Sarah; Scodro, Michael

U.S. Taxation of International Transactions

LAWS 44601 - 01 (3)

This course provides a survey of the US tax treatment of both inbound (foreign investment in the US) and outbound (US investment abroad) transactions. Though the principal focus of the class is on the US tax rules, some attention is paid to the interaction between US and foreign tax systems through the operation of the tax credit and tax treaties. Introductory Income Tax is a recommended prerequisite. Students' grades will be based on a three-hour examination.

Winter - Roin, Julie

Wrongful Discrimination: Legal and Philosophical Perspectives

LAWS 53231 - 01 (3)

As human beings, we make distinctions all the time. We cannot get by in the world without discriminating. Yet, some forms of discrimination are wrongful, and when discrimination is wrongful, it is typically considered to be a central case of injustice and unfairness. The question of what makes an incidence of discrimination wrong is thus a topic of heated social debate. This is the main question we will take up in this seminar. We will read philosophical literature on discrimination, and use legal cases as our cases studies. We will look in more detail at one case of discrimination in particular - discrimination against the disabled - and discuss the contentious topic of affirmative action.

Spring - Lipshitz, Nethanel

Women's Human Rights in the World

LAWS 53380 - 01 (2 TO 3)

This seminar examines women's human rights from a global comparative perspective. We will explore legal concepts under international and domestic law that impact gender equality such as formal vs. substantive equality, non-discrimination vs. equality and inclusion vs. transformation. We will engage in a focused inquiry into areas impacting women's human rights including violence, reproduction and political participation. We will discuss the evolution of women's rights, variations in state interpretation and implementation, and the social, economic, political and cultural factors that impact their realization. Students will have the choice to take the seminar for two credits and write 3 reaction papers or three credits and write a longer paper of 20-25 pages at the end.

Winter - Flores, Claudia

Workshop: Constitutional Law

LAWS 63612 - 01 (1, 1, 1)

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 of 20-25 pages. 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, Winter, Spring - Huq, Aziz; Driver, Justin

Workshop: Judicial Behavior

LAWS 63812 - 01 (1, 1)

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.

Autumn, Spring - Epstein, Lee; Easterbrook, Frank; Landes, William

Workshop: Law and Economics

LAWS 66012 - 01 (1, 1, 1)

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, Winter, Spring - Henderson, M. Todd; Hubbard, William

Workshop: Law and Philosophy: Enlightenment Liberalism and its Critics, Left and Right

LAWS 61512 - 01 (1, 1, 1)

The topic for 2018-19 will be "Enlightenment liberalism and its critics," the critics coming from both the left and the right. Enlightenment liberalism was marked by its belief in human freedom and the need for justifications on any infringements of that freedom; by its commitment to individual rights (for example, rights to expression or to property); and by its faith in the rational and self-governing capacities of persons and their basic moral equality. The Workshop will begin in the fall with several classes just for students to discuss foundational readings from liberal thinkers like Locke, Kant and Mill (Jeremy Waldron and David Brink will also visit the Workshop to discuss, respectively, Locke and Mill). In the Winter quarter, we will consider critics from the left, notably Marx and Frankfurt School theorists like Herbert Marcuse. (Steven Lukes is a confirmed outside visitor.) In Spring, we will turn to critics from the "right" such as Nietzsche (who rejects the moral equality of persons) and Carl Schmitt. There will be sessions with the students discussing primary texts and then sessions with outside speakers (some still being scheduled) sometimes interpreting the primary texts, sometimes criticizing the critics of liberalism, and sometimes developing their ideas. Open to PhD students in philosophy, and to J.D. students and other graduate students who submit an application to Prof. Leiter detailing their background in philosophy. This class will require a major paper (20-25 pages).

Autumn, Winter, Spring - Leiter, Brian; Lipshitz, Nethanel; Nussbaum, Martha

Workshop: Legal Scholarship

LAWS 68711 - 01 (3, 1, 2)

This workshop may be taken for a full year as a course (every other week in W and S) or only in the fall quarter as a seminar. It is open to all students, including JSDs and LL.Ms. 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 or continuing with SJD studies. Special attention is paid to topic selection, how to approach working on an original (not synthetic) project, and presentation skills. Students enrolled for the year will be expected to conduct themselves as they would if they were junior faculty members at a top law school, reading and commenting on the work of their peers. Optional lunches to discuss writing will be held throughout the year in the same format as the Faculty Round Table. The goal is to create a learning community that will provide students with the type of scholarly atmosphere the faculty here enjoys. There will be meetings on average every other week during Winter and Spring Quarters. The fall quarter only option is designed for several audiences: (1) students who want to decide if an academic career is for them; (2) students who wish to improve their skills as a public speaker; (3) students who want to improve their skills of critique while reading papers from a wide variety of subject areas; (4) and students who simply enjoy arguing about the law. Each week a young scholar present works-in progress and students play the role of the faculty in a faculty workshop. The class and the professor then provide feedback and suggestions to the presenter on aspects of both presentation style and the substance of the paper. The FALL ONLY version is graded on the basis of short reactions papers and class participation. The full year version may fulfill the WP or the SRP. Graduate students may register. College students will require instructor permission. Credits for this Workshop: Autumn quarter: 3 Winter quarter: 1 Spring quarter 2 Autumn, Winter, Spring - Bernstein, Lisa

Workshop: Public Law and Legal Theory

LAWS 63402 - 01 (0, 0, 1)

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 post questions to the online discussion board. The Public Law Workshop will meet on alternating Tuesday afternoons throughout the year. Enrollment in the Public Law Workshop is compatible with enrollment in the Law & Economics Workshop, because the two will never meet on the same day. However, students enrolling in the Public Law Workshop should check to make sure that they do not intend to take other Tuesday

afternoon courses that would overlap with the Workshop. Short reaction papers will be required.

Autumn, Winter, Spring - Masur, Jonathan

Workshop: Regulation of Family, Sex, and Gender

LAWS 63312 - 01 (1, 1)

This workshop exposes students to recent academic work in the regulation of family, sex, gender, and sexuality and in feminist theory. Workshop sessions 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.

Autumn, Spring - Case, Mary Anne

World Bank Practicum

LAWS 53376 - 01 (3)

This practicum involves preparing memoranda on various issues for the Legal Department of the World Bank under the supervision of Professor Ginsburg. Students work in small teams to analyze an array of policy and legal issues. Past topics have ranged from an analysis of sovereign wealth, to lending in post-conflict zones, to a study of remedies. The course is limited to a small number of students each quarter.

Autumn, Spring - Ginsburg, Thomas

Writing and Research in the U.S. Legal System

LAWS 53266 - 01 (3)

In this seminar, international LLM students learn research and writing skills essential to the practice of U.S. 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 course. Regular class attendance is mandatory. Students must complete all assignments before the take-home examination, which determines the student's grade. This class is open only to LLM students and satisfies the legal research and writing prerequisite for the New York Bar exam.

Autumn, Winter - Duquette, Elizabeth; Schilt, Margaret

Writing for the Judiciary

LAWS 53391 - 01 (3)

This seminar is designed to closely replicate the actual responsibilities of a law clerk to a United States Supreme Court Justice. The first class will take the form of an interview. Prospective clerks will face a range of questions designed to test their

approach to statutory and constitutional interpretation while gauging their familiarity with pending, recent, and seminal cases. (You will all be hired!) In subsequent classes, clerks will: (1) circulate and review cert-pool memos for actual, pending petitions for writs of certiorari. These memos help the full Court determine which cases to hear on the merits; (2) review merits briefs and write a bench memo to assist your Justice at oral argument and at Conference (where the Justices meet to resolve argued matters); (3) draft a judicial opinion assigned to your Justice (which may well entail a judgment or legal reasoning the clerk does not agree with); and (4) lead class discussion and debate for the cert-pool and merits cases for which the clerk took primary responsibility. Over the course of the seminar, each clerk will write three cert-pool memos, one bench memo, and one opinion. The seminar is aimed at students who have or seek a state or federal clerkship and those with a possible interest in clerking for a U.S. Supreme Court Justice. A firm background in constitutional law is strongly recommended, and your open-minded Justice seeks applicants with a wide array of political and jurisprudential perspectives. Grades will be based on a combination of draft opinions, class participation, cert-pool memos, and bench memos. Students may only enroll with the permission of the instructor.
Spring - Keller, Ashley

Young Center Immigrant Child Advocacy Clinic

LAWS 90211 - 01 (1 TO 3, 1 TO 3, 1 TO 3)

The Young Center for Immigrant Children's Rights Clinic gives students the unique opportunity to work one-on-one with unaccompanied immigrant children who come to the United States without a parent or legal guardian. These children arrive in the U.S. from all over the world, fleeing civil unrest, gang violence, and domestic abuse. Once apprehended, they are placed in federal custody and subject to deportation proceedings. Each student enrolled in the clinic is trained to serve as a federally-appointed Child Advocate (similar to a guardian ad litem role) for an unaccompanied child detained at one of the eleven Chicagoland detention centers. Students meet weekly with the child in order to build rapport, earn trust, and learn the child's story. Then, in tandem with clinical instructors, students will evaluate and advocate for the best interests of the child on issues relating to the child's care, custody, release, legal relief, and safe repatriation. Students in the clinic draw upon international human rights law, immigration law, and child welfare law to support their advocacy. The Clinic also offers opportunities in legislative and policy advocacy aimed at improving protections for children in the U.S. immigration system. The Clinic admits second and third-year students. We strongly encourage students to enroll in the fall quarter and to remain enrolled for at least two quarters. We do not require students to speak a language other than English, but we encourage students who speak Spanish, French, Portuguese, Hindi, Punjabi, Bengali, Mandarin, or Romanian to apply. Students who enroll in the clinic must participate in a two-day training on October 6-7, 2018, and in a weekly seminar

throughout the course. Please contact Kelly Albinak Kribs at kkribs@theyoungcenter.org with any questions or requests for an accommodation. Autumn, Winter, Spring - Woltjen, Maria; Phillips, Marcy; Albinak, Kelly

