

Cornell Law School
2012-13 Course Offerings and Descriptions

The professional curriculum at Cornell Law School conforms to American Bar Association Standard 302 for Approval of Law Schools. It provides our students with substantial instruction in:

- (1) the substantive law generally regarded as necessary to effective and responsible participation in the legal profession;
- (2) legal analysis and reasoning, legal research, problem solving, and oral communication;
- (3) writing in a legal context, including at least one rigorous writing experience in the first year and at least one additional rigorous writing experience after the first year;
- (4) other professional skills generally regarded as necessary for effective and responsible participation in the legal profession; and
- (5) the history, goals, structure, values, rules and responsibilities of the legal profession and its members

It also offers substantial opportunities for:

- (1) live-client or other real-life practice experiences, appropriately supervised and designed to encourage reflection by students on their experiences and on the values and responsibilities of the legal profession, and the development of one's ability to assess his or her performance and level of competence;
- (2) student participation in pro bono activities; and
- (3) small group work through seminars, directed research, small classes, or collaborative work.

First-Year Courses

LAW 5001 Civil Procedure Full year. 6 credits. Letter grade only.

K. M. Clermont [fall & spring], B. J. Holden-Smith [spring], F. Rossi [fall].

An introduction to civil litigation, from commencement of an action through disposition on appeal, studied in the context of the federal procedural system. Also, a detailed consideration of federalism and ascertainment of applicable law; jurisdiction, process, and venue; and former adjudication.

LAW 5021 Constitutional Law Fall. 4 credits. Letter grade only.

J. Chafetz, S. L. Johnson, B. Meyler, A. Rana, N. Tebbe.

A study of basic American constitutional law, including structural aspects of the Constitution and certain of its rights provisions.

LAW 5041 Contracts Full year. 6 credits. Letter grade only.

T. Eisenberg [fall], R. A. Hillman [fall & spring], J. J. Rachlinski [spring].

An introduction to the nature, functions, and processes of exchange, contract, and contract law. The course focuses on the predominant rules and principles governing contract and related obligation, including the substantive reasons underlying the rules and principles.

LAW 5061 Criminal Law Spring. 4 credits. Letter grade only.

S. P. Garvey, J. Ohlin.

An introductory study of the criminal law, including theories of punishment, analysis of the elements of criminal liability and available defenses, and consideration of specific crimes as defined by statute and the common law.

LAW 5081 Lawyering Full year. 4 credits. Letter grade only.

J. Atlas, L. Freed, A. J. Mooney, T. Smith, C. Weyble, M. A. Whelan.

Lawyering is a full-year course designed to introduce first-year students to lawyering skills, with primary emphasis on legal writing, analysis, research, and oral presentations. Assignments are usually set in the context of a simulated law office (or judge's chambers). In the fall semester, students write predictive memoranda that point out the strengths and weaknesses of their client's case. To prepare the memoranda, students may need to determine the facts of the case by conducting interviews or depositions. Acting as junior attorneys, students will also make an oral presentation to a supervising attorney. The spring semester focuses on persuasive advocacy. Students prepare a memorandum, motion, or brief for submission to a court and, later, orally argue for their positions in a simulated court session. Throughout the year, students also learn the fundamentals of legal research. Instruction occurs not only in full-class sessions but also in individual conferences. Students receive extensive feedback on each major assignment.

LAW 5121 Property Spring. 4 credits. Letter grade only.

T. J. McSweeney, E. L. Sherwin, L. S. Underkuffler.

This is a course in basic property law. It covers acquisitions of rights in property, estates in land, concurrent ownership, landlord/tenant relations, and regulation of land use.

LAW 5151 Torts Fall. 4 credits. Letter grade only.

M. Frakes, M. Heise, J. A. Henderson Jr., W. B. Wendel.

An introduction to the principles of civil liability in the tort field: intentional wrongs, negligence, and strict liability. Attention is also given to the processes by which tort disputes are handled in our legal system.

Graduate Courses

Not offered 2012-13.

LAW 6071 Advanced Legal Research - U. S. Legal Research for LL.M. Students Fall. 1 credit. Graduate program grading – HH, H, S, U.

Attendance is mandatory at the first class session.

Limited to graduate students. Limited enrollment. Course meets first 7 weeks of the term.

This course will introduce LL.M. students to basic legal research in U.S. materials that will be valuable to them in their course work at Cornell and in practice. The focus will be on understanding and finding primary legal sources, including statutory codes, session laws, administrative regulations, and court decisions, as well as explanatory materials, such as law reviews and treatises.

LAW 7991 Cornell Research Colloquium Fall. 3 credits. J.S.D. and LL.M. graduate program grading – HH, H, S, U; J.D. program - Letter grade only.

M. Lasser. Limited enrollment. Satisfies the writing requirement. This seminar course will be required for all first-year J.S.D. candidates. It will also be open first to L.L.M. students and then to J.D. students to the extent that places are available. Visiting scholars and exchange students from foreign institutions are highly encouraged to attend in an unofficial capacity. This seminar is a course in advanced academic research methodology. The Colloquium is designed to prepare the students to engage in doctoral-level research, analysis and writing, especially in comparative and international contexts. How is the researcher to select an object or subject of investigation? How should she formulate research questions? How should she engage in the study of foreign and domestic legal institutions, doctrines and/or cultures? How is interdisciplinary work to be accomplished?

The early portions of the course will involve discussing readings in comparative research methodology, including functionalism, Common Core analysis, legal transplant theory, historicism, law and development, legal pluralism, cultural analysis, colonial studies, and comparative institutionalism. In the latter portions of the course, students will present and critique their methodologically reflective research

projects. A modest number of external speakers will be invited to present their work in progress for the purposes of generating methodologically oriented discussion.

LAW 6091 Introduction to the American Legal System Fall. 2 credits. S-U only. The course is required for the LLM degree, except for LLM students who hold a JD degree from a US Law School. It is open only to LLM students who do not hold a JD degree from a US Law School. Regular attendance of classes is required and will be monitored.

N. Ndulo.

The primary purpose of the course is to provide a survey and an analysis of the laws of the United States. It does this by exploring the basic foundations of American Law, its nature, history and theoretical underpinnings. Special emphasis is placed on principles in the American legal system that are distinctive and require particular attention from students who have been trained abroad. Among the topics to be covered by the course are the structure of the US court system; judicial review; the legislative system; federalism; separation of powers; the jury system; consideration in contract; the US and International Law; civil procedure; constitutional law; criminal law; tort law, the common law; and civil law. Class sessions consist of lectures and guest speakers. Students are expected to participate in class discussions based on assigned readings. During the semester students will be assigned two written exercises to be answered in no more than three pages. The final requirement of the course is a ten-page essay addressing an issue covered in any of the lectures given in the course.

LAW 6761 Principles of American Legal Writing Offered Fall, Spring. 2 credits. Graduate program grading – HH, H, S, U. Attendance mandatory at first class meeting.

L. Knight. Limited enrollment. Limited to graduate students. Satisfies the LL.M. writing requirement. This course provides foreign-trained lawyers with an introduction to the American legal system and essential principles of legal writing, analysis and legal research skills in the United States. Students are afforded an opportunity to practice some of the forms of writing common to American legal practice by drafting documents such as memoranda and briefs in the context of representing hypothetical clients. Students are given the opportunity to conference individually with the instructor and to re-write assignments after receiving the instructor's comments.

LAW 8991 Thesis Fall, Spring. 5 credits. Graduate program grading – HH, H, S, U; LL.M. program. J.D./LL/M. - letter grade only. Limited to graduate students and students completing the joint J.D.-LL.M. program. Satisfies the writing requirement.

Arrangements for a master's thesis are made by the student directly with a faculty member. A faculty member may require the student to submit a detailed outline of the proposed thesis, as well as a summary of previous writing on the subject or other appropriate information. The work is completed during the academic year under the supervision of a law faculty member.

LAW 9901 Graduate Research Fall, Spring. Limited to J.S.D. students. Graduate program grading – HH, H, S, U.

Upperclass Courses

LAW 6001 Accounting for Lawyers Spring. 2 credits. S-U or letter grade.

R. A. Sarachan.

This course is designed to introduce students to the basic concepts and fundamentals of financial accounting. It will focus on (1) accrual accounting concepts, principles and conventions, (2) the presentation of financial statements (balance sheets, income statements, statements of cash flow), (3) the interpretation and analysis of financial statements, and (4) the use and misuse of accounting information. The goal of the course is to enable students to critically review a company's financial statements. The

course is intended primarily for students with little or no prior background in bookkeeping or accounting and is limited to students who have had no more than six credit hours of accounting (or its equivalent) or permission of instructor.

LAW 6011 Administrative Law: The Law of the Regulatory State Fall, Spring. 3 credits. Letter grade only.

C. R. Farina [spring], J.J. Rachlinski [fall]. Limited enrollment.

An introduction to the constitutional and other legal issues posed by the modern administrative state. Topics include: procedural due process, separation of powers, procedural modes of administrative policymaking; judicial review of agency action; and the oversight and control relationships between agencies and Congress or the President. The course provides a working familiarity with the fundamentals of administrative procedure, as well as a larger inquiry into the role of agencies in our constitutional system - and the effect of legal doctrine on shaping that role.

Not offered 2012-13.

LAW 6012 Administrative Law Research Fall. 1 credit. Letter grade only.

Limited enrollment. Course meets first 6 ½ weeks of the term.

Satisfies the skills requirement.

This course will focus on practical aspects of administrative law, learning to maneuver through the federal rulemaking process and locating agency adjudications. Students will participate in electronic rulemaking and make use of the Unified Agenda. This course will expand the students' skills in using the legal sources discussed in administrative law courses by putting the process into action. Students currently enrolled in the Administrative Law course are particularly encouraged to take this course.

LAW 6051 Advanced Legal Research in Business Law Fall. 1 credit. Letter grade only.

Prerequisite: Lawyering or Advanced Legal Research: US Legal Research for LL.Ms. Course meets the first half of the semester.

M. Morrison. Limited enrollment. Satisfies the skills requirement.

Business issues, particularly those relating to corporations, are a given in most areas of practice. This course will introduce students to online resources providing company information and will enable them to evaluate the information in order to determine whether the resource is the most appropriate for their research. Students will learn how to find what the company says about itself (required filings, annual statements, web pages, press releases), what regulators say about the company (legal and administrative actions, regulations), and what third parties have to say (analysts, ratings services, directories, news and journal articles). Classes are short lectures followed by online sessions using business databases. There are assigned readings in lieu of a required textbook, five assignments, and a short due diligence report on a company of the student's choice. There is no final exam.

Not offered 2012-13.

LAW 6075 Advanced Topics in International Law 2 credits. S-U or letter grade.

Prerequisite: Public International Law or International Economic Law or permission of the instructor.

This course will focus on select aspects of international law that help to shape contemporary global governance, but that are not generally covered by conventional international law courses, such as: international trade law as it affects the global South, international law combating organized crime, and international law on movement of persons. Central inquiries will rest on the efficacy and justice of international legal rules and practices. The course will begin with an overview of competing schools of thought related to international law, and will proceed with a series of case studies. Final grades will be based on class participation, a paper, and a brief in-class presentation on the paper topic.

LAW 6101 Antitrust Law Fall. 3 credits. Letter grade only.

G. A. Hay.

The antitrust laws of the U.S. protect competitive markets and limit the exercise of monopoly power. Topics include: price fixing, boycotts, and market allocation agreements among competitors; agreements between suppliers and customers; joint ventures; monopolization; and mergers.

LAW 6121 Bankruptcy Spring. 3 credits. S-U or letter grade.

O. Lienau.

Selected topics in the law of bankruptcy, including consumer and business bankruptcy. The course will cover bankruptcy liquidation, the 'fresh start' in consumer bankruptcy, rehabilitation provisions, 'avoiding powers' (including preferences and fraudulent conveyances), treatment of secured creditors, priorities in asset distribution, and business reorganizations. We will also briefly discuss collection issues and sovereign bankruptcy. The course will refer to central policy debates about the social and economic consequences of bankruptcy, the proper extent of bankruptcy relief in relation to the functioning of financial markets and the American economy, and questions of bargaining power in debtor-creditor relations.

LAW 6131 Business Organizations Fall, Spring. 3 credits. S-U or letter grade.

L. Stout [fall], G. Fletcher [spring]. Limited enrollment.

An introduction to the legal rules and principles, as well as some of the economic factors, that underlay the conduct of business enterprise in the United States. A principal focus will be upon the large, publicly traded corporation that dominates much of the U.S. business environment – in particular, its control and the potentially conflicting interests that the form must mediate. Legal topics to be covered include business formation and capitalization, fiduciary obligations, shareholder voting, derivative suits, corporate control transactions, and the purpose of the firm. We shall also devote some attention to closely held corporations and other business forms.

LAW 6158 Client Counseling Spring. 1 credit. S-U only.

Limited enrollment. Satisfies the skills requirement. The course will meet for only part of the semester.

L. Freed.

Clients come to lawyers seeking problem-solving advice. This course follows a "client-centered" approach to counseling that will examine techniques lawyers can use to help clients make good decisions. Class sessions will incorporate role plays that cover different stages of the counseling process, including clarifying clients' objectives and identifying alternatives and consequences, in litigation and transactional contexts.

Not offered 2012-13

LAW 6162 Comparative Constitutional Law Spring. 1 credit. S-U or letter grade.

Course meets in late March and April.

The course introduces students to different understandings and conceptualizations of constitutional law, focusing on a comparison between U.S. and German constitutional law. In case studies, we will examine underlying values, the interpretation of constitutional law as well as the role of the judiciary. By referring to German and U.S. law, the course is also an introduction to the different approaches of common law and "civil law" legal systems. Furthermore, we will analyze and compare the constitutionalization of European Law and its consequences.

LAW 6161 Comparative Law: The Civil Law Tradition Fall. 3 credits. S-U or letter grade.

M. Lasser.

This course introduces students to the institutional and conceptual organization of "civil law" legal systems (which govern almost all of Western and Eastern Europe and Latin America, as well as significant portions of Africa and Asia). The course will therefore provide a broad overview of "civilian" private law and procedure, criminal procedure, administrative law, and constitutional law. The course is particularly interested in the differences between common law and civil law understandings of the

relationship between law-making, legal interpretation, and the judiciary.

LAW 6191 Conflict of Laws Fall. 3 credits. S-U or letter grade.

B. Holden-Smith.

This course will address the subject of conflict of laws in its theoretical and historical context, and will place a special emphasis on the international elements of conflict of laws. There will be a 3-hour in-class final examination which will involve both issue spotter questions and more theoretical questions.

LAW 6201 Constitutional Law II: The First Amendment Spring. 3 credits. S-U or letter grade.

S. H. Shiffrin.

A comprehensive discussion of freedom of speech, press, and association. The free-exercise-of-religion clause and the establishment clause of the First Amendment will also be treated to some extent.

Not offered 2012-13

LAW 6661 Constitutional Law of the European Union Spring. 3 credits. S-U or letter grade.

This course introduces students to the law and institutions of the European Union. It examines the composition, organization, functions and powers of the Union's governing bodies; analyzes the Union's governing treaties and constitutional law; and studies the Union's decision-making processes. The course also explores broader questions of political, economic and legal integration, such as the proper relation between the Union's law and the domestic law of the Union's Member states, and the desirability and feasibility of using the E.U. as a model on which to pattern other transnational agreements.

LAW 6204 Cornell Prison Education Program Teaching Practicum. Fall, Spring. 3 credits. S-U only.

Limited enrollment.

Students in the Practicum will co-teach a law-related course at either Auburn or Cayuga correctional facilities, as part of the Cornell Prison Education Program (CPEP), which offers college courses to inmates working toward their associates' degrees. Interested students should secure a full-time faculty advisor and submit a course proposal to the CPEP. Accepted students will design a detailed course syllabus, procure teaching materials, and teach a 2-hour class on a weekly basis. Students will also be expected to create, administer, and evaluate midterm and final examinations. Students must travel to and from a correctional facility on a weekly basis, at their own expense. Limited funds are available for teaching materials. Students who have secured a faculty advisor and who have received approval for their course from CPEP should direct inquiries about funding to the Associate Dean for Academic Affairs.

LAW 6241 Corporate and White Collar Crime Fall. 3 credits. S-U or letter grade.

S. Garvey.

This course examines some of the principal statutes used to prosecute corporate and white collar crime. Theories of liability we will consider include traditional white collar offenses like mail and wire fraud, insider trading, false statements, perjury, and obstruction of justice. They also include more recent entries into the field such as RICO, money laundering, and laws enacted to combat government contract fraud. In addition the course provides an introductory look at the workings of the now-advisory Federal Sentencing Guidelines.

LAW 6242 Corporate Finance Spring. 3 credits. S-U or letter grade.

Prerequisite: Business Organizations and/or Securities Regulation

R. Minella.

Any practice of business law requires a knowledge of accounting and corporate finance to be able to properly advise one's clients. This course will cover basic corporate finance concepts to enable an attorney to be familiar with the area. Concepts covered will include:

Measuring firm output: balance sheet, income statement, cash flow statements

Valuing firm output: Discounting and present value, cost of capital, capital markets

Capital structure: Common stock, corporate debt, preferred stock, convertible securities and options, dividends and distributions

The emphasis of the course will be on practical concepts and the real world, including private equity, leveraged buyouts, corporate restructuring, and valuation of business enterprises.

LAW 6263 Criminal Procedure – Adjudications Fall. 3 credits. S-U or letter grade.

There are no prerequisites.

J. H. Blume. Satisfies the professional responsibility requirement. Enrolling in this course does not prohibit enrollment in another professional responsibility course.

This course will primarily focus on the adjudication phase of the criminal process including: (1) the right to counsel, including the right to the effective assistance of counsel and conflict-free counsel; (2) the admissibility of incriminating statements and eyewitness identifications; (3) the law of guilty pleas; (4) jury composition and selection; and (5) fair trial procedures including rights afforded by the Confrontation, Double Jeopardy and Due Process Clauses.

LAW 6264 Criminal Procedure – Investigations Fall. 3 credits. S-U or letter grade.

S. F. Colb.

Criminal Procedure: Investigations examines the constitutional law that governs police attempts to solve crime and bring perpetrators to justice. The course considers the role of the Fourth Amendment prohibition against unreasonable searches and seizures as well as the Fifth Amendment ban on compelled self-incrimination, in guiding police behavior and in structuring the trials that follow constitutional violations. Students will evaluate the wisdom and constitutional validity of the Fourth Amendment exclusionary rule, which prohibits the introduction of evidence obtained as a result of an unreasonable search, and the well-known *Miranda v. Arizona* decision as it has evolved over time.

Not offered 2012-13

LAW 6732 Cross Cultural Negotiations 2 credits. S-U only.

Prerequisite: LLMs and third-year students are more likely to benefit than second-year students in the fall term.

Limited enrollment. Satisfies the skills requirement. Course meets over a two week period in October and November. Attendance is mandatory for all course sessions.

This Cross Cultural Negotiation workshop is designed to give law students an intensive opportunity to develop negotiation skills which can be used in the global market place to create and repair relationships and to manage conflict. Classes will consist primarily of inter-active negotiations and communication exercises, together with some lectures. Problems to be negotiated will have some rudimentary IP overtones.

Not offered 2012-13

LAW 6292 Deals Fall. 4 credits. Letter grade only.

Limited enrollment. Students enrolling in this course may not enroll in Law 6572, Introduction to Transactional Lawyering.

This course analyzes the structure of complex transactions and contracts – deals – from both a positive and normative perspective. We investigate the contracting patterns that have emerged with respect to different types of transactions, e.g., mergers and acquisitions, joint ventures, and financings, and consider whether more effective contracting arrangements could be achieved.

The course is divided into two parts. The first part of the semester introduces students to concepts and tools to be used to evaluate alternative transactional structures, including transaction costs, information economics, risk sharing and incentives, property rights, and finance. The second half applies those concepts and tools to “real world” transactions. The class is divided into teams, each of which is assigned a different deal and given a set of transaction documents. We will consider each transaction over two

classes. Prior to the first class, the student team will prepare a draft of a substantial paper analyzing their deal and prepare readings for the class that include excerpts from the actual transaction documents, an overview of the legal and regulatory character of the industry, and a description of the competitive characteristics of the industry. The student team will then present its analysis of the transaction during the first class. In the second class, the lawyers and/or clients who actually participated in the transaction will make a short presentation. Students are expected to take this opportunity to test how the classroom approach corresponds to the way those who actually “did the deal” understood it – through asking questions and highlighting aspects of the deal that may or may not fit within the classroom framework.

LAW 6293 Deals Seminar: Drafting and Analyzing Corporate Agreements Spring. 3 credits. Letter grade only. Prerequisite: two semesters of Contracts taken in a US law school and Business Organizations. A.S. Jacobs. Limited enrollment. Satisfies the skills requirement.

This course is intended to familiarize students interested in a transactional practice with key provisions of significant contracts they may encounter. Its focus will be on clauses that are found in a variety of agreements, as well as what a corporate lawyer typically faces in addressing issues that arise in structuring and negotiating deals. The course does not address specialized areas (such as tax, intellectual property, environmental, labor, and employee benefits matters), but it will provide students interested in such a specialization with the context in which to better understand where their work fits into the bigger whole. Students will be expected to have read and thought about sample documents that will be discussed in class. Grading will be based on class participation and attendance, and a final examination. Professor Jacobs will teach a substantial portion of the course over videoconference.

LAW 6294 Deals Practicum: Private Equity Transactions Fall. 3 credits. Letter grade only. S. Flyer, L. Kling, E. Nugent. Limited enrollment. Satisfies the skills requirement.

This course will examine from a practical perspective the nuts and bolts of dealmaking for private equity transactions. The course will focus on issues and documentation that arise in connection with private equity acquisitions. It will examine the role of private equity in the economy and how private equity firms have changed the rules in the mergers and acquisitions industry by focusing on changes in deal dynamics and acquisition agreement provisions. We will then examine and analyze the private equity transaction from inception - formation of a private equity fund and the unique relationship between general partners and limited partners through the various stages of a private equity acquisition which will include the sharing of economics in a fund structure. The course's emphasis will be on deal issues that arise and drafting contractual provisions addressing these issues, with an emphasis on developing an in-depth understanding of provisions in acquisition agreements and their interrelationship. We will examine why private equity firms pursue certain businesses including understanding a company's fundamentals; review of the due diligence process; understanding the firm's investment thesis; structuring the transaction; and executing a business plan for a successful exit. We will also review and analyze taking public companies private; securities laws implications and other rules regarding acquiring public companies by private equity firms. Students will learn about the intricate legal and business collaboration that is needed to successfully complete a private equity transaction. The course will utilize case studies, legal documentation including term sheets, letters of intent, purchase agreements, merger agreements, bank financing documents, and SEC filings, as well as mock negotiations and class discussion.

LAW 6301 Directed Reading Fall, Spring. 1 or 2 credits. S-U only.

Arrange directly with instructor. Included in 18 credit overall rule.

Available with permanent law faculty members [adjuncts, visitors, and others who are not members of the permanent faculty may supervise such courses only with the written consent of the Associate Dean for Academic Affairs].

Specific credit limits apply – carefully review the registration form available from online registration site or registrar’s office.

An examination of a topic through readings selected by arrangement between the instructor and an individual student or group of students (not exceeding eight).

LAW 6310 Economic Analysis of Law Spring. 3 credits. S-U or letter grade.

M. Frakes. No background in economics is required.

The aim of this course is to introduce students to the economic approach to the analysis of law. In exploring this framework, we will address the following topics and areas of law: tort law; property law; contract law; civil litigation; public law enforcement and criminal law; the general structure of the legal system; welfare economics, morality, and the law.

LAW 6731 Dispute Resolution: Negotiation, Mediation and Arbitration Fall. 2 credits. S-U or letter grade.

J. P. Meyer, S. G. Yusem. Limited enrollment. Satisfies the skills requirement.

The field of alternative dispute resolution has virtually transformed the practice of law. Today, every lawyer has a professional responsibility to his or her clients to consider the most appropriate process available to resolve issues. The course will explore the characteristics of negotiation, mediation and arbitration as well as the ethical concerns inherent in them, employing interactive and videotape dispute simulations, enabling the student to engage as a negotiator, dispute resolution advocate, mediator and arbitrator.

Not offered 2012-13

LAW 6311 Education Law Spring. 3 credits. S-U or letter grade.

This course focuses on selected legal issues that arise in the public and private education context, with emphasis on the elementary and secondary school setting. Topics considered include the legal and policy dimensions of the rights of students, parents, educators, and the state with respect to such issues as access to, control over, and regulation of the education setting and institutions. Issues germane to equal education opportunity, school finance, and school governance and regulation receive particular attention.

Not offered 2012-13.

LAW 6331 Employment Law 3 credits. S-U or letter grade.

Survey of major statutory schemes, constitutional principles, and common law doctrines that affect the employer-employee relationship in the public and private sectors, other than laws regulating union formation and collective bargaining, which are covered in Labor Law. Topics covered include unjust dismissal, trade secrets, noncompetition covenants, drug testing, free speech, privacy, and antidiscrimination laws. In addition, the course provides an overview of major statutory schemes affecting the terms and conditions of employment, such as workers' compensation, the Fair Labor Standards Act, ERISA, and the Occupational Safety and Health Act.

LAW 6361 Environmental Law Spring. 3 credits. Letter grade only.

Recommended prerequisite: Taking administrative law, either before or contemporaneous with environmental law, is strongly advised, but not required.

J. J. Rachlinski.

The course surveys the major environmental laws, with a primary focus on federal statutes. Emphasis will be placed on the various sources of liability to both individuals and corporations from common law, statutory provisions, administrative regulation and enforcement policy. Corporate successor liability through mergers and acquisitions will be included, including the increasing importance of performing a full range due diligence review for environmental conditions in such transactions. Special attention is paid to the economic, social, and political obstacles to efficient regulation of the environment.

LAW 6392 Ethics and Corporate Culture [also NBA 5140] Spring. 2 credits. Letter grade only. Course meets the first half of the semester.

D. Radcliffe. W. B. Wendel. Limited enrollment. Satisfies professional responsibility requirement. In the high-pressure worlds of business and law, all too often good people do bad things. In many cases, the unethical behavior is due in part to a toxic corporate culture. The attitudes, values, and practices that prevail in their organizations induce otherwise ethical employees to take actions that violate widely shared norms of conduct. Such behavior can be costly—even disastrous—leading to ruined careers, tarnished corporate reputations, and legal liability for the individuals and their companies. In an environment where “only results matter,” it can be difficult for a new MBA or law school graduate to recognize the risks. If she does see the dangers, she may still find it hard to avoid them. This course seeks to help MBA and law students understand how a firm’s culture can tempt—or push—employees into unethical behavior. Of particular interest to law students, the course considers the ethical responsibilities of lawyers not only with reference to the ABA Model Rules of Professional Conduct, but also in connection with the social and organizational factors that can make it difficult to comply with one’s professional responsibilities. It also considers how employees can meet ethical challenges posed by their firms’ cultures and what leaders can do to build ethically healthy cultures.

LAW 6401 Evidence Fall, Spring. 3 credits. Letter grade only.

S. D. Clymer [spring] F. F. Rossi. [fall]. The rules of evidence in civil and criminal cases with emphasis on relevance, hearsay, authentication, witnesses, experts, and confrontation. The course focuses on the Federal Rules of Evidence, with some attention to how they diverge from the common law.

LAW 6421 Family Law Fall. 3 credits. S-U or letter grade.

C. G. Bowman.

Broadly understood, family law is the study of state-imposed rules regulating intimacy and intimate relationships in society. In this course we evaluate our assumptions and beliefs about the appropriateness of a number of current laws regulating families. Substantial attention is devoted to the social and legal consequences of marriage dissolution, including child custody, child support, property distribution, and spousal maintenance. Other topics considered include: the legal significance of marriage rights and obligations; non-marital relationships and their regulation; and domestic violence.

A limited number of students can sign up for an additional credit to be awarded for clinical work supervised by the instructor, by registering for **LAW 6422 Family Law Clinic** Spring. 2 credits. Letter grade only. C. G. Bowman. This component satisfies the clinical course requirement.

LAW 6431 Federal Courts Fall. 4 credits. S-U or letter grade.

Prerequisite: Constitutional Law and second semester of Civil Procedure. Students without such background should consult with the instructor. Knowledge of the basic doctrines of administrative law is very useful, although not a strict prerequisite.

M. Dorf.

This course examines the various constitutional, statutory, and judge-made doctrines that control access to the federal courts to vindicate federal rights. It is particularly valuable for those planning a career in public interest or the public sector, anyone else expecting to litigate extensively in federal court, and students who have or hope to obtain a judicial clerkship. Topics covered include: case or controversy limitations, including standing; constitutional and statutory limits on jurisdiction; causes of action for constitutional and statutory rights, including 42 U.S.C. §1983 and *Bivens* actions; bars to such actions, including sovereign immunity and abstention doctrines; and habeas corpus.

Law 6432 Federal Criminal Practice Spring. 2 credits. S-U or letter grade.

J. Feldman.

The course will focus on federal criminal proceedings from a practice based perspective and will introduce students to the different stages of a federal criminal prosecution. Topics covered will include the initiation of a federal prosecution, bail and detention hearings, pretrial discovery and motion practice

in federal criminal cases, litigating suppression motions, plea negotiation and federal sentencing practice and procedure. Participatory simulations requiring both oral and written advocacy will be incorporated into the curriculum. Depending on student availability, attending criminal proceedings in federal court and meeting with participants in the federal criminal justice system (federal prosecutors, defense lawyers, ex-offenders) may be scheduled.

LAW 6441 Federal Income Taxation Fall, Spring. 4 credits. S-U or letter grade.

R. A. Green [fall], L. Kahng [spring].

A basic course designed to develop understanding of tax concepts and ability to work effectively with the Internal Revenue Code, regulations, cases, and other tax materials.

LAW 6451 Federal Indian Law Fall. 2 credits. S-U or letter grade.

D. Jordan.

The course will focus on the basics of Federal Indian Law, the ever-changing body of case and statutory law and treaties that define the limits and extent of Indian tribal sovereignty in the United States in the late twentieth century. The course will explore the nature and extent of tribal sovereignty at the time of European contact, the changing strategies of the United States in relating to tribes, and the lasting impact of those strategies on current-day tribal communities and their rights of self-government. The course will also explore the role of the United States in protecting tribal sovereignty and tribal resources. It will also examine the powers and jurisdiction of tribal governments with regard to both members and non-members of the tribe, as well as the lack or extent, as the case may be, of state jurisdiction over activities on Indian lands. Students will be encouraged to continually identify and question the legal, political and moral basis of the laws and policies that constitute Federal Indian Law in the United States today.

LAW 6460 Financial Accounting [also NCC 5000] Fall. 2.5 credits. Letter grade only.

R. Libby. Limited enrollment. Available only to management and JD-MBA students. Registration handled by the management school.

Introductory accounting course that examines the subject from the viewpoint of users external to the organization. Topics include transaction analysis; the accounting cycle; financial-statement preparation, use, and analysis; revenue recognition and cost measurement; present value; and problems in financial-accounting disclosure.

Not offered 2012-13

LAW 6461 Financial Institutions [also NBA 6460 available only to JD-MBA degree students] Spring. 4 credits. S-U or letter grade.

An introduction to the regulatory structures, as well as some of the economic, technological and other factors, that pattern the conduct of financial intermediation in the U.S. The principal focus will be upon commercial banks, investment companies (mainly mutual funds), insurance companies, pension funds and securities firms in so far as these institutions discharge a common set of economic functions and give rise to a common cluster of counterparty and third party ("systemic") risks. Legal topics to be covered accordingly include entry-, functional and geographical restrictions; consumer-protection (including disclosure requirements) and competition-promotion; capital adequacy-, solvency- and related forms of risk-regulation (including deposit insurance); community-reinvestment; and "self-regulation." We shall also devote some attention to "alternative" financial service providers such as check-cashing services, community development financial institutions and micro-credit providers; and we shall take occasional note both of divergent (generally, non-American) jurisdictions' dominant modes of financial intermediation and of the "globalization" of finance, in order both to place what is distinctive about the dominant American forms into bolder relief and better to understand the forces operating behind recent and still unfolding changes to the American (and global) financial and finance-regulatory environments. No prior background in financial law or economics is required, but it is helpful.

LAW 6462 Fundamental Rights in the European Union Fall. 1 credit. S-U or letter grade.

S. Rodin. Course meets in the first part of the semester beginning August 28th.

The main objective of the course is to develop an advanced understanding of how human (fundamental) rights are protected in the European Union, both in theory and in practice. Within this general objective, students will learn about the theoretical foundation of human rights, their normative ordering and how are they incorporated into the law of the EU. The course will present the evolution of the judicial protection of human rights before the European Court of Justice, how these rights have been crystallized in the Court's case law and codified by the Founding Treaties, by the Charter of Fundamental Rights of the EU and by secondary legislation. The course will explore the tension between human rights and market freedoms and how this tension is resolved by the judiciary, particularly through the development and application of the judicial doctrines of "proportionality" and of "the margin of appreciation." While the course is focused on the law of the EU, it will also address the relationship between the European Court of Justice, the European Court of Human Rights and the national courts of EU Member States.

Not offered 2012-13.

LAW 6471 Health Law 3 credits. S-U or letter grade.

This course will consider legal aspects of the organization, financing, and distribution of health care in the United States. It will emphasize issues of access, costs, and quality, and address the use of regulation, litigation and market-driven strategies to confront emerging problems. Readings will be from a health law casebook, supplemented by occasional handouts of current materials. The goal is to convey an appreciation of the challenges involved in providing health care to those in need and of the role of law and lawyers in meeting these challenges.

LAW 6468 Human Trafficking and Labor Migration Fall. 1 credit. S-U or letter grade. Course meets in the first part of the semester beginning September 5th.

H. Shamir.

A rapidly evolving body of international and national law focuses on human trafficking. While significant political and scholarly attention has been dedicated to the prevention of sex trafficking, there is a growing understanding that human trafficking is not unique to the sex industry but occurs in other labor sectors such as agriculture, construction, and domestic work. This course will focus on understanding the mechanisms of anti-trafficking law, the ideological and policy impulses that produced and sustain it, the complex ways in which it is interacting with other legal regimes affecting labor migration (immigration law; human rights law and governance; international and national labor law; etc.), and the distributive effects it is producing both in the developed and the developing world. The course will begin with a study of the origins of anti-trafficking law in the context of sex work, and disagreements among feminists about the legal approach towards sex work/prostitution, and will then turn to an exploration of the challenges facing the current anti-trafficking legal framework in effectively reducing labor exploitation in both the sex industry and other labor sectors.

Not offered 2012-13

LAW 6501 Insurance Law Spring. 3 credits. S-U or letter grade.

M. Heise.

Insurance is an increasingly important tool for the management of risk by both private and public enterprises. This course provides a working knowledge of basic insurance law governing insurance contract formation, insurance regulation, property, life, health, disability, and liability insurance and claims processes. The emphasis throughout the course is on the links between insurance theory, doctrine, and modern ideas about the functions of private law.

LAW 6511 Intellectual Property Spring. 3 credits. Letter grade only or S-U by permission of the instructor only.

O. Liivak.

A survey of legal mechanisms for protecting intellectual property including patent, trademark, copyright, trade secret and related state law doctrines.

LAW 6514 International and Foreign Legal Research Spring. 2 credits. S-U or letter grade.

T. Mills. Satisfies the skills requirement.

The practice of law continues to become ever more dependent upon a clear understanding of the global context in which it occurs. This course provides an overview of sources, methods, and strategies for researching international and foreign law. Topics to be covered include the various legal systems of the world, public and private international law, the European Union, and the United Nations. The course will be delivered through lectures and hands-on exercises. Selected readings will be available online and on reserve; there is no required textbook. There will be a series of assignments and a final research project in lieu of a final exam. Foreign language ability is not required.

LAW 6531 International Commercial Arbitration Fall. 3 credits. S-U or letter grade.

(Students who have taken the international commercial arbitration course in the Paris program will receive 1 credit for this course. All others will receive 3 credits.)

J. J. Barceló III.

A study of arbitration as increasingly the dispute resolution method of choice for international trade and transactional disputes (where the parties are from different countries). The course introduces the sources and hierarchy of norms governing international arbitration and then focuses on the legal issues and processes concerning enforcing agreements to arbitrate, selecting and challenging arbitrators, choosing the procedure and applicable law in arbitral proceedings, and enforcing the resulting arbitral award. The course gives special attention to the 1958 UN Convention on the Recognition and Enforcement of Foreign Arbitral Awards (and agreements to arbitrate) known as the New York Convention, and the UNCITRAL (U.N. Commission of International Trade Law) Model Law. The course's unique approach—patterned on the nature of international commercial arbitration itself—presents commercial arbitration as a transnational phenomenon and not as a subject based in or controlled by any particular national system. The course materials include court decisions, arbitral awards, national arbitration statutes, the rules of various arbitration institutions, and scholarly writings—drawn from all over the world.

LAW 6534 International Law/International Relations Colloquium (1/2) Full year. 1 credit for the academic year. S-U or letter grade. The colloquium meets every other week on Mondays (with a few exceptions) and lunch will be provided.

O. Lienau, S. Kreps.

This interdisciplinary colloquium, held at the law school and jointly offered with the Department of Government, invites scholars to present research related to international law and international relations. The presented work will span a broad substantive and methodological spectrum, and may include empirical and theoretical material. Students will be expected to prepare responses/comments for several speakers throughout the year and participate in the colloquium discussion. This course is especially appropriate for students developing their own research agendas but is open to all students interested in the topic.

Not offered 2012-13.

LAW 6545 International Economic Law [also NBA 6350 available only to JD-MBA degree students] Spring. 3 credits. S-U or letter grade.

This course will provide an overview of the legal context of international business transactions. Units will include the international economic legal environment, basics of trade law, the role and regulation of corporate actors, transnational sales, foreign investment, and international debt, among others. When applicable, we will pay attention to the complementarity and conflict between the law of international

business transactions and other international law areas (human rights, environmental, emerging commitments to ideas of democracy/good governance, etc.).

Not offered 2012-13.

LAW 6681 International Law and Foreign Direct Investment Spring. 3 credits. S-U or letter grade.

This course studies legal aspects of direct foreign investments. It seeks to identify legal problems that are likely to affect a commercial investment in a foreign country. Inter alia, it deals with the public international law principles and rules governing the establishment by foreign businesses of various factors of production (persons and capital) on the territory of other states and the protection of such investments. Thus, the course includes a discussion of the following topics: economic development and foreign capital; obstacles to the flow of investments to developing countries; guarantees to investors and investment codes; bilateral treaties; nationalization; joint ventures; project financing; transfer of technology; arbitration; investment insurance; unification of trade law; and the settlement of investment disputes.

LAW 6563 International Mergers and Acquisitions [also NBA 5870] Spring. 1.5-2 credits. Letter grade only. The course is for 1.5 credits. Students have the option of a .5 paper to earn 2 course credits. Short term offering over three week period – dates to be announced.

J. Hanks.

Addresses the principal business and legal issues in cross-border mergers and acquisitions, including forms and techniques of combining two businesses, negotiation, pricing and other economic terms, due diligence, issuance of securities, antitrust, duties of managers, and the resolution of employee and other social issues. The graded work is a written proposal for an M&A transaction between two existing companies in different countries prepared by small teams. Proposals are based on publicly available financial, business, legal, and other documents and data and any other information obtained. The goal of the written work is to simulate the process in which business people, investment bankers, and lawyers work together to structure transactions across national borders. The reading covers the basic business and legal issues most frequently encountered in international mergers and acquisitions. Class discussion occasionally refers to the reading but generally covers other issues.

LAW 6561 International Organizations and International Human Rights Fall. 3 credits. S-U or letter grade.

M. Ndulo.

The course is comprised of two segments: (a) international organizations and (b) International Human Rights. In the international organization segment, the course aims at providing a comprehensive legal analysis of problems concerning membership, the structure of the United Nations organization, and its functions in the context of the United Nations Charter. It also considers the use of force under international law with specific reference to the United Nations Charter. The course further considers the structure, jurisdiction and functions of the International Court of Justice. In the human rights segment, the objective is to introduce the theory, norms, and institutions central to the international human rights legal regime. The course will explore the emergence and the enforcement of international human rights norms, the international machinery for the protection of human rights in the world community including the United Nations Human Rights Committee, the European Court of Human Rights, the Inter-American Court of Human Rights, and the International Criminal Court. Relevant decisions of these courts and of municipal courts are studied as well as basic documents.

Not offered 2012-13.

LAW 6565 Interviewing Skills Fall. 1 credit. S-U only.

Limited enrollment. Satisfies the skills requirement. The course will meet for only part of the semester.

This course will cover the components of effective interviewing, particularly client interviewing. The course will cover the purposes and types of interviews, interviewing for various purposes, information-gathering techniques, verbal and non-verbal communication, ethical considerations, counseling and decision making. The course will also cover special contexts such as interviewing witnesses, difficult or emotional clients and children.

LAW 6570 Introduction to Chinese Law Fall. 3 credits. S-U or letter grade.

Z. Yu. There are no prerequisites for this course.

This course is designed to provide students with an introduction to the nature and function of law in China. It will give future legal practitioners and persons who may fill offices dealing with China the knowledge they need to understand how successfully to interact with the Chinese legal system. The course is divided into three parts. Part I will briefly review the historical and theoretical foundations necessary for an understanding of contemporary Chinese law. Part II will provide an introduction to the current legal system of the People's Republic of China (PRC), with particular focus on major legal institutions and processes. Part III will examine selected issues in the substantive law of the PRC.

LAW 6569 Introduction to Depositions Fall, Spring. 2 credits. S-U only. Students who have already taken Pretrial Discovery: Depositions (two-credit class) or Deposition Skills (one-credit class) may not enroll in this class.

M.A. Whelan. Limited enrollment. Satisfies the skills requirement.

Depositions are a critical component of pretrial discovery. Indeed, many cases are lost, won, or settled because of information gleaned at a deposition. Attorneys also often modify trial strategies because of a witness's performance at a deposition. Because depositions play such an important role in litigation, the majority of junior litigation attorneys can expect to deal with depositions in some manner from the very start of their careers. This introductory course will expose students to several facets of a deposition: preparing for deposition, asking questions at a deposition, defending the witness at a deposition, using documents at a deposition, and reviewing the transcript of a deposition. Students can expect to take and defend mock depositions and to observe and critique their fellow students' deposition skills.

The course will culminate in a three-hour deposition in which students will team up to depose and defend two witnesses. Students must set aside one Saturday morning at the end of the semester for this deposition.

LAW 6571 Introduction to Financial Markets and Financial Regulation Spring. 3 credits. S-U or letter grade.

L. Stout.

In most markets, money is traded for goods or services. In financial markets, money is traded for more money to be received in the future, often contingent on future events. Financial markets include markets for bank deposits; bank loans; insurance; corporate securities; government-issued securities; stock and commodity futures; home mortgages; car loans; credit cards; mutual funds; defined contribution pension plans; and many other types of transactions. Taken as a whole, the financial sector is one of the largest sections of the U.S. economy.

Financial transactions are heavily regulated and subject to a variety of legal rules and regulations, both state and federal. This survey course will explore the general policy problems surrounding, and basic legal strategies developed to deal with, financial transactions, seeking to identify common themes and patterns in financial regulation. The objective is to help students develop a "37,000-foot" understanding of the basics of most financial markets and most areas of financial regulation.

Law 6572 Introduction to Transactional Lawyering Fall. 2 credits. S-U only.

Prerequisite: Business Organizations [concurrent enrollment is permissible]. Satisfies the skills requirement. Course meets August-October.

C. K. Whitehead.

The conventional law school curriculum implicitly emphasizes appellate litigation, teaching students to read, argue and distinguish cases, and to predict what a judge will do. A transactional practice demands additional skills. A full understanding requires years of experience – not something that can be bottled into a one-credit course. Transactional Lawyering provides students with an initial introduction to how a deal is structured and what a deal lawyer does – familiarizing them with some common problems and the tools used to address them. In exploring these problems, the course draws on moral hazard, adverse selection, and other economic theories and applies them to real deal issues.

The course will culminate in the Transactional Lawyering Competition, to be held in October or November (before Thanksgiving Break). Students will be paired off into two-person teams, representing opposing sides in a transaction. Using tools from the course, each team will mark-up a simple transaction document to reflect their client's interests, to be submitted before the Competition. Those mark-ups will then be used as the basis for team-to-team negotiations at the Competition. The mark-ups and the negotiations will be reviewed, scored, and judged by adjunct instructors who are themselves experienced transactional attorneys, assessing – and providing feedback on – how students perform.

Students who participate in this course must commit to attending (i) nine lectures on transactional structuring (which may include a 90-minute guest presentation), (ii) a team meeting, and (iii) the Competition (which is expected to take place over a weekend), including a presentation by judges/adjunct instructors on how they would have handled the mark-up and negotiations. Readings for the lectures will be posted in advance on the course website.

LAW 6591 Jurisprudence Fall. 3 credits. S-U or letter grade.

C. Thomas.

This course will investigate justifications for, and critiques of, law. Recommended for students who wish to deepen their understanding of legal systems through an introduction to philosophies of law and related debates. The course will survey the major schools of jurisprudential thought, investigating questions such as: What makes a rule (or norm) a rule of law? Why should we obey the law? Is morality legally binding regardless of whether it has been enacted into law? Can there be "right" answers to legal disputes or is legal reasoning essentially indeterminate? What is the difference (if any) between law and politics? The course will consider approaches to these questions from a variety of perspectives, especially American Legal Realism, Natural Law, Legal Positivism, and Critical Legal Theory.

LAW 6592 Labor Law, Practice and Policy Fall. 3 credits. S-U or letter grade.

A. B. Cornell.

This course will focus on the federal laws regulating the organization of private-sector workers and unions and the process of collective bargaining in addition to addressing protected concerted activity unrelated to union organizing. Issues of race, economic justice and immigrant workers will also be addressed. Practice in the field of labor and employment law will be highlighted along with important and timely public policy issues.

LAW 6601 Land Use Fall. 3 credits. S-U or letter grade.

E. M. Penalver.

This course will provide a broad introduction to the theory, doctrine, and history of land use regulation. Topics will include zoning, homeowners' associations, nuisance, suburban sprawl, eminent domain and regulatory takings. Throughout, we will discuss the ways land use regulation affects important human values, such as economic efficiency, distributive justice, social relations, and the environment. Readings will be drawn from the leading cases as well as commentary by scholars in the fields of law, architecture, and planning.

Not offered 2012-13.

LAW 6612 Law and Literature: The Jury as Audience [also Engl 3762] Spring. 3 credits. S-U or letter grade.

The jury is purportedly “the bulwark of democracy,” but it has also been seen as the most potentially destabilizing component of the Anglo-American legal system. Literature, drama, and TV crime shows have helped to form these competing views of the jury. How and why have plays compared jurors with spectators? How were nineteenth-century trial reports like and unlike novels, and how did jurors read both? Has the alleged “CSI effect” really made contemporary American juries demand more forensic evidence? This course explores these and related questions in historical and legal context. Works studied may include Shakespeare’s *Titus Andronicus*, Daniel Defoe’s *Moll Flanders*, Wilkie Collins’s *The Law and the Lady*, Susan Glaspell’s “A Jury of Her Peers,” Anna Deavere Smith’s *Twilight: Los Angeles*, and *CSI*.

LAW 6640 Law and Mental Health Fall. 3 credits. S-U or letter grade.

H. R. Beresford.

The course will explore (1) the impact of neuropsychiatric disorders on emotion, cognition and behavior, (2) the admissibility and use of neuroscientific evidence in legal proceedings, and (3) the role of law in fostering effective treatment of individuals with neuropsychiatric disorders and in regulating conduct that violates or threatens legal and social norms. There are two goals. The first is to convey an appreciation of the complexities of diagnosing and treating neuropsychiatric disorders. The second is to address the challenges involved in accommodating the rights and interests of individuals whose conduct can be puzzling, distressing or dangerous to self or others. Readings will include a casebook on Law and the Mental Health System and handouts from legal and medical sources.

LAW 6641 The Law Governing Lawyers Fall. 3 credits. Letter grade only.

W. B. Wendel. Satisfies the professional responsibility requirement. Enrolling in this course does not prohibit enrollment in another professional responsibility course.

This course is intended to provide a comprehensive overview of the law governing lawyers in a variety of practice settings, including transactional, counseling, and civil and criminal litigation. The course is not focused merely on the ABA’s Model Rules, but draws extensively from judicial decisions in malpractice and disqualification cases, the new Restatement of the Law Governing Lawyers, and other sources of law. A major theme is the relationship between state bar disciplinary rules and the generally applicable law of tort, contracts, agency, procedure, and crimes. Another significant theme is the prevention of attorney discipline and malpractice liability through advance planning.

Not offered 2012-13.

LAW 6202 Law, Reform and Revolution in the Arab World Fall. 1 credit. S-U only. The course will meet during in August and September. Attendance and participation in all of the scheduled colloquia is required.

2011 has seen profound governmental transformations in several nations of the Middle East and North Africa, linked to remarkable popular movements. These movements have often framed their cause at least in part in the language of law, calling for the institution of the rule of law against corrupt and antidemocratic regimes. Constitutional and legal reforms have played a central role in framing the resulting political transitions, and in so doing have mediated powerful sociopolitical dynamics of nationalism, liberalism and Islamism. This seminar will consider the legal and constitutional aspects of contemporary political transitions in the Arab world, spending particular time on the Egyptian case with comparisons of other regional cases. Consideration will be accorded to the historical backdrop of a century’s worth of revolutions in the region, and their legacies for the concept and practice of constitutionalism. Students will prepare a 3-5 page response paper summarizing key findings of one workshop event.

LAW 6692 Legal Ethics-Oxymoron or Principles for a Successful Practice Spring. 2 credits. S-U or letter grade.

R. DuPuy Satisfies the professional responsibility requirement. Enrolling in this course does not prohibit enrollment in another professional responsibility course.

The Model Rules of Professional Conduct were designed to cover the practice of law in all settings.

However, the changes that have occurred in the practice of corporate law have in many instances tested the scope of the rules and have required thoughtful analysis by corporate lawyers to ensure their ongoing ethical behavior. Clients using multiple law firms depending upon the issue, lawyer mobility, and the continuing growth of the role of in-house counsel have each created consistent tensions. This course will examine these issues through actual examples, focusing on the scope of the representation, determining who the client or clients may be, the use of confidential information and when it must or may be disclosed, conflict resolution, the duties within the entity, the unique position of a law firm associate or corporate junior counsel, zealous advocacy and determining and resolving conflicts.

LAW 6701 Legislation Spring. 3 credits. S-U or letter grade.

J. Chafetz.

Much of the "law" that lawyers work with is statutory. This course will examine both how legislatures go about doing their work (that is, legislative process) and how courts and others utilize legislative output (that is, statutory interpretation). We will begin with legislative process, focusing both on how laws are enacted and on the rules structuring legislative debate and behavior, including campaign finance regulation, lobbying regulation, and issues of "due process of lawmaking." We will then devote substantial attention to theoretical and practical issues in statutory interpretation, including theories of interpretation generally, the canons of construction, and the use of legislative history.

LAW 6652 Managerial Finance [also NCC 5060] Fall. 2.5 credits. Letter grade only.

R. Michaely. Limited enrollment. Available only to management and JD-MBA students. Registration handled by the management school.

Introduces students to the basic concepts of finance. In particular, the course addresses what type of investments firms and individuals should take on and how these investments should be financed.

Understanding these concepts is essential to financial managers and professional investors and has important applications to many aspects of financial decisions all of us have to make on a daily basis (e.g., is getting an M.B.A. a good investment?). These issues involve capital budgeting decisions, stock and bond valuation, how to assess and account for risk through the capital asset pricing model (CAPM), option pricing, capital structure and cost of capital, and market efficiency. Grading is based on exams, quizzes, group case reports, homework, and class participation.

Not offered 2012-13.

LAW 6737 National Security Law Spring. 3 credits. S-U or letter grade.

In the wake of 9/11, the question of American national security has been at the forefront of legal and political debate. This course will examine the current constitutional framework guiding national security institutions as well as its historical emergence -- especially in the late 19th century and during the early period of the Cold War. We will cover such themes as the allocation of power between Congress and the President on matters of foreign policy and war making, as well as the role of the judiciary in checking the political branches. Special attention will be paid to how key statutes have shaped national security practices, including the National Security Act, the War Powers Resolution, the Foreign Intelligence Surveillance Act, and the Military Commissions Act. The course will also explore such topics as American detention policy (treatment of unlawful combatants and prisoners of war) in the context of international humanitarian law and the use of deportation and immigration powers in the service of national security aims.

LAW 6079 Low Wage Workers & The Law [also ILRLR 6079] Spring. 3 credits. Letter grade only.

K. Griffith.

This course will build your critical reading, writing, oral presentation and analytical skills through the study of legal issues that affect low-wage workers in the United States. You will learn to evaluate and apply legal theories and ideas to workplace issues that affect this population of the U.S. workforce. Low-wage workers often face unique legal challenges in the workplace. Many of them have jobs that straddle a legal gray area, making it difficult to determine whether they are exempt from labor and employment law protections. Unauthorized, or undocumented, low-wage workers also raise challenging legal questions about the intersection between immigration law and labor and employment law. What rights do unauthorized low-wage workers have in the workplace? What are the consequences of treating them the same as authorized workers? What are the consequences of treating them differently? This course will address these legal ambiguities and will give students the ability to engage with a wide range of legal and policy questions related to low-wage workers. It will cover traditional labor and employment law statutes as well as new legal developments that affect low-wage workers. Much of the course will be dedicated to federal legislation and case law related to the above. At the conclusion of the course, students will assess theories about the relationship between law and organizing in the context of new forms of organizing among low-wage and immigrant workers.

LAW 6892 Negotiated and Collaborative Decision-Making [also ILRLR 6892] Spring. 3 credits. Letter grade only.

C. R. Farina, M. J. Newhart. Limited enrollment. Satisfies the skills requirement. Students must attend the first week of classes to enroll in the course. Course is cross listed with ILR and open to ILR graduate students.

Increasingly, systematic and collaborative techniques are being used both to address conflict and to reach decision in diverse settings, including the workplace, communities, and government. This course focuses on the nature of conflict; personal, cognitive and cultural factors affecting collaboration and negotiation; and the practical skill development for meeting the many challenges that negotiation and collaborative problem solving presents. Case studies and exercises will be used to develop critical thinking and reasoning abilities; improve negotiation, facilitation, and leadership skills; and illustrate the collaborative, creative and response methods for resolving disputes.

LAW 6738 Negotiation Skills Fall. 2 credits. S-U or letter grade.

R. Minella. Satisfies the skills requirement.

Attorneys in all practice areas negotiate frequently. Neither deal lawyers nor litigators can claim negotiation as “theirs” to the exclusion of attorneys in other practice areas. This course will provide students with an opportunity to learn and begin refining negotiation skills in various transactional and litigation settings. Students will engage in several negotiations during the course and will receive frequent feedback about their negotiations.

Not offered 2012-13.

LAW 6740 Online Legal Research: Free Sources Spring. 1 credit. S-U or letter grade.

Course meets first 6 ½ weeks of the term. Limited enrollment. Satisfies the skills requirement.

Free online sources of legal information have proliferated in recent years. This course prepares students to become thoughtful, adaptive researchers who can use these resources to their advantage. Students will learn how to evaluate online content, develop strategies for finding legal and non-legal information, compare and contrast free and subscription research tools, and use free Web-based applications to organize their research and keep current in their fields. In addition to helping students develop practical research skills, this course will consider the role of free resources in the overall legal information context. Weekly problem sets and blog posts will be assigned, and students will prepare a final project on a topic of their choice (subject to instructor approval).

LAW 6739 Online Legal Research and Resources Spring. 1 credit. S-U or letter grade. Course meets first 6 ½ weeks of the term. Prerequisite: Lawyering required for JD students. LL.M. students concurrently enrolled in U.S. Legal Research for LL.M. Students may take this course.

A. Emerson. Limited enrollment. Satisfies the skills requirement.

Take your research skills beyond the basics of Lawyering. This course provides an overview of the resources, methods, and strategies necessary to conduct efficient and effective online legal research for upper level courses and employment. Students will learn when and how to use various databases while considering their relationship to each other and to traditional print sources. The course will be delivered through interactive lectures and hands-on exercises. Internet access will be provided in the classroom. Selected readings will be available through the course website and on reserve; there is no required textbook. There will be a series of assignments and a final research project tailored to students' individual interests.

Not offered 2012-13.

LAW 6741 Online Legal Research: Subscription Sources Fall. 1 credit. S-U or letter grade.

Course meets first 6 ½ weeks of the term. Prerequisite: Lawyering required for JD students. LL.M. students concurrently enrolled in U.S. Legal Research for LL.M. Students may take this course.

Limited enrollment. Satisfies the skills requirement.

With the ongoing evolution of legal information, online legal research skills are fundamental. This half-semester course will help students become effective, efficient researchers by developing students' skills and strategies in using subscription-based sources, including BNA, Bloomberg, RIA, Westlaw, Lexis and others. We will explore when and how to use various resources, considering their relationship to each other and to traditional print sources. Weekly problem sets will be assigned.

LAW 6752 Oral-Presentation Skills Fall. 1 credit. S-U only. Course meets in the beginning of the semester.

J. Atlas. Limited enrollment. Satisfies the skills requirement.

This course examines effective ways to organize, summarize, and present information orally. With particular attention to the concepts of clarity, brevity, and audience, students will make – and critique – in-class presentations (including a moot-court argument) designed to inform and persuade the listener.

LAW 6742 Patent Law Fall. 3 credits. Letter grade only or S-U by permission of the instructor only.

O. Liivak. Prerequisite: An intellectual property survey course such as LAW 6511 is recommended but not required.

This course will focus on U.S. patent law giving comprehensive coverage of doctrinal elements and touching on key policy issues. No technical background is required.

Not offered 2012-13.

LAW 6713 Prelude to the U.S. Supreme Court and Labor and Employment Law Winter Intersession. 1 credit. S-U only. Students will register for the offering in October during the spring registration period and the course will be recorded to the spring record.

Limited enrollment.

This one-credit intersession course will expose students to a timely labor and employment law topic pending before the U.S. Supreme Court. The class will travel to D.C. sometime during the semester in order to hear the oral argument. During the intersession period, students will be required to read the briefs in the case, prepare a five-page paper on a related topic, and to present their research in class. Over the break, students will be required to read *The Nine: Inside the Secret World of the Supreme Court*, by Jeffrey Toobin or another book about the Court agreed upon by the professor. A one-page review of the book will also be required. Additional reading may be assigned.

The course will meet for two hours at the end of the fall examination period. Prior to the start of spring semester, during the second week in January, the class will meet for two four-hour days. This period will be spent discussing the substantive law in the case and hearing student presentations. The discussion of the case will continue on the six-hour drive to D.C. and debriefing on the return leg of the trip. Students will have one class session in spring with professors who have clerked (and/or practiced) in the U.S. Supreme Court. During the intersession period, students will be required to communicate with the professor regarding their paper topics and research agendas. Please note that this course may require students to miss at least one day of class during the semester for travel and will require an overnight stay in DC. Class is limited to 8 students with preference given to third-year students.

LAW 6781 Products Liability Fall. 3 credits. Letter grade only.

J. A. Henderson, Jr.

Applications of products-liability doctrine and theory to a variety of problems drawn from or closely approximating actual litigation. An overview of the relevant case law, statutes, and administrative regulations, including the Restatement, Third, of Torts: Products Liability.

LAW 6791 Public International Law Fall. 3 credits. S-U or letter grade.

J. Ohlin.

An introduction to the legal rules governing the conduct of states vis-à-vis other states, individuals, and international organizations, with reference to major current events and issues. Topics include the nature, sources, and effectiveness of international law; the establishment and recognition of states; principles concerning state sovereignty, territory, and jurisdiction; the law of treaties; state responsibility; international criminal and humanitarian law; terrorism; and human rights. Special attention is given to the law governing the use of force.

LAW 6801 Remedies in Litigation Fall. 3 credits. Letter grade only.

E. L. Sherwin.

This course examines the remedial consequences of lawsuits and the remedial choices open to litigants: essential strategic information for students considering a litigation-oriented practice. It covers compensatory remedies, injunctions, and special remedies such as constructive trusts. It also clarifies the meaning of equity and the role of equity in modern American law, as well as the developing law of unjust enrichment. The course focuses on private law (tort, contract, property), but it also includes some coverage of remedies for enforcement of Constitutional rights and public law.

LAW 6821 Securities Regulation Fall. 4 credits. S-U or letter grade.

Prerequisite: Business Organizations if not already taken must be taken concurrently.

C. K. Whitehead.

This course analyzes key issues under the U.S. federal securities laws, principally the Securities Act of 1933 and the Securities Exchange Act of 1934, with respect to the domestic and international offer and sale of securities. It includes a study of what constitutes a security, the public offering process, mandatory disclosure requirements for public companies, exemptions from registration (including exempt global offerings), and potential liabilities and sanctions.

LAW 6743 Selected Topics in Patent Law and Practice Spring. 1 credit. S-U or letter grade.

J. Dabney. Limited enrollment.

This course will consider important assumptions that underlie much current day patent law and practice but are seldom articulated or critically analyzed. Students will consider the legal effect(s) of “public domain” status; the meaning of “invention” (which now includes at least some “business method” conceptions); the relationship between patent “claims” and patented “inventions”; conflicting standards for determining if a patent is valid or infringed; procedural devices that operate to limit or allocate adjudicatory authority in the patent system (e.g., judge versus jury; court versus agency); and

intersections between patent law and principles of administrative, antitrust, federal court jurisdiction, personal property, tort, and unfair competition laws. Special attention will be paid to conflicts between precedent of the Court of Appeals for the Federal Circuit, a specialized court formed in 1982, and applicable Supreme Court patent precedent. The grade for the course will be based on a combination of class participation (20%) and five reaction papers (80%) of 600 to 800 words each (approximately 2 ½ to 4 pages of typed, double-spaced text). A student may write up to six reaction papers, and in that case, the grade will be based on the student's five best papers.

LAW 6822 Social Science and the Law Fall. 3 credits. S-U or letter grade.

V. Hans.

This course examines the relationship of social science to law, focusing on the growing use of social science in the legal system. Over the past several decades, increasing numbers of social scientists have conducted systematic research on the operation of law and legal institutions. At the same time, social scientists themselves are testifying as experts in increasing numbers, encouraging lawyers and judges at both the trial and appellate levels to rely on social science evidence to decide cases. Social science research is also used as a tool in law reform. The aim of the course is to develop a critical analysis of these uses of social science in law and litigation. Are social scientists asking the right questions? Are lawyers, judges, legislators, and legal reformers using social science findings appropriately? Is the law's increasing reliance on social science problematic or advantageous -- or both?

LAW 6080 Special Topics in Labor Relations: Advanced Issues in ADR - Mediation: Theory and Practice Fall. 2 credits. Course meets the first half of the semester.

R. Scanza.

This course is offered as a bridge between 6012 and 6019 by providing students with an opportunity to explore in greater scope and depth the law and practice of mediation.

In the first part of the course, students review the models of mediation and the benefits and challenges of each, including a comparative analysis of evaluative, facilitative and transformative styles of mediation. Next, students will examine the impact of federal and state laws on the process. Significant attention will be devoted to the use of mediation in the public and federal sectors and in public sector negotiation impasses. For the balance of the course students explore the use of mediation across industries, including construction, securities, employment, and commercial disputes. Ethical issues as well as obstacles to settlement and impasse strategies in mediation will all be examined and incorporated into workshops and case studies.

LAW 6841 Sports Law Spring. 2 credits. S-U or letter grade.

Recommended prerequisites: Antitrust Law and Labor Law. Course meets for 10 weeks.

W. B. Briggs.

The course traces the development of sports law in the United States. Particular attention is given to the relationship of sports with antitrust and labor law. Contemporary issues involving arbitration, collective bargaining, amateur athletics, agents, franchise movement, and constitutional law are addressed.

LAW 6631 Startup Legal Issues and VC Terms [also NBA 6890] Fall. 3 credits. S-U or letter grade.

BR Legal students must pre-register to receive first priority for the course.

Z. J. Shulman. Limited enrollment.

An in-depth analysis of key issues that an emerging high growth business must consider and address, including: (i) choosing type of business entity, (ii) protecting confidential information and inventions, (iii) sources of capital, (iv) understanding capitalization structures and venture capital financing terms (common stock, preferred stock, etc.), (v) use of stock options as employee incentives, (vi) fundamental employment practices, (vii) proper establishment and utilization of Boards of Directors, and (viii) acceptable business practices and the Foreign Corrupt Practices Act.

Not offered 2012-13.

LAW 6844 State and Local Government 3 credits. S-U or letter grade.

State and local governments have long been regarded as “laboratories” for possible solutions to difficult social issues, and as political institutions that are closest to the people. In addition to traditional concerns, state and local governments in recent years have been the primary actors in contentious areas such as health care reform, gay marriage legalization, campaign finance reform, property rights protection, and other issues. This course will examine the powers of and legal restraints on state and local governments in state systems, and as a part of the American constitutional order. Topics will include state constitutions, the rights that they confer, and their methods of interpretation; local government boundary formation and boundary change; state and local service, police, and taxing powers; the emergence of supra-local (regional) government; and the place of state and local governments in the federal system (including commerce clause, privileges and immunities clause, and taxation issues). The final part of the course will consider several areas of recent and future litigation – such as the interstate validity of gay marriages and federal challenges to states’ medical and health reforms – as a way to illustrate the difficult issues of conflicting sovereignty that this area of law presents.

LAW 6861 Supervised Teaching Fall, Spring. 1 or 2 credits. S-U only. Included in 18 credit overall rule. Arrange directly with instructor.

Specific credit limits apply – carefully review the registration form available from online registration site or registrar’s office. Available with full-time law faculty members [option not available with adjunct faculty].

LAW 6871 Supervised Writing Fall, Spring. 1, 2, or 3 credits. S-U only. Included in 18 credit overall rule. Arrange directly with instructor. Available with permanent law faculty members [adjuncts, visitors, and others who are not members of the permanent faculty may supervise such courses only with the written consent of the Associate Dean for Academic Affairs].

Specific credit limits apply – carefully review the registration form available from online registration site or registrar’s office.

LAW 6881 Supervised Teaching and Supervised Writing - Lawyering Program Honors Fellows Full year. 4 credits. S-U only. Included in 18 credit overall rule.

Prerequisite: application process. Specific credit limits apply – carefully review the registration form available from online registration site or registrar’s office.

Lawyering Program Honors Fellows serve for the full academic year as teaching assistants in the Lawyering course. With training and guidance from the Lawyering faculty, Honors Fellows work on myriad course-related tasks and some program-wide initiatives. In addition to meeting regularly with first-year students and critiquing papers, Honors Fellows may help design course assignments and documents, participate in simulations, and assist the research attorneys with the teaching of legal research. Honors Fellows also teach classes on the Bluebook. Additionally, Honors Fellows serve as educational mentors to first-year students and may participate in workshops on basic law-school skills.

LAW 6891 Taxation of Corporations and Shareholders Spring. 3 credits. S-U or letter grade.

Prerequisite: Federal Income Taxation. LL.M. students who have not taken Federal Income Taxation must secure permission of the instructor.

R. A. Green.

This course examines the federal income taxation of corporate transactions, including incorporations, dividends, redemptions, liquidations, and reorganizations.

LAW 6921 Trial Advocacy Spring. 5 credits. S-U or letter grade.

Prerequisite: Evidence is recommended in advance or simultaneously, but is not required. Students without prior Evidence study are advised to speak with the instructor prior to enrolling.

G. G. Galbreath. Limited enrollment. Satisfies the skills requirement.

The course is devoted to the study and weekly performance of the full range of trial techniques. Fundamental skills are taught in the context of challenging procedural and substantive law problems. Each stage of the trial is examined: jury selection, opening statement, direct examination, cross-examination, objections, impeachment, exhibits, expert witnesses, child witnesses, pre-trial, and closing argument. In addition to a lecture and student exercises every week, students will do a full day jury trial exercise at the completion of the course on a weekend at a local court with an actual judge and jury. All weekly performances are digitally recorded and reviewed and then re-reviewed by another faculty member with the student individually. There are occasional written assignments and class attendance is mandatory for all exercises sessions and the first class lecture.

LAW 6941 Trusts and Estates Fall. 4 credits. Letter grade only.

Prerequisite: first-year Property.

G. S. Alexander.

The course surveys the law of succession to property, including wills and intestate succession, as well as the law of trusts. The course covers the basic aspects of the federal gift and estate taxes, but does not examine them intensively.

LAW 6951 Whistleblowers and Business Integrity Spring. 2 credits. Grade option to be determined.

N. Getnick, S. Schwab.

This course analyzes how the law furthers business integrity by protecting whistleblowers through a variety of state and federal laws. The course will delve into affirmative civil enforcement pursuant to the qui tam provisions of the Federal and state False Claims Acts and pursuant to the citizen initiative provisions of other whistleblower laws (e.g. the IRS, SEC and CFTC whistleblower laws). It will also look at broader issues relating to corruption and business integrity.

LAW 6981 WTO and International Trade Law [also NBA 6980] Spring. 3 credits. S-U or letter grade.

J. J. Barceló III.

The law of the World Trade Organization (WTO), including international trade theory, the WTO dispute settlement process, and the basic WTO rules and nondiscrimination principles limiting national trade policy. A study of national (U.S.) fair and unfair trade law within the WTO framework (safeguard, antidumping, subsidies and countervailing duty remedies). Consideration will also be given to non-trade values within the WTO system (environment, labor rights, and human rights).

Colloquiums, Seminars and Problem Courses

All problem courses and seminars satisfy the writing requirement and are limited enrollment. However, students selecting a seminar or problem course that satisfies the skills requirement or the writing requirement may use the course to fulfill one of the requirements, but not both. A student selecting a Colloquium, Seminar and Problem Course designated as fulfilling the professional responsibility and writing requirement may fulfill both requirements.

Admission to all problem courses and seminars is determined by lottery.

LAW 7012 Advanced Criminal Procedure: Post-Conviction Remedies. Spring. 3 credits. S-U or letter grade.

Prerequisite: Criminal Procedure is strongly recommended. Concurrent enrollment would be acceptable.

K. M. Weyble. Limited enrollment. Satisfies the writing requirement.

This course examines the procedural and substantive law governing collateral challenges to criminal convictions in state and federal courts, and explores the tensions between the criminal justice system's competing interests in finality and production of reliable convictions and sentences. The course includes a historical overview of modern habeas corpus, studies substantive claims for relief common to collateral

proceedings, and examines important procedural limitations on relief including the exhaustion requirement, procedural default, and no retroactivity. Much of the course will concentrate on the meaning, application and impact of the modifications to the federal habeas corpus statutes made by the Antiterrorism and Effective Death Penalty Act of 1996.

LAW 7052 Advanced Persuasive Writing and Appellate Advocacy Fall. 3 credits. S-U or letter grade. B. R. Bryan. Limited enrollment. The course can be used to satisfy the writing requirement or the skills requirement, but not both.

Students will master the art of persuasive writing and oral advocacy. Lecture topics include: knowing your audience; writing a Statement of Facts that appears objective but subjectively persuades; what good judges are taught about good writing; methods to achieve clarity, brevity and logic; issue selection; the effective use of precedent; establishing credibility; understanding non-legal factors that influence decisions; the interplay between judges and their law clerks; appellate procedure and standards of review; the winning opening statement; and handling questions from the bench. Students will critique actual briefs, judicial opinions and oral arguments for technique and persuasive value. Guest speakers, including a judge of the United States Court of Appeals for the Second Circuit and a federal prosecutor, will provide advice and recommendations. Students will apply what they have learned to the drafting of an appellate brief based on an actual court record. The brief will be written in stages and followed by one-on-one critiques. Students' will also present an oral argument. Initial practice arguments are critiqued by the professor and student panels (to permit students to see an argument from a judge's perspective), and the final argument is judged by the professor.

Not offered 2012-13.

LAW 7081 Advanced Topic in the Anthropology of Law [also Anthr 7422] Spring. 3 credits. Letter grade only.

Limited enrollment. Satisfies the writing requirement.

This advanced seminar is intended primarily for research graduate students in law, anthropology and cognate fields who wish to develop research and teaching competence in the anthropology of law, governance and regulation broadly conceived. Topics of focus will be defined collectively by the seminar participants in accordance with their own research interests; however possible topics include technocracy and expertise, NGOs and social movements, financial markets and institutions, and environmental security. Admission to the seminar is by application only. Students will write a final paper of 25-35 pages that brings the materials and discussions of the seminar to bear upon their own research subject. Students interested in participating should email Professor Riles at ar254@cornell.edu and outline their current research, background in this and related subjects, and reasons for wishing to participate in the seminar.

Not offered 2012-13.

LAW 7060 African American Social History [also ILRLR 3860] Fall. 3 credits. Letter grade only.

Limited enrollment. Satisfies the writing requirement.

Examines the experience of black Americans from the start of the Great Migration just before World War I. Topics include the effects of migration on work experiences and unionization patterns, the impact of depression and two world wars on black social structure and economic status, the growth of the Civil Rights movement, and the impact of migration and urbanization on a variety of social and cultural institutions.

Not offered 2012-13.

LAW 7072 Animal Rights Spring. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

This seminar examines the moral assumptions underlying the legal status and human use of non-human animals. State and federal law treat animals primarily as property, sometimes modified to take account of animals' subjective experience. We will study a variety of legal and philosophical writings that address

the legal and moral status of animals, including the debate between supporters of an "animal welfare" approach that aspires to the reduction of animal suffering, and supporters of an "animal rights" approach that aims to abolish the use of animals. Among the questions the seminar poses are: What capacities, if any, warrant shielding animals from various forms of exploitation? Do animals have interests in continued existence or merely in avoiding suffering? Might some but not other human uses of animals be justified, and if so, which ones? Medical experimentation? The use of animal products (such as milk and eggs) for food? The keeping of animals as pets? In addition to the assigned readings and regular class participation, students will be responsible for a research paper. Class participation will represent 60% of the final grade.

LAW 7091 Biblical Law Spring. 3 credits. S-U or letter grade.

C. M. Carmichael. Limited enrollment. Satisfies the writing requirement.

Analysis of law and narrative in the Bible from the perspective of ancient law and legal history. Topics include the nature of the law codes (e.g., hypothetical formulation versus statutory law), legal issues in the narratives (e.g., law of adultery and women's rights), law and morality (e.g., the Ten Commandments), law and religion (e.g., institutions guaranteed by the law but condemned by religious authority), the transformation of extralegal relations into legal ones (e.g., with the introduction of money), legal interpretation in antiquity (e.g., the Sermon on the Mount), social factors in legal development (e.g., shame and guilt), and aspects of criminal, family, and private law (e.g., an eye for an eye, incest rules, and unjust enrichment).

LAW 7102 Capital Punishment Law Fall. 3 credits. S-U or letter grade.

K. Weyble. Limited enrollment. Satisfies the writing requirement.

This seminar examines the complex body of law governing imposition of the death penalty in the United States. The course aims to provide a historical overview of capital punishment law, critically analyze its constitutional doctrines, and introduce aspects of criminal procedure that are unique to death penalty cases. The primary focus will be on Eighth Amendment jurisprudence, including challenges to the arbitrary and discriminatory application of the death penalty, the development of modern death penalty statutes, the role of aggravating and mitigating circumstances in the capital sentencing trial, and constitutional limitations on eligibility for the death penalty. The seminar is recommended for students interested in the Capital Trial Clinic or the Capital Appellate Clinic.

Not offered 2012-13.

LAW 7121 Chinese Law in Context Fall. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement. This course will address selected topics of Chinese law in its social, historical and cultural context. It makes efforts to make sense of specific rules, institutions, and norms in China from a perspective of social sciences, to cultivate sensitivity in cross-cultural legal practices and especially academic research.

LAW 7123 Chinese Law: Tradition and Modernization Spring. 3 credits. S-U or letter grade.

X. Yu. Limited enrollment. Satisfies the writing requirement.

This seminar offers an examination of how tradition and embedded cultural values have influenced the legal modernization in contemporary China. The focus of the seminar will be on the issues and dilemmas confronting China's ideal of empowering its state and people through the use of law. Topics will include the rule of law vs. the rule of Li (rituals and gifts), individual rights vs. collective interests, preference of informal justice over formal justice, cultivation of citizenship, growth of civil society, and the role of law in promoting the rights and interests of women, ethnic minority groups and disabled persons, and facilitating economic development. Interdisciplinary approaches will be employed in this seminar to facilitate understanding of Chinese legal tradition and its modern transformations, which include the efforts since the late 19th century of borrowing Western law and institutions and implementing current

law reforms in the People's Republic of China (PRC). Readings are drawn from English translations of Chinese codes, cases and literary works, and academic writings by Western and Chinese scholars.

Not offered 2012-13.

LAW 7283 Citizenship in American Constitutional Thought Spring. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

What has it meant in the past and what does it mean today to be an American? What are the benefits and responsibilities entailed by membership in the polity, and to what extent have these benefits presupposed formal American nationality? This seminar will use the law of citizenship to explore the historical and philosophical linkages in the U.S. between full inclusion and judgments about property ownership, race, gender, and immigration. In the process, we will also assess how distinct ideologies (ranging from republican self-government to the national security discourse) have altered accounts of political participation, economic independence, and external threat. These topics will be addressed by a close reading of landmark cases (including *Cherokee Nation v. Georgia*, *Dred Scott v. Sandford*, *Minor v. Happersett*, *United States v. Wong Kim Ark*) as well as seminal books in the political history and theory of U.S. citizenship.

LAW 7144 Colloquium on Law and Development in the Middle East and North Africa Fall. 3 credits.

S-U-or letter grade.

C. Thomas. Limited enrollment. Satisfies the writing requirement.

This colloquium will consider the legal and constitutional aspects of contemporary political transitions in the Middle East and North Africa (MENA). MENA remains a region of central global importance for reasons of both economy and national security. Movements for legal reform have been on the rise regionally over the past few decades. Several of these movements have culminated in profound – if incomplete -- governmental transformations, while others remain frustrated. Legal issues and values have framed the discourses of political reform, and in so doing have mediated powerful sociopolitical dynamics of nationalism, liberalism and Islamism. One focus of this colloquium will be to understand the points of convergence and divergence within these debates. The colloquium will begin with introductory classes on issues of law as it relates to socioeconomic development, and how these discourses relate to debates around constitutional reform and political transition. The colloquium will then feature new research from scholars working on MENA law and politics from Cornell and beyond.

LAW 7145 A Comparative History of the Common Law Fall. 3 credits. S-U or letter grade.

T. McSweeney. Limited enrollment. Satisfies the writing requirement.

Common law today has a very clear self-image. Common lawyers see their law as a flexible, democratic, and practical system. This common law identity did not spring fully formed from England's fertile soil, however. The pivotal moments in the history of the common law have often been moments when it defined itself against civil law, the legal system descended from Roman law that spread out from continental Europe. When common lawyers protested the Court of Star Chamber in the 17th century, for example, they claimed it was the kind of instrument of royal oppression one would expect to find in the civil law. In this course, we will look at the history of the common law through torture, royal power, juries and inquisitions, and codes and cases, with a heavy emphasis on reading and discussion of primary sources.

LAW 7146 Comparative Legal Philosophy Spring. 3 credits. S-U or letter grade.

X. Yu. Limited enrollment. Satisfies the writing requirement.

This seminar introduces students to the philosophy of law from a comparative perspective, focusing on such topics as the concept of law, the nature of judicial reasoning, theories of justice and righteousness, morality and religion, rights and obligations, and theories of rewarding and punishment. Attention is paid to the different epistemological approaches in the west and East Asian jurisprudence, including analytical, interpretive, sociological, and cultural approaches to law.

LAW 7132 Constitutional Law and Theory Colloquium Fall. 3 credits. Letter grade only.

Prerequisite: first-year Constitutional Law course.

J. Chafetz, M. Dorf. Limited enrollment. Satisfies the writing requirement.

This colloquium will examine current and classic topics in advanced constitutional law and constitutional theory. Roughly half of the sessions will feature presentations of works in progress by constitutional scholars. During the other sessions, assigned readings will mostly consist of canonical works in the field. For class meetings in which no faculty presentation occurs, responsibility for presenting the assigned reading will rotate among students in the colloquium. Each student will produce a research paper on a topic approved by the instructors.

LAW 7151 Constitutional Law and Political Theory Spring. 3 credits. S-U or letter grade.

S. H. Shiffrin. Limited enrollment. Satisfies the writing requirement.

The purpose of the seminar is to explore theories of freedom of speech and theories of equality. How are the ideas of freedom, equality, association, and community linked in doctrine, and how should they be linked? Neoconservative, liberal, radical, feminist, and Marxist writings may be considered.

LAW 7159 Deals Seminar: Bank Loan Transactions Spring. 3 credits.

Prerequisite: Business Organizations

C. Fox. The course may be used to satisfy the writing requirement and may be taken for a grade or on an s/u basis. This seminar explores how bank loans are used by businesses to finance acquisitions, growth and working capital needs. A significant amount of time will be spent learning how to analyze and draft credit and security documents, and how specific contract provisions are employed to advance the business objectives of both borrowers and lenders. We will explore the fundamental differences between bank loans and debt securities, and the ways in which the markets for these two kinds of investments are converging. A particular area of focus will be how three areas of substantive law – secured transactions law, bankruptcy law and corporate law – come into play in the structuring and documenting of a typical secured bank loan. We will also examine some of the legal and economic issues that arise when bank loans need to be restructured.

LAW 7160 Deals Seminar: Law and Investment Banking – The General Counsel’s Perspective Spring. 3 credits.

Prerequisite: Business Organizations

N. Radey. Limited enrollment. The course may be used to satisfy the writing requirement and may be taken for a grade or on an s/u basis. This seminar will focus on the legal and compliance issues faced by a large global financial institution, preparing students to advise financial institutions on issues arising in the current regulatory environment. We will begin with an overview of how an investment bank is organized, the role of the legal and compliance department and some of the key issues these institutions have faced over the last decade and in the current environment.

Through the use of case studies, the seminar will investigate various real and apparent conflicts of interest, focusing on information barriers, the evolving role of the research analyst function, the research settlement, and Regulation FD. In addition, we will explore the issues surrounding internal investigations, highlighting the legal principles as well as practicalities involved in working with various stakeholders, including employees, regulators and investors. Additional topics include the capital commitment process, New Product review and approval processes, as well as key documentation issues. We will conclude with a discussion of significant changes implemented under Dodd-Frank, particularly in the derivatives area, and under the Volker Rule. There will be a final paper. The course also will include a session in New York where students will tour a global bank.

LAW 7991 Cornell Research Colloquium Fall. 3 credits. J.S.D. and LL.M graduate program grading – H, S, U; J.D. program - Letter grade only.

M. Lasser. Limited enrollment. Satisfies the writing requirement. This seminar course will be required for all first-year J.S.D. candidates. It will also be open first to L.L.M. students and then to J.D. students to the extent that places are available. Visiting scholars and exchange students from foreign institutions are highly encouraged to attend in an unofficial capacity.

This seminar is a course in advanced academic research methodology. The Colloquium is designed to prepare the students to engage in doctoral-level research, analysis and writing, especially in comparative and international contexts. How is the researcher to select an object or subject of investigation? How should she formulate research questions? How should she engage in the study of foreign and domestic legal institutions, doctrines and/or cultures? How is interdisciplinary work to be accomplished? The early portions of the course will involve discussing readings in comparative research methodology, including functionalism, Common Core analysis, legal transplant theory, historicism, law and development, legal pluralism, cultural analysis, colonial studies, and comparative institutionalism. In the latter portions of the course, students will present and critique their methodologically reflective research projects. A modest number of external speakers will be invited to present their work in progress for the purposes of generating methodologically oriented discussion.

LAW 7162 Contemporary American Jury Spring. 3 credits. S-U or letter grade.

V. Hans. Limited enrollment. Satisfies the writing requirement.

This course evaluates claims about the benefits and drawbacks of the contemporary American jury. Drawing on the work of legal scholars and social scientists, we will explore a range of topics relating to criminal and civil juries, including: jury selection; the use of jury consultants; juror perceptions of attorneys, evidence, and experts; individual and group decision making processes; jury instructions; jury deliberations; damage awards; juries in death penalty cases; and jury reform. By studying legal and empirical scholarship about the jury, and by writing their own research papers about a jury topic, seminar participants should develop insights into jury trial functioning and policy debates over the jury's role.

LAW 7154 Corporate Governance in Practice: Advising the Board of Directors Fall. 3 credits. S-U or letter grade.

Prerequisite: Students should have completed a basic corporations course. Courses on securities, transactional law and related topics would be helpful but are not prerequisites.

M. A. Underberg. Limited enrollment. Satisfies the writing requirement.

This course will approach corporate governance and fiduciary duty concepts from the point of view of the lawyer advising the board of directors as it seeks to resolve issues typically faced by corporate decisionmakers. These include potential change of control and affiliate transactions, equity issuances, borrowings and investments, liquidity and insolvency matters, activist shareholders, governmental investigations, disclosure issues, shareholder derivative litigation, as well as the manner in which boards discharge their obligations to manage risk, set executive compensation and establish long-term plans for business strategy and management succession. In connection with each of these decisions, the class will consider: (a) the statutes, regulations caselaw and other factors that are (or are not) at play in the board's decisionmaking process; (b) the legal and practical pressures on boards and management from various sources; (c) the practical impact of the legal and economic theoretical underpinnings of governance and (d) the effect of recently adopted and proposed changes in the legal and regulatory landscape. In the course of these discussions, the class will consider the role lawyers can play in helping directors and officers understand their responsibilities and risks and in otherwise facilitating corporate decisionmaking.

Not offered 2012-13.

LAW 6578 Critical Race Theory [also Govt 6578] Spring. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

A political theory seminar that deals primarily with the conceptual and normative questions pertaining to racism and racial identity in the United States context. Although the precise reading list will vary from year to year, the major figures and commentators may include W.E.B. Du Bois; Frederick Douglass; Ida B. Wells; Charles Hamilton Houston; Thurgood Marshall; Charles Mills; Bernard Boxill; Cornel West; Kwame Anthony Appiah; Robert Gooding-Williams; Tommie Shelby; Rogers Smith; Anthony Marx; Frantz Fanon; Edward Said; Etienne Balibar; Aziz Rana; A. Leon Higginbotham; Charles Lawrence; James Tully; Douglas Massey and Nancy Denton; Michael Omi and Howard Winant; Linda Faye Williams; and Uday Singh Mehta; as well as Emmanuel Eze's anthology, *Race and the Enlightenment*. The course is designed primarily for graduate students. The emphasis will be placed, for the 2012 version of this seminar, on African-American political thought and the normative analysis of white supremacy and structural racism. Du Bois, Charles Mills, and Tommie Shelby will be our featured authors. Ideally, students will have some background in African American studies and/or American political thought. Permission to enroll in the course can be obtained by writing to the instructor.

LAW 7165 Current Debates in Criminal Law Spring. 3 credits. S-U or letter grade.

S. P. Garvey. Limited enrollment. Satisfies the writing requirement.

This seminar will explore a number of issues, problems, and questions currently being debated among students of the substantive criminal law. The text we will be using, *Criminal Law Conversations* (Paul H. Robinson, Stephen P. Garvey & Kimberly Kessler Ferzan eds., 2009), presents these debates in a fashion designed to be easily understood and readily accessible. The book consists of thirty-one scholarly essays, together with a number of critical responses to each. Seminar participants will choose the essays to discuss and thus which conversations to join and continue. In order to see the possible topics of conversation, please use the "Look Inside" feature on Amazon.com and open the book's table of contents.

LAW 7163 Deals Seminar: Financial Derivatives Fall. 3 credits. Letter grade only.

Prerequisite: Business Organizations. Co-requisite: Securities Regulation.

G. Barnett & G. Scopino. Limited enrollment. The course can be used to satisfy the writing requirement.

This seminar focuses on core derivative instruments – swaps, futures, options and other derivative financial instruments – that are regulated by the Commodity Exchange Act and related regulations. It examines the key terms and characteristics of swaps, futures, options and other derivatives, including how they are typically structured and used. The seminar also reviews the regulatory framework that governs these financial agreements, including the regulation of key market participants and key market structures. The seminar also will examine emerging legal issues involving derivatives, including coordination with international regulators and cross-border jurisdiction issues, the limits imposed by traditional confidentiality restrictions in an environment that is demanding greater information sharing for regulatory and other purposes, as well as enforcement issues, including fraud and market manipulation. The seminar will enable students to research specific issues related to the regulation of derivatives.

LAW 7166 Deals Seminar: Capital Markets Transactions Fall, Spring. 3 credits. Letter grade only.

Prerequisite: Securities Regulation required.

J. Junewicz. Limited enrollment. The course can be used to satisfy the writing requirement or the skills requirement, but not both.

This seminar examines selected legal issues and documents in connection with capital raising transactions by companies and investment banks in the United States securities markets. Initial public offerings and offerings of investment grade and high yield debt securities will receive special focus. The seminar will review the essential aspects of equity and debt securities offerings such as the preparation of the prospectus, investor protection covenants in debt offerings, the indemnification and other key provisions of underwriting agreements, and the due diligence process. The seminar will include negotiation and problem-solving exercises, basic drafting, and student analyses of deal-related issues.

LAW 7169 Deals Seminar: Real Estate Transactions Fall. 3 credits. S-U or letter grade.

N. Bernardo, R. Wertheimer. Limited enrollment. The course can be used to satisfy the skills requirement. It does not satisfy the writing requirement.

Students will learn to analyze and evaluate customary commercial real estate transactional agreements, such as purchase and sale contracts, management, development and joint venture agreements, space and ground leases, debt financing instruments and commitment letters and term sheets, with particular attention given to the give and take involved in negotiating these documents and their business rationale.

LAW 6019 Dispute Resolution Practicum [also ILRLR 6019] Spring. 4 credits. Letter grade only.

D. Lipsky, R. Scanza, and R. Seeber. Limited enrollment. The course can be used to satisfy the writing requirement or the skills requirement, but not both.

Purpose is to link classroom discussion and analysis of arbitration and mediation with opportunities for students to observe actual arbitration and mediation cases. The course is designed to be an advanced seminar for graduate and undergraduate students who have a serious interest in pursuing a career in arbitration or mediation. Classroom discussions and readings will focus on both labor arbitration and mediation (i.e., the use of arbitration and mediation in unionized settings) and employment arbitration and mediation (i.e., the use of arbitration and mediation in cases involving nonunion employees).

LAW 7195 Estate Planning Spring. 3 credits. S-U or letter grade.

Prerequisite: Trusts and Estates. Students with only the Property course will have insufficient grounding in testamentary and lifetime transfers. Basic income tax course recommended.

M. O'Toole. Limited enrollment. The course can be used to satisfy the writing requirement or the skills requirement, but not both.

This course examines estate planning from simple testamentary planning to more sophisticated testamentary and lifetime planning. The course reviews the federal estate, gift and generation-skipping transfer tax, state transfer taxes and those aspects of income taxation pertinent to estate planning. The course will examine sophisticated estate planning in some detail, including qualifying dispositions for the marital and charitable deductions, postmortem planning, the use of valuation discounts, and techniques involving life insurance, closely held business interests, qualified plan benefits and individual retirement accounts, personal residences and qualification for governmental entitlements. The course will review issues in drafting Wills and trusts. The course will review planning for disability through powers of attorney and health care proxies. The course will review ethical considerations in the practice of estate planning and acting as a family counselor.

LAW 7196 Europe and the United States: Fiscal and Political Choices and Economic Consequences.

Spring. 3 credits. S-U or letter grade.

R. Minella. Limited enrollment. Satisfies the writing requirement.

The purpose of this course is to examine the political and fiscal choices of Europe and the United States, and examine the economic consequences of them. The books chosen for study will be *Boomerang* by Michael Lewis, *Currency Wars* by James Rickards, *The New Road to Serfdom* by Daniel Hannan and *Coming Apart* by Charles Murray. One further book may be added. The format for the seminar will be to read the books, discuss them in class, and then write an essay about some aspect of the book being written about. The class will then discuss the various topics suggested by the papers. As Europe is further along the "social democratic path" than the United States, we will examine a number of developments taking place in Europe and seek to understand their implications as they relate to the United States.

LAW 7170 East Asian Law and Culture Seminar [also SHUM 4863] Fall. 3 credits. Letter grade.

A. Riles. Limited enrollment. Satisfies the writing requirement.

This seminar explores legal issues in the East Asian region through the lens of how the law manages risk. With many of the world's most dynamic economies now in East Asia, today's undergraduates and law

graduates alike are more likely than ever to be involved with legal issues from that region. At the same time, legal problems in East Asia, from financial markets, to environmental justice, to human rights, and labor, to local debates about medical and scientific regulation and ethics, are invaluable sources of comparative insight about our own legal system. The seminar is organized principally around a series of public lectures by guest speakers who represent a broad range of topics and methodologies. Students will be required to read a series of background materials in preparation for each seminar and to write six three- to five-page papers responding to the presentations. Everyone who wishes to take the course for credit must attend the first class.

With the permission of the instructor a student will be permitted to take this seminar more than once.

LAW 7171 East Asian Law and Culture Colloquium Fall. 1 credit. S/U grading only.

Cannot be taken concurrently with Law 7170. This offering does not satisfy the writing requirement.

A. Riles.

Students will participate in a semester-long colloquium series. The series explores legal issues in the East Asian region through the lens of how the law manages risk. The seminar is organized principally around a series of public lectures by guest speakers who represent a broad range of topics and methodologies. Attendance and participation in all of the scheduled colloquia as well as the annual Clarke Lecture is required. Students will prepare a 3-5 page response paper summarizing key findings of one workshop over the course of the semester. Everyone who wishes to take the course for credit must attend the first class.

LAW 7180 Election Law Fall. 3 credits. Letter grade only.

J. Stiglitz. Limited enrollment. Satisfies the writing requirement.

This course examines the laws governing elections. Topics include campaign finance, election administration, districting and gerrymandering. The course gives attention to questions of whether and how the laws promote democratic objectives. Students will write a seminar paper and give a short presentation to the class.

LAW 7201 Empirical Studies of the Legal System Fall. 3 credits. Letter grade only.

T. Eisenberg. Limited enrollment. Satisfies the writing requirement.

This seminar introduces students to empirical analysis of legal issues. We will use a statistics package called *Stata*. The seminar will be conducted in three stages. Stage 1, lasting about four weeks, will give an overview of empirical studies, statistics, and *Stata*. In Stage 2, lasting about four weeks, students will plan their own empirical projects, and begin gathering the data to be analyzed. A short paper due during this period will include a literature review, set forth the empirical study to be conducted, and suggest how the results will further understanding of the legal system. In Stage 3, students will analyze data, write a paper, and present the findings to the seminar. Students are free to choose their own research topics. I can also recommend several.

LAW 7232 Ethical Issues in Criminal Investigations, Prosecutions and Policy Fall. 3 credits. S-U or letter grade. Attendance mandatory at first class.

M. Bachrach. Limited enrollment. The course satisfies the professional responsibility requirement. In addition, the course can be used to satisfy the writing requirement or the skills requirement, but not both. This seminar on professional responsibility explores the role of government lawyers and defense counsel in complex investigations and prosecutions, including white collar criminal cases and matters involving terrorism. We will examine relatively recent cases and proceedings, including, for example: the disbarment of Michael Nifong, prosecutor of the Duke Lacrosse team members; the report on the case against Senator Stevens and resulting guidelines regarding disclosure in criminal cases; cases and matters against criminal defense attorneys, including the cases of Lynne Stewart, Robert Simels and Arienne Irving; the KPMG case (*United States v. Stein*) and issues relating to deferred prosecutions. We will also

address the role of government lawyers in advising on the treatment of detained persons during interrogation. In doing so, we will read declassified memoranda and reports written by and about lawyers from the Office of Legal Counsel of the Department of Justice on the use of torture in investigations conducted as part of the war on terrorism.

Not offered 2012-13.

LAW 7231 Ethnoracial Identity in Anthropology, Language, and Law [also AM ST 6424, ANTHRO 6240, LSP 6240] Spring. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

This seminar will examine the role that both law and language, as mutually constitutive mediating systems, occupy in constructing ethnoracial identity in the United States. We will approach the law from a critical anthropological perspective, as a signifying and significant sociocultural system rather than as an abstract collection of rules, norms, and procedures, to examine how legal processes and discourses shape processes of cultural production and reproduction that contribute to the creation and maintenance of differential power relations. Course material will draw on anthropological, linguistic, and critical race theory as well as ethnographic and legal material to guide and document our analyses.

LAW 7239 Corporate Governance and Corporate Scandals Fall. 3 credits. Letter grade only. Prerequisite: Business Organization.

G. Fletcher. Limited enrollment. Satisfies the writing requirement.

How has corporate governance changed in the past 30 years? Have these changes been beneficial to shareholders, managers, stakeholders or the general public? What effect have financial crises and corporate scandals had on the evolution of corporate governance standards? Standards of "good corporate governance" have morphed dramatically from one in which managers and directors are able to ignore shareholders without repercussions, to one in which shareholders are more active in the companies in which they invest. Further, with each new financial crisis or corporate scandal, corporate governance makes a simultaneous step, which may be over- and under-inclusive of the issues present in these crises or scandals. In this seminar, our focus will be on scandal and crisis response legislations, such as Sarbanes-Oxley and Dodd-Frank, the rise of proxy advisory firms, executive compensation and pay-for-performance metrics, increased importance of institutional investors, and other current issues in corporate governance. Further, we will investigate the influence of corporate governance norms on the legal and ethical responsibilities of lawyers and other business professionals, as they assist corporations navigate the ever-changing corporate governance landscape. Business Organizations is a pre-requisite or, with the instructor's approval, a co-requisite. Grades will be based on class participation, reading responses, and a final paper.

Not offered 2012-13.

LAW 7261 Feminist Jurisprudence Spring. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

This seminar examines the role of law, and, more generally, the role of the state, in perpetuating and remedying inequities against women. After studying the historical emergence of sexual equality law in the United States, we discuss a number of paradigmatic feminist legal theories, including formal equality, MacKinnon's "dominance" theory, relational feminism, pragmatic feminism, and various anti-essentialist theories (e.g., critical race feminism and intersectionality). We then proceed to apply these analytical structures to various substantive areas of law of particular concern to women, including but not limited to rape and other types of violence against women; pornography; prostitution; abortion, surrogacy and other reproductive rights issues. Students present their own research on other issues to the class. Grade based on paper and class participation.

Not offered 2012-13.

LAW 7281 First Amendment Theory 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

An examination of competing theories about the scope and justification of freedom of speech, freedom of press, and freedom of religion. The seminar will consider free speech theories focused on liberty, formal equality, self-government, public morality, dissent, and anti-domination; the relationship of various conceptions of democracy to freedom of press; and various conceptions regarding the optimal relationship between church and state. Among the more specific topics at issue in some of the readings are commercial speech, pornography, flag burning, subsidies of the arts, campaign finance, the structure of the mass media, government involvement with religious symbols, and vouchers to religious schools.

LAW 7291 Global and Regional Economic Integration: The WTO, EU, and NAFTA Spring. 3 credits. S-U or letter grade.

J. J. Barceló III. Limited enrollment. Satisfies the writing requirement.

The seminar studies the process of international economic integration occurring both globally and regionally. In the global context it takes up a basic introduction to WTO law and selected problems. In the regional context it takes up a basic introduction to the European Union, including the institutional and lawmaking processes, the direct effect and supremacy of EU law, and the development of the four freedoms (goods, services, persons, and capital). A basic introduction to NAFTA will also be included. Student seminar papers may deal with issues arising within any of these regimes, or any other regional regime. Comparative studies will be encouraged.

LAW 7292 Health Care Law Spring. 3 credits. S-U or letter grade.

M. Frakes. Limited enrollment. Satisfies the writing requirement.

This seminar will explore a number of selected topics in health law and policy. While it will not provide a comprehensive overview of the health care system, it will address a number of essential policy discussions in health care delivery and financing. Despite an emphasis on health care, the seminar will also address certain topics in public health law. Among other goals, a key aim of this seminar is to explore the informational and other limitations of the private health care market and to evaluate the rationales behind legal or regulatory interventions. We will address interventions considered to date along with various proposals for future reforms. Topics covered will include: cost-containment and provider/patient incentives, health insurance and financing (including the interaction between health insurance and the labor market), quality of care and medical malpractice, Medicare/Medicaid, and pharmaceutical policy.

LAW 7311 Immigration and Refugee Law Fall. 3 credits. S-U or letter grade.

Prerequisite: Constitutional Law.

S. W. Yale-Loehr. Limited enrollment. Satisfies the writing requirement.

This course explores the relationship between U.S. immigration policy and our national purposes. Immigration plays a central role in contemporary American life, significantly affecting our foreign relations, human rights posture, ethnic group relations, labor market conditions, welfare programs, public services, and domestic politics. It also raises in acute form some of the most basic problems that our legal system must address, including the rights of minorities, the concepts of nationhood and sovereignty, fair treatment of competing claimants for scarce resources, the imperatives of mass administrative justice, and pervasive discrimination. In approaching these questions, the course draws on diverse historical, judicial, administrative, and policy materials.

Not offered 2012-13.

LAW 7593 Income Taxations of Corporate Mergers and Acquisitions Spring. 3 credits. S-U or letter grade.

Prerequisite: Federal Income Taxation is an absolute prerequisite for the seminar, unless (a) a student believes that he or she has an equivalent academic or professional background, AND (b) receives my advance permission to enroll.

R. Schnur. Limited enrollment. Satisfies the writing requirement.

This is an advanced seminar that, after reviewing the basic federal income tax principles governing taxable and nontaxable corporate mergers and acquisitions, will introduce students to some of the more complex transactional tax issues and will explore how these tax concepts are utilized in structuring acquisition transactions. The emphasis will be on domestic rather than cross-border acquisitions. There will be no final examination, but students will be asked to prepare several planning memoranda directed at different merger and acquisition fact patterns.

Not offered 2012-13.

LAW 7321 International Criminal Law Spring. 3 credits. Letter grade only.

Limited enrollment. Satisfies the writing requirement.

The seminar examines the questions surrounding international criminal law as a separate discipline and the sources of and basic principles underlying the subject. Particular attention will be paid to the question of jurisdiction over international crimes. It will consider international crimes such as aggression; war crimes, crimes against humanity, terrorism, and torture. It will also consider the treatment of past human rights violations in post conflict situations. It will further consider procedural aspects of international criminal law and the forums that deal with international crimes. In that context, it will look at the structure, jurisdiction and jurisprudence of Truth Commissions; the International Criminal Court (The Rome Statute); the former Yugoslavia Tribunal; Rwanda Tribunal and extradition and mutual legal assistance. The format will be class discussions of assigned readings. Final assessment in the course will be based on participation in class discussions and a written paper on a subject falling within the themes of the seminar. Paper topics must be submitted to the instructor for review not later than the third week of class. Each student is expected to give a presentation based on his or her paper to the class.

LAW 7344 International Labor Law Spring. 3 credits. S-U or letter grade.

C. Thomas. Limited enrollment. Satisfies the writing requirement.

International Labor Law examines labor rights and labor standards in multilateral and regional institutions like the WTO, ILO, OECD and the European Union; regional and bilateral trade agreements like NAFTA and more recent bilateral agreements with developing countries; the new labor-trade "template" in U.S. trade policy; and private initiatives like anti-sweatshop campaigns and corporate codes of conduct. Thematic chapters deal with labor rights lawsuits in U.S. courts; cross-border labor organizing and bargaining ; migrant workers; women workers in the global economy, and child labor."

LAW 7322 International Taxation Spring. 3 credits. S-U or letter grade.

Prerequisite: Federal Income Taxation. LLM students who have not taken Federal Income Taxation must secure permission of the instructor.

R. A. Green. Limited enrollment. Satisfies the writing requirement.

This seminar examines the principles underlying the U.S. taxation of international transactions.

Law 7358 International Environmental Law Spring. 3 credits S-U or letter grade.

K. S. Porter. Limited enrollment. Satisfies the writing requirement.

The development of international environmental law since the 1960s is a remarkable exercise in law making. This course will review this development, its legal foundations and fundamental principles. It will outline the framework within which the principles and rules of international environmental law apply. The framework comprises the legal nature of states, international organizations, non-governmental organizations, treaties and other legal instruments such as UN resolutions. The course will consider the adequacy of this legal system in addressing regional and global needs to achieve sustainability. Critical aspects of sustainability include: climate change, increasing frequency and magnitude of disasters including droughts and floods, marine resources, energy, biodiversity, genetic resources and associated intellectual property issues, and trade and economic development. These crosscutting challenges must balance conflicting goals of economic development and environmental

sustainability. Such challenges involve basic considerations of human rights, such as the human right to water, and in particular the self-determination of indigenous peoples. A major component of the course will be individual projects selected by each student with the instructor's approval.

LAW 7371 Islamic Law and History Spring. 3 credits. S-U or letter grade.

Attendance is mandatory at the first class meeting.

D. S. Powers. Limited enrollment. Satisfies the writing requirement.

This course is designed to introduce law students to the terminology, principles, and concepts of classical Islamic law. After discussing the origins and evolution of Islamic law, we will turn first to the organization of qadi courts (procedure and evidence) and then to specific areas of the law, e.g., personal status (marriage and divorce), the intergenerational transmission of property (bequests, gifts, and endowments), commerce (contracts, hire, allocation of loss), and crime. The application of legal doctrine to actual disputes will be analyzed through the reading of expert judicial opinions or *fatwas* (in English translation) issued in connection with medieval and modern court cases.

LAW 7392 Jurisprudence of War Spring. 3 credits. S-U or letter grade.

J. Ohlin. Limited enrollment. Satisfies the writing requirement.

An investigation of the deeper theoretical and conceptual problems underlying the Law of War. Covered topics will include the collective nature of genocide, aggression, and crimes against humanity; modes of liability in international criminal law, including the doctrines of conspiracy, joint criminal enterprise, co-perpetration, and command responsibility; and current controversies from the War on Terror, including terrorism, torture, extraordinary rendition, and targeted killings. Students are required to write a seminar paper on a topic to be chosen in consultation with the professor.

Not offered 2012-13.

LAW 7374 Judicial Opinion Writing Fall. 3 credits. S-U or letter grade.

Limited enrollment. The course can be used to satisfy the writing requirement or the skills requirement, but not both.

Judicial opinions are a fundamental part of our legal system. Well-written opinions share many common characteristics making them effective resolutions of current disputes as well as helpful precedent for the resolution of future disputes. This course is an excellent class for future judicial clerks as well as second-year students who may want to apply for clerkships next year. This course includes a study of cases briefed and argued at the Supreme Court during the current Fall Term and will require students to research, write, and revise majority and dissenting opinions in various cases based upon a careful consideration of the briefs, an oral argument, and any applicable precedent.

Not offered 2012-13.

LAW 7393 Jurisprudence and Normative Political Theory [also Govt 7606] Fall. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

We will begin with Hart's classic work, *The Concept of Law*, and then consider Dworkin's criticisms. Then we will make a detour to Rawls's liberal democratic theory; by doing so, we will place normative questions pertaining to public reason, equal liberty rights, distributive justice, and democratic forms of deliberation on the table. Returning to legal theory, we will consider Michelman's work on Rawls, social rights, and the constitution; and Cover's theory of plural nomian fields. Dworkin's confidence in the judiciary raises serious questions about the role of judicial review in a liberal democratic society; we will consider the critical approaches of Waldron, Tushnet, and Post and Siegal in this regard. Finally, we will read several works from the critical race theory field; in the fall 2011 version of this course, we will concentrate on the writings of Charles Lawrence.

LAW 7395 Labor and Employment Arbitration Fall. 3 credits. S-U or letter grade.

M. L. Goldstein. Limited enrollment. Satisfies the writing requirement.

Study of arbitration in the field of labor-management relations, including an analysis of principles and practices, the law of arbitration, the handling of materials in briefs or oral presentation, the conduct of a mock arbitration hearing, and the preparation of arbitration opinions and post-hearing briefs.

Not offered 2012-13.

LAW 7398 Land Use Planning 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

This course will provide a broad introduction to the theory, doctrine, and history of land use regulation. Topics will include zoning, homeowners' associations, nuisance, suburban sprawl, eminent domain and regulatory takings. Readings will be drawn from the leading cases as well as commentary by scholars in the fields of law, architecture, and planning.

LAW 7411 Law and Higher Education Spring. 3 credits. Letter grade only.

J. J. Mingle. Limited enrollment. Satisfies the writing requirement.

Higher education is a complex, idiosyncratic institution. Universities and colleges have a unique mission -- teaching, research, and public service -- and a uniquely challenging task of accommodating the various constituencies and organizations, both internal (governing boards, faculty, students, alumni) and external (legislatures, courts, regulatory agencies) that influence how they are managed and how policies are shaped. This seminar explores the dynamic tensions, high expectations, and complex legal-policy issues universities and colleges face in fulfilling their mission.

LAW 7412 Law and Humanities Colloquium [also ENGL 7412] Spring. 3 credits. Letter grade only.

B. Meyler. Limited enrollment. Satisfies the writing requirement.

Everyone who wishes to take the course for credit must attend the first class.

In an era of increasing interdisciplinary collaboration, the fields that comprise the humanities are engaging in new ways with law as well as with each other, and projects developed within the context of law schools themselves bear renewed relevance to the humanities. This colloquium will bring together scholars working at the forefront of legal history, law and literature, law and culture, and critical theory from the institutional vantage points of both law and the humanities. Those who present materials will be asked to speak not only about their specific research but also to address where their work is situated within new developments in law and humanities as a whole.

This year, the colloquium will focus on the topic of democracy, law, and the humanities. The course will begin with three weeks of seminar designed to apprise students of extant work in law and the humanities and to situate current developments within this broader frame, particularly concentrating on engagements with democracy. We will, for example, read law and literature scholarship investigating the connection between democracy and conceptions of the literary, legal history concentrating on the legal underpinnings of modern democracy, and legal and political theory attempting to redefine democracy. The remainder of the course will be organized around a series of speakers, some drawn from Cornell and some from other universities.

Students will be required to write six three- to five-page papers responding to the speakers' pre-circulated talks; these will be due in advance of the class session and shown to those lecturing in order to prompt and enhance discussion.

LAW 6710 Law and Literature Fall. 3 credits. Letter grade only.

E. Anker. Satisfies the writing requirement.

This seminar will study the relationship between law and literature to pose broad questions about the interpretive and other stakes of different theoretical approaches to literary criticism. We will consider frameworks for conjoining literature with law that are established (narratology, psychoanalysis, rhetoric)

and new (cultural studies, performance, globalization), applying these analytics to specific issues (immigration, marriage, human rights) as well as literary texts. We will thereby investigate the evolution of law and literature as a field of inquiry, examining its institutional-intellectual genesis and its contemporary formations. While ranging across historical periods, we will in particular ask about the future directions of law and literature. To what emerging debates might law and literature scholars turn? What new methodologies and problems remain insufficiently explored?

Not offered 2012-13.

LAW 7571 Legal Narratives 3 credits. Letter grade only.

Limited enrollment. Satisfies the writing requirement.

This seminar takes an in-depth look at the factual, legal, and social background of notable legal decisions. The seminar is based on a recently published series of texts presenting the "stories" behind well-known first year cases. After reading and discussing a selection of cases from these sources, each student will prepare and present his or her own case history of a case selected by the student, working from briefs, related legal material, secondary sources, and, if possible, contacts with lawyers and parties. Grades will be based on papers and presentations.

LAW 7572 Litigation Drafting Fall. 3 credits. Letter grade only.

L. Freed. Limited enrollment. The course can be used to satisfy the writing requirement or the skills requirement, but not both.

This course focuses on drafting documents typically encountered during the pretrial phase of civil litigation. As drafters, lawyers must think strategically about, and understand the conventions unique to, each document. Students will have repeated opportunities to develop essential drafting and professional skills through a combination of in-class exercises and take-home writing assignments related to pleadings, motions, discovery requests, affidavits, demand letters, and settlement agreements.

Not offered 2012-13.

LAW 7578 Markets, Democracy, and the Rule of Law Spring. 3 credits. Letter grade only.

Limited enrollment. Satisfies the writing requirement.

The promotion of markets, the spread of democracy, and the promulgation of the rule of law are frequently presented as three interrelated goals at both the domestic and the international level. In this seminar, we will consider the multiple potential meanings embedded in these goals and the degree to which they may be complementary and/or in tension. The seminar will include a theoretical unit (considering, among other things, the degree to which the definitions of each of these elements are settled or contested) and a series of applications. We will discuss both academic scholarship and cases/case studies that highlight these issues.

Students will write a paper for the course, and will also give a brief presentation to the seminar on their paper topic.

Not offered 2012-13.

LAW 7580 Markets, Morals and Methods Spring. 3 credits. Letter grade only.

Limited enrollment. Satisfies the writing requirement.

This seminar, open to law students and graduate philosophy and economics students, is devoted to the foundations of choice, agency, and welfare -- matters that lie at the core of normative legal and economic theory.

Readings, guest speakers, and class discussion will focus on the nature of preferences, reasons, and norms, as well as (a) their inter-relations and (b) their roles in guiding human decision and action. A central theme will be the question whether and to what degree welfare, well-being, and wealth for that matter can be understood apart from and even as determinative of normative propriety ("rightness" and "wrongness"), or whether instead these concepts presuppose a prior conception of normative propriety. Many legal and economic theorists seem to assume the former, but this assumption can -- and in this

course will -- be examined critically.

Approximately half of the class sessions will feature presentations by distinguished legal theorists, welfare economists, and philosophers. The other class sessions will be devoted to discussion of papers sent in advance by these guests, as well as complementary work by others.

LAW 7591 Mergers and Acquisitions Fall. 3 credits. S-U or letter grade.

Prerequisite: Prior or concurrent: basic Business Organizations/Corporations class at Cornell or another U.S./Canadian law school. Prior (not concurrent): basic Contracts class from Cornell or another U.S./Canadian law school or basic contracts class (from any other law school) deemed comparable by the professors.

M. I. Greene, R. A. Hall. Limited enrollment. Satisfies the writing requirement.

The focus of this course is developing the lawyering skills required by an attorney advising a client who is selling or acquiring a business. Individual drafting exercises, as well as strategy discussions and negotiations by student teams acting as counsel to the buyer or seller, will be interspersed with lectures on the business acquisition process and analysis of selected publicly available documentation of actual acquisition transactions. The typical chronology of an acquisition: negotiation by the buyer and the seller of the basic terms of the deal including selection of structure (sale of stock or assets; merger); drafting and negotiation of a term sheet or letter of intent; due diligence investigation; drafting and negotiation of the definitive acquisition agreement; handling of problems encountered between the execution of the agreement and the closing of the acquisition; and the closing.

LAW 7592 The Military and the Law Fall. 3 credits. S-U or letter grade.

D. Rawald. Limited enrollment. Satisfies the writing requirement.

In the decade since the devastating terrorist attacks of September 11th, our military forces have engaged in two long term wars in foreign countries as well as an ongoing struggle against the terrorist organizations involved with those attacks. The legal issues both within the military and surrounding our military actions have risen to the forefront throughout the course of these conflicts. This seminar will explore those issues, taking a historical perspective on the evolution of the law as it intersects with the military while primarily focusing on the legal issues facing our country today. Topics will include a discussion of the military court-martial system as compared to the Article III civilian federal court system and the use of courts-martial to try non-military contractors employed in war environments. We will also examine the targeting and detention of individuals in combat, including scrutiny of the developing case law regarding *habeas* rights for individuals the military has detained and the use of military commissions. This course is designed to elicit discussion from both a policy and legal perspective on these current issues while helping to broaden the students' understanding of how law impacts our military forces as well as how our military can be used to spread the Rule of Law. The course content will touch upon issues raised in criminal law, international law, national security law and the law of armed conflict. Students will be graded on two papers and their participation in classroom discussion.

Not offered 2012-13.

LAW 7596 Neuroscience and the Law 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

This seminar examines key findings and implications for the law in the rapidly expanding field of neuroscience. Topics to be covered include the neurobiology of decision-making and memory, issues of gender difference in brain function, and the neurophysiology of trauma, addiction, and aggression. Attention will also be given to recently developed technologies for observing the human brain, the history and philosophy of clinical diagnosis as related to psychopathology and deviant behavior, and to prisons as asylums. The goal of the seminar is to enable students to integrate cutting-edge scientific findings and related controversies into their understanding and approach to legal practice in such areas as criminal justice, mental health disability, domestic violence, gender equity, and child welfare.

Not offered 2012-13.

LAW 7594 New York Civil Practice 3 credits. S-U or letter grade.

Prerequisite: Full year of Civil Procedure.

Limited enrollment. The course satisfies the ethics requirement. In addition, the course can be used to satisfy the writing requirement or the skills requirement but not both.

The course will explore the idiosyncrasies and intricacies of New York practice and procedure, with a particular focus on practice in the New York Supreme Court (the primary court of general original jurisdiction in New York). The course will also examine rules concerning civility in litigation and the ethical boundaries of zealous representation.

Not offered 2012-13.

LAW 7601 Organized Crime Control Fall. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

This seminar will explore the challenges organized crime poses to society and to traditional law enforcement techniques. Students will undertake a simulated investigation using physical and electronic surveillance, the analysis of documentary evidence, and the examination of recalcitrant witnesses before the grand jury. The RICO statute will be explored in detail as well as a variety of non-criminal remedies including forfeiture and court-imposed trusteeships.

LAW 7631 Pretrial Practice: Litigation Strategies, Ethical Issues and Advocacy Skills in Commercial Litigation Fall. 3 credits. S-U or letter grade.

Prerequisite: Civil Procedure and Contracts or Anglo-American Contract Law.

A. M. Radice, M. D'Amore. Limited enrollment. Satisfies the professional responsibility requirement and the writing requirement.

This seminar studies the strategies of complex commercial litigation, focusing on case development in the pretrial period including pleadings, jurisdiction, motions, discovery, remedies and the use of litigation to achieve business goals in the context of intricate contract, corporate, IP, and securities law issues. Several hours are devoted directly to problems and issues under the New York and ABA Rules of Professional Responsibility. In addition, hardball litigation tactics, and the ethics rules applicable in litigation are considered in connection with all cases and exercises in the course. Actual litigated cases will be dissected, papers in the form of briefs and memoranda will be written on each, and mock in-court arguments, pre-trial conferences and mediations will be conducted. Since over 90% of commercial cases settle before trial, this seminar will be a very real presentation of the commercial litigation process.

Not offered 2012-13.

LAW 7674 Recent Changes in Financial Regulation Fall. 3 credit hours. S-U or letter grade.

Prerequisites: Business Organizations is a pre-requisite or, with the instructor's approval, a co-requisite.

Financial Institutions is not required, but is recommended.

Limited enrollment. Satisfies the writing requirement.

Has financial regulation kept up with change in the financial markets? And, if not, to what extent has new regulation – enacted over the last 12 months – begun to fill in the gaps? Chief among the changes has been convergence in the products and services offered by traditional intermediaries and new market entrants, as well as a shift in capital-raising and risk-bearing from traditional intermediation to the capital markets. The result has been the reintroduction of old problems addressed by (but now beyond the reach of) current regulation, and the rise of new problems that reflect change in how capital and financial risk can now be managed and transferred. In this seminar, we will begin to assess the current approach to financial regulation in light of change in the financial system. Our focus will include both institutional and consumer-focused regulation. Grades will be based on class participation and a paper.

LAW 7685 Research Seminar: Financial Market and Financial Regulation Fall. 3 credits. Letter grade only.

L. Stout. Limited enrollment. Satisfies the writing requirement.

In most markets, money is traded for goods or services. In financial markets, money is traded for more money to be received in the future, often contingent on future events. Financial markets include the markets for bank deposits; bank loans; insurance; corporate securities; government-issued securities; stock and commodity futures; home mortgages; car loans; credit cards; mutual funds; defined contribution pension plans; and many other types of transactions. In this research seminar, students will select individual topics relating to financial market regulation for research and study (subject to instructor approval). Each student in the seminar will be asked to write a 20-30 page paper on their chosen topic and give an oral presentation on their paper to their fellow students in class.

Not offered 2012-13.

LAW 7741 The Separation of Powers Spring. 3 credits. Letter grade only.

Limited enrollment. Satisfies the writing requirement.

The nature and consequences of our constitutional "separation of powers" is a topic of substantial debate, with significant implications for our system of government. This seminar examines the ways this concept is understood and used by modern judges, legislators, executive officials, and scholars to justify, or to attempt to modify, the distribution of power within contemporary American government.

LAW 7765 Tax Policy Seminar Spring. 3 credits. Letter grade only.

Prerequisite: Federal Income Taxation.

L. Kahng. Limited enrollment. Satisfies the writing requirement.

This seminar analyzes the tax policy goals of fairness, simplicity, and economic efficiency, and examines how well the present tax system satisfies these goals. Specific topics include: progressivity of the tax rate structure; use of the tax system to advance social policies; tax legislative process; taxation of the family; and comparison of income and consumption taxes.

LAW 7781 Theories of Property Fall. 3 credits. S-U or letter grade.

Prerequisite: Property.

E. M. Penalver. Limited enrollment. Satisfies the writing requirement.

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

LAW 7780 Regulatory Policymaking: Politics, Ethics, Economics Spring. 3 credits. Letter grade only.

J. Stiglitz. Limited enrollment. Satisfies the writing requirement.

Regulatory agencies produce many of the rules that govern economic and social behavior. This course examines the regulatory process by addressing topics such as the justifications for regulatory intervention, political constraints on the production of regulation, and methods of structuring regulation. The course gives attention to connections with administrative law doctrines. Students will write a paper and give a short presentation to the class.

LAW 7783 Topics in Intellectual Property Spring. 3 credits. Letter grade only.

O. Liivak. Limited enrollment. Satisfies the writing requirement.

Sizable disagreement and controversy surround many areas of intellectual property. This seminar explores these disputes. By surveying the academic literature the seminar aims to introduce, understand, and ultimately critique the arguments being made for and against various aspects of intellectual property.

Not offered 2012-13.

LAW 7782 Tort Theory 3 credits. Letter grade only.

Limited enrollment. Satisfies the writing requirement.

This is a seminar on the philosophy and theory of tort law. The format of the seminar is as follows: the first few meetings are devoted to an overview and discussion of the history and philosophy of the law of torts; after the first few sessions, each seminar session consists of a close-reading critique of one important modern article or book chapter. Each member of the seminar is required to read each article very closely before coming to class and then to prepare one difficult question for that week's assigned student-critiquer and one for the assigned student-defender. The articles to be discussed are selected to represent a broad range of methodologies, philosophical positions and topics. The pedagogic strategy is to bring together a small group of students who really have command of the details of a controversial argument about an issue or problem in the law of torts so that they can have a fruitful conversation evaluating the argument.

Not offered 2012-13.

LAW 7112 Twentieth Century Jurisprudence: The Great Works Spring. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

This seminar is devoted to (most of) the key books in modern analytical legal philosophy. We will read and discuss the following: H.L.A. Hart, *The Concept of Law* (2nd ed., 1994); Hans Kelsen, *Pure Theory of Law* (1930); Joseph Raz, *Practical Reason and Norms* (rev. ed., 1990); Ronald Dworkin, *Law's Empire* (1986); John Finnis, *Natural Law and Natural Rights* (1980). This seminar does not offer a survey of legal philosophy. Rather, aspiring to give an alternative to the excerpt-driven style of law school teaching, this seminar allows students to study and criticize the full and complete arguments of the great jurisprudential minds of recent times.

Not offered 2012-13.

LAW 7784 The War on Drugs Spring. 3 credits. S-U or letter grade. Course meets for 10 weeks.

M. J. Satin. Limited enrollment. Satisfies the writing requirement.

The United States incarcerates more people for drug offenses than any other country. Of the more than 2 million people in prisons or jails, approximately one-quarter of those people have been convicted of a drug offense. This seminar examines America's War on Drugs, including its political and legal history, its evolution and development over the past forty years, and its social and economic consequences. Specific attention will be paid to its impact on the poor and people of color. To that end, the seminar will examine policing in inner cities as well as disparities in sentencing between crack and cocaine offenses and the recent federal cases and legislation on this subject. Other topics include drug testing in schools and the workplace, mandatory minimum sentences, the relationship between drug offenses and violent crime, problem solving courts like drug court, the movement to legalize drugs, U.S. foreign policy towards countries supplying illegal narcotics, and the domestic drug laws of other countries. Students will be expected to write 4 short papers and a pleading in a mock drug case.

LAW 7785 War Crimes Trials and the Law of Genocide Spring. 3 credits. S-U or letter grade.

M. Rosensaft. Limited enrollment. Satisfies the professional responsibility requirement and the writing requirement.

Beginning in November 1945, in an unprecedented attempt to bring war criminals to justice, more than 20 senior government officials and military leaders of Hitler's Third Reich were indicted and tried, in what has become known as the Nuremberg Trial, for crimes against peace, war crimes, and crimes against humanity. Earlier that fall, the SS commandants, officers and guards who had been arrested by the British

upon the liberation of the Bergen-Belsen concentration camp, had been tried before a British military tribunal. These were the first of numerous trials of Nazi war criminals and related criminal and civil proceedings arising out of the Holocaust. This seminar will examine legal and ethical issues raised in these and other trials of Nazi war criminals and individuals accused of collaborating with the Nazis in perpetrating crimes against humanity, including the 1947 "Justice Trial" of Nazi judges and senior officials of the Third Reich Ministry of Justice, the Eichmann Trial in Jerusalem and the 1963-64 Tel Aviv trial of Hersz Barenblat, the head of the Jewish police in the ghetto of Bedzin, Poland. The course will also examine the history of the Genocide Convention, and the developing law of genocide and crimes against humanity with respect to atrocities in the former Yugoslavia, Rwanda and Darfur, including the evolving law on rape and sexual violence as a weapon of war.

LAW 7793 Water Law Fall. 3 credits. S-U or letter grade.

K. S. Porter. Limited enrollment. Satisfies the writing requirement.

The aim of this course is to give a solid understanding of U.S. water law and an appreciation of the magnitude of its underlying economic stakes. The course examines the development of water law from its English common law roots including concepts of navigable waters, riparian rights and prior appropriation and doctrines governing the use of groundwater. The course will review major water programs in the Western states and consider the public trust doctrine, the role of federal law, particularly concerning reserved water rights of Indian tribes, the federal government's long history of promoting irrigation schemes through the Bureau of Reclamation, and federal flood control laws. In the Eastern states, the focus will be on water quality and its impact on water uses, including the application of the Safe Drinking Water Act to protect groundwater on Long Island and the upstate water supplies of New York City and the current and heavily litigated application of the Clean Water Act to the New York headwaters of the Chesapeake Bay watershed.

Not offered 2012-13.

LAW 7786 The Western Legal Tradition Fall. 3 credits. S-U or letter grade.

Limited enrollment. Satisfies the writing requirement.

Have you ever walked by the law code of Gortyn in the basement of Myron Taylor Hall and wondered what it says? Have you ever wanted to know what's actually in Magna Carta? Have you ever wondered who Coke and Blackstone were and why they are mentioned so often in constitutional debates? In this seminar, designed as a "great books" course, we will take an in-depth look at some of the primary texts of the Western legal canon, the intellectual inheritance of modern lawyers. Most of the class will involve reading and discussing the primary texts themselves, from Hammurabi's code to Oliver Wendell Holmes, with secondary readings for historical background. We will also read some texts that are not generally treated as part of the canon in order to engage with the issues of how the canon was formed, how certain authors came to be identified with the West, and how certain texts were identified as "legal" texts. Students in this course will gain a deeper understanding of how conceptions of law have changed over time and how they got to be the way they are today.

Clinical Courses and Externships

All clinical courses and externships have limited enrollment and satisfy the skills requirement.

Admission to all clinic courses is instructor selected.

Detailed clinical descriptions may be found at:

<https://support.law.cornell.edu/students/forms/ClinicalCoursesAndExternshipsDescriptions.pdf>

LAW 7803 Advanced International Human Rights Clinic Fall, Spring. 4 credits. Letter grade only.

S-U with permission of instructor only.

Prerequisite: Permission of Instructor and International Human Rights Clinic

S. Kalantry [fall], E. Brundige [fall/spring]. Limited enrollment. Satisfies the skills requirement.

Students will be team leaders in projects undertaken by students in the International Human Rights Clinic. Students will participate in the substantive work of the clinic, provide organizational leadership for their project team, and advise new clinic students on procedural issues relating to the clinic.

LAW 7805 Advanced Labor Law Spring. 3 credits. S-U or letter grade.

Prerequisite: permission of the instructor and Labor Law, Practice and Policy or any other traditional labor law course is required, as well as the Labor Law Clinic.

A. Cornell. Limited enrollment. Satisfies the skills requirement.

The Advanced Labor Law Clinic provides students another opportunity to deepen their understanding of traditional labor and employment law by representing the interests of workers with typical workplace issues. There is no classroom component to this course. Students will dedicate their time to addressing client inquiries related to organizing, collective bargaining, unfair labor practice charges, the Family Medical Leave Act, the Americans with Disabilities Act or other workplace issues. Students may also have the opportunity to represent their clients in a case before the National Labor Relations Board, in mediation or arbitration pursuant to the dispute resolution mechanism in the collective bargaining agreement. In addition to the domestic labor law inquiries, interested students may have the opportunity to address international labor law topics as well. The international labor law work typically occurs in Latin America. During the semester, there will likely be two guest speakers and two panel discussions on timely labor law topics, which students will be required to attend, along with weekly meetings to discuss case preparation and advancement. In this course students will advance the following skills: interviewing, counseling, factual investigation, legal research and writing, problem-solving and depending on the assignment, trial preparation skills (direct and cross-examinations, opening statement and evidentiary arguments).

LAW 7905 Advocacy for LGBT Communities Clinic (LGBT Clinic) I Fall, Spring. 6 credits.

S. Hazeldean. S-U or letter grade. Permission of the instructor. Limited enrollment. Attendance is mandatory at the first class.

The LGBT clinic is dedicated to advancing the legal rights of lesbian, gay, bisexual, and transgender (LGBT) people. The clinic represents diverse members of the LGBT community in a variety of legal matters and undertakes non-litigation projects to advance LGBT equality. All clinic students work on both an individual case and a non-litigation advocacy project. Students develop skills such as interviewing, client counseling, fact-finding, legal research, brief-writing, negotiating on behalf of clients, and conducting hearings. Examples of individual litigation cases are: representing a lesbian woman seeking asylum from Jamaica based on her sexual orientation and assisting a transgender woman in a men's prison challenging the conditions of her confinement. Students will handle all stages of any legal proceedings in immigration court, state court, or other forums. Examples of advocacy projects include presenting a community education workshop in how LGBT seniors can protect their legal rights and writing a report on access to domestic violence shelters for LGBT domestic violence victims. The seminar portion is a practice-oriented examination of advocacy on behalf of LGBT people and of social justice lawyering generally.

Students who wish to apply to the clinic must submit a resume, transcript, and short essay (no more than 2 pages) to Prof. Hazeldean. Students who have questions or would like more information about the clinic are encouraged to email Prof. Hazeldean (shazeldean@cornell.edu) and schedule a meeting.

Note: This course requires off premises travel to meet with clients and participate in hearings.

LAW 7906 Advocacy for LGBT Communities Clinic (LGBT Clinic) II Fall, Spring. 3 credits.

S. Hazeldean. S-U or letter grade. Permission of the instructor. Limited enrollment. Attendance is mandatory at the first class.

The LGBT clinic is dedicated to advancing the legal rights of lesbian, gay, bisexual, and transgender (LGBT) people. Clinic students represent diverse members of the LGBT community in a variety of legal matters and undertake non-litigation projects to advance LGBT equality. All clinic students work on both an individual case and a non-litigation advocacy project. Students develop skills such as interviewing, client counseling, fact-finding, legal research, brief-writing, negotiating on behalf of clients, and conducting hearings. Examples of litigation projects are: representing an immigrant seeking asylum based on sexual orientation and assisting a transgender woman in a men's prison challenging the conditions of her confinement. Students will handle all stages of any legal proceedings in immigration court, state court, or other forums. Examples of advocacy projects include presenting a community education workshop in how LGBT seniors can protect their legal rights and writing a report on access to domestic violence shelters for LGBT domestic violence victims. The seminar portion is a practice-oriented examination of advocacy on behalf of LGBT people and of social justice lawyering generally.

Note: This course requires off premises travel to meet with clients and participate in hearings.

LAW 7907 Advocacy for LGBT Communities Clinic (LGBT Clinic) III Spring. 2 credits.

S. Hazeldean. S-U or letter grade. Permission of the instructor. Limited enrollment. Attendance is mandatory at the first class.

The LGBT clinic is dedicated to advancing the legal rights of lesbian, gay, bisexual, and transgender (LGBT) people. Clinic students represent diverse members of the LGBT community in a variety of legal matters and undertake non-litigation projects to advance LGBT equality. Students develop skills such as interviewing, client counseling, fact-finding, legal research, brief-writing, negotiating on behalf of clients, and conducting hearings. Examples of litigation projects are: representing an immigrant seeking asylum based on sexual orientation and assisting a transgender woman in a men's prison challenging the conditions of her confinement. Students will handle all stages of any legal proceedings in immigration court, state court, or other forums. Examples of advocacy projects include presenting a community education workshop in how LGBT seniors can protect their legal rights and writing a report on access to domestic violence shelters for LGBT domestic violence victims. The seminar portion is a practice-oriented examination of advocacy on behalf of LGBT people and of social justice lawyering generally.

Note: This course requires off premises travel to meet with clients and participate in hearings.

LAW 7881 Attorney's for Children Fall, Spring. 4 credits. S-U or letter grade.

Prerequisite: permission of the instructor.

A. J. Mooney. Limited enrollment. Satisfies the skills requirement.

Students are placed at the local Attorneys for Children office, where they assist the attorneys in the representation of children in custody, abuse and neglect cases, juvenile delinquency proceedings, and PINS (Person in Need of Supervision) cases. Students accompany attorneys on home and school visits, attend court conferences, treatment team meetings and various Family Court hearings. Duties may include client interviewing, investigation, drafting memoranda and motions, and trial preparation. Students may also be able to appear in Family Court under the supervision of the Attorneys for Children staff. There will be several meetings with the instructor during the semester. Weekly journals are also required.

Note: This course requires off premises travel. The student is responsible for travel to and from the office, which is located in downtown Ithaca. A car is not required for this course.

Not offered 2012-13.

LAW 7802 Capital Appellate Clinic 4 credits. S-U or letter grade.

Prerequisite: permission of instructor; Criminal Procedure, Evidence, and either the Capital Punishment or Post-Conviction Remedies Seminars are preferred but not required.

Limited enrollment. Satisfies the skills requirement.

Students in this clinic will assist in the preparation of appellate briefs in selected capital cases. Students will work intensively with the record, research legal issues, and draft arguments.

Unlike most of the death penalty clinics, no travel is expected.

LAW 7811 & 7815 Capital Punishment Clinic 1 and 2 Spring. 4 credits. S-U or letter grade.

Prerequisite: permission of instructor; Criminal Procedure, Evidence, and the Capital Punishment Seminar are preferred but not required.

J. H. Blume, S. L. Johnson, K. M. Weyble. Limited enrollment. Satisfies the skills requirement.

Death penalty litigation: investigation and the preparation of petitions, memoranda, and briefs. This course is taught as a clinic. Two or possibly three capital cases are worked on by students. Case selection depends on both pedagogical factors and litigation needs of the inmates. Students read the record and research legal issues. Some students are involved in investigation, while others assist in the preparation of papers. All students are included in discussions regarding the necessary investigation, research, and strategy for the cases.

Note: This course may require off premises travel. The Cornell Death Penalty Project will reimburse students for reasonable travel expenses.

LAW 7812 Child Advocacy Clinic I Spring. 4 credits. S-U or letter grade.

Prerequisite: permission of the instructor.

A. J. Mooney. Limited enrollment. Satisfies the skills requirement.

Students will participate in the representation of children who are the subject of family court proceedings. Cases are likely to involve children who are the subjects of petitions such as: abuse or neglect, custody, termination of parental rights, status offense and juvenile delinquency. Students will interview clients and their families, prepare documents such as pleadings, motions, pre-trial memos and proposed findings of fact, and participate in court conferences and hearings. The in-class component of the course will address cross-disciplinary concerns such as working with other professionals and using social science to assist a client. Additionally, the course will focus on child development and the particular ethical concerns involved with the representation of children.

Note: This course requires off premises travel. The student is responsible for travel to and from the sites.

LAW 7833 Criminal Defense Trial Clinic Fall. 4 credits. S-U only. Included in 18 credit overall rule.

Prerequisite: permission of the instructor; Evidence recommended.

L. Salisbury. Limited enrollment. Satisfies the skills requirement.

Students represent defendants in non-felony criminal cases. The course has both a classroom and courtroom component. The classroom component focuses on all aspects of the handling of a criminal case, including criminal law and procedure, ethics, trial strategy, plea bargaining and trials. The courtroom component involves attendance at court proceedings, including pre-trial conferences. Each student potentially may interview clients and witnesses, and prepare clients and witnesses for trial. **All** students will conduct negotiations with the District Attorney's Office, do legal research, conduct fact investigation, prepare discovery demands and engage in motion practice.

Note: This course requires off premises travel. The student is responsible for travel to and from the sites.

LAW 7835 e-Government Clinic 1& 2 Fall, Spring. 4 credits. S-U or letter grade. Students may take the clinic both semesters. Prerequisites: Permission of the instructor. Completion of Administrative Law strongly recommended or concurrent enrollment with the clinic.

C. Farina, M. Newhart, C. Whitehead [fall]. Limited enrollment. Satisfies the skills requirement.

PLEASE NOTE: Interested students should register through the clinic registration procedure. Students must submit to Mary Newhart (mjn3@cornell.edu) a resume and a letter of interest within one week after the end of the pre- registration period. The resume or letter should include details about any experience in computer or information science, ADR or collaborative decision-making, web design or communication, statistical analysis, or videomaking, as well as experience involving consumer financial products and/or financial regulation (including work experience and college or law school courses). (Such experience is not required; knowing about it helps us identify the incoming skill sets of the group.) Some preference will be given to students who are willing and able to do two semesters.

President Obama's Open Government Initiative calls on federal agencies to increase transparency, participation, and collaboration in their decision-making. Use of Web 2.0 technologies and social networking tools is especially emphasized. Rulemaking, because of its centrality in making domestic federal policy, has been a particular target of Government 2.0 efforts. However, there are a number of significant legal, communications, and technological complications with using Web 2.0 technologies and social networking tools to achieve broader, better public participation in rulemaking. The e-Government Clinic, which grows out of the research of the Cornell e-Rulemaking Initiative (CeRI), will engage students in both theoretical development and practical application of principals of public law, deliberative democracy, conflict resolution, and collaborative decision-making and in the context of Web-enabled rulemaking, regulatory review, and strategic planning. The primary vehicle for this research is an operational website, RegulationRoom.org, which features live public commenting moderated by students in the Clinic. For some students, travel to Washington DC to meet with the responsible agency may be required. Students will be required to sign a non-disclosure agreement, as they will be working with agency materials before they are public.

In 2012-13, a new component will be added to the clinic, specializing in consumer financial protection rulemakings. The Clinic will be working with the Consumer Financial Protection Bureau in soliciting comments in connection with rulemaking under the Dodd Frank Act. Prof. Whitehead will supervise the substantive work involved in these rulemakings.

LAW 7832 Externship - Full Time Fall, Spring. 12 credits. S-U only. Included in 18 credit overall rule.

Prerequisite: permission of the instructor.

G. G. Galbreath. Limited enrollment. Satisfies the skills requirement.

The Externship - Full Time course allows students (24 in fall, 16 in spring) to earn 12 credit hours as externs working full time at approved placement sites at virtually any location (most sites are non-profit organizations or governmental agencies) during the fall or spring semester of their third year or the spring semester of their second year. The course purpose is to provide a bridge between the study of law and its practice. A written application for the course must be submitted to the instructor and approved during the semester preceding the semester the student plans to participate. The student must be supervised/mentored by an attorney and engage in meaningful and "attorney-like" work at the placement which furthers the student's education and career goals. In addition to his or her work responsibilities for the placement, the extern will create a Learning Agenda, prepare weekly Journal entries, engage in a regular electronic Discussion Board with other externs and the instructor, host the instructor for a site visit, and do a written Description of Placement. See the BlackBoard web site for Externship - Full Time for more detail on these requirements.

Note: This course requires off premises travel. The student is responsible for travel to and from the sites.

LAW 7861 Externship - Part Time, Judicial Fall, Spring. 4+ credits. S-U only. Included in 18 credit overall rule.

Prerequisite: permission of the instructor.

G. G. Galbreath. Limited enrollment. Satisfies the skills requirement.

The Externship - Part Time, Judicial course allows students to earn 4 or more credit hours as externs working at least 8 hours per week as a law clerk in the chambers of a New York or Federal judge in Central New York while continuing to attend classes at the law school. The course purpose is to provide a bridge between the study of law and its practice. A written application for the course must be submitted to the instructor and approved during the semester preceding the semester the student plans to participate. The student must be supervised/mentored by the judge or law clerk and engage in meaningful and "attorney-like" work at the placement which furthers the student's education and career goals. In addition to his or her work responsibilities in the judge's chambers, the extern will create a Learning Agenda, prepare weekly Journal entries, engage in a regular electronic Discussion Board with other externs and instructor, host the instructor for a site visit, and do a written Description of Placement (see the BlackBoard web site for Externship - Part Time, Judicial and the site for Externship - Full Time for more detail on these requirements).

Note: This course requires off premises travel. The student is responsible for travel to and from the sites.

LAW 7911 Externship - Part Time, Neighborhood Legal Services Fall, Spring. 4+ credits. S-U only.

Included in 18 credit overall rule.

Prerequisite: permission of the instructor.

G. G. Galbreath. Limited enrollment. Satisfies the skills requirement.

The Externship - Part Time, Neighborhood Legal Services course allows 1 or 2 students to earn 5 or more credit hours as externs working at least 17 hours per week at the local legal services office in Ithaca (formally known as Legal Assistance of Western New York, Tompkins/Tioga Neighborhood Legal Services)(NLS) while continuing to attend classes at the law school. The course purpose is to provide a bridge between the study of law and its practice. A written application for the course must be submitted to the instructor and approved during the semester preceding the semester the student plans to participate. The student must be supervised/mentored by an NLS attorney and engage in meaningful and "attorney-like" work at the placement which furthers the student's education and career goals. In addition to his or her work responsibilities at NLS, the extern will create a Learning Agenda, prepare weekly Journal entries, engage in a regular electronic Discussion Board with other externs and the instructor, host the instructor for a site visit, and do a written Description of Placement (see the BlackBoard web site for Externship - Part Time, Neighborhood Legal Services and the site for Externship - Full Time for more detail on these requirements).

Note: This course requires off premises travel. The student is responsible for travel to and from the sites.

LAW 7834 Externship - Part Time, Other Local Fall, Spring. 4+ credits. S-U only. Included in 18 credit overall rule.

Prerequisite: permission of the instructor.

G. G. Galbreath. Limited enrollment. Satisfies the skills requirement.

The Externship - Part Time, Other Local course allows students to earn 4 or more credit hours as externs working at least 8 hours per week at approved placement sites in the Ithaca area while continuing to attend classes at the law school (most sites are with non-profit organizations or governmental agencies). The course purpose is to provide a bridge between the study of law and its practice. A written application for the course must be submitted to the instructor and approved during the semester preceding the semester the student plans to participate. The student must be supervised/mentored by an attorney and engage in meaningful and "attorney-like" work at the placement which furthers the student's education and career goals. In addition to his or her work responsibilities at the placement, the extern will create a Learning Agenda, prepare weekly Journal entries, engage in a regular electronic Discussion Board with other externs and the instructor, host the instructor for a site visit, and do a written Description of Placement (see the BlackBoard web site for Externship - Part Time, Other Local and the site for Externship - Full Time for more detail on these requirements).

Note: This course requires off premises travel. The student is responsible for travel to and from the sites.

LAW 6422 Family Law Clinic Fall. 2 credits. Letter grade only.

Prerequisite: Family Law either already taken or taken concurrently.

C. G. Bowman. Limited enrollment. This component satisfies the clinical course requirement.

Open to students who either have taken Family Law or are co-registered for it. Students will be assigned clients for whom they will draft all the documents necessary for an uncontested divorce and also assist with preparing support petitions to be filed pro se in Family Court.

LAW 7837 International Human Rights Clinic Spring. 4 credits. Letter grade. S-U (with permission of instructor only). Prerequisite: permission of the instructor.

E. Brundige.

This Clinic provides students with an opportunity to gain firsthand experience in international human rights advocacy. Through a critical seminar and practical case and project work, students will examine and engage in local, global, and transnational efforts to advance human rights. Students will develop skills such as interviewing, fact-finding, project and case management, international and comparative legal research, legal drafting, and oral advocacy by working on projects and cases for human rights organizations, judges, intergovernmental human rights experts or bodies, and individuals. The course will give students experience in diverse methods of human rights advocacy, such as fact-finding and reporting, domestic and international litigation, legal assistance and counseling, and human rights education. Examples of past projects include conducting field research in Zambia for a report on the problem of sexual violence against girls in schools, preparing an amicus brief in support of a petition on the right to free education in Colombia, and participating in a trial advocacy training program on human trafficking for judges and lawyers in Liberia. Students will also have the opportunity to examine critically the ethical, political, cultural, and other challenges that affect the promotion of human rights. Some projects may involve optional international travel, and some projects may address human rights issues within the United States.

Students who wish to apply to the clinic should pre-register and also submit a resume, transcript, writing sample, and statement of interest to Prof. Brundige (eb456@cornell.edu) by the end of the pre-registration period.

LAW 7801 Immigration Appellate Law and Advocacy Clinic Spring. 4 credits. Letter grade only. S-U with permission of instructor only.

Prerequisite: permission of the instructor.

W. Ruehle, S. W. Yale-Loehr. Limited enrollment. Satisfies the skills requirement.

Students will learn asylum and Convention Against Torture law and immigration and appellate procedure in class lectures. In the practice component of the clinic, students will develop skills such as brief writing, interviewing, fact-finding and legal researching. Students will write appellate briefs to the Board of Immigration Appeals on behalf of clients who have petitioned to remain in the United States because they fear persecution or torture in their home countries. Students may interview clients over the phone during this time, with the possibility of face-to-face meetings. Some clients may be incarcerated, and many will be out-of-state. Students may also locate expert and other witnesses, and draft affidavits and motions.

LAW 7855 International Human Rights Clinic Fall. 4 credits. Letter grade only. S-U with permission of instructor only.

Prerequisite: permission of the instructor; International Human Rights and/or Public International Law recommended.

S. Kalantry. Limited enrollment. Satisfies the skills requirement.

In this clinic students will learn substantive human rights law as well as human rights lawyering and advocacy skills. Students will learn to describe issues in human rights terms, formulate demands using human rights accountability tools, and develop strategies that utilize key features of human rights law. Students will develop their international research and writing, and communication skills by working in teams on projects for human rights organizations, judges, and individual victims of human rights abuse. The projects may involve legal action such as impact litigation, legal assistance and counseling, or fact-finding and reporting or human rights education and training, including judicial training. Projects have included drafting a petition submitted in an Indian high court challenging the practice of witch-hunting, fact-finding and drafting a report submitted to the Inter-American Commission on Human Rights on the right to education in Colombia, developing materials for and participating in a trial advocacy training on human trafficking for judges and lawyers in Liberia, and conducting interviews and drafting a report on the barriers to justice faced by domestic violence victims in New York state who become criminal defendants. Some (but not all) projects may involve optional international travel and some projects may involve human rights issues within the United States.

For more information about the clinic, please visit our website at:

<http://www.lawschool.cornell.edu/academics/clinicalprogram/int-human-rights/index.cfm>

LAW 7870 Juvenile Justice Clinic Fall. 4 credits. S-U or letter grade.

Prerequisite: permission of instructor; students who have previously taken Criminal Procedure, Capital Punishment Seminar, Advanced Criminal Procedure or the Capital Punishment will have a preference in the selection process, but it is not required that a student have taken one or more of those courses if they have some other relevant experience.

J. H. Blume, S. L. Johnson, K. M. Weyble. Limited enrollment. Satisfies the skills requirement.

This clinic will respond to the Supreme Court's recent decision in *Miller v. Alabama* holding that juvenile offenders cannot be sentenced to mandatory terms of life without parole. Students will assist counsel appointed to represent juveniles sentenced to life without parole terms and juveniles facing potential life without parole sentences in the development and presentation of mitigating evidence in regard to both the crime and the juvenile's life history. Travel may be required as most students will be involved in investigation.

LAW 7871 Labor Law Clinic 1 Spring. 4 credits. S-U or letter grade.

Prerequisite: permission of the instructor; students who have taken Labor Law, Practice and Policy or any other traditional labor law course, employment law, administrative law or other related courses will be given preference. Students should advise the professor of related course work. It is helpful to have taken Administrative or Employment Law, but not required.

A. Cornell. Limited enrollment. Satisfies the skills requirement.

The Labor Law Clinic will provide students a practical opportunity to learn labor law, while making meaningful contributions to the labor movement and working people. This clinic will combine a substantive classroom component with practical experience. Students will advise labor unions and workers on a variety of legal issues that surface during the semester and may have the opportunity to represent unions in different forums. Students will communicate directly with union representatives and will be required to sort through the facts, research the issues, and provide information and advice. Students will routinely draft legal memoranda, prepare and file pleadings and briefs as required. Students may have the opportunity to represent unions at hearings, mediation or arbitration. Students may also be required to observe a hearing before the National Labor Relations Board, Public Employment Relations Board or an arbitration. Students have also been invited to observe the collective bargaining process.

A small number of students will have the opportunity to dedicate their clinical time to international labor law. Interested students can support the work of nonprofit organizations or global union

federations with ongoing cases or projects. These projects occasionally involve a short period of field work outside of the country, typically in Latin America.

Note: This course may require off premises travel. Please contact the professor if this is an obstacle.

LAW 7873 Juvenile Justice Clinic II Spring. 4 credits. S-U or letter grade.

Prerequisite: Juvenile Justice Clinic 1 or permission of instructor.

J. H. Blume, S. L. Johnson, K. M. Weyble. Limited enrollment. Satisfies the skills requirement.

Students will represent prisoners who were sentenced to life in prison without parole for offenses committed as juveniles.

LAW 7921 Prosecution Trial Clinic Fall. 4 credits. S-U only. Included in 18 credit overall rule.

Prerequisite: Evidence or permission of instructor. Interested students will need to submit a statement of interest and resume to Prof. Robert Sarachan by July 18, 2011.

R. A. Sarachan. Limited enrollment. Satisfies the skills requirement.

This course gives students the opportunity to prosecute non-felony non-jury trials in Ithaca City Court. The course has both a classroom component and a courtroom component.

The classroom component involves lecture, discussion and trial simulation exercises. Topics include criminal law and procedure, prosecution ethics, trial strategy and preparation, trial conduct including direct and cross-examination, plea-bargaining and professional judgment.

The courtroom component involves regular attendance at Ithaca City Court's non-jury terms. Students will observe and critique trials and will prosecute offenses including traffic tickets (such as speeding and running a red light), city code violations (such as open container and noise offenses), non-felony penal law violations (such as disorderly conduct, possession of marijuana) among others. Each student will be expected to conduct multiple trials during the semester, depending on docket volume.

During the semester students will also be expected to prepare witnesses (typically police officers), conduct plea-bargaining negotiations, case research and fact investigation, respond to discovery demands, and engage in motion practice and appellate practice as needed.

Note: This course requires off premises travel. The student is responsible for travel to and from the sites.

Not offered 2012-13.

LAW 7920 Real Estate Litigation Clinic 3 credits. S-U or letter grade.

Prerequisite: permission of the instructor.

Limited enrollment. Satisfies the skills requirement.

Students will help prepare for trial in a property-related lawsuit filed against Norfolk Southern Railway in New York state court on behalf of a group of homeowners in Lansing, New York. Students will help prepare the record for appeal and assist in the research and drafting of the appeals briefs. The course will be limited to 3 students, selected on the basis of academic strength as well as demonstrated interest in property and land use issues. Those interested should submit a resume, transcript, and brief statement (no more than 1 page) to Prof. Peñalver.

Not offered 2012-13.

LAW 7922 Real Estate Litigation Clinic 2 3 credits. S-U or letter grade. Prerequisite: permission of the instructor.

Limited enrollment. Satisfies the skills requirement.

Students will help prepare for trial in a property-related lawsuit filed against Norfolk Southern Railway in New York state court on behalf of a group of homeowners in Lansing, New York. The course will be limited to 3 students, selected on the basis of academic strength as well as demonstrated interest in property and land use issues. Those interested should submit a resume, transcript, and brief statement (no more than 1 page) to Prof. Peñalver.

Not offered 2012-13.

LAW 7931 Public Interest Clinic 1 4 credits. S-U or letter grade.

Prerequisite: permission of the instructor.

Limited enrollment. Satisfies the skills requirement.

Students handle civil cases for low-income clients of the Public Interest Clinic under the supervision of clinic faculty. Students interview and counsel; investigate and analyze facts; interrelate substantive and procedural law with facts in the context of actual representation; develop strategies to handle clients' problems; identify and resolve professional responsibility issues; do legal writing; negotiate and settle cases; and represent clients in hearings. The classroom component develops interviewing, counseling, and advocacy skills through the use of readings, videotapes, discussions, and simulation exercises.

Note: This course may require travel for purposes of participating in hearings.

Not offered 2012-13.

LAW 7932 Public Interest Clinic 2 4 credits. S-U or letter grade.

Prerequisite: permission of the instructor; Public Interest Clinic 1 or a clinic course that included the Clinical Skills 1 classroom component.

Limited enrollment. Satisfies the skills requirement.

Students handle civil cases, participate in a classroom component, Clinical Skills 2, and help supervise participants in Public Interest Clinic 1. Cases are handled as described in the course description for Public Interest 1. Students represent the clinic's clients in both federal and state administrative hearings and courts. Clinical Skills 2 builds on the skills taught in Clinical Skills 1.

Note: This course may require travel for purposes of participating in hearings.

Not offered 2012-13.

LAW 7933 Public Interest Clinic 3 4 credits. S-U or letter grade.

Prerequisite: permission of the instructor; Public Interest Clinic 1 or Neighborhood Legal Services Externship 1.

Limited enrollment. Satisfies the skills requirement.

Students handle civil cases, participate in a classroom component, and help supervise participants in Public Interest Clinic 1. Cases are handled as described in the course description for Public Interest 1. Students represent the clinic's clients in both federal and state administrative hearings and courts. The classroom component builds on skills developed in Public Interest Clinic 1.

Note: This course may require travel for purposes of participating in hearings.

LAW 7953-4-5 Securities Law Clinic 1, 2 and 3 Fall, Spring. 4 credits. S-U or letter grade.

Prerequisite: permission of the instructor. Pre- or co-enrollment in Securities Regulation or Dispute Resolution recommended but not required.

Securities Law Clinic 2 is only open to students who have completed Securities Clinic 1.

Securities Law Clinic 3 is only open to students who have completed Securities Clinic 2.

W. A. Jacobson. B. Siegel [fall]. Limited enrollment. Satisfies the skills requirement.

The course will focus on fundamental investigatory and advocacy skills applicable to representation of public investors in disputes subject to arbitration at the Financial Industry Regulatory Authority (f/k/a

National Association of Securities Dealers), with particular attention to the elderly and to small investors. Substantive legal topics will include the scope and nature of binding arbitration under the Federal Arbitration Act and New York law, and the legal and regulatory remedies available to defrauded investors. Coursework will include training in skills such as interviewing potential clients, evaluating potential claims, preparing pleadings, conducting discovery, representing clients at hearings and negotiating settlements. Class work will include presentations by nationally-recognized experts on topics applicable to evaluation of securities accounts, trading, and products. Students will have the opportunity under faculty supervision to represent investors, to provide public education to community groups as to investment frauds, to draft position statements to regulatory authorities, and/or to participate in preparing amicus briefs, in support of public investors.

Note: This course may require off premises travel for potential client and witness interviews, hearings, and community presentations. Assistance will be provided to students who lack available transportation.

LAW 7951-2 US Attorney's Office Clinic 1 or 2 Fall, Spring. 6 credits. S-U only. Included in 18 credit overall rule.

Registration for the fall offering was handled by the US Attorney's Office in February 2012 and the spring offering will occur in September 2012.

C. E. Roberts. Limited enrollment. Satisfies the skills requirement and the professional responsibility requirement.

The United States Attorney's Office Clinic is a program in which law students work 12-15 hours per week for the United States Attorney's Office in Syracuse, New York. Each student is assigned to work for an Assistant United States Attorney. Students perform research and writing, and trial assistance as needed. Students may qualify to appear in court under the supervision of their attorney, and are encouraged to observe court proceedings in the U.S. Courthouse. Students also attend a two hour seminar once a week at Cornell. The seminar will focus on writing in practice, including critiques of briefs, motions, and a petition for certiorari. Additional topics include federal criminal and civil practice, prosecutorial discretion, and habeas corpus. Guest speakers may include judges, a special prosecutor, and U.S. Department of Justice officials.

Students must be a U.S. citizen. A detailed course description is available at:

<https://support.law.cornell.edu/students/forms/ClinicalCoursesAndExternshipsDescriptions.pdf>

Note: This course requires off premises travel. The student is responsible for travel to and from the sites.

Non-Professional Courses-Not Open to Law Students

Not offered 2012-13.

LAW 3281 Constitutional Politics: The U.S. Supreme Court Spring. 4 credits. S-U or letter grade.

No prerequisites required.

Undergraduates only.

This course investigates the United States Supreme Court and its role in politics and government. It traces the development of constitutional doctrine, the growth of the Court's institutional power, and the Court's interaction with Congress, the president, and society. Discussed are major constitutional law decisions, their political contexts, and the social and behavioral factors that affect judges, justices, and federal court jurisprudence.

LAW 4021 Competition Law and Policy Fall. 4 credits. Letter grade only.

Prerequisite: This course requires no legal training or background but Economics 1110 (Elementary Microeconomics) or its equivalent is a prerequisite. The course can be used by Economics majors as an equivalent to a 4000-level Economics course. Undergraduates only.

G. A. Hay.

The course will start with actual cases arising under U.S. antitrust law and will discuss the legal, economic and policy issues that are raised. The course is intended for and limited to non-law students; law students interested in the subject should take the Antitrust Law course.

LAW 4041 Crime, Politics, and Law Fall. 4 credits. S-U or letter grade.

D. M. Chutkow. Undergraduates only.

The Constitution and the federal courts have much to say about the power of government to investigate, detain, prosecute, sentence, and punish individuals for crime. This course examines the major legal decisions that shape constitutional law with respect to crime, and how the balance is struck between the presumption of innocence, the protection of the individual, and the government's duty to enforce the laws and ensure public safety.

LAW 4051 The Death Penalty in America Spring. 4 credits. S-U or letter grade.

J. H. Blume, S. L. Johnson. Undergraduates only.

The death penalty has gotten increased media attention due to high profile death row exonerations, and has long been under siege for other reasons, such as racial disparities in its imposition and the prevalence of very poor representation by defense counsel. This course surveys the legal and social issues that arise in the administration of the death penalty. The reading will be largely comprised of reported death penalty cases, but will be augmented by a variety of other sources, including empirical studies of the death penalty and the litigation experience of the professors. Although the focus will be on capital punishment as practiced in the United States, we will also consider international and comparative perspectives. Guest speakers will provide a range of views, and law students with experience working on capital cases will lead discussion sections.

Not offered 2011-13.

LAW 4121 Gender, Public Policy, and Law 4 credits. S-U or letter grade.

Undergraduates only.

The course will include, first, a brief introduction to the history of the women's movement in the United States and to the development of the constitutional standard for gender, followed by a sampling of the competing theoretical approaches that can be taken to legal problems involving gender—a formal equality approach, the dominance approach (exemplified by Catharine MacKinnon), relational or cultural feminism (a “differences” approach represented in the legal academy by Robin West and Mary Becker), socialist feminism, pragmatic feminism, and critical race feminism. After the constitutional and theoretical foundations have been laid, we will study a series of issues and issue areas where gender is critical to legal treatment—reproduction (abortion, surrogate motherhood and other reproductive technologies, for example), rape, domestic violence, prostitution, pornography, cohabitation, same-sex marriage, and other family law issues. We will both study how these issues are treated under current law and discuss what might be better approaches to each.

In order to introduce students to the study of law, we will be using a textbook used in law school courses, Becker, Bowman, Nourse, and Yuracko, *Feminist Jurisprudence: Taking Women Seriously* (3d ed. 2007). No prior knowledge of legal analysis or concepts will be presumed. Requirements: two short (5-page) papers and a final exam.

LAW 4122 Judging the Jury Spring. 4 credits. S-U or letter grade.

V. Hans. Undergraduates only.

The American jury is praised by some as an important symbol of democracy, yet sharply criticized by others as incompetent and biased. This course evaluates claims about the strengths and limitations of the

contemporary American jury. We will examine the image of the jury in popular culture, then explore the work of lawyers, legal scholars, psychologists, and other social scientists who have studied the jury in depth. Questions we'll address during the course include: Do juries represent all segments of their communities? Can lawyers stack a jury in their favor? Are jurors influenced by the "CSI effect?" What should judges do about googling and tweeting jurors? How do jurors use trial evidence and legal rules to decide on verdicts, damage awards, or decisions to sentence a defendant to death? By the course's end, students should be able to reach their own informed judgment about this perennially controversial institution.

LAW 4131 The Nature, Functions, and Limits of Law [also Govt 3131] Spring. 4 credits. S-U or letter grade only.

D. M. Chutkow. Undergraduates only.

A general-education course to acquaint students with how our legal system pursues the goals of society. The course introduces students to various perspectives on the nature of law, what functions it ought to serve in society, and what it can and cannot accomplish. The course proceeds in the belief that such matters constitute a valuable and necessary part of a general education, not only for pre-law students but especially for students in other fields. Assigned readings comprise legal materials and also secondary sources on the legal process and the role of law in society. The classes include discussion and debate about current legal and social issues, including equality, safety, the environment, punishment, and autonomy.