

COURSES OF INSTRUCTION



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FIRST-YEAR COURSES

Recognizing the importance of imparting basic legal skills and concepts to beginning law students, the faculty has established a required set of courses in both the day and evening divisions. The first-year day-division curriculum consists of eight required semester-long courses, three or four taken each semester, plus a yearlong course in lawyering skills. Evening-division students are required to complete the same basic courses within the first two years of their law school career.

Civil Procedure (4 hrs.)

An introduction to the judicial system and the basic problems and concepts involved in the adjudication of civil cases. The litigation process from jurisdiction through appellate review is considered. Topics include jurisdiction, pleadings, pretrial motions, discovery, pretrial conferences, jury trial, post-trial motions, finality of judgments, and appellate review. *Mr. Goldman, Ms. Kelly, Ms. LaBelle, Ms. Malveaux, Mr. Ogilvy.*

Constitutional Law (5 hrs.)

A study of the American constitutional system, emphasizing sources, limits, and modes of exercise of federal and Supreme Court jurisdiction; the allocation of powers between the federal government and the states; the separation of powers among the coordinate branches of the federal government; and selected topics involving the guarantees of individual rights in the Bill of Rights and the post-Civil War Amendments. *Mr. Breger, Mr. Destro, Ms. Fischer, Mr. Garvey, Mr. Hartley, Mr. Kaplin, Mr. Perez, Dr. Wagner, Mr. Watson.*

Contracts (5 hrs.)

A study of the fundamental principles of contract law, as expressed both in the common law and Article Two of the Uniform Commercial Code. Topics include the formation of contract obligation; the writing requirement of the statute of frauds; unfairness, overreaching, and the limits of public policy as grounds for nonenforcement; interpretation; breach; remedies for breach; and the rights of third parties. In addition to substantive contract doctrine, the course is designed to teach analysis of common law and statutory materials and the application of law to factual situations. *Mr. Bishop, Ms. Drinan, Ms. Lerman, Mr. Perez, Ms. Roberts, Ms. Schooner, Mr. Watson, Ms. Winston.*

Criminal Law (3 hrs.)

The course covers the elements of criminal conduct in general and of specific crimes, which may include rape, the various forms of homicide, drug and theft offenses, anticipatory offenses, group criminality, and both common law and statutory defenses including insanity, provocation, and duress. *Ms. Drinan, Mr. Fishman, Ms. Leary, Ms. Sun, Mr. Watson, Ms. Wortham.*

Lawyering Skills (4 hrs. — 2 hrs. each semester)

In the first semester, students develop analytical skills, a clear and effective writing style, and the ability to research, through drafting office memoranda. In the second semester, students learn advocacy skills through the writing of a memorandum in support of a motion, development of an appellate brief and oral argument before a panel of attorney judges. *Ms. Everhart, Ms. Farrar, Dr. Harmon, Ms. Jennison, Ms. Lewis, Mr. Williams, Mr. Woods.*

Property (4 hrs.)

This is the basic course in property. It considers such topics as the nature of “property,” property “interests,” and property as an institution in contemporary society; problems in possession; the historical development of land law and its manifestation in the law of landlord and tenant; and conveyancing. *Mr. Colinvaux, Mr. Garvey, Ms. Silecchia, Mr. G. Smith.*

Social Justice and the Law: Introduction to Catholic Social Thought

This course examines the application of the Catholic Church's tradition of social thought to issues of social justice and law. It familiarizes students with the social encyclicals of the popes and with the relevant documents of the Second Vatican Council, beginning with Pope Leo XIII's encyclical *Rerum novarum* (1891) and continuing through Pope Benedict XVI's encyclical *Deus caritas est* (2006). Topics include the relation of law and morality, justice as a norm of lawmaking, the justification and limits of the authority of law, subsidiarity, religious freedom, the reciprocal rights and duties of civil society, penal justice, the dignity of the person, the dignity of human life, the authentic character of marriage and family, the meaning of human work, economic justice, the Church's preferential option for the poor, and justice among nations and peoples in a global era. Within the confines of a one-credit course, the content of the social encyclicals and other church documents on these topics will be elucidated by reference to the Catholic tradition of legal philosophy. Full-time students are required to complete the course during their first year. Part-time (evening) students are required to complete the course any time during their second or third years. *Ms. Asdorian, Ms. Bailey, Mr. Destro, Mr. Garvey, Dr. Pennington, Dr. Wagner.*

Torts (4 hrs.)

A study of the noncontractual obligations that an individual in society owes to others according to the common law and statutes. Emphasis is placed on intentional acts violating legally protected interests, such as assault, battery, and false imprisonment; negligent conduct resulting in injury; causation; traditional forms of liability without fault and the more recent development of strict liability for defective products. *Ms. Kelly, Ms. Leiter, Mr. Mintz, Dr. Noone, Mr. Ogilvy, Mr. Perez, Mr. Rienzi, Mr. Scordato.*

UPPER-LEVEL COURSE REQUIREMENTS

Professional Responsibility (3 hrs.)

This course, which is a graduation requirement, examines the legal profession and the law that governs the professional behavior of lawyers, including the Model Rules of Professional Conduct, the law of legal malpractice and the relevant rules of agency law, criminal law, civil procedure, and other law. Students will explore ethical questions relating to the lawyer's role in the legal system and the lawyer's relationships with clients, adversaries, tribunals, colleagues, employees, witnesses, and others. The course looks at issues that arise in the various roles occupied by lawyers, including advocate, counselor, and negotiator. The course is designed to assist students in recognizing and evaluating ethical dilemmas that they may encounter in practice. The course also aims to assist students in gaining knowledge about the legal profession, to clarify their own professional values, and to learn the ethical norms of the legal profession. The course must be taken by every student during the second, third, or fourth year of law school. *Judge Bacon, Mr. Destro, Ms. Duggin, Mr. Goldman, Ms. Lerman, Mr. Mintz, Ms. Wortham.*

Professional Skills (3 hrs.) — The American Bar Association requires that all students take at least one professional skills course prior to graduation. This requirement applies to those students who entered law school in fall 2006 and after. Professional skills courses in our curriculum include Alternative Dispute Resolution Techniques; Mediation and Arbitration Skills; Interviewing, Counseling, and Negotiating Skills; Legal Drafting; Appellate Advocacy; Trial Advocacy; Trial Practice; Trial Skills; CCLS Clinics; Innocence Project Clinic; Law Students in Court; and Criminal Prosecution Clinic.

Upper-level Writing Requirement — Each upper-level student must complete at least two substantial writing projects after the first year of law school. A full description of the requirement is contained in Academic Rule X—Writing Requirement and Directed Research.

UPPER-LEVEL COURSES

Instructional offerings change as the law moves in new directions, as faculty members are added, and as new intellectual interests develop among students and faculty. The following courses have been approved by the faculty as instructional offerings at the school. Some courses will be offered every year while others will be offered once every two or three years. A list of the course offerings available in a given semester and the professors who teach them will be posted prior to student registration. In all two-semester courses, the first semester course is a prerequisite to the second-semester course, unless the requirement is waived by the professor.

To assist students in planning and organizing their upper-level course programs, the faculty has divided our upper-level curriculum into 31 “course clusters.” Students who wish to concentrate in a particular area of the law will find the clusters helpful as a curriculum guide. Additional counseling and information on concentrations is available from the academic dean's office and faculty advisers.

I. *Administrative and Legislative Law*

Staple: Administrative Law

Foundation Course: Legislation

Advanced Administrative Law

Banking Law

Civil Rights Law

Employment Law

Environmental Law

FCC Practice and Procedure

Federal Courts

Federal Regulation of Food and Drugs

Financial Institutional Regulation

Government Contracts

Government Contracts, Grants and Programs

Law and Public Policy

Law of Federal Aid Programs

Legislation

Legislation: The Making of a Federal Statute

Legisprudence: Theories of Lawmaking

Practice and Procedure Before the NLRB

Public Interest Advocacy: An Interdisciplinary Approach

to Lawyering

Separation of Powers

Veterans Law

Legal Externship

II. *Alternative Dispute Resolution*

Alternative Dispute Resolution Techniques

D.C. Law Students in Court — Civil

Interviewing, Counseling, and Negotiating Skills

Introduction to International Arbitration and Mediation

Mediation and Arbitration Skills

Legal Externship

Vis Arbitration

III. *Antitrust and Trade Regulation*

Foundation Course: Antitrust

Advanced Antitrust

Comparative and International Trade

International Business Transactions

International Economic Regulation

International Regulation of Telecommunications

Regulated Industries (Legal Control of Business)

Telecommunications Law, Policy and Core Technologies

Trademark and Unfair Competition

Legal Externship

IV. *Business Organizations*

Staple: Corporations

Advanced Antitrust

Antitrust

Advanced Issues in Corporate Law

Agency Law

Banking Law

Bankruptcy
Business Reorganization
Corporate Finance Seminar
Corporate Taxation
Legal Accounting
Partnership Taxation
Unincorporated Business Organizations
White Collar and Business Crimes
Legal Externship
See also "Securities Regulation" cluster

V. ***Civil Rights and Civil Liberties***

Staple: Criminal Procedure — The Investigative Process
Foundation Course: Advanced Constitutional Law: First Amendment
Foundation Course: Civil Rights Law
Civil Rights and Legal History Seminar: Brown v. Board of Education — Historical Antecedents, Legal Strategies, and Impact)
Comparative Law Seminar: Political Violence
Criminal Procedure: The Post-Investigative Process
Death Penalty Seminar
Education Law
Fair Employment Law
Litigation with the Federal Government
First Amendment Problems of the Media
First Amendment Seminar: Religious Liberty
Immigration and Nationality Law
Labor Law
Law of Church — State Relations
Law of Federal Aid Programs
Legal Rights of People with Disabilities
Legisprudence: Theories of Lawmaking
Military Law: A Comparative Perspective
National Security Law and Policy Seminar
Women and the Law
Legal Externship

VI. ***Clinical Skills and Lawyering Competencies***

Client Representation

Columbus Community Legal Services: Advocacy for the Elderly
Columbus Community Legal Services: Families and the Law Clinic
Columbus Community Legal Services: The General Practice Clinic
Criminal Prosecution Clinic
D.C. Law Students in Court — Civil
D.C. Law Students in Court — Criminal
Innocence Project Clinic
Legal Externship: Becoming a Lawyer
Legal Externship: Becoming a Communications Lawyer
Legal Externship: Becoming a Public Policy Lawyer
Legal Externship: Supervised Fieldwork
Public Interest Advocacy: An Interdisciplinary Approach

to Lawyering
Vis Arbitration

Ethics

Required Course: Professional Responsibility

Interviewing and Counseling

Interviewing, Counseling, and Negotiating Skills

Research and Writing

Advanced Legal Research
Advanced Legal Writing and Research
Intellectual Property Transactions
Legal Drafting Seminar
Law Journal Editing
Law Journal Writing
Public Policy Fieldwork
Directed Research
Courses with qualifying course papers

Alternative Dispute Resolution

See Alternative Dispute Resolution cluster

Trial Skills

Staple: Evidence
Advanced Trial Practice
Trial Advocacy
Trial Practice
Trial Skills: A Criminal Case
Trial Skills: A Medical Malpractice Case
Moot Court Trial National Teams

Appellate Advocacy

Appellate Advocacy
Moot Court Trial National Teams

VII. ***Commercial and Consumer Law***

Staple: Commercial Transactions

Staple: Remedies

Bankruptcy
Business Reorganization
Columbus Community Legal Services: General Practice Clinic
Consumer Law Seminar
Consumer Transactions
Creditors' and Debtors' Rights
D.C. Law Students in Court — Civil
International Business Transactions
Land Transactions and Finance
Sales and Leases
Legal Externship

VIII. *Communications Law and New Technologies*

Advanced Torts
Copyright Law
Cyberlaw I: Legal Issues Relating to Computer Networks
Cyberlaw II: Legal Issues Relating to Doing Business in a Digital World
Electronic Mass Media Policy and Regulation
FCC Practice and Procedure
First Amendment Problems of the Media
Intellectual Property Transactions
International Regulation of Telecommunications
Introduction to Intellectual Property
Legal Externship: Becoming a Communications Lawyer
New Communications Technologies and the Law
Patent Enforcement
Patent Law
Problems in Telecommunications Law and Policy
Regulation of Wireless Telecommunications Services
Telecommunications Law, Policy and Core Technologies
Legal Externship
See also "Intellectual Property" cluster

IX. *Criminal Law and Criminal Justice*

Staple: Evidence
Staple: Criminal Procedure — The Investigative Process
Administration of Criminal Justice
Advanced Trial Practice
Criminal Procedure: The Post-Investigative Process
Criminal Prosecution Clinic
D.C. Law Students in Court — Criminal
Death Penalty Seminar
Federal Criminal Litigation
Health Care Fraud and Abuse
Innocence Project Clinic
International Criminal Law
Military Law: A Comparative Perspective
The Role of the Federal Prosecutor
Trial Advocacy
Trial Practice
Trial Skills: A Criminal Case
White Collar and Business Crimes
Legal Externship

X. *Constitutional Law*

Advanced Torts
Civil Rights Law
Civil Rights and Legal History Seminar: Brown v. Board of Education—Historical Antecedents, Legal Strategies, and Impact
Comparative Constitutional Law
Criminal Procedure: The Investigative Process
Death Penalty Seminar
Federal Courts
First Amendment Problems of the Media
First Amendment Seminar: Religious Liberty

Separation of Powers
Legal Externship
See also "Civil Rights and Civil Liberties" cluster

XI. *Entertainment, Art, and Sports Law*

Staple: Agency Law
Foundation Course: Entertainment Law
Copyright Law
Electronic Mass Media Policy and Regulation
First Amendment Problems of the Media
Introduction to Intellectual Property
Legal Externship: Becoming a Communications Lawyer
Professional Sports and the Law
Legal Externship
See also Intellectual Property, and Communications Law and New Technology clusters

XII. *Environmental Law*

Staple: Administrative Law
Foundation Course: Environmental Law
Environmental Crimes
Land Use
Maritime Law
National Resources Law and Policy
White Collar and Business Crimes
Legal Externship

XIII. *Family Law*

Staple: Family Law
Staple: Remedies
Staple: Trusts and Estates
Columbus Community Legal Services: Advocacy for Elderly
Columbus Community Legal Services: Families and the Law Clinic
Columbus Community Legal Services: General Practice Clinic
Health Law
Juvenile Law
Women and the Law
Legal Externship

XIV. *Financial Institutions and Regulation*

Staple: Administrative Law
Banking Law
Financial Institutions Regulation
SEC Student Observer Program
Securities Regulation: Trading
Securities Regulation: Investment Company and Investment Advisor Act
Legal Externship

- XV. **General Practice**
Required Course: Professional Responsibility
Staple: Administrative Law
Staple: Agency Law
Staple: Commercial Transactions
Staple: Conflict of Laws
Staple: Corporations
Staple: Criminal Procedure — The Investigative Process
Staple: Evidence
Staple: Family Law
Staple: Federal Income Taxation
Staple: Remedies
Staple: Trusts and Estates
Advanced Federal Civil Procedure
Advanced Legal Research or
Advanced Legal Writing and Research
Advanced Trial Practice
Columbus Community Legal Services: Advocacy for the Elderly *or*
Columbus Community Legal Services: Families and the Law Clinic *or*
Columbus Community Legal Services: The General Practice Clinic
Complex Litigation Seminar
D.C. Law Students in Court — Civil
D.C. Law Students in Court — Criminal
Employment Law
Interviewing, Counseling, and Negotiating Skills
Legal Drafting Seminar
Legal Externship: Becoming a Lawyer
Legal Externship: Supervised Fieldwork
Local Government Law
Maryland Civil Practice
Mediation and Arbitration Skills
Sales and Leases
Trial Advocacy or
Trial Practice
Trial Skills: A Criminal Case
Unincorporated Business Organizations
Virginia Practice and Procedure
- XVI. **Health Law/Law and Medicine**
Staple: Administrative Law
Foundation Course: Health Law
Contemporary Social Issues Under Jewish Law — Jewish Bioethics
Federal Regulation of Food and Drugs
Health Care Fraud and Abuse
Law, Science, and Medicine (Bioethics)
Trial Skills: A Medical Malpractice Case
Legal Externship
- XVII. **Immigration/Human Rights**
Comparative Constitutional Law
Comparative Law Seminar: Political Violence
- Immigration and Nationality Law
International Human Rights Law
International Humanitarian Law: Peacekeeping
Legal Externship
- XVIII. **Intellectual Property Law**
Advanced Seminar in Copyright and Trademark
Cyberlaw
Cyberlaw I: Legal Issues Relating to Computer Networks
First Amendment Problems of the Media
Intellectual Property Transactions
International Intellectual Property Law
Introduction to Intellectual Property
New Communications Technologies and the Law
Patent Enforcement
Patent Law
Trademark Law
Trademarks and Unfair Competition
Legal Externship
See also “Communications Law and New Technologies” clusters
- XIX. **International and Comparative Law**
Staple: Conflict of Laws
Comparative and International Trade
Comparative Constitutional Law
Comparative International Tax
Comparative Law
Comparative Law Seminar: Political Violence
Comparative Remedies
International Business Transactions
International Civil Litigation
International Criminal Law
International Economic Regulation
International Humanitarian Law: Peacekeeping
International Human Rights Law
International Intellectual Property Law
International Regulation of Telecommunications
Introduction to International Arbitration and Mediation
Law of the European Union
Legal Issues of the Middle East Peace Process
Maritime Law
Military Law: A Comparative Perspective
National Security Law and Policy Seminar
Public International Law
Space Law
Legal Externship
Vis Arbitration
- XX. **Labor and Employment Law**
Staple: Agency Law
Foundation Course: Labor Law
Foundation Course: Fair Employment Law
Foundation Course: Employment Law
ERISA: Pensions (Tax Policy)

ERISA: The Labor Management Perspective
Immigration and Nationality Law Labor Law Seminar:
Collective Bargaining and Labor Arbitration
Practice and Procedure Before the NLRB
White Collar and Business Crimes
Women and the Law
Legal Externship

XXI. Land Use and Real Estate Transactions

Staple: Remedies
Foundation Course: Land Transactions and Finance
Foundation Course: Land Use
Environmental Law
Local Government Law
Legal Externship

XXII. Law and Public Policy

Staple: Criminal Procedure
Staple: Administrative Law
Staple: Family Law
Foundation Course: Law and Public Policy
Administration of Criminal Justice
Advanced Administrative Law
Bankruptcy
Becoming a Public Policy Lawyer
Civil Rights Law
Civil Rights and Legal History Seminar: Brown v. Board
of Education — Historical Antecedents, Legal
Strategies, and Impact
Consumer Transactions
Creditors' and Debtors' Rights
Death Penalty Seminar
Education Law
Employment Law
Environmental Law
Fair Employment Law
Federal Courts
Federal Regulation of Food and Drugs
First Amendment Problems of the Media
First Amendment Seminar: Religious Liberty
Government Contracts
Government Contracts, Grants and Programs
Health Law
Immigration and Nationality Law
International Human Rights Law
Labor Law
Law of Federal Aid Programs
Legal Externship: Becoming a Lawyer
Legal Externship: Supervised Fieldwork
Legal Rights of People with Disabilities
Legislation
Legislation: The Making of a Federal Statute
Legisprudence: Theories of Lawmaking
Local Government Law
Military Law: A Comparative Perspective

National Security Law and Policy
Not-for-Profit Organizations Law
Public Interest Advocacy: An Interdisciplinary Approach
to Lawyering Public Policy Fieldwork
Public Policy Practicum
Tax Policy
Veteran's Law
Women and the Law
*See also Clinical Skills and Lawyering Competencies, and
Administrative and Legislative Law cluster*

XXIII. Legal Profession/Professional Responsibility

Required Course: Professional Responsibility
Staple: Agency Law
Staple: Remedies
Advanced Issues in Corporate Law
Columbus Community Legal Services: Advocacy for the
Elderly
Columbus Community Legal Services: Families and the
Law Clinic
Columbus Community Legal Services: The General
Practice Clinic
Complex Litigation Seminar
D.C. Law Students in Court — Civil
D.C. Law Students in Court — Criminal
Criminal Prosecution Clinic
Law and Public Policy
Legal Externship: Becoming a Lawyer
Legal Externship: Supervised Fieldwork
Mediation and Arbitration Skills
Public Policy Practicum
The Role of the Federal Prosecutor

XXIV. Litigation: Practice and Procedure

Required Course: Professional Responsibility
Staple: Conflict of Laws
Staple: Criminal Procedure — The Investigative Process
Staple: Evidence
Staple: Family Law
Staple: Remedies
Advanced Federal Civil Procedure
Advanced Trial Practice
Appellate Advocacy
Complex Litigation Seminar
Criminal Procedure: The Post-Investigative Process
Federal Courts
Federal Criminal Litigation
Litigation with the Federal Government
FCC Practice and Procedure
International Civil Litigation
Interviewing, Counseling, and Negotiating Skills
Maryland Civil Practice
Military Law: A Comparative Perspective
Moot Court Trial National Teams
The Role of the Federal Prosecutor

- Trial Advocacy
 Trial Practice
 Trial Skills: A Criminal Case
 Trial Skills: A Medical Malpractice Case
 Virginia Practice and Procedure
 Columbus Community Legal Services: Advocacy for the Elderly
 Columbus Community Legal Services: Families and the Law Clinic
 Columbus Community Legal Services: The General Practice Clinic
 Criminal Prosecution Clinic
 D.C. Law Students in Court — Civil
 D.C. Law Students in Court — Criminal
 Legal Externship
- XXV. *Not-for-Profit Organizations*
 Law of Church/State Relations
 Not-for-Profit Organization Law
 Legal Externship
- XXVI. *Perspectives on Law and Legal Systems*
Comparative Law
 Property and Marriage: The Law of the Roman Catholic Church
 Catholic Social Teaching and the Law
 Comparative Law
 Contemporary Social Issues Under Jewish Law — Jewish Bioethics
 Islamic Law and Jurisprudence
 Middle East Peace Process
 Military Law: A Comparative Perspective
- Jurisprudence
 Catholic Social Teaching and the Law
 Jurisprudence
 Legisprudence: Theories of Lawmaking
 Sources of Christian Jurisprudence
- Legal History
 Civil Rights and Legal History Seminar: Brown v. Board of Education—Historical Antecedents, Legal Strategies, and Impact
 Comparative European Legal History: Roman Law and the *Ius commune*
 History of Canon Law
 History of Early American Law
 History of Modern American Law
 Sources of Christian Jurisprudence
- Literary Perspectives
 Property and Marriage: The Law of the Roman Catholic Church
 Catholic Social Teaching and the Law
 Contemporary Social Issues Under Jewish Law — Jewish Bioethics
- Bioethics
 Law and Literature
 Sources of Christian Jurisprudence
- XXVII. *Religion and the Law*
 Property and Marriage: The Law of the Roman Catholic Church
 Catholic Social Teaching and the Law
 Comparative European Legal History: Roman Law and the *Ius commune*
 Contemporary Social Issues Under Jewish Law — Jewish Bioethics
 First Amendment Seminar: Religious Liberty
 Islamic Law and Jurisprudence
 Jurisprudence
 Law of Church/State Relations
 Not-for-Profit Organizations Law
 Sources of Christian Jurisprudence
 Legal Externship
- XXVIII. *Securities Regulation*
Staple: Corporations
Staple: Remedies
 Corporate Finance Seminar
 Financial Institutions Regulation
 Legal Accounting
 SEC Student Observer Program
 Securities Market Regulation Seminar
 Securities Regulation: Enforcement Procedures and Issues
 Securities Regulation: Investment Company and Investment Advisors Act
 Securities Regulation: Issuance
 Securities Regulation: Trading
 Unincorporated Business Organizations
 Legal Externship
- XXIX. *Tax Law and Policy*
Staple: Federal Income Taxation
 Corporate Taxation
 Comparative International Tax
 ERISA: The Labor Management Perspective
 ERISA: Pensions (Tax Policy)
 Federal Taxation of Wealth Transfers
 Partnership Taxation
 Legal Externship
- XXX. *Torts Liability*
Staple: Agency
Staple: Conflict of Laws
Staple: Evidence
Staple: Remedies
Foundation Course: Advanced Torts
 Advanced Federal Civil Procedure

Complex Litigation Seminar
Environmental Law
Federal Regulation of Food and Drugs
Health Law
Trial Skills: A Medical Malpractice Case
Legal Externship

XXXI. *Trusts and Estates*

Staple: Trusts and Estates
Staple: Family Law
Staple: Remedies
Columbus Community Legal Services: Advocacy for the Elderly
ERISA: Pensions (Taxation)
ERISA: Pensions (Tax Policy)
Estate Planning
Federal Taxation of Wealth Transfers
Legal Externship

UPPER-LEVEL COURSE DESCRIPTIONS

Courses that may meet the upper-level writing requirement are identified as follows:

req. QP — required qualifying course paper
opt. QP — optional qualifying course paper
req. PP — required portfolio paper
opt. PP — optional portfolio paper
E or QP — examination or qualifying course paper
E or PP — examination or portfolio paper
WC — advanced writing course

A professor may change the requirements of a course in a given semester. Information regarding whether a course will satisfy the writing requirement will be posted prior to fall and spring registration. Professors will also clarify course requirements at the beginning of the semester. For more information concerning the upper-level writing requirement, see Academic Rule X.

Administration of Criminal Justice (2 hrs.)

This course covers a variety of topics in the criminal law/criminal procedure field. Students will be given an opportunity to participate in the selection and presentation of the subject matter and materials to be covered and assigned. In the past, coverage has included the use of penal statutes to criminalize behavior that creates a risk of transmitting the HIV virus, electronic surveillance, and problems relating to informants. There will be no examination for this course; each student will be required to submit a paper on which the final grade will be primarily based, and to conduct a class on his or her topic. Topics will be decided jointly by the student and professor. The paper may be a qualifying course paper that fulfills one half of the upper-level writing requirement, but it need not be if the student wishes to do something experimental. *Mr. Fishman, Judge Robinson.*

Administrative Law (3 hrs.)

This course involves the study of the administrative process, including formal and informal processes within various administrative agencies, as well as judicial, legislative, and executive control of administrative activity. The investigative, interpretative, rulemaking, adjudicatory, and enforcement operations of administrative agencies will be covered. *Mr. Breger, Ms. Leiter, Mr. Mintz, Judge Smith.*

Advanced Administrative Law (2 or 3 hrs.) — opt. QP

This course explores, in depth, selected topics not typically covered in the basic Administrative Law course. Specific topics will depend on present and upcoming regulatory and judicial decisions. Among topics recently considered were constitutional separation of powers; statutory separation of prosecution and decision making in administrative agencies; and exemptions from notice and comment in informal rulemaking. A variety of course materials, including court decisions, briefs, scholarly studies, and committee reports, will be used as a basis for discussion. At the discretion of the instructor, this course may include a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. Prerequisite: Administrative Law. *Mr. Breger, Mr. Mintz, Judge Smith.*

Advanced Federal Civil Procedure (2 hrs.)

This is a course in advanced civil procedure in the federal courts. While some fundamental principals of federal civil procedure will be examined to ensure that all students possess an equal grounding in basic civil procedure, the course emphasizes the study of those advanced topics in civil procedure that are not studied extensively (or at all) in the first year. Federal jurisdiction is examined with an emphasis on federal supplemental and removal jurisdiction. Joinder of claims and parties (who may or must be parties, how to get them in and how to get them out) is examined in depth as are the complexities of class suits, multidistrict litigation, federal interpleader, substitution, and intervention. The course also covers shareholder derivative suits, motions practice (with an emphasis on summary judgment), federal discovery practice (with an emphasis on privilege and attorney work product), enforceability of judgments, relief from a judgment, and appeals from federal district courts to Federal Circuit Courts of Appeal and from federal circuit courts to the United States Supreme Court. Practical problems will be worked on throughout the course. Examination. *Mr. Hartley.*

Advanced Issues in Copyright and Trademark Law (2 credits) QP

This seminar explores advanced topics in copyright and trademark law including, but not limited to, digital copyright law, cybersquatting, misappropriation of intellectual property, and indirect copyright infringement. The course also focuses on recent legal developments in the fields of copyright and trademark law. The purpose of this course is to explore copyright and trademark topics that are not covered or are covered only superficially in the introductory intellectual property courses. Successful completion of this course may satisfy one of the two upper-level writing requirement. Refer to Academic Rule X - Writing Requirement and Directed Research. Prerequisite: Introduction to Intellectual Property, Copyright Law, or Trademark Law. *Judge Damich.*

Advanced Issues In Corporate Law (2 hrs.) — req. QP

This course will focus on selected advanced corporate law issues and the role of corporate counsel in addressing these issues. Topics will include business ethics; corporate social responsibility and philanthropy; corporate political activity; investigation of allegations of corporate wrongdoing; corporate compliance programs in areas such as finance and securities, environmental, employment, and fraud and abuse law; the emerging law of crisis management; and related professional ethics issues, such as responsibilities of corporate counsel, opinions of counsel for complex financial transactions and the operation of the attorney-client privilege in corporate settings. In lieu of a final examination, this course requires a qualifying paper that fulfills one-half of the upper-level writing requirement. *Ms. Duggin.*

Advanced Legal Writing and Research (3 hrs.) — WC

This course will develop students' writing and research skills by guiding them through the process of researching for and writing a case note on a pending Supreme Court case. The first component of the course will be devoted to the development of advanced legal research skills including planning research strategies, field research, research in public records, constitutional law research, statutes, legislative histories, tracking legislation, treaties, administrative and

executive publications, agency rules, regulations and adjudications, government documents, case finding, case verification, secondary sources, looseleaf services, LEXIS, WESTLAW, Internet resources, nonlegal research, and specialized legal research. The remainder of the course will be devoted to the refinement of writing skills, focusing particularly on organization, use of authority, and development of an effective writing style. Successful completion of this course fulfills one half of the upper-level writing requirement. Students who are taking or have already taken Advanced Legal Research or a course on legal literature taught by the School of Library and Information Science may not take this course. *Ms. Brown, Ms. Everhart, Dr. Harmon, Ms. Kane, Ms. Mullen, Ms. Niedzielko, Mr. Petit.*

Advanced Torts (3 hrs.)

This course offers an exposure to a variety of tort law topics, other than product liability, that extends the coverage typically offered in the first-year course in torts. Because many students will not have studied any tort law since their first semester in school, the course begins with a brief review of basic tort law doctrine. Nuisance law will be considered next, followed by a detailed study of the law of defamation, including an examination of both its basic doctrinal characteristics and the federal constitutional features that have developed since 1964. In addition, the rules and practices relating to the award of damages in personal injury cases will be discussed. Where appropriate, the class will look at the way in which various tort law doctrines are tested on both the multistate and the essay portion of the bar. As such, the course may be valuable for the third or fourth year student who wishes to be fully prepared for the tort law portion of the bar examination. *Mr. Scordato.*

Agency (2 hrs.)

This course is a basic survey of agency law doctrine and policy. Agency law addresses the general circumstances by which one entity (the agent) may take action on behalf of, and with significant legal consequences for, another (the principal), and the regulation of the relationship between the principal and the agent. Agency law often operates to facilitate the reach of other doctrinal areas, as when a principal authorizes an agent to enter into a contract with a third party on the principal's behalf, or when an agent who engages in a tort and as a result harms another generates liability for the principal. Specific topics to be covered in this course include the definition of agency and the creation of an agency relationship; capacity of parties and nondelegable acts; ambiguous agencies; vicarious knowledge and notice (the imputed knowledge rule); vicarious tort liability (the doctrine of respondeat superior); vicarious contractual liability (actual and apparent authority); undisclosed and partially disclosed principals; ratification; rights and liabilities between the principal and the agent; rights and liabilities between the agent and the third party; and termination of the agency relationship. The legal relationship between attorneys and their client, and the legal relationship between attorneys and the law firm (or corporation or government) for which they work is an agency relationship. Moreover, agency law is tested on the Maryland, Virginia, District of Columbia, and many other state bar examinations. Thus, all students who aspire to be licensed practicing attorneys should consider taking a course in agency law. While agency law can be thought of as a foundational subject for the study of corporate law, this course is not taught from

that perspective. As a result, it may be particularly appropriate for those students who desire some exposure to agency law, but who do not necessarily wish to engage in a greater study of business entities. Students who would prefer to study agency law in that context might consider the course in Unincorporated Business Organizations. *Mr. Nunes, Mr. Scordato, Mr. Weinstein, Mr. Wyrsh.*

Alternative Dispute Resolution Techniques (2 hrs.) — req. QP or PP

The seminar is a limited-enrollment (20 students) course that looks at mechanisms for resolving disputes other than the mechanism of litigation. It concentrates on negotiation, arbitration, mediation-conciliation, the so-called “rent-a-judge” and the “mini-trial” proposals. The seminar will be mainly an in-depth discussion and analysis of the individual devices and will evaluate the advantages and disadvantages of the alternatives in relation to litigation. A number of guest lecturers will attend and participate. Students will participate in simulations and be critiqued on their individual performance. Class participation by all members of the seminar is required and the final grade will be based on the research paper or portfolio papers written by each participant. Each student will be required to give a short, oral presentation on his or her paper topic toward the end of the semester. This course requires a qualifying course paper or portfolio papers that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Mr. Breger, Ms. Mitchell, Ms. Raskin.*

Antitrust (3 hrs.)

A study of those federal statutes intended to preserve the benefits of competition in unregulated industries. The course considers the impact of the Sherman Act, the Clayton Act as amended by the Robinson-Patman Act, and the Federal Trade Commission Act on the practices and structure of American business. The course includes some economic analysis, but a background in economics is not necessary. The relevant concepts are developed throughout the course. *Mr. Garvey, Mr. Greaney, Mr. Perez.*

Appellate Advocacy (2 hrs.) — WC

Students will study standards of appellate review, review of the trial record, and appellate practice techniques. Instruction will focus on the presentation of a simulated case to a federal or state appellate court. Students will review the trial record for appealable issues, submit an appellate brief, and argue the case orally before panels of judges and attorneys at the Appellate Advocacy Competition. Successful completion of the Lawyering Skills course is a prerequisite to enrollment in this course. Successful completion of the appellate brief in this course fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. The final grade is based on evaluation of the student’s written work, oral advocacy and class participation. *Ms. Fair.*

Banking Law (3 hrs.) — E

This course surveys the evolving legal and regulatory environment within which banks operate. Areas of coverage include the history and structure of the federal and state regulation of banking generally (i.e., the “dual banking system”); criteria and limitations on charter-

ing, merging, branching, and interstate banking; principal controls on the business of banking (deposit taking, lending, securities, and insurance activities), including activities of holding company affiliates; regulation of troubled financial institutions; liability of officers, directors, and professionals; and operation of foreign banks in the United States. The course also emphasizes the social and policy issues raised by the regulation of the banking industry. May not enroll in Financial Institutions Regulation. *Ms. Schooner, Mr. Weinstein.*

Bankruptcy (Day, 3 hrs.)

A complete study and review of all legal principles involved in seeking relief under the various chapters of the Bankruptcy Code, including the various relief chapters (chapters 7, 11, and 13), automatic stay litigation and concepts, property of the bankruptcy estate, secured, priority and unsecured claims, discharge and discharge ability issues, debtors’ rights and exemptions under both state law and the Bankruptcy Code, the powers of a trustee in bankruptcy, the question of priorities and conflicts between creditors, fraudulent transfers, and the jurisdiction and venue of the United States Bankruptcy Court. Students who have taken the Creditors’ and Debtors’ Rights course may not enroll for Bankruptcy. *Ms. Miles, Judge Whelan.*

Becoming a Communications Lawyer (2 hrs.)

This externship seminar is similar to Becoming a Lawyer except that students’ field placements are in communications law and class discussion focuses on issues that related to the practice of communications law. Students in the Communications Law Institute should take this course to fulfill one of the externship requirements for the certificate. Students should enroll in “Legal Externship” while taking this course to receive credits for their fieldwork. *Mr. Tramont, Ms. Harold.*

Becoming an International Lawyer (1 hr.)

This externship seminar is similar to Becoming a Lawyer, except that students’ field placements are in international law and class discussion focuses on issues that related to the practice of international law. Students in the Comparative and International Law Institute should take this course to fulfill one of the externship requirements for the certificate. Students should enroll in “Legal Externship” while taking this course to receive credits for their fieldwork. Pass/fail option. *Ms. Tekach.*

Becoming an Immigration/Human Rights Lawyer (2 hrs.)

This externship seminar is similar to Becoming a Lawyer, except that students’ field placements are in immigration or human rights law and class discussion focuses on issues that related to law practice in those fields. Students should enroll in “Legal Externship” while taking this course to receive credits for their fieldwork. *Ms. Tekach.*

Becoming a Lawyer (4 or 5 hrs.)

This two-credit, graded seminar is designed to assist the professional development of students doing externships for credit. It is required for students doing their first externships except for those enrolled in an equivalent externship seminar.

The seminar meets for two hours per week throughout the semester. Students must enroll in the seminar during the semester in

which they are doing their fieldwork. The seminar includes reflective oral and written dialogue and readings designed to foster learning from the field experience and to advance the students' professional development. Participants study various aspects of their own and others' field experience, including the goals and operations of the organizations where they are working, the process and problems encountered in law practice and in the making and implementation of law, the professional conduct and roles of the lawyers with whom they work, ethical dilemmas that arise at the placements, and other topics. The course will expose students to a wide variety of legal organizations and substantive fields.

Students in *Becoming a Lawyer* complete several reflective writing assignments and each student writes a 10-page paper on a topic relating to his or her fieldwork. In addition, each student does a presentation in class on a topic relating to the fieldwork. Some classes may feature guest speakers who talk about their professional lives. Other classes may focus on discussions of field experience or cultivation of various professional skills. Participants in *Becoming a Lawyer* will be encouraged to articulate and to examine short and long-term professional goals and paths and to consider issues relating to professional identity and professional values.

This course is offered on a graded basis, but credits for fieldwork (obtained by registering for "Legal Externship") are awarded on a pass-fail basis.. *Ms. Andrews, Ms. Connolly, Mr. Flesch, Ms. Lerman, Ms. Niedzielko, Mr. Ogilvy, Ms. Wortham.*

Becoming a Public Policy Lawyer (2 hrs.)

Students taking this course should register for 2 or 3 credits of fieldwork under the course titled "Legal Externships" or they should enroll in one of the CUA clinical courses.

This course is required for second-year students in the Law and Public Policy Program and is open to other students if space is available. In consultation with the instructor, each student selects either a live-client clinical course or a field placement at which to do uncompensated legal work under the supervision of an attorney at a nonprofit organization, a government office (executive, legislative, or judicial branch of federal, state, or local government), a law firm, or a corporation. Placements and clinical courses should involve the students in the development or implementation of law and/or public policy, and must be approved by the instructor. Students enrolled in externships receive one credit for each 60 hours of fieldwork. Students are encouraged to complete three hours of fieldwork credit but may elect to complete only two fieldwork credits. For additional information about the externship program, refer to the description of "Legal Externships" on page 40.

This two-credit seminar will include reflective oral and written dialogue and readings designed to foster learning from the field and clinical experiences, to advance the students' professional development and to allow discussion of a range of public policy issues. Participants study various aspects of their own and others' field experience, including the goals and operations of the organizations where they are working, the process and problems encountered in the making or implementation of law or policy, the professional conduct and roles of the lawyers with whom they work, and other topics. The course will expose students to a wide variety of legal organizations and substantive fields. The course is designed to assist students in identifying professional goals and paths through which

they might pursue those goals. The seminar is graded; fieldwork credit is awarded on a pass-fail basis.

Becoming a Securities Lawyer (1 hr.)

This externship seminar is similar to *Becoming a Lawyer*, except that students' field placements are in securities law and class discussion focuses on issues that related to the practice of securities law. Students in the Securities Law Program should take this course to fulfill one of the externship requirements for the certificate. Students should enroll in "Legal Externship" while taking this course to receive credits for their fieldwork. Students enrolled in the SEC Observer Program need not enroll in this seminar during their participation in the SEC program. Offered in the spring semester. Pass/fail. *Mr. Southerling.*

Business Reorganization (2 hrs.)

This is an advanced course in business reorganization under Chapter 11 of the Bankruptcy Code. Students will navigate a distressed company through the Chapter 11 reorganization process. Coverage will include the following topics: pre-filing considerations and strategies connected with a corporation's decision to seek relief under Chapter 11; commencing the Chapter 11 case and first-day motions; creditor committees, trustee and examiner issues; developing a plan of business reorganization; filing the reorganization plan; disclosure statement requirements and solicitation of plan acceptances; plan confirmation requirements; post-confirmation issues. Attention also will be given to special Chapter 11 issues involving airline bankruptcies; utility bankruptcies; toxic tort-type cases; collective bargaining agreements; and retiree-benefit issues. Prerequisite: Bankruptcy. Enrollment limited to 20 students. *Judge Whelan.*

Canon Law for American Attorneys (3 hrs.)

An introduction to the legal system of the Roman Catholic Church with particular emphasis on laws, structures, and procedures of relevance to American attorneys representing Catholic dioceses, religious communities, educational and health care institutions, bishops, priests, religious, and associations of the laity. Particular attention will be given to canon laws governing church property, marriage, and the relationship of priests and religious to their dioceses and communities. Comparison of relevant canonical and American legal concepts. *Dr. Martens.*

Catholic Social Teaching and the Law (2 hrs.) — req. QP

This course introduces students to the basic tenets of Roman Catholic Social Teaching — the response of the Catholic Church to the social, political, and economic order as it has evolved over the past 115 years. These teachings began with the 1891 papal encyclical *Rerum Novarum* and have developed through later encyclicals, documents of the Second Vatican Council, and pastoral letters of bishops' conferences. Dominant principles include the dignity of the human person, solidarity, subsidiarity, and the preferential option for the poor. This course will compare American approaches to the formation of law and policy with the Catholic ideal in four special areas: economic and labor regulation, family and life issues, war and peace, and domestic social policy (e.g. welfare reform, etc.). There will be no final examination, but each student is to write a paper, lead a class on the paper topic, and participate in the discussion

of the papers of fellow students. This course requires a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Bailey, Mr. Garvey.*

Civil Rights Law (3 hrs.)

This course surveys civil rights law. The students study constitutional litigation brought under Section 1983 to enforce the 4th, 8th and 14th Amendments, specifically exploring prisoners' rights, police abuse, and substantive Due Process claims. The students also examine other Reconstruction Era civil rights statutes (Sections 1981 and 1982), and modern federal statutes prohibiting discrimination, including Title VI and Title VII. The students address cutting edge civil rights issues, such as affirmative action, sexual harassment, and racial identity. The course explores interpretive and strategic challenges that arise in civil rights litigation. *Mr. Kaplin, Ms. Malveaux.*

Columbus Community Legal Services: Advocacy for the Elderly (3, 4, 5, or 6 hrs.) — opt. PP

Advocacy for the Elderly provides evening-division students with a unique opportunity to engage in the direct delivery of legal services. Students carry an individual caseload closely supervised by a clinical supervisor. Through direct delivery of legal services, students gain experience in practical trial techniques, refine research and writing skills, and develop important lawyering competencies such as negotiation, fact investigation, and case management. In addition to maintaining a caseload, students attend weekly classes and case reviews. The classroom component focuses on developing lawyering competencies and knowledge of relevant substantive areas of law. The classroom component and client meetings are scheduled at night. Some flexibility in scheduling and daytime accessibility is necessary. Graded with a pass/fail option. Enrollment is limited. Students who have completed 41 credit hours, including Civil Procedure, Criminal Procedure: The Investigative Process, and Evidence, may qualify to appear in court under the District of Columbia Student Practice Rule. Evening-division students are given preference in enrollment. A student may request to do a qualifying portfolio paper that fulfills a portion of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Mr. McGonnigal.*

Columbus Community Legal Services: Families and the Law Clinic (6 hrs.; optional 3 hrs. for continuing students) — opt. PP

The Families and the Law Clinic is designed to help students develop lawyering skills while focusing on a particular area of practice: domestic violence and family law. Whether a student is interested in family law issues or another area of law, the Families and the Law Clinic gives individualized instruction in and exposure to many aspects of legal practice. Among the skills developed in the clinic are oral argument, trial advocacy, legal interviewing, witness preparation, client counseling, case preparation, fact investigation, drafting motions and pleadings, and discovery practice.

Students will assist victims of domestic violence in obtaining temporary and permanent restraining orders in D.C. Superior Court. Students may also represent clients in general domestic relations litigation. Cases can address issues such as divorce, custody, visitation, property distribution, and child support. All cases involve

emergency protective orders.

In addition to litigation, each student will work on a community project during the course of the semester. Students develop and implement a community legal education program for teens on domestic violence issues in the District of Columbia.

Students are expected to spend 20 hours per week working at the clinic. Three of the hours will be spent attending a weekly seminar class that focuses on skill building, professional responsibility, and substantive domestic violence and domestic relations law. Faculty members meet with students on a weekly basis. Faculty critique students after simulations and after live client counseling and oral advocacy.

Enrollment for three hours is limited to students who have satisfactorily completed a minimum of six credits of CCLS: Families and the Law Clinic, and requires prior approval by professors Barry and Klein. This course is graded, with a pass/fail option. A student may request to do a qualifying portfolio paper that fulfills a portion of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Barry, Ms. Klein, Ms. Martin.*

Columbus Community Legal Services: The General Practice Clinic (6, 7, or 13 hrs.; optional 3 hrs., continuing students) — opt. PP

This clinical program provides students with the opportunity to experience the general practice of law. Students handle the legal problems of low-income residents of the District of Columbia. The caseload of the clinic consists primarily of SSI/public benefits, special education, consumer, and family law matters. These cases offer the full range of client representation before administrative agencies on the local and federal level and the courts of the District of Columbia. Interns eligible for certification under the Student Practice Rule present their clients' cases in court. The program is designed to give students the opportunity to develop skills in time and office management, interviewing, counseling, negotiating, drafting, motions practice, trial techniques, and reflective lawyering.

In addition to the clinical work, a three-hour seminar is conducted once a week. The seminar includes participatory exercises in interviewing, counseling, negotiations, and selected aspects of trial techniques; and structured discussions of ethical considerations, recent common law and statutory development, and general case discussion.

Students enrolled for six credits are expected to spend a minimum of 20 hours weekly on clinic work. Students may also enroll for seven or 13 credits, but only with the prior approval of professors Brustin, Mullen, and Scully. Enrollment for 13 credits requires a minimum commitment of 40 hours weekly. Enrollment for three hours is limited to students who have satisfactorily completed a minimum of six credits of CCLS: General Practice Clinic, and requires prior approval of professors. The course is graded, with a pass/fail option. A student may request to do a qualifying portfolio paper that fulfills a portion of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Brustin, Ms. Mullen, Ms. Scully.*

Commercial Transactions (4 hrs.)

In a transactional approach the course treats the creation and effect of financing arrangements and other secured transactions in personal property; the rights of third parties claiming interests in the collateral; and the use of checks, notes, and electronic payment techniques. Thus the course combines materials traditionally taught in separate courses on negotiable instruments and secured transactions. Principal emphasis is the Uniform Commercial Code as the prevailing commercial legislation, but the impact of the common law, the Bankruptcy Act, and other pertinent authority also is considered throughout. *Mr. Bishop, Ms. Miles, Mr. Rohner, Ms. Schooner.*

Comparative and International Trade (Day, 3 hrs.; Eve., 2 hrs.)

This course examines the major issues of international trade and its regulation at the national and international level. The focus is on the U.S. trade laws, including the tariff system and customs laws, the safeguard provisions, antidumping and countervailing duty remedies, and retaliatory measures. Attendant issues such as the distribution of powers to regulate international trade, the delegation doctrine, and judicial review of regulating agencies are also examined. The international regulatory framework — principally, the General Agreement on Tariffs and Trade and the World Trade Organization — are examined in some detail, with a focus on the fundamental rule of nondiscrimination, the resolution of disputes through the dispute settlement system, and the relationship between international agreements and the United States law. Finally, the course also examines specialized topics including free trade areas and customs unions, treatment of nonmarket/transitional economies, developing countries, and international trade in service. *Dr. Chorosnicki, Mr. Heilferty, Dr. Ludwikowski.*

Comparative Constitutional Law (3 hrs.) — req. QP

This is both a comparative law course and an advanced constitutional law course. It focuses on the functions, characteristics, and mechanisms of national constitutions and constitutional systems. The constitutions selected for study may include those of France, Germany, England (the “unwritten” constitution), Japan, Russia, and South Africa. In addition, special emphasis will be placed on the new constitutions of the Eastern and Central European countries. Comparisons will continually be made to the United States Constitution. Topics to be addressed in comparative perspective may include judicial review and constitutional courts, the division and distribution of powers, authority to regulate domestic and international trade, emergency powers, immigration and citizenship, personal mobility (right to travel), the status and rights of racial, ethnic, and religious minorities. Attention will also be given to the concept of constitutionalism; and to the process of constitution making (or “constitutional engineering”) by which national constitutions are adopted, amended, and implemented. Limited enrollment. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Fischer, Mr. Kaplin, Dr. Ludwikowski.*

Comparative European Legal History: Roman Law and the *Ius commune*

This course surveys European legal history from Roman law to the Renaissance of Roman as part of the *Ius commune* in the 11th and 12th centuries. The purpose of the course is to introduce two of the great legal traditions of the Western European tradition: Roman law and the *Ius commune*. The course will begin with an examination of Justinian’s *Corpus iuris civilis* in the sixth century AD. It will explore the main areas of Roman family law, torts, contracts, property law. After establishing the broad outline of Roman legal concepts, the course will explore the revival of Roman law in Italy at the end of the 11th century and its adoption by the law schools of Europe, and its integration into the *Ius commune*. This part of the course will describe how the jurists of the 12th to the eighteenth centuries used principles, norms, categories, and concepts of Roman law and applied them to every European legal system. A fuller description of this course, as well as the syllabus and reading materials can be found online at: <http://faculty.cua.edu/pennington/Law508/Law508.html> *Dr. Pennington.*

Comparative International Tax (2 hrs.)

This course builds on what students have learned in Federal Income Tax and introduces a conceptual approach to the different tax systems in use around the world. Viewing the way in which countries raise revenue as an important part of their overall internal and external economic affairs, the course discusses important tax policy goals — fairness, efficiency, and simplicity. It places these goals in the context of such frequently used tax bases as wealth, income, and property. It also looks at systems of social security taxation, value-added taxes, and the international aspects of individual income taxation. It focuses as well on procedural topics such as the tax legislative process and statutory drafting. Students who are interested in tax and in international economic affairs are encouraged to enroll. Federal Income Taxation is a pre- or corequisite. *Ms. Simon.*

Comparative Law (3 hrs.)

The purpose of this course is to provide the student with knowledge about the basic legal systems in the world. Special emphasis will be given throughout the course to legal systems in Great Britain, France, Germany, and the countries of the former Soviet bloc. The course begins with discussion of legal education and the legal professions in these countries. The basic principles of British, French, and German constitutional law are studied to provide the political background necessary to compare these legal systems. The course also examines judicial structures and court organization as well as key principles of criminal and civil procedures. *Dr. Ludwikowski, Ms. Simon, Mr. Watson.*

Comparative Law Seminar: Political Violence (3 hrs.) — req. QP

The course focuses on the legal systems of Common Law countries and their response to the challenge posed by political violence. All share the tradition of Magna Carta and the Bill of Rights of 1689 and all exalt law as a fundamental basis of unity in society. Yet, their anti-terrorist laws and their courts’ interpretations of those laws differ significantly. Students will be assigned (or select) a topic such as membership in proscribed organizations, extradition, surveillance, or detention without trial will lead a seminar discussion and

submit a paper on the topic. The course is intended to give students the opportunity to examine the concept of “the rule of law” when its institutions and procedures are subjected to extreme stress. Examples will also be drawn from experiences of other countries in the common law tradition: Israel, South Africa, India, and Pakistan. Limited enrollment. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. *Dr. Noone.*

Comparative Remedies (2 hrs.)

This course is designed to acquaint students with a broad overview of the application of remedies principles in the European Union and the United States. Students will be invited to consider judicial decisions concerning such remedies as injunctions, specific performance, declaratory judgments, annulment, declarations, contract damages, and restitution. Students will be encouraged to compare EU cases dealing with such matters as the nature, availability and prerequisites of these remedies with counterpart U.S. cases. The course will emphasize, where practicable, decisions of the U.S. Supreme Court and courts of the European Communities (particularly the European Court of Justice) or of EC Member States involving international trade and commercial issues. (2 Credits, exam, Cracow program; 3 credits, paper/portfolio, U.S. program) *Mr. Sky.*

Complex Litigation (3 hrs.)

This advanced course will offer an in-depth examination of procedural problems involved in multiparty, multiclaim litigation in federal and state court. The course will focus extensively on class action practice, criteria and litigation strategy. The course covers the disposition of duplicative litigation, problems peculiar to large case discovery, judicial control of litigation, and *res judicata* and collateral estoppel involved in multiparty, multiclaim litigation. The course also explores alternatives to the class action device. This is an EXAM course. *Ms. Malveaux.*

Conflict of Laws (3 hrs.)

The course will introduce students to the problems arising when clients are confronted with private law matters having multistate or multinational elements. The course will thus emphasize the traditional concerns of conflicts of law, jurisdiction of courts, choice of law, and the recognition and enforcement of judgments. *Mr. Destro, Mr. Goldman, Mr. Perez, Mr. Rohner.*

Consumer Transactions (3 hrs.)

This course treats the spectrum of legal problems that arise uniquely in cash and credit sales, loans, and similar transactions involving consumers. Areas of coverage include advertising, Internet marketing, credit disclosure, unfair and deceptive sales practices, warranties, particular credit and collection abuses, credit reporting, and enforcement mechanisms. Attention is given to issues arising under the Federal Trade Commission Act, the Federal Consumer Credit Protection Act (Truth in Lending, Fair Credit Reporting, Equal Opportunity, Fair Debt Collection, et al.), Uniform Consumer Credit Code, state “unfair or deceptive acts or practices” statutes, and other federal, state, and local consumer protection laws. A prior course in Commercial Transactions is not required. Students may not take Consumer Law Seminar in addition to this course. *Mr. Rohner.*

Contemporary Social Issues Under Jewish Law—Jewish Bioethics (2 hrs.) — opt. QP

This course will discuss the approach of various Jewish religious groups to current bioethical issues. Among the topics to be covered are new reproductive technologies, stem cell research, cloning, surrogate motherhood, organ transplants, and autopsies. The discussion will be based on traditional Jewish sources — the Hebrew Bible, The Talmud, Codes of Responsa — as well as recent scholarly works exploring the applicability of traditional materials to today’s bioethical issues. No prerequisites. Satisfies writing requirement with faculty approval. *Mr. Mintz.*

Copyright Law (3 hrs.)

This course covers the nature and subject matter of copyright, including literary, artistic, and musical works; computer software; and motion pictures; how copyrights are acquired, licensed, and enforced; the fair use privilege and other limitations on the copyright owner’s rights; and principles of international protection. *Ms. Fischer.*

Corporate Finance Seminar (2 hrs.)

The course will examine the major financial and structural changes that an on-going corporation might experience. Topics that will be explored include valuation methods, leverage finance, debt instruments, share repurchase tactics, merger techniques, going-private transactions, hostile and friendly tender-offers, recapitalizations, acquisitions, and spin-offs. These subjects will be analyzed in terms of their corporate and securities law implications as well as for related economic and policy concerns. Corporations required. A previous or contemporaneous course in securities is recommended. A good understanding of business can serve as a substitute. Limited enrollment. *Mr. Lipton.*

Corporate Taxation (3 hrs.)

The law of taxation as applied to corporations and their shareholders in the various contexts of corporate life, including incorporation, distributions, redemptions, and liquidations. Prerequisite: Federal Income Taxation. *Ms. Simon, Mr. Walker.*

Corporations (4 hrs.)

The course entails the study of the fundamental principles in the fields of agency, unincorporated businesses, corporations, and securities regulation, examined in relation to the functioning of the corporate enterprise. Both publicly owned and closely held corporations are considered, with detailed consideration of basic formation, issues of governance, and shareholder rights, as well as additional attention to more advanced areas relating to conflicts of corporate control, questions of corporate responsibility and shareholder input in corporate decision making, and federal regulation of capital formation and investor interests. *Ms. Duggin, Mr. Goldman, Mr. Lipton, Mr. Scordato, Mr. Wyrsh.*

Creditors’ and Debtors’ Rights (2 hrs.)

A complete study of the legal principles and remedies involved in enforcing creditors’ and debtors’ rights under state law, including attachments before judgment; judicial liens, statutory and consensual liens; garnishment and execution; forced sales of property; credi-

tors' suits and supplementary proceedings; the Federal Tax Lien Act; the Uniform Fraudulent Conveyance Act; common law compositions and assignments for the benefit of creditors; bulk sale transfers under the Uniform Commercial Code; equity receiverships; debtors' rights and exemptions under state law. *Mr. Leach.*

Criminal Procedure: The Investigative Process (3 hrs.)

All sections of the course focus primarily on issues of constitutional criminal procedure relating to the Fourth Amendment (search and seizure), Fifth Amendment (custodial interrogations), and Sixth Amendment (interrogation and identification), and also include an examination of the defense of entrapment. Professor Fishman's section also covers the grand jury, the rules governing subpoenas for testimony, exemplars and documents, and the obligations and responsibilities a defense attorney has when he or she discovers evidence tending to incriminate the defendant. Judge Bacon's section also covers electronic surveillance and use of grand jury as investigative technique. *Judge Bacon, Ms. Drinan, Mr. Fishman, Ms. Leary.*

Criminal Procedure: The Post-Investigative Process (3 hrs.)

This elective course is recommended as an adjunct to Criminal Procedure: The Investigative Process. Whereas Criminal Procedure: The Investigative Process focuses on constitutional criminal procedure with primary emphasis on Fourth, Fifth, and Sixth Amendment issues, this course will provide an in-depth examination of procedural problems in criminal litigation. Topics covered may include right to counsel at trial, on appeal, and in collateral proceedings; the right to court-appointed experts, transcripts, and other aids; the plea-bargaining process; discovery obligations in general and reciprocal discovery in criminal cases; notice requirements for the insanity and alibi defenses; joinder and severance of counts and defendants; trial rights such as right to jury trial, right to speedy trial, peremptory challenges and the challenge for cause, the right to jury instructions on elements of the crime, defenses and theory of the case, etc.; proof issues such as burden of production and persuasion; and ethical issues in the prosecution and defense of criminal cases. It is suggested that this course be taken by those students intending to pursue a career in criminal litigation, either as a prosecutor or as a defense attorney. *Judge Bacon, Judge Satterfield.*

Criminal Prosecution Clinic (4 hrs.)

This clinical program is designed to promote the acquisition or improvement of basic lawyering skills essential to effective criminal practice in a prosecution setting, including familiarity with certain substantive legal principles, courtroom skills, the ability to learn from practical legal experience, the enhancement of problem solving capabilities in a legal context, the recognition and principled resolution of ethical dilemmas arising in a criminal prosecution practice, and the development of an independent, critical perspective on the functioning of the criminal justice system. Students work with assistant state attorneys to prepare and try criminal cases in a state criminal court. Students are expected to devote 16 hours each week to the prosecutor's office. A weekly, two-hour seminar also is required. The seminar is designed to prepare students to work effectively and ethically in the prosecutor's office. Students are expected to be familiar with the Rules of Professional Conduct and the Rules

of Court in the jurisdiction in which they practice.

All students enrolled in the Criminal Prosecution Clinic must be eligible to be certified under the applicable student practice rule of the jurisdiction in which they will appear. Limited to 14 students (spring semester only). Grading is pass/fail. Prerequisites: Criminal Procedure: The Investigative Process; Evidence; Trial Advocacy, Trial Practice, or Trial Skills. *Ms. Barnett.*

Cyberlaw I: Legal Issues Relating to Computer Networks (2 hrs.)

This course focuses on law and policy relating to network security, privacy, cybercrime, and copyright enforcement issues arising from file sharing, circumvention software and other new digital technologies. No prerequisites and no technological or engineering knowledge is expected or required. *Ms. Fischer, Mr. Kennedy.*

Cyberlaw II: Legal Issues Relating to Doing Business in a Digital World (2 hrs.) — req. QP

This course focuses on Internet governance, jurisdiction in a digital world, electronic commerce, antitrust and competition law issues, electronic practice for courts, electronic practice for rulemaking, and global standardization issues. No prerequisites and no technological or engineering knowledge is expected or required. This course requires a qualifying course paper that fulfills one-half of the upper-level writing requirement. *Ms. Fischer, Mr. Kenny, Mr. Purcell.*

Death Penalty Seminar (3 hrs.) — E or QP

This course examines the substance and procedural law dealing with capital punishment in the judicial process. The focus of the course is on how the death penalty is being administered today — almost 30 years after the 1976 Supreme Court cases that upheld the constitutionality of selected death penalty statutes. A number of particularly pressing legal problems will be examined, e.g., constitutional challenges to the death penalty; race and gender of defendants given the death penalty; constitutional limitations on death eligibility; the role of aggravating and mitigating circumstances; the sentencing phase of capital cases; the use of expert witnesses; and state and federal habeas corpus review in capital cases. This course offers unique opportunities to examine the law and our legal system from a variety of historical, religious, political, ideological, philosophical, economic, sociological, and other perspectives. Enrollment limited to 16 students. If the instructor allows papers in lieu of examinations, this course may include a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. Prerequisite: Criminal Procedure: The Investigative Process. *Mr. Dieter.*

D.C. Law Students in Court (12 hrs. two semesters) — opt. PP

A clinical program in trial advocacy, the D.C. Law Students in Court program offers students an opportunity to develop skills as trial lawyers while representing indigent persons in the Superior Court of the District of Columbia. Students may participate in either the civil division (which focuses primarily upon the representation of tenants in landlord-tenant actions, but also handles some consumer and other civil matters) or the criminal division (in which student

attorneys defend persons charged with misdemeanor offenses and/or juveniles charged with delinquent acts ranging from drug possession to assault with a deadly weapon). Students are responsible for all aspects of litigation under the supervision of clinical instructors. Student attorneys interview clients and witnesses, conduct investigations, prepare pleadings, negotiate settlements and conduct all motions, hearings, trials, and occasional appeals pursuant to the Superior Court's third-year practice rule. To be eligible to participate in the clinic, students must have completed 41 credit hours and courses in Evidence, Civil Procedure, and (for the criminal division) Criminal Procedure: The Investigative Process. Seminars are held in the civil division on Monday evenings from 6 to 8 p.m. and in the criminal division on Thursday evenings from 6 to 8 p.m. Students in the civil division must set aside one day per week for court appearances. Participating students should plan to devote approximately 20 hours per week to the clinic. This is a yearlong program; students enroll for six credits each for two semesters. No academic credit will be awarded to a student who completes only one semester. Students in the civil division have the option to enroll for either three or six credits in the second semester. In the criminal division, the course must be taken for six credits both semesters. Evening-division students and students who have part-time employment may participate. In the civil division only, students may participate in either the summer session and first (fall) semester or the fall and spring semesters. In addition, some writing in the civil division may be used to satisfy one or more of the three products required for the applied legal writing portfolio option of the upper level writing requirement. This course is offered on a graded basis but a student may elect to take the course on a pass-fail basis. The course is limited to 15 students. An interview with a supervising attorney is required before a student may register. *Ms. Brittingham, Ms. Haney, Mr. Cook, Ms. Day, Mr. Harris, Mr. Lyman, Mr. Manlowe, Mr. Neal.*

Directed Research (2 hrs.)

This course offers students the opportunity to conduct original, in-depth legal research and produce a quality written analysis in an area of special interest under the close supervision of a faculty member. The course will fulfill one of the two upper-class writing requirements if the student achieves a final grade of at least 70. A faculty member who agrees to serve as the student's supervising instructor will provide guidance and feedback throughout the research and writing process. The student's final grade will reflect the supervising instructor's evaluation of the quality of the student's legal research and legal analysis as well as the quality of his/her legal writing. To register, a student must submit a statement of topic, signed by the supervising instructor that describes the proposed research topic and establishes the tentative research and writing schedule. The signed statement of topic must be submitted to the Office of the Academic Dean before the end of the add-drop period for the semester. (See Academic Rule X). *Faculty.*

Education Law (3 hrs.)

This course will consider current legal problems in public and private education systems. Both elementary/secondary education and higher education will be addressed, but primary emphasis will be on public elementary/secondary education. Topics to be discussed include the roles and authority of state and local education agen-

cies, compulsory education, home schooling, curriculum control, academic freedom, students' and teachers' rights, desegregation and affirmative action, allocation of educational resources, federal aid programs, and problems of church and state. The prerogatives of parents, the roles of such private groups as teachers unions and accrediting associations, the functions of courts and lawyers in resolving education law problems, and the usefulness of education policy materials in elucidating education problems will be considered. Occasionally this course is also offered as a limited enrollment seminar that fulfills one-half of the upper-class writing requirement. *Mr. Kaplin, Mr. Sky.*

Election Law (2 hrs.)

The integrity of our system of electing public officials is one of the cornerstones of American democracy. At least since the year-2000 presidential election, we have been aware of the important role of the law in the election process. A number of recent decisions of the United States Supreme Court have dealt with elections, most notably *Bush v. Gore*, and many legal issues relating to the November 2006 election are currently under consideration by the courts. Among the topics that will be explored in this course are the operation of the Electoral College in the selection of the president political gerrymandering, recent developments under the Voting Rights Act of 1965 and the Equal Protection Clause of the United States Constitutional, and the role of the political parties, including third parties, in the election system. *Mr. Mintz.*

Electronic Mass Media Policy and Regulation (2 hrs.)

This Communications Law Institute course will examine federal electronic mass media policy and regulation as formulated, implemented, and interpreted by the Congress, the Federal Communications Commission, and the courts. The course will first provide an overview of the electronic mass media industry and the FCC, then relate First Amendment jurisprudence and case law to contrasting concepts of broadcast regulation. Using this analytical framework as a reference, the course will cover the role of the FCC in spectrum allocation, FCC licensing policy and regulation, FCC economic structural policy and regulation, FCC content-behavioral policy and regulation, and the impact of emerging and converging electronic mass media technologies such as cable TV and direct broadcast satellites on future mass media policy and regulation and the First Amendment. Enrollment limited to 25 students. Non-institute students may elect this course on a space-available basis. This course does not satisfy the law school's writing requirement. The basis for the final grade is primarily a paper. *Ms. Dozier, Mr. Gallant, Ms. Gregg.*

Employment Law (3 hrs.)

The theme of the course is the protection of the individual employee by statute, administrative rule or through judicial decision. Among the major topics to be covered are wage and hour legislation; occupational safety and health; workers' compensation; workplace torts; reconsideration of the employment-at-will doctrine; and protection against unemployment. There also will be a discussion of recent legislative developments in Congress and the states. *Mr. Mintz.*

Entertainment Law (2 hrs.)

This course emphasizes specialized contract law for the entertainment industry, including the role of attorneys, agents, and managers in the negotiation of recording, management, publishing, and performance agreements. The course will address the substantive law of the entertainment industry as well as a practical approach to the representation of clients involved in various fields of entertainment. *Mr. Keene.*

Environmental Law (3 hrs.) — E or QP

This course will consider federal statutes and regulations that are designed to improve the quality of our environment, e.g., Federal Water Pollution Control Act, Clean Air Act, National Environmental Policy Act, Comprehensive Environmental Response, Compensation and Liability Act, and Resource Conservation and Recovery Act, etc. A basic understanding of the statutory schemes will be complemented by theoretical and policy analysis. Discussion of relevant administrative law principles will be incorporated throughout the course. If the instructor allows papers in lieu of examinations, this course may include a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Leiter, Ms. Silecchia, Mr. Smith.*

ERISA: The Labor Management Perspective (3 hrs.)

This course focuses on pension and welfare benefit plans that are created as result of a collective bargaining relationship between a labor union and one or more employers. It concentrates on the Employee Retirement Income Security Act, “ERISA”, which is the primary statute governing the operation of private employee benefit plans. Topics to be covered include rules governing participation in employee benefit plans, establishing entitlement to benefits, investment of plan assets, interplay between the collective bargaining relationship and the provision of employee benefits, considering benefit claims and appeals, and employee benefits litigation. Particular emphasis in the course is placed on compliance with the fiduciary obligations ERISA imposes on employee benefit plan trustees, as well as on the role and responsibility of attorneys representing employee benefit plans. In addition to a final exam, the course requires either a brief research paper or an in-class presentation. *Mr. Leary.*

ERISA: Pensions (Tax Policy) (2 hrs.)

This course examines federal tax policy aimed at increasing the adequacy of retirement savings. The course surveys the tax provisions of ERISA and provides an in-depth examination of the fundamental policy considerations which these provisions reflect as they relate to qualified plans. The material covered in this course complements the material covered in ERISA: Pensions (Taxation), but completion of that course is not a requirement. Prerequisite: None (Federal Income Taxation recommended). *Ms. Jefferson.*

Estate Planning (2 hrs.) — req. PP

An advanced course that attempts to integrate in a meaningful way the principles of property law and tax law as they apply to the accumulation and disposition of wealth. Revocable and irrevocable trusts, wills, interspousal lifetime and death transfers, life insurance, charitable planning, and estate planning for owners of incorporated and

unincorporated businesses are examined in detail. Special attention is given to practical problems that arise in the estate planning process, such as efficient use of the unlimited marital deduction, planning for generation-skipping transfers, and structuring a beneficiary's inheritance. An examination of various methods of transmitting wealth is undertaken with an emphasis on planning for the most efficient and economical disposition of property in view of the tax and property consequences of the various alternatives. This course requires a qualifying portfolio paper that fulfills a portion of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. Drafting skills are developed; the major project for each student is to draft a will and revocable trust agreement. No examination is given. Enrollment limited to 15 students. Prerequisites: Trusts and Estates and Federal Taxation of Wealth Transfers, or permission of the instructor. *Mr. Chisholm, Mr. Harrison.*

Evidence (4 hrs.)

This course covers basic rules governing presentation of evidence at trial including procedural matters (objections, offers of proof), relevancy, character evidence, examination and impeachment of witnesses, opinion evidence, hearsay, authentication, the “original documents” rule. The course examines the comparative roles of counsel, judge and jury. It may also include coverage of judicial notice, burdens of proof and presumptions. It also explores the tactical decisions and ethical dilemmas that a trial attorney is likely to confront. *Mr. Barracato, Mr. Fishman, Judge Smith.*

FCC Practice and Procedure (2 hrs.)

In this specialized Communications Law Institute course, the student will be encouraged to develop a working knowledge of the kind of presentations to be made in applications and for FCC staff consultations. Where a hearing is involved, the student will become acquainted with use of the discovery process (depositions, motions to produce, interrogatories, admissions, subpoenas, and subpoena duces tecum), petitions to enlarge, motions for summary decision; preparation for prehearing conferences; the preparation and marshalling of written affirmative and rebuttal evidence for presentation before the administrative law judge; the use of stipulations; direct and cross examination; preparation of proposed findings of fact and conclusions of law, briefing and oral argument before the Federal Communications Commission; and presentation and strategy for judicial review. Issues of standing, exhaustion of administrative remedies, and whether interlocutory orders are reviewable also will be considered. Non-institute students may elect this course on a space-available basis.

Fair Employment Law (2 hrs.)

This course is designed to give the student a basic introduction to the statutes and theories governing employment discrimination. The course explores the historical context in which the primary employment discrimination statute, Title VII of the Civil Rights Act of 1964, was enacted, and the policy bases behind it and other anti-discrimination laws. The course covers the three major theoretical approaches in the law against employment discrimination: individual disparate treatment; systemic disparate treatment; and disparate impact. The course also focuses on some of the unique practical and legal challenges of protecting persons from employment discrimina-

tion based on various protected classes. *Ms. Malveaux.*

Family Law (3 hrs.)

A study of marriage, nonmarital relationships, divorce, custody, and support obligations, as these affect children and adults within the context of state, federal, and constitutional standards and perspectives. *Ms. Barry, Judge Brenneman, Rev. O'Brien.*

Federal Courts (2 hrs.)

The course examines the nature of the federal judicial function, explores in depth an aspect of federal-state relationships — the dual court system — that is a particular concern and responsibility of lawyers, and provides the opportunity for systematic thought about a series of problems important to an understanding of our constitutional system. Among the topics that may be considered are historical development of the federal court system, congressional power to regulate the jurisdiction of federal courts, standing as it affects judicial power, political questions, the meaning of “arising under” jurisdiction, actions claiming constitutional protection against official state action, the original and removal jurisdiction of the district courts, and the original jurisdiction of the Supreme Court. *Mr. Hartley.*

Federal Criminal Litigation (2 hrs.)

The goal of this course is to familiarize students with the theoretical and practical concerns of federal criminal litigation from both prosecution and defense perspectives. The course deals with the law, theory, ethical considerations, and tactical concerns that relate to criminal practice in federal court from the pre-indictment phase through plea negotiations or trial and appeal. Lectures, class discussions, and reading materials focus on the general analytical framework for prosecuting and defending a federal criminal case. This is not a trial techniques course. It is concerned with the law, ethics, and strategy behind the techniques. *Mr. Chamble, Mr. Salem.*

Federal Income Taxation (4 hrs.)

This course is an analysis of the federal income tax law as it applies to the individual taxpayer. The course will focus on the Internal Revenue Code of 1986, as amended to date, as well as considerations of tax policy. Taxation of business associations will not be treated in this course. *Mr. Colinveaux, Ms. Jefferson, Ms. Simon.*

Federal Regulation of Food and Drugs (2 hrs.)

This course explores the Food and Drug Administration’s development of regulatory controls in response to Congress’ legislative enactments regarding the safety of food and the safety and effectiveness of drugs. Coursework entails an analysis of FDA’s enforcement tools; the agency’s substantive regulatory authority over foods, drugs, and selected other regulated commodities; and the agency’s creative use of its legislative authority to develop regulatory mechanisms for the protection of the public health. While focusing on substantive food and drug law, the course also scrutinizes the operation and problems an administrative agency faces in dealing with sometimes conflicting legal, scientific, and policy concerns regarding a given issue. To this end, the course focuses on FDA’s efforts to establish safe levels for added carcinogens in food, to ensure the safety of foods produced by recombinant DNA technology, to improve the public health by comprehensive food labeling reform, and to establish the

safety and effectiveness of pharmaceuticals in an ethical and timely manner. This course is highly recommended for persons interested in the regulatory process and in the practical aspects of administrative law. *Mr. Degnan.*

Federal Taxation of Wealth Transfers (3 hrs.)

Tax problems and consequences of gratuitous transfers of wealth during one’s lifetime and at death are considered in this course. The law of estate, gift, and generation-skipping taxation is critically examined as it applies to outright gifts, trusts, life insurance, joint property, and future interests and powers. Considerable emphasis is given to transfer tax planning and implementing lifetime and testamentary dispositive arrangements. Particular attention is given to the attorney’s role in advising clients concerning alternative means for the gratuitous disposition of property. Prerequisite: Trusts and Estates or permission of instructor. *Mr. Chisholm, Mr. Harrison.*

Financial Institutions Regulation (3 hrs.) — req. PP

This course surveys the regulation of all financial institutions, i.e., banks, insurance companies, securities firms, and mutual funds. The course will examine the history and development of regulation of each of these institutions and the markets in which they operate. Because commercial banks are the most regulated financial institutions, careful attention is devoted to the bank regulatory scheme, including chartering, branching, interstate banking, activities restrictions, and the regulation of troubled banks. Examination of insurance companies will include analysis of the insurance contract and federal/state relationship in insurance regulation. The securities industry will be examined through the regulation of broker-dealers and trading markets. The focus on the investment company industry will include consideration of fiduciary duties and required disclosure. Most important the course will examine the deterioration of historic barriers between financial institutions and the services that they provide. The course will give careful consideration to this cross-industry competition and how it has and will impact law and policy. This course requires a qualifying portfolio paper that fulfills a portion of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. May not enroll in Banking Law. *Mr. Mulloy, Ms. Schooner.*

First Amendment Problems of the Media (2 hrs.) — req. QP

This Communications Law Institute course considers the general issue of the extent to which the First Amendment Press Clause affords protection of the communications industry in the gathering and dissemination of news and information. Specific subject matter to be covered includes competing theories of First Amendment Press Clause, libel, invasion of privacy, the censorship and punishment of obscenity and indecency, restrictions on the reporting of matters affecting national security and foreign relations, reporter access to persons and places, constitutional privileges for news persons not to divulge confidential sources and information, free press-fair trial issues, judicial secrecy, the “fair use” defense to copyright infringement actions and a multitude of issues spawned by modern telecommunications and the Internet. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. The grade for this course is based primarily

on the student research paper. Enrollment is limited to 25 students. *Mr. Waldron, Mr. Klitzman.*

First Amendment Seminar: Religious Liberty (3 hrs.) — req. QP

An in-depth seminar that addresses the practical and theoretical problems arising in religious liberty cases involving individuals and institutions. Though the course materials address the First Amendment as a whole (speech, religion and petition), the nature of the liberty protected by the First and 14th Amendments and the solution of practical problems are explored from the perspective of religious institutions, believers and dissenters. A thorough knowledge of concepts of church/state relations and freedom of speech is helpful, but not necessary. Presentation and defense of individual seminar paper is required. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. Limited enrollment. Prerequisite: Constitutional Law. *Mr. Destro.*

Government Contracts (2 hrs.) E or QP or PP

This course analyzes the basic considerations in contracting with the United States federal government. The course will examine the differences between contracting by private parties and government contracting. The course will cover contract formation and the procurement process (such as sealed bidding and competitive negotiation), the authority of government agents to contract, and problems that can arise during evaluation, source selection, and contract award. The Truth in Negotiations Act, defective pricing issues, and audit powers of the federal government will be briefly discussed. The course will cover problems of contract administration and performance, such as changes and constructive changes, delays and suspension of work, allowable costs, termination for default and for government convenience, inspection, warranties, acceptance, and small business and subcontracting. The course also will focus on remedies in United States government contracting, including the bid protest system of the federal government, actions in federal courts, the disputes procedure of the federal government, and extraordinary contractual relief. Issues relating to procurement fraud will be briefly addressed. A session on procurement practices in the European Union is also offered for comparison. *Mr. Sky.*

Health Care Fraud and Abuse (2 hrs.)

This course focuses on the various federal laws, both criminal and civil, and on regulations, which become the basis for prosecution and sanctions by federal enforcement authorities, and on the key cases and rulings relating to these provisions. Topics include false claims and anti-kickback statutes, “Stark” provisions, civil money penalties, exclusions, qui tam actions, investigations, and compliance programs. The final grade for this course will be based on an examination. *Ms. McDermott.*

Health Law (2 hours/ req. QP or 3 hrs./exam)

This course will cover professional methodology (the “medical model” and the litigative process); compensation for professional fault (malpractice and other bases for claims); licensing, structure and performance of the medical professions and health care organizations, and aspects of medical science and public policy. When taught in two hours, the course will include a qualifying paper that

fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. When taught in three hours, the course will be exam only. *Ms. Duggin, Mr. Smith.*

History of Jurisprudence: The Catholic Tradition (3 hrs.)

This course examines the history of canon law from the first collections of canonical legal texts during the Patristic Age to the Codification of Canon Law under Pope Benedict XV in 1917. Western canon law is the only legal system that we can trace from its birth to its maturation as a part of the *Ius commune* between 1100 to 1800. The course will investigate the jurisprudence created by canonists from ca. 1100 to 1800. Gratian (died ca. 1140) was a key figure in this development. His compilation of canon law, the *Decretum*, was taught and studied as a basic text in every law school in Europe for six centuries. The course will explore collections of canon law compiled in the early Middle Ages, Gratian, the first collections of papal decretals, the importance of the great ecumenical councils establishing norms from the First Lateran Council (1123) to Vatican I (1870), and the creation of a comprehensive code of canon law promulgated by Pope Gregory XIII in 1580. During these centuries, canon law became a very sophisticated legal system. Secular legal systems adopted canonistic procedural rules, theories of civil and criminal justice, and norms of institutional governance during this period. Canonical jurisprudence created many of the ideas, concepts, and norms that we think of as central elements of our legal system. These jurists were the first to parse the concepts of justice, equity, rights, due process, natural law, necessity, the common good, the inviolability of contracts, individual property rights, and many others that have become part of the European and American legal traditions. A more detailed course description, as well as the syllabus and reading materials, can be found online at <http://faculty.cua.edu/pennington/Canon%20Law/HistoryCanonLaw.html>. *Dr. Pennington.*

History of Early American Law (2 hrs.)

This course covers the 17th-century English constitutional background; colonial legal order, law, and ideology in the early republic; federalist jurisprudence; development of antebellum contract, property, and negligence law, corporation law and the antebellum economic development; the law of slavery; and the sectional crisis of the 1850s. This is an exam course. *Mr. Watson.*

History of Modern American Law (2 hrs.)

The course considers 19th-century criminal and family law, foundations of modern labor law, origins of the regulatory state, development of modern tort and contract law, jurisprudential trends and the New Deal crisis, civil rights movement, recent constitutional developments, and interdisciplinary movements in law schools today. This is an exam course. *Mr. Watson.*

Immigration Law and Policy (2 hrs.)

This course is a survey of immigration law and the policy implications both informing and resulting from the immigration field. The course will explore the constitutional limits of the federal immigration power as enunciated in the federal courts, and the different roles of the departments and federal agencies involved in the

administration and enforcement of immigration law. It will discuss the various categories of immigrant and nonimmigrant visas, as well as the procedures used for admission into the United States. In addition, the course will review removal grounds, and the procedures, including appellate practice, used in removing aliens from the United States. International and domestic law affecting refugees, asylum seekers, and torture victims will also be discussed. Finally, the course will provide an overview of employment verification requirements, and the requirements of acquiring and losing citizenship. Administrative Law is a suggested, but not required, prerequisite. *Mr. Ortiz-Miranda.*

Innocence Project Clinic

Through direct service to incarcerated inmates who have been convicted for serious crimes and who claim actual innocence, students in the CUA Innocence Project Clinic develop essential lawyering skills such as oral and written communication, investigation, counseling, negotiating, professional judgement, and creative problem solving. Students evaluate case histories — including review of trial transcripts, appellate briefs, medical reports, laboratory reports and other documents — and fully reinvestigate the events that lead to the arrest and conviction of the inmate. Students also may interview prisoners, prosecutors, defense attorneys, and expert and lay witnesses during their investigations. If the investigation reveals a viable claim of innocence, the matter is referred to an outside cooperating attorney who will undertake representation of the inmate to prosecute the claim of innocence. Whenever possible, students from the CUA Innocence Project Clinic will be assigned to work with the cooperating attorney in prosecution of the inmate's claim.

In addition to working on claims of actual innocence on behalf of inmates, students in the clinic participate in a weekly seminar that examines the lawyering skills and processes necessary for investigating a claim of innocence; state and federal post-conviction procedures (e.g., motions for new trial based on new evidence, state collateral attack, federal habeas corpus, and clemency); the nature and uses of DNA and other scientific evidence; and problems in the criminal justice system that may contribute to convicting the innocent, such as ineffective assistance of counsel, prosecutorial misconduct, police misconduct, witness misidentification, false confessions, and tainted evidence. The students also may participate in research and writing projects on issues to reform the criminal justice system to reduce the frequency of wrongful convictions and to address the problems faced by exonerated inmates upon their release from prison and reintegration into free society.

Students earn 6 credits in this year-long clinic, 3 credits each semester. The written work in the clinic satisfies the requirements for the upper-level writing requirement Portfolio credit. All credits are graded. *Mr. Ogilvy.*

Insurance Law for Litigators and Corporate Lawyers (2 hrs.)

A study of the commercial and social uses of insurance. The course will explore aspects of insurance regulation as well as the legal conceptions of insurance. Insurable interests, the insurance contract (coverage, conditions, and risk control), and litigation and claim adjustment under insurance contracts will be covered. *Mr. Schreiner.*

Intellectual Property Transactions (3 hrs.) — opt. PP

This limited enrollment course is focused primarily on the analysis and drafting of documents related to transactions involving the transfer of interests in intellectual property, including patents, copyrights, trademarks, and know-how. Through the process of analyzing and drafting transactional documents, students will be introduced to the relevant statutory and case law and will become familiar with substantive legal principles related to title, express and implied licenses; license transfers; and assignments of rights in intellectual property. Students may also be exposed to substantive areas of the law having significant impact on intellectual property rights, such as international law, antitrust, tax, and bankruptcy. The grade will be based primarily on the final written work products produced by each student. At the discretion of the instructor, this course may include a qualifying portfolio paper that fulfills a portion of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. Prerequisite: Students must have taken at least one of the following: Patent Law, Copyright Law, Trademark Law, or Trademarks and Unfair Competition. *Judge Colaianni.*

Interdisciplinary Courses

After completing first-year courses, students may take graduate courses in other schools and departments of the university if the courses relate to the law. Students must obtain permission for each such course from the assistant dean for academic affairs of the law school. The requirements of the other school or department must also be satisfied. Bulletins of other departments of the university are available in the university's Office of Enrollment Services.

International Business Transactions (3 hrs.) — req. QP

This course concentrates on private business transactions that cross national boundaries. After an examination of some basic international and comparative law principles, the course examines various types of international commercial agreements such as joint ventures, contracts for the sale of goods, agency and distribution agreements and franchises. In addition, the course includes some practical exercises in negotiating and drafting international business contracts, and examines methods of dispute resolution such as international commercial arbitration. Guest lecturers may address some specialized topics during the semester. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. The final grade is based on a contract-drafting exercise. *Ms. Jeffords, Mr. Perez.*

International Criminal Law (2 hrs.)

This focus of this course is the international framework for combating crime, including the role that the United States plays in developing vehicles for bilateral and multilateral cooperation. The course examines responses to offenses traditionally viewed as "international crimes" (e.g., genocide, war crimes, crimes against humanity and piracy) as well as transnational criminal conduct that increasingly is seen as undermining sovereignty, stability and the rule of law (e.g., narcotics trafficking, terrorism, organized crime and money laundering). Major topics include jurisdiction (including extraterritoriality issues), international criminal tribunals, extradition, mutual

legal assistance, substantive international and transnational crimes, law enforcement activities undertaken abroad, and immunities. The class explores selected emerging tensions that affect international criminal law, including military vs. law enforcement responses to terrorism, and the need for individual criminal accountability vs. collective truth and reconciliation approaches to post-conflict situations. *Mr. Surgalla.*

International Economic Regulation (3 hrs.) — opt. QP

This course focuses on international and foreign national economic laws and policies that foster, or impair, transnational economic commerce. It explores the WTO, various transnational competition laws, IMF, the World Bank, and conflicting policies of developing nations designed to stimulate trade and investment while promoting internal growth and domestic control. At the discretion of the instructor, this course may include a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Mr. Garvey, Mr. Mulloy.*

International Humanitarian Law: Peacekeeping (3 hrs.) — req. QP

This course explores aspects of transactional practice of public international law by examining the legal problems associated with peacekeeping operations — truce maintenance, election supervision, and so called “peace enforcement” — at both the United Nations and regional levels. Students will select (or be assigned) a peacekeeping operation and will be called upon to analyze and comment on the drafting of the operation’s mandate from the issuing institution, and the instruments regulating its relations with the host country(ies), and those governing its own multinational force. These analyses will serve as the bases for a final report on the legal problems associated with the particular operation. The report and prior analyses are intended to satisfy one half of the school’s writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. Enrolled students must attend the first class meeting. *Dr. Noone.*

International Intellectual Property Law (2 hrs.)

An overview of the international aspects of intellectual property law, focusing on the major areas of copyright, patent, and trademark law. The course will cover the development and nature of international protection under domestic law as well as under bilateral and multilateral agreements; the use of trade negotiations as a mechanism for the implementation and harmonization of rights; and enforcement problems, including issues of jurisdiction, territoriality, exhaustion of rights, and conflicts of law. Limited enrollment. Prerequisite: Copyright Law or Patent Law. *Mr. Chambers, Ms. Fischer, Mr. Laskoski, Ms. Woods.*

International Human Rights Law (3 hrs.) — E or req. QP

This one-semester course explores the development of international human rights standards and the role of international organizations in establishing and applying those rights. The materials focus on the development of the international law of human rights, particular areas of current attention, the legal basis for the authority of international bodies to act, the resolution of disputes between nations, and

the monitoring and enforcement mechanisms applicable to human rights. Attention will also be given to the relationship between international human rights law and domestic legal remedies as well as to the interpretation and application of treaties in the legal systems of the states that are parties to them. At the option of the instructor, the course will either require an examination or a qualifying course paper that will fulfill one-half of the upper level writing requirement. *Ms. Simon, Mr. Watson.*

International Regulation of Telecommunications (2 hrs.) — req. QP

This course will study changing patterns in international telecommunications law and policy management caused by dramatic cost reductions in telecommunications and the blurring distinctions between the telephone, television, and computer as communications platforms. It will review the traditional management of international communications at the International Telecommunications Union and related space law concepts and then consider the liberalization of international trade in telecommunications services through international lawmaking at the World Trade Organization. The course will consider international competition policy issues, as well as other jurisdictional and policy conflicts of nation-states, such as freedom of expression and limits to territorially based jurisdiction. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. Recommended prior courses: Public International Law, Antitrust, or Problems in Telecommunications Law and Policy. *Mr. DelBianco.*

Interviewing, Counseling, and Negotiating Skills (3 hrs.) — opt. PP

This course introduces students to the basic lawyering skills of interviewing, counseling, and negotiating. It employs simulation exercises, self-critiques, and feedback from the course instructor as well as other students. The course is intended to teach and improve basic skills needed for the practice of law. In addition to the exercises, students will be exposed to the theoretical underpinnings of the skills and will examine some of the ethical issues involved in interviewing, counseling, and negotiating. Enrollment is limited. On occasion this course may be offered as a two-hour course for administrative convenience. At the discretion of the instructor, this course may include a qualifying portfolio paper that fulfills a portion of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Kelly, Mr. McGonnigal, Ms. Mitchell, Mr. Woods.*

Introduction to Intellectual Property Law (3 hrs)

This is an overview course covering the core areas of intellectual property law — copyrights, patents, trade secrets, and trademarks. This course is designed primarily for students who are seeking a basic grasp of the fundamentals of intellectual property law. In an age of rapidly developing technology, it is becoming increasingly important for all lawyers to have some understanding of this area of the law. Students who are interested in pursuing a career specializing in intellectual property law should probably take the separately offered courses in Patent Law, Copyright Law, and Trademark Law. Students should consult with the instructor prior to registration to

determine which intellectual property course offering(s) would be most appropriate for them.

Most of the course will focus on the four most significant types of intellectual property rights (patent, copyright, trademark, and trade secret). Study will include the scope of these rights, infringement, defenses to infringement, and available remedies for infringement. We will also consider the relationship between the four types of intellectual property right, as well as the extent to which the federal intellectual property regime relates to state law doctrines giving protection to intellectual creations. We will assess the theoretical justifications for legal protection of intellectual property rights and the appropriate balance between legal protections, technological protections, and a robust public domain. The central theme of this course will be how American intellectual property law and policy is adapting, and should adapt, to rapid technological change.

There are no prerequisites for this course, and scientific background is not required. The course grade will be based primarily on an in-class final examination, as well as on several graded quizzes administered during the semester. *Ms. Fischer, Ms. LaBelle, Mr. Watkins.*

Introduction to International Arbitration and Mediation (2 hrs.) — req. QP

This course will focus on international commercial arbitration. It will trace the history of commercial arbitration including the *lex mercatoria* through present international regimes such as the United Nations Commission on International Trade Law Model Rules. Various internationally used venues such as the International Chamber of Commerce in Paris, the London Court on International Arbitration, and the International Center for the Settlement of Investment Disputes will be explored as well. Some attention will be paid to enforcement of awards, including the role of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention). Attention will be paid both to selected aspects of the Federal Arbitration Act (including how the New York convention is enforced under United States law) and to the growing movement toward an “a-national” arbitration jurisprudence. The course will also consider European Union treaties on arbitration. Some consideration will be given to mediation and other forms of alternative dispute resolution in an international context. A drafting exercise will be included in the course. This course requires a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X —Writing Requirement and Directed Research. Recommended prerequisite: Alternative Dispute Resolution Techniques. *Mr. Breger, Mr. Weinstein.*

Islamic Law (2 hrs.)

This course is a basic introduction to Islamic law (Fiqh) and Islamic legal theory (Ussul al-Fiqh). It will assist the student in understanding how Islamic law was instituted and has developed over time, particularly after the demise of the Holy Prophet (Pbuh), with reference to five different schools of thought (Mahaheb). Students will also study, in detail, the sources of Islamic law, i.e., The Holy Book (Quaran), Tradition (Sunna), Consensus (Ijma), Reason (Aql) and Analogy (Qiyas). The course also covers practical issues such as the law of personal status and the position of women (marriage and divorce), criminal law (Hudud, Qisas, Tazir), and economics (taxes:

Khoms, Zakat). The basis for the final grade is primarily a seminar paper. *Dr. Irvani.*

Jurisprudence: A History of the Idea of Law (2 or 3 credits)

This course introduces the student to the Western tradition of thought on the nature and significance of law. By a close reading of canonical texts, students in the course are exposed to basic theoretical questions raised by law's existence, including issues concerning law's distinctive purpose, nature, function, and value. They consider ideas that have been advanced with regard to the criteria of law's legitimacy or validity. In addition, they explore ideas that have been offered for the normative evaluation of law by reference to conceptions of justice, civic order, public morality or societal or individual well-being. Through its survey, the course identifies the major alternatives in philosophical perspective on law emerging in the course of the Western tradition. The course provides students with an opportunity to master the forms of reasoning and argument according to which law in any era becomes the object of theoretical reflection on larger questions of meaning. It equips students to understand deeper lines of division underlying differences in contemporary approaches to jurisprudence. The course meets for 2 classroom hours, but it may be taken for either 2 or 3 credits. If taken for 2 credits, the course is graded based on a paper/examination option. If taken for a third credit, it is graded based on the paper option only, and the paper serves as a qualifying course paper fulfilling one half of the upper-level writing requirement. For students who are members of the Journal of Law, Philosophy and Culture, it may also satisfy the upper-level writing requirement as an instance of “law journal writing.” Students taking the course for 3 credits are required to participate in a number of writing tutorial meetings and exercises outside scheduled classroom time. Qualifying course papers fulfill one half of the upper-level writing requirement. Refer to Academic Rule X - Writing Requirement and Directed Research. *Professor Wagner.*

Jurisprudential Problems in Contemporary American Law (2 or 3 credits)

This course introduces the student to some central theoretical and normative issues posed by American law and legal institutions. In addition, it exposes students to the diverse responses that contemporary schools of jurisprudence offer to these issues. The course syllabus covers such problems as the government regulation of market transactions; the fair distribution of government benefits (e.g. affirmative action and redistributive spending and taxing policies); the meaning of marriage and parenthood; the basis for respect for personhood and eligibility for citizenship; the assignment of criminal and tort liability; the reconciliation of civil liberties and national security; the consequences of civil disobedience; and the obligations of sovereign states under international law. Students are invited to explore the implications of the way these problems are resolved for such basic goods as human dignity and freedom; justice; political community; individual happiness; and efficiency in fostering of material requisites of a good life such as a vibrant human culture and sound natural environment. The course syllabus also acquaints students with the distinguishing features of various schools comprising primary options in contemporary jurisprudence. The course meets for 2 classroom hours, but it may be taken for either 2 or 3

credits. If taken for 2 credits, the course is graded based on a paper/examination option. If taken for a third credit, it is graded based on the paper option only, and the paper serves as a qualifying course paper fulfilling one half of the upper-level writing requirement. For students who are members of the Journal of Law, Philosophy and Culture, it may also satisfy the upper-level writing requirement as an instance of “law journal writing.” Students taking the course for 3 credits are required to participate in a number of writing tutorial meetings and exercises outside scheduled classroom time. Qualifying course papers fulfill one half of the upper-level writing requirement. Refer to Academic Rule X - Writing Requirement and Directed Research. *Dr. Wagner*

Juvenile Law (2 hrs.) — E or PP

A study of the law relating to juvenile court: juvenile delinquency, child abuse and neglect, foster care, status offenses, and termination of parental rights. Includes discussion of the philosophy underlying juvenile court, intake procedures, waiver to adult court, initial hearings, adjudicatory hearings, dispositions, treatment options, the role of counsel, and current efforts at reform. The course examines the unique partnership of law and social work in juvenile court. Students may substitute one or more portfolio writing exercises as full or partial fulfillment of the final examination course requirement. Paper must be practice oriented and may include opinion letters, bench briefs, and memoranda of law. If the instructor allows papers in lieu of examinations, this course may include a qualifying portfolio paper that fulfills a portion of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Leary, Mr. Schweitzer.*

Labor Law (3 hrs.)

A survey of the legislative, administrative, and judicial regulation of labor relations. The course deals with the scope of national labor legislation; the protection of the right of organization and the designation of bargaining agents; the negotiation and administration of the collective agreement; the legality of strikes, picketing, and boycotts, and employer interference with concerted activities. *Mr. Hartley.*

Labor Law Seminar: Collective Bargaining and Labor Arbitration (2 hrs.)

The focus of this course is the lawyer’s role in the collective bargaining process including the negotiation and enforcement of the labor contract. Enforcement through both the labor arbitration and judicial process will be examined. Students study the applicable legal precedents and develop practice skills by participating in a variety of in-class simulations. *Mr. Sprang.*

Land Transactions and Finance (3 hrs.)

This course studies the law of real estate financing methods and transaction documentation. Lender liability, title insurance, and federal income tax considerations are included with an examination of the lawyer’s role in the development and transfer of land. *Ms. Asdorian, Mr. Lynch, Mr. Nunes.*

Land Use (2 hrs.) — opt. QP

This course studies the process of imposing limitations (legal, political, economic, and social) upon the use and management of

privately owned land by judicially crafted principles of waste and nuisance; by contract; through the use of easements, covenants, and servitudes; by zoning and subdivision regulation; and by environmental legislation. Simulated exercises of land development conflicts (e.g., the administrative processes of zoning deliberations before a zoning board) and role-playing will assist the students in developing competencies and skills particularly negotiation — when representing the full component of clients in a typical land-use conflict: the developer, private property owners, together with local, state, and federal administrative bodies. At the discretion of the instructor, this course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Asdorian, Mr. Smith.*

Law and Economics (2 hrs.) Opt. QP

This seminar will introduce students to the law and economics field. No previous economics training or mathematical background is required. Students will survey basic economic concepts, such as rationality, transaction costs, and economic efficiency. Students will then apply economic analytical methods to core areas of the law, regulation and public policy. Students will be introduced to the work of leaders in the law and economics field. Finally, the seminar will preview the most recent advancements in, and criticisms of, the academic discipline. At the discretion of the instructor, this course may include a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Mr. Garvey, Mr. Williams.*

Law and Literature (2 hrs.) — E or QP

The course explores insights into the meaning and value of law that are communicated through literature. It seeks equally to elicit corresponding student insight into the meaning and value of law in their social and professional context. As a secondary goal, the course aims to understand the methodology and theory that make possible valid and true statements about the relation of law and literature. The course pursues its goals through the reading of literary sources. Enrollment is limited to 20 students. If the instructor allows papers in lieu of examinations, this course may include a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Dr. Harmon, Dr. Wagner.*

Law and Public Policy (2 hrs.)

This course will consider the relationship of law and the making of public policy, giving special emphasis to the variety of interactions among the three branches of the federal government. Students will study, in depth, three government proceedings (an administrative rulemaking, the enactment of a law by Congress, and an appeal to the United States Supreme Court), focusing both on the legal and policy issues involved and the roles of government officials, attorneys, and members of the public in these proceedings. This course is required for students seeking a certificate in Law and Public Policy. LPP students are encouraged to take this course in the spring of their second year, and must complete a course in Administrative Law before enrolling in this course.

Law Journal Editing (2 hrs.; pass/fail)

This course is mandatory for third- and fourth-year law journal members who supervise student writing projects (as determined by each editor-in-chief); it is optional for other third- and fourth-year journal members. During the first five weeks of the semester, the course will focus on topic selection, publication decisions, substantive editing, style editing, word editing, and professional working relationships. The instructor will provide editing exercises and workshops and will lead discussions of classic law review articles and trends in legal scholarship. For the remainder of the semester, students will supervise and edit at least two student writing projects or will critique or edit at least two other manuscripts submitted to the law journal. During this time the instructor will conduct editing tutorials, as the need arises, and will be available for student conferences. If a student has not completed the required editing assignments by the end of the first semester, work may continue into the second semester, in which case course credit will not be awarded until the end of the second semester. The journal faculty adviser, in consultation with the editor-in-chief, must certify that each student has successfully completed the required assignments. The course may fulfill one of the two upperclass writing requirements, but a student may not count BOTH this course and Law Journal Writing toward completion of the upperclass writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Dr. Harmon.*

Law Journal Writing (2 hrs. over two semesters; pass/fail)

This course is open only to students who are producing a writing project for one of the school's law journals. These students must take this course if they choose to receive academic credit for their journal writing project or count it toward satisfaction of the upperclass writing requirement. Generally, students register for one credit for each of the two semesters; the credits are not awarded until the end of the second semester. During the first three weeks of the first semester, lawyering skills faculty will conduct workshops that focus on writing skills such as organization, integrating research, transitions and headings, substantive footnoting, grammar and vocabulary appropriate to the journal audience, constructive use of editor and expert-reader feedback, and re-drafting. The instructor will schedule writing tutorials for students throughout the year as need dictates. Students must complete a journal portfolio that includes all drafts of the writing project, an expert reader's comments, the supervising editor's comments, the editor-in-chief's comments, and a certification that the student has attended all required workshops. The journal's faculty adviser, in conjunction with the editor-in-chief, must certify that the portfolio is complete and that the student's Writing Project is of publishable quality. The course fulfills one of the two upperclass writing requirements, but the student may not count BOTH this course and the Law Journal Editing toward completion of the upperclass writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Dr. Harmon.*

The Law of Church/State Relations (3 hrs.)

This course is a survey of the law governing churches, their affiliates, and believers, and is taught from a "practice-oriented" perspective. Students will incorporate a hypothetical religious or religiously affiliated charitable organization, and provide advice to its board of

directors concerning the options to be considered given the type of organization to be formed. Subjects to be covered will include federal and state constitutional and statutory protections for religious liberty, the structure and organization of churches and religiously affiliated organizations, the law of nonprofit and charitable corporations, taxation of churches and charities, labor and employment law, and the application of freedom of speech and association principles to organizations and groups. Prerequisite: Constitutional Law. Exposure to Corporations or Tax will be useful, but is not required. *Mr. Destro.*

Law of the European Union (3 hrs.) — E or QP

The rationale of this course is to provide an overview of the political and legal framework of the European Union's institutions, trade relations, and legal and business implications of the European process of integration. The focus will be on the process of the creation of the European Union, goals and purposes of the union, the structural framework and processes for the development of European Union's law, constitutional issues, the role of the European Court of Justice, East-West trade, and United States trade within the European Union. If the instructor allows papers in lieu of examinations, this course may include a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Dr. Ludwikowski.*

Law of Federal Aid Programs (3 hrs.) — E or QP or PP

This course is designed to acquaint students with the law pertaining to a broad range of federal aid programs; the departments and agencies that administer them; and the day-to-day legal problems faced by lawyers, program administrators, and recipients. Course objectives are to survey the law governing federal aid programs that account for a major portion of the federal nondefense budget, to examine the lawyer's role in shaping the content and administration of these programs, and to explore the types of legal problems that may hamper effective program administration. It is also intended to furnish students, including those who may be considering government or public interest careers, with additional insights regarding programs that affect almost all Americans. The course examines the constitutional underpinnings of the spending power and the application of the general welfare clause of the Constitution from the Early Republic to the present. It also covers major processes affecting federal aid programs (including the formulation of substantive legislation, executive, and congressional budget making, appropriations, rulemaking and judicial review) and overarching constitutional and administrative concerns, as well as the thrust of major individual programs in such areas as natural resources and environment, agriculture, transportation and community development, education and social services, arts and humanities, social and income security, health, and Medicare. Several case studies focusing on major program areas (such as welfare and Social Security) are presented. Statutory and other drafting projects provide an opportunity for relevant skills development. If the instructor allows papers in lieu of examinations, this course may include a qualifying course paper or portfolio that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement. *Mr. Sky.*

Law, Science, and Medicine (2 hrs.) — E or req. QP

The seminar investigates legal, ethical, and social problems caused by developments in medicine and the biological sciences. Topics include informed consent, death and dying, genetic planning and manipulation, fetal research, treatment of and experimentation with institutionalized persons, societal controls on scientific advances, and allocation of health care resources. At the discretion of the instructor, this course may require a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Mr. Destro, Mr. Smith.*

Legal Accounting (2 or 3 hrs.)

This course focuses on both the technical as well as the conceptual aspects of accounting, providing a necessary foundation for students to address legal questions in a business/accounting environment. For example, the course will enable students to better understand issues concerning the use of accounting and financial terms in a legal document, calculation of damages in a breach of contract case, valuation of a business organization in a purchase/sale transaction, setting prices of products and charging costs under a government contract, and public corporations assessing compliance with federal securities laws. The course will also cover several timely and important accounting issues that are relevant to today's practice of law, such as accurate presentation of financial statements; auditors' responsibility and liability; financial fraud; internal compliance audits and investigations; legal requirements and implications of strong (vs. weak) internal controls; and reporting on pending litigation and claims. Relevant requirements and restrictions of the Sarbanes-Oxley Act of 2002 will also be discussed. The course is designed for students who are unfamiliar with accounting, and prior study or training in accounting, business, or finance is not a prerequisite. *Mr. Greaney, Mr. Wyrsh.*

Legal Drafting Seminar (3 hrs.) — WC

This course offers students an introduction to legal drafting, with an emphasis on such essential skills as writing with clarity and precision, conforming with statutes and ordinances, using form books appropriately, achieving the goals of clients, identifying and eliminating ambiguity, editing and proofreading a written product, and simplifying complex thoughts and ideas. This course will provide students with a thorough introduction to the principles of general drafting through the use of written exercises, peer critique, and in-class workshops. These may be general office documents or documents in a particular doctrinal area. Through the course of the semester, students will draft a minimum of three major legal documents in addition to rewrites and shorter written exercises. Successful completion of this course will satisfy one of the two upper-level legal writing requirements. Enrollment will be limited to 16 students per section. *Mr. Danzig, Ms. Everhart, Ms. Farrar, Mr. Goldman, Judge Krauser, Judge Timony.*

Legal Externship (2 or 3 hrs.)

A student registering for his or her first externship should enroll in Legal Externship and should enroll in Becoming a Lawyer or one of the equivalent externship seminars. After consultation with the Coordinator of Clinical Programs or the faculty instructor, each student selects a placement at which to do uncompensated legal work

under the supervision of an attorney. Placements include federal, state, and local government agencies, judicial chambers, prosecutors' and defenders' offices, law firms, corporate general counsels' offices, public interest organizations, and labor unions. Students may receive two credits for 120 hours of uncompensated fieldwork or three additional credits for 180 hours of fieldwork. Each student submits periodic detailed time logs to the Clinical Programs Office to obtain credit for the fieldwork. Students must seek approval for proposed placements by filling out the online placement approval form at <http://externships.law.edu>. Students should obtain approval of placements before the semester begins. For additional information about the externship program, refer to the section on "Legal Externships" on page 40.

Supervised Fieldwork (2 or 3 hrs.)

Students who have completed one externship and one of the "Becoming a Lawyer" seminars may enroll for a second or subsequent externship in Supervised Fieldwork. This course provides credit for fieldwork and provides each student with oversight from a faculty member. In consultation with the instructor, each student selects a field placement at which to do uncompensated legal work under the supervision of an attorney. Placements include federal, state, and local government agencies; judicial chambers, prosecutor's and defender's offices; law firms; corporate general counsel's offices; public interest organizations; and labor unions. Students may receive two credits for 120 hours of legal work or three credits for 180 hours for three credits. Students must seek approval for proposed placements by filling out the online placement approval form at <http://externships.law.edu>. Students should obtain approval of placements before the semester begins. For additional information about the externship program, refer to the section on "Legal Externships" on page 40.

The faculty instructor may convene periodic seminar meetings or may meet with each student several times over the course of the semester. Students turn in detailed time logs and do some reflective writing about their field experience. Grading is pass/fail. Students are encouraged to seek a new field placement for each semester. A student who wishes to stay in a single placement for a second semester must receive approval from the Coordinator of Clinical Programs *Ms. Bednarz, Ms. Connolly, Mr. Flesch, Ms. Harold, Ms. Heywood, Ms. Lerman, Ms. Niedzielko, Mr. Ogilvy, Mr. Tramont, Ms. Wortham.*

Legal Issues of the Middle East Peace Process: The Challenge of Jerusalem (2 hrs.) — QP

This law school course will consider legal issues related to the Israeli-Palestinian conflict with special reference to the problem of Jerusalem. At least three weeks will be devoted to legal issues related to the juridical status of Jerusalem. We will consider the primary texts beginning with the Balfour Declaration and progressing through the relevant UN resolutions, Israeli laws and regulations. We will analyze international agreements that may bear on Jerusalem including the UNESCO and Hague Conventions and bi-lateral treaties such as the Vatican-Israel Fundamental Agreement and the Jordan-Israel Peace Accord. Another two weeks will focus on legal issues related to Holy Places. We will also review legal issues related to the Israeli "occupation" of the West Bank and will read the ICJ and Israeli Supreme

Court “Wall” opinions as they relate to Jerusalem. Other issues to be addressed include those related to the ‘holy basin,’ the legal status of the Arab minority, city planning proposals to extend and expand the City both eastwards and westwards, and economic and political issues. We will consider analogous problems related to ‘divided cities’ such as Berlin and Belfast as well as examples of international administration, and divided and shared sovereignty. Students will write a qualifying course paper on some aspect of Jerusalem. The course will meet the “elective” requirements for the Comparative and International Law Institute. Graduate students from political science and religious studies will be allowed to take the course under appropriate university regulations. *Mr. Breger.*

Legal Rights of People with Disabilities (2 hrs.) — opt. QP

This course studies federal legislation and court decisions protecting the rights of people with disabilities. All titles of the Americans with Disabilities Act and its regulations are studied, and recent cases arising under this law are discussed. Other federal legislation in the areas of employment, education, and housing rights of people with disabilities are also examined. At the discretion of the instructor, this course may include a qualifying course paper that fulfills one half of the writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. Limited to 20 students. *Ms. Gardner.*

Legislation (3 hrs.) — opt. PP

This course will focus on how statutes are enacted and on a variety of the sometimes conflicting approaches to statutory interpretation. Students will become familiar with the structure and procedures in Congress, the relationship of the Congress to the president, and with some of the recent controversies surrounding the way Members of Congress are elected. At the discretion of the instructor, this course may include a qualifying portfolio paper that fulfills a portion of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Mr. Mintz.*

Legislation: The Making of a Federal Statute (3 hrs.) — req. PP

This seminar is designed to allow students to experience the process by which an idea moves toward becoming a federal law. It is also intended to teach students that legislation is not made in a sterile environment. Rather, it is developed subject to the influences of citizens, interest groups, political parties, the news media and campaign contributors, in a culture saturated with advertising and public relations. The seminar has a number of components. First, a little less than two-thirds of the course consists of the study of the fundamentals of lawmaking at the federal level. The second component involves role-playing (after completing written and other assignments which form the substance of the presentation), as either a member of Congress (who is also a member of a congressional subcommittee) or a leading lobbyist for an interest group. The third component is a writing requirement intended to satisfy Academic Rule X.3.f (Applied Legal Writing Portfolio). There are three parts to this requirement. The first writing is a statute. The second is a legal memorandum from a general counsel to a congressional subcommittee addressed to the chair of the same committee. The third is an “interest group” memoranda designed to persuade members of Congress to vote a particular way. The course will end

with a mock markup of a bill before a congressional subcommittee. The subject matter of the precise legislation to be considered will vary each semester. This course is not open to students who have taken Legislation, without the permission of the instructor. *Mr. Colinvaux.*

Legisprudence: Theories of Law Making (3 hrs.)

This three-credit elective explores the political and philosophical aspects of the law making process. It is not a course in how a bill becomes law, but rather in how the current jurisprudential movements inform law making by legislatures as well as by the judiciary. Particular attention is given to the law and economics, critical legal studies and communitarian movements in legal philosophy.

Local Government Law (2 hrs.)

This course will examine the organization, the sources and extent of authority, and contemporary legal and policy problems of local governments. Topics include delegation of powers, home rule, federal-local relationships, local government finance, equitable distribution of services, regional governance, and special considerations in litigation involving local governments. Federal constitutional and statutory developments having particular application to local governments will also be studied. *Mr. Higgins.*

Maritime Law (2 hrs.)

This course covers the leading principles of the Maritime Law of the United States, including its constitutional basis, admiralty and maritime jurisdiction, other federal jurisdiction of shipping matters, traditional and current maritime legal issues, government policies and regulation of shipping, environmental cases and international issues. *Mr. Bloom, Mr. Malia.*

Maryland Civil Practice (2 hrs.) QP

This course covers important procedural aspects of civil litigation in the Maryland state courts. It surveys the Maryland Rules of Procedure, the Courts and Judicial Proceedings Article of the Annotated Code, and relevant common law principles. All stages of civil pretrial litigation are considered, but particular emphasis is placed on elements of Maryland procedural law relating to pleadings, motions, and discovery. The course is directed primarily towards students planning to practice law in Maryland, and it offers important preparation for those students who expect to become litigators in Maryland. It seeks, as well, to prepare students for practice in Maryland, who do not plan to litigate, but who merely seek more adequate knowledge of the distinctive procedural backdrop of general law practice in the state. *Judge Rubin.*

Mediation and Arbitration Skills (3 hrs.)

The focus of this course is on the theory, skills, and attitudes involved in the conduct of mediation and arbitration. In addition, some attention is given to the role of counsel in mediation and arbitration. Skills are learned through active participation in simulated exercises, which are videotaped, reviewed and critiqued by other students and the faculty member. Readings and discussion of the theoretical bases for mediation and arbitration and the ethical issues inherent in these practices also form a part of the course. Enrollment limited to 16. On occasion this course may be offered as a two-hour

course for administrative convenience. *Mr. Pope, Ms. Raskin.*

Military Law: A Comparative Perspective (2 hrs.)

This course examines military law, both criminal and noncriminal, from a perspective that emphasizes comparisons of military law with state and federal domestic law, and comparisons of United States military law with the military law of other countries. Topics include the sources of military law; the law of war and martial law; the role of Congress and the president in overseeing the military; the application of the First, Fourth, Fifth, and Sixth amendments of the U.S. Constitution to service members and to activities on military installations; the need for a separate military criminal justice system; subject matter and in persona jurisdiction of military tribunals; command control and influence; and comparison with the Federal Rules of Evidence and Federal Rules of Criminal Procedure. Fraternalization, homosexuality, and other systemic policy issues concerning the military are also covered. *Mr. Flesch.*

Moot Court Appellate National Teams (2 hrs.)

Students selected to register must be certified by the Moot Court Board or its faculty adviser. Students must prepare for and participate in one of several national appellate competitions. A pass/fail grade will be awarded by the faculty adviser. No more than two credits may be earned. *Faculty.*

Moot Court Trial National Teams (2 hrs.)

Students selected to register must be certified by the instructor. Students must prepare for and participate in one of the several national trial competitions. A pass/fail grade will be awarded. No more than four credits may be earned. *Mr. Barracato, Mr. Sharifi.*

National Security Law and Policy Seminar (2 hrs.) — req. QP

The seminar will examine the issues that arise when general legal standards and processes are applied to national security activities. In light of the development of national security law since World War II, the seminar will explore a range of legal, constitutional, and policy problems relating to the conflict between accepted legal principles, individual rights, and national security requirements. The objectives are to increase understanding of broader constitutional, legal, political, and governmental issues, as well as the peculiar nature of national security programs. Students will be expected to contribute to class sessions on a regular and meaningful basis. This course requires a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Hodgkinson, Mr. Hodgkinson, Mr. Perez.*

Not-for-Profit Organizations Law (3 hrs.) E or QP

Considers many aspects of the legal treatment of not-for-profit organizations, including management and organizational issues, fiduciary responsibilities, tax exemptions and other special privileges, restrictions on political and economic activities, special fundraising regulations, etc. This course will have a comparative focus, exposing students to the legal issues both from a U.S. perspective and from a perspective reflecting their treatment in other countries. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X

— Writing Requirement and Directed Research. *Mr. Colinvaux, Ms. Simon, Mr. Weinstein.*

Partnership Taxation (2 hrs.)

The tax consequences of the formation and operation of a partnership, including the basis of partnership interests and of partnership assets and the effect of liabilities on basis, the determination of partnership income and a partner's distributive share thereof, sales and exchanges of partnership interests, liquidating and nonliquidating partnership distributions, and tax consequences involving the retiring partner. Prerequisite: Federal Income Taxation. *Ms. Jefferson.*

Patent Enforcement (2 hrs.) PP or QP

This course is designed to teach advanced students about the intricacies of litigating a patent infringement suit from inception to trial. The course will go beyond the basic understanding of substantive patent law issues and give students a theoretical and practical understanding for resolving those issues in the context of a patent case. Throughout the semester, the students will litigate a hypothetical patent case. The course is offered as a portfolio class and an understanding of basic patent law is preferred. *Mr. Kramer, Mr. Pivnick.*

Patent Law (3 hrs.)

A study of inventions that are protectable under United States patent laws; the requirements for patentability, including concepts of utility, novelty, unobviousness, and adequate disclosure; the nature of acts constituting patent infringement; interpretation of patent claims and the scope of exclusive rights under a patent; and remedies for infringement. *Ms. Winston.*

Practice and Procedure before the National Labor Relations Board (2 hrs.) — E or QP

This course covers all important aspects of the detailed procedures of the board. Unfair labor practices are examined from the filing of the initial charge in the regional office to the final enforcement in the United States Court of Appeals. Procedure in representation cases is also fully explored. The importance of informal procedures is stressed, and the substantive law is examined, especially from the standpoint of tactics. If the instructor allows papers in lieu of examinations, this course may include a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. The student is also evaluated on the basis of class participation. *Mr. Higgins.*

Problems in Telecommunications Law and Policy (2 hrs.)

This Communications Law Institute course, limited to institute students in their final year, will examine a series of broadcasting, domestic and international common carrier, spectrum allocation, media definition, and technology planning issues. Students will prepare for each class by reading the assigned materials and generally taking responsibility for additional research to achieve a complete understanding of the major constituencies or coalitions involved and the policy choices presented. For each issue, an appropriate number of students also will prepare a written position statement advocating one particular constituency's legal interpretation/philosophy. These students will present this position in a panel discussion that at

times may parallel a debate, moot court proceeding, FCC meeting, or international policy-making forum. After presentations by the students responsible for advocating particular positions, the entire class will have the opportunity to pose questions and address complications. Enrollment limited to 25 students. *Mr. Kennedy.*

Professional Sports and the Law (2 hrs.)

The organized professional team sports of baseball, basketball, football, soccer, and hockey employ practices unique in American business. The course primarily involves an examination of various areas of law (including contract law, antitrust law, labor law, and intellectual property law) in the context of an analysis of the business of professional sports. Among the issues to be considered in the course are current antitrust developments in professional sports; collective bargaining in professional sports, the impact of the labor exemption under the antitrust laws, the standard-player contracts and the forms of self-regulation and league structure of each league, and an appraisal of the future development of professional sports. The course encourages a different outlook on professional sports leagues and the athletes they employ. The course emphasizes class participation and debate. Knowledge of sports is not required.

Public International Law (3 hrs.) — E or QP

An introductory course exploring legal elements underlying relations and obligations among nations and their rights and responsibilities to each other and to their citizens. The problems this course examines will cut across the major issues of international legal studies. These problems may include sources and subjects of international law, problems of international jurisdiction, international claims, international organization, foreign investment, international finance, environmental protection, economic sanctions, law of the sea, international human rights, and use of force in the international system. The students will explore these issues against the background of crucial events of our era. Paper/examination option. At the discretion of the instructor, this course may include a qualifying course paper that fulfills one half of the upperclass writing requirement, if the instructor allows papers in lieu of examination. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Boyack, Mr. Breger, Dr. Ludwikowski, Mr. Perez, Mr. Mulloy, Mr. Watson.*

Public Policy Fieldwork (2 or 3 hrs.) — req. PP

This course may be taken only in conjunction with Becoming a Public Policy Lawyer or Public Policy Practicum to satisfy the mandatory fieldwork requirements of those courses. Students perform 120 hours of uncompensated legal work for two credits or 180 hours for three credits in fieldwork placements approved by the seminar instructor. The contemporaneous seminars offer opportunities for reflection on and discussion of fieldwork. *Ms. Duggin, Mr. Pilkerton.*

Public Policy Practicum (4 hrs., yearlong or one semester) — req. QP or PP

During the fall semester, students taking this course should register for three credits of fieldwork under the course titled Public Policy Fieldwork or they should enroll in one of the CUA clinical courses.

This course engages students in intensive research and writing on

issues of public policy and in reflective study of professional issues and policy issues in their accompanying fieldwork or clinical work. It is required for third-year day students in the Law and Public Policy Program Evening students in LPP may take this course during the third or fourth year. The course is open to other students if space is available.

In consultation with the instructor, each student selects either a live-client clinical course or a placement at which to do uncompensated legal work under the supervision of an attorney at a nonprofit organization, a government office (executive, legislative, or judicial branch of federal, state, or local government), a law firm, or a corporation. Placements and clinical courses should involve the students in the development or implementation of law and/or public policy and must be approved by the LPP director. Students may enroll in a fieldwork or clinical experience in the spring semester as well as the fall. Students seeking credit for fieldwork should enroll in "Legal Externships" during the fall semester of this course. For additional information about the externship program, refer to the section on "Legal Externships" on page 40.

In this seminar, the students complete readings and participate in reflective oral and written dialogue designed to advance their professional development and to prepare them for public law careers. They are assigned to submit several reflective essays about their fieldwork or clinical work. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. Students also prepare and present 25- to 30-page research papers (which go through preliminary work plus three drafts) on topics of their choice related to the policy issues that arise in clinical or fieldwork.

Reflective study of field experience will be the central focus of the seminar during the fall. Topic selection and preliminary research for the papers will occur also during the fall semester. The spring seminar will focus principally on the research and writing of the papers. Students will receive two credits for the fall seminar and two credits in the spring. *Mr. Pilkerton.*

Regulated Industries (Legal Control of Business) (3 hrs.) — req. QP

This course provides an introduction to the scope and nature of government regulation in the United States. It examines the constitutional restraints on regulatory power and reviews the economic and other justifications for regulation (i.e., natural monopoly, destructive competition, allocation of scarce resources, assurance of quality or competence, consideration of otherwise ignored social costs, and wealth redistribution). Given the nature of contemporary efforts to reform the regulatory state, emphasis is placed throughout the course on the deregulation of traditionally regulated sectors of the economy. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Mr. Garvey, Mr. Weinstein.*

Regulation of Wireless Telecommunications Services (2 hrs.)

This course addresses FCC spectrum management and licensing policies and regulations with respect to personal, commercial, and industrial wireless telecommunications applications. It covers the

historical, philosophical, and legal background of Title III of the Communications Act as it applies to areas other than broadcasting, mass media, and video entertainment services. Students are given a foundation in the legal theory of spectrum policy and a practical knowledge of FCC regulations applicable to the vast array of electromagnetic spectrum uses from the mundane and commonplace (e.g., garage door openers, baby monitors, cordless telephones) to the technologically advanced and complex (e.g., cellular technology, wireless fiber networks, microwave and satellite telecommunications systems). *Ms. Ham.*

Remedies (3 hrs.)

This course deals with the nature and source of the remedies of specific performance, reformation, rescission, damages, restitution, injunction, and declaratory judgment. Emphasis is placed on the historical development and modern application of equitable principles and the limitations that have been recognized on the exercise of equitable powers. This is an exam course. *Mr. Sky, Judge Smith.*

Role of the Federal Prosecutor (3 hrs.) — E

This course is taught at the Department of Justice by justice department attorneys. Participants in the class include students from other local law schools. This course will explore the powers and responsibilities of the federal prosecutor. Class segments will focus on how decisions are made by federal prosecutors throughout different stages of the criminal justice system, in light of legal, policy, practical, and ethical considerations. Using actual cases as well as federal statutes, guidelines, and other materials, the course will discuss the factors that influence the decisions and discretion of the federal prosecutor. The course will also examine the interaction between and among federal, state, and foreign jurisdictions, in particular the interests of competing sovereigns in the investigation and prosecution of criminal activity. Prerequisites: Students must have taken a criminal law and criminal procedure class. Constitutional Law and Evidence would also be helpful. There is a take-home examination. *DOJ Staff (Mr. Hinton, Mr. Robinson).*

Sales and Leases (3 hrs.)

The course deals with the rights and responsibilities of participants in commercial transactions involving the sale or lease of goods. Coverage draws primarily on UCC Articles 2 and 2A, and centers on issues arising in the performance, rather than the creation, of sales and lease contracts: warranty responsibilities; delivery obligations; risk of loss; rights of inspection, rejection, revocation of acceptance, and cure; and the parties' remedies for breach, including reclamation of goods. The course also considers pertinent cognate areas such as software licenses, documentary exchanges, letters of credit, and United Nations Convention on the International Sale of Goods. *Ms. Miles, Mr. Rohner, Mr. Bishop.*

Securities and Exchange Commission Student Observer Program (3 hrs.)

A clinical externship program under the supervision of Securities and Exchange Commission staff attorneys. Projects in the past have involved the drafting of proposed statutes and rules, investigation of industry and issues practices, and litigation of civil enforcement actions and administrative proceedings. Students attend a

weekly seminar at the SEC covering different topics in securities law. Students are required to devote 180 hours during the semester of enrollment (including time spent in the weekly seminar) to field-work activities at the SEC. Students in this program are subject to the commission's conflict of interests rule. Completion of corporations, securities courses, and other related experience improves, but do not define, the student's chances of being selected by the SEC for this limited enrollment program. There is an early application process for admission to this course. Contact the clinical programs office for details. Students should not submit an application to participate unless they are prepared to accept a placement if selected. Grading is on a pass/fail basis.

Securities Markets Regulation Seminar (3 hrs.) — req. QP

This course provides an in-depth analysis of several themes central to the regulation of exchange and over-the-counter trading in domestic securities. Topics to be covered include purpose and operation of securities markets; the implementation of self-regulatory oversight with focus upon the relationship between the exchanges and broker/dealers and the exchanges and the Securities and Exchange Commission; regulation of broker/dealers; the implication of listed and unlisted trading; the development of the national market system and the system's reliance upon intermarket communication and execution systems and brokers' performance of fiduciary duties of best execution; order flow issues; alternative trading systems and competition in the securities market and the impact of offboard trading restrictions. This course requires a qualifying course paper that fulfills one half of the upper-level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. It is strongly advisable, but not an absolute prerequisite, that students registering for the seminar have taken at least one securities course. Limited enrollment. *Mr. Lipton, Mr. Ryan.*

Securities Regulation: Derivatives and Their Markets (2 hrs.)

This course explores current issues affecting the regulation of financial market derivatives and oversight of derivative transactions under U.S. securities and commodities laws. Topics include the jurisdiction of the Commodity Futures Trading Commission and the Securities and Exchange Commission, interaction of securities and commodities statutes and regulations, registration and regulation of commodity market participants, administrative and injunctive enforcement powers involving violations of the Commodity Exchange Act, developments in self-regulation, and private rights of action. Course themes will cover such questions as: Why are derivatives important to the world of finance and business? How should these instruments be regulated? In what ways do the different approaches to regulation impact on the use of these instruments? Prerequisites: Corporations and prior or contemporaneous registration in another course in the securities program or previous experience in the field of securities. *Mr. Aronow, Mr. Ruddy.*

Securities Regulation: Enforcement Procedures and Issues (2 hrs.)

This Securities Program offering will introduce securities law students to the enforcement of the federal securities laws from the perspectives of both the SEC Division of Enforcement and defense counsel. Students will learn about how the division operates and

how it investigates potential violations, how it interacts with other regulatory authorities, and how defense counsel represents clients in the enforcement process. The course will also discuss current issues in securities law enforcement, including insider trading, financial fraud, and other types of matters. Students taking this course are required to contemporaneously take or previously have taken Corporations. It is suggested that students also contemporaneously or previously take a basic securities course. *Mr. Bennett, Mr. Faragasso.*

Securities Regulation: Investment Company and Investment Advisers Acts (2 hrs.)

This course will cover federal regulation of the investment management industry, focusing primarily on the Investment Company Act and the Investment Advisers Act, while also examining the impact of other federal laws, including the Securities Act, the Securities Exchange Act, ERISA, and the Internal Revenue Code. Topics of study include regulation of the operation, management, and distribution of mutual funds and other pooled investment vehicles, including closed-end funds and hedge funds. Class discussion will include analysis of business practices in light of the statutory and regulatory scheme, pertinent case law, and positions taken by the United States Securities and Exchange Commission. Prerequisite: Corporations. *Mr. Kotapish, Mr. Menconi.*

Securities Regulation: Issuance (3 hrs.)

This course will focus, in depth, on problems arising under the Federal Securities Act of 1933 dealing with matters such as the purpose and operation of the registration process, information distribution during an offering, the application of the registration process to the secondary distribution, understanding of who is an issuer and underwriter, defining a “security” and a “public offering,” availability of various transactional and security exemptions, and the imposition of civil and criminal liabilities for noncompliance with various regulations. Corporations suggested. *Mr. Lipton, Mr. Rusch.*

Securities Regulation: Trading (3 hrs.)

Primary emphasis on the Federal Securities Exchange Act of 1934. The course will probe matters such as regulation of the securities markets and the securities industry, annual and periodic reporting requirements and the integration thereof with the 1933 Act, regulation of broker/dealer activities and prevention of market manipulation, trading exchanges and the system of self-regulation, concerns arising during takeover actions and corporate repurchases, insider trading, securities fraud, civil liabilities arising under the 1934 Act, collateral violators and the role of corporate counsel. Corporations suggested. *Mr. Lipton, Mr. Rusch.*

Securities Regulation: See Financial Institutions Regulation

Separation of Powers (3 hrs.) — req. QP

A study of the doctrine of separation of powers in American constitutionalism. By analyzing specific confrontations over domestic and foreign policy issues, the student will gain a deeper understanding of the manner in which judicial, executive, and legislative forces interact to shape constitutional law. Includes analysis of appointment

and removal powers, delegated powers, legislative veto, line item veto, independent commissions, independent counsel, executive privilege, congressional investigations, foreign affairs, war powers, and congressional power over federal courts. The grade will be based on written papers. This course requires a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Mr. Breger.*

Sources of Christian Jurisprudence (2 hrs.) — E or QP

This seminar surveys the theory and experiences that are primary sources of jurisprudence within the Christian tradition. It explores the value of these sources for understanding diverse attitudes towards the meaning of law within contemporary Christianity. It seeks, in addition, to build a conceptual and historical foundation for developing, validating, and criticizing formal jurisprudential theory from the Christian vantage point. Relying on primary documents, students examine both formative Christian experiences of law which may be considered archetypal and Christian experiences of law which are more recent and of a more specifically American character. Through a close reading of original Christian authors, students encounter the progression of Christian theory about law from the Bible to the leading thinkers of the historically diverse strands of the later tradition. Unifying themes concern the relationship of reason to revelation, law to morality, and charity to justice. Paper/examination option. Course grades will be assigned based on a paper/examination option. This course may include a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Dr. Wagner.*

Space Law (2 hrs.)

Outer space is an infrastructure element of developed nations and is gaining similar importance to developing nations. Governments and commercial entities deploy satellites for terrestrial purposes, including mineral exploration, communications, navigation, law enforcement, vehicle and vessel tracking, and weather prediction. Traditional military uses of satellites include surveillance, arms control verification, ballistic missile detection and early warning. Advanced technology experimentation is taking place on the International Space Station. While occasional space tourists have visited the station, numerous individuals are signing up for commercial tours to space and back in a new generation of reusable spacecraft. Robotic space craft continue to explore and send back spectacular images of deep space and distant stars, while preparations are underway in the United States, Japan and China for returning mankind to the moon and in the United States, to Mars using moon resources. Outer space activities are conducted within a broad framework of international law, including a series of outer space treaties, domestic law, and the International Space Station Agreement. We discuss legal and programmatic roles of the United Nations, International Telecommunications Union, NASA, the European Space Agency, the U.S. departments of transportation and commerce and space agencies of other nations. Students gain understandings of rights to explore and exploit outer space resources, liability for damages caused by spacecraft, special status of astronauts, permitted and prohibited military activities, use of

nuclear power sources in space, rights of states to data obtained by other states' remote sensing technology, licensing regimes for launch and reentry of commercial spacecraft, and standards governing space tourism. Students have the option of writing a paper in lieu of a final examination. *Mr. Carroll.*

Telecommunications Law, Policy, and Core Technologies (2 hours; 2 semesters)

This Communications Law Institute survey course encompasses the historical and contemporary treatment of telecommunications, including the Telecommunications Act of 1996. Topics include the history and development of common carriers in general (carriers by water, carriers by rail); the development of communications common carriers (carriers by wire, i.e., telephone and telegraph); the emergence of common carrier regulatory theories and policies; telecommunications legislation; government intervention in the regulatory process; and the emergence of competition. A major component of the course includes the growth and composition of information processing and telephone/telecommunications industries, their increasing interdependence, and the evolving regulatory environment regarding this phenomenon. This component will also include a study of the FCC's computer inquiry decisions, current legislative and judicial initiatives, and their anticipated impact on the information processing and telecommunications industries. Significant emphasis is placed on emerging wireless and broadband services. Enrollment limited to 25 students. Noninstitute students may elect this course on a space-available. *Mr. Irwin, Dr. Golant.*

Trademark Law (2 hrs.)

A study of the nature of marks accorded common law and federal statutory protection as trade, service, certification, and collective marks. Special emphasis is given to concepts of adoption and use in commerce; intent-to-use; affixation; the descriptive, deceptively misdescriptive, geographic, surname, and secondary meaning of marks. Also treated are the topics of relationship of tradenames and trademarks, geographic and product extent of trademarks, concurrent use, confusing similarity, dilution, permissive use by others, and loss of trademark protection from causes such as abandonment or acquisition of a generic meaning. Students may not take both this course and Trademarks and Unfair Competition. *Mr. Kramer, Mr. Pivnick, Ms. Winston.*

Trademarks and Unfair Competition (3 hrs.)

This course covers the nature and subject matter of common law and statutory trademark protection, including distinctiveness, genericism, and the development of secondary meaning; the acquisition, retention, and scope of trademark rights; the registration process and its effect; infringement issues, dilution, rights of publicity, false advertising, parody and counterfeiting. Students may not take both this course and Trademark Law. *Ms. Longo, Ms. Schiffrin.*

Trial Practice (3 hrs.)

A semester-long limited enrollment course covering the role of the advocate in the trial process. The course deals with the various facets of trial court litigation including *voir dire* of jury panel, opening and closing statements, direct and cross-examination of witnesses and presentation of exhibits. The course will include tactical and ethical

problems that confront trial lawyers in both civil and criminal cases. The course will end with a mock jury trial involving either a criminal or a civil case. Limited to 16 students. In case of over enrollment, preference will be given to students who have not taken another Trial Practice or Trial Skills course. The course will be either graded or pass/fail at the discretion of the instructor. If graded, the course grade will be based on student performance during the semester. Prerequisite: Evidence. *Judge Bacon, Mr. Balter, Mr. Barger, Judge Boynton, Ms. Frey-Balter, Mr. Holt, Judge Iscoe, Mr. J. Williams.*

Trial Practice: Advanced (3 hrs.)

This course is a semester-long limited enrollment course which will afford those intensely interested in litigation an opportunity to increase and refine their trial tactics and skills. This course will provide an opportunity to enhance your effectiveness as a litigator in many areas such as direct examination, including use of documentary evidence, cross-examination with emphasis on impeachment skills, expert testimony, exclusion of evidence through motions and objections, jury selection, and opening statements and closing arguments. Videotapes will be used to instruct, and exercises will be taped for your self-critique. The course will end with a mock jury trial. Prerequisites: Evidence and Trial Practice or Trial Skills. *Mr. Barracato, Mr. Holt.*

Trial Skills: A Criminal Case (3 hrs.)

This course has the same content as Trial Practice with two exceptions: (1) the course covers the role of the advocate in the trial process of a criminal case, and (2) there will be no mock jury trial at the end of the semester. Limited to 16 students. In case of over enrollment, preference will be given to students who have not taken another Trial Practice or Trial Skills course. This course will be graded on a pass/fail basis. Prerequisites: Criminal Procedure: The Investigative Process; Evidence. *Mr. Barger, Judge Robinson, Judge Satterfield.*

Trusts and Estates (4 hrs.)

A study of the *inter vivos* and testamentary means of gratuitously disposing of property among family and friends. Consideration is given to the rules of intestate succession; the execution, revocation, and contest of wills; the creation and operation of private and charitable trusts; some applications of the remedy of constructive trust; the use of will substitutes; the use of powers of appointment; and construction problems commonly encountered when provision is made for the enjoyment of property by beneficiaries over an extended period of time. Consideration is also given to problems of probate reform. *Mr. Davis, Rev. O'Brien, Ms. Silecchia.*

Unincorporated Business Organizations (3 hrs., one semester)

This course examines the nature, purpose, and types of unincorporated business organizations: general partnerships, limited partnerships, limited liability partnerships, and limited liability companies. Within the context of studying the formation, financing, management, operation (including the respective powers, rights, and duties of the owners) and termination of these organizations, this course compares and contrasts the corporate form of doing business. An additional important element of this course is that it covers substantially all of the traditional Agency Law areas, such as fiduciary

rights and duties and the potential contractual and tort liability (i.e., vicarious liability) of businesses to third parties for the actions or inactions of their agents. Some time will be spent on reviewing the main business agreements (e.g., a partnership agreement and the operating agreement), as well as important transactional documents. This course is intended for those students who want to study business entities in more detail (in addition to corporations), plus learn a good deal about the basic principles and concepts of agency law. For those students who prefer a more concentrated study of agency law, with no additional coverage of business entities, they may want to consider the course entitled Agency Law. *Mr. Wyrsh.*

Veterans Law (2 hrs.) — PP

The law governing veterans seeking benefits is in a transitional period, and in this seminar, students will examine how veterans law is developing in the administrative, judicial, and legislative arenas. Reading assignments center on actual case studies, court decisions, statutes and rules, so students can see the application of general legal principles at work, especially in the area of administrative law. Because attorney practice before the Department of Veterans Affairs recently has expanded, the course will also explore the role of attorneys, and the attorney-client relationship, in a nonadversarial agency setting. The course will be graded based on a writing portfolio; class participation will also be a factor. *Ms. Blauhut.*

White Collar and Business Crimes (2 hrs.)

This course includes a review and analysis of (1) general principles of white collar criminal prosecution and defense, including jurisdiction of various federal and state criminal law enforcement and prosecutorial agencies; (2) the scope of applicable federal criminal laws and some state laws regarding white collar and business crimes; (3) fraud and political corruption crimes, with a focus on federal crimes of mail fraud and bank fraud, and crimes involving official bribery and gratuities; (4) financial and securities fraud, RICO, money laundering and asset forfeiture; (5) organizational crime statutes such as conspiracy, federal and state racketeering, and continuing criminal enterprise statutes; (6) regulatory crimes in the health and environmental areas; (7) crimes involving the protection of federal rights and functions, including perjury statutes, obstruction of justice, and witness tampering; and (8) the Federal Sentencing Guidelines and the use of minimum mandatory sentences. This is an exam course. *Mr. Patton.*

Women and the Law (2 hrs.) E or QP

This seminar examines the development of the law and legal principles with regard to sex-based discrimination, in areas such as constitutional law, employment, and education. Issues may include the use of sex-based classifications, sex-segregated facilities, pornography and free speech, sex-based discrimination, disparate treatment and disparate impact theories, sexual harassment at work and in schools, “hostile” workplace environments, unequal pay for equal work, unequal access to educational resources, Title IX, “protective policies” that deny women jobs on the basis of reproductive capacity, the “Glass Ceiling” and reproductive rights. Cases, statutes, and the U.S. Constitution, as well as articles and other reading materials will be used to familiarize students with the laws against sex-based discrimination, how such laws evolved, how to use the laws, and what

remains to be done to ensure women are treated as equal citizens under the law. If the instructor allows papers in lieu of examinations, this course may include a qualifying course paper that fulfills one half of the upper level writing requirement. Refer to Academic Rule X — Writing Requirement and Directed Research. *Ms. Drinan.*

Virginia Practice & Procedure (2 hrs.)

This course explores the specialized practice and procedures of the state courts of Virginia. The topics it covers include subject matter jurisdiction, active jurisdiction, parties, venue, pleading, discovery, pre-trial and trial motions, post-verdict motions, judgments, costs, and appeals. It also includes within its scope distinctions between law and equity and extraordinary writs. The course is directed primarily towards students planning to practice law in Virginia. It offers important preparation for those students who expect to become litigators in Virginia, and it seeks to convey insight into litigation and settlement strategies with distinctive application in the state. It seeks, as well, to serve to prepare students for practice in Virginia, who do not plan to litigate, but who merely seek more adequate knowledge of the more complex than usual procedural backdrop of general law practice in the state. This course has a Final Examination. *Mr. Danzig.*

Vis International Arbitration Moot

The Vis International Arbitration Competition is the premier international arbitration moot court in the world. Competitors come from more than 150 universities in 50 different countries. During the year, students write two full-length (35-page) briefs on a complex case in an international business transaction. Following completion of the briefs, the CUA team travels to Vienna, Austria, for a weeklong competition where they square off in four rounds of oral arguments before panels of three arbitrators. The arbitrators are typically leading international arbitration lawyers from around the world. To maximize the learning experience, the organizers of the Vis match schools from common-law countries against schools from civil-law countries and place them before arbitrators drawn from both legal traditions. *Mr. Perez Mr. Weinstein.*