

CURRICULUM B (SECTION 3)

Introduction

For generations, the first year of law school focused on disputes between individual plaintiffs and defendants about matters such as who should pay for an accident or how a contract should be interpreted. Students learned principles of "common law" - that is, law made by judges on a case-by-case basis - that resolved these disputes. This law was thought to be "private" in the sense that it promoted the ability of individuals to order their own lives and did not necessarily involve broad issues of public policy.

A curriculum with this focus takes little account of the disruption in the common law system caused by the emergence of the regulatory state in the first part of the last century. Today, it is widely understood that adjudication amounts to much more than a retrospective sorting out of the rights of the particular parties before the court. Legal rules govern the conduct of large classes of people and provide appropriate incentives for how they should act in the future. Most of our law comes not from judges deciding individual cases, but from complex statutory schemes written by legislative bodies and from detailed regulations authored by government agencies. Law has a public focus. It allocates power and distributes resources.

Curriculum B is designed to educate students about this modern conception of law and about the problems that result when it conflicts with older conceptions. Students enrolled in the Curriculum receive all the essential instruction received by other first-year students. The Curriculum covers all the basics that student need to know in order to do well in upper division courses, pass the bar examination, and excel in the practice of law (including fundamental concepts of property, contract, and tort). However, the Curriculum is designed to integrate the various courses in a fashion that emphasizes common themes and problems associated with the legal transformation described above. The courses are designed to "talk to each other" and to make clear that they all address common issues.

Students in Curriculum B take the same number of credits as other first-year students, and the courses are subject to the same faculty-recommended grading curve. Curriculum B students have a fall seminar called "Legal Justice" that meets in small groups. The seminar provides the backbone of the curriculum by introducing students to the common themes that are discussed in all the other courses. It takes the place of the small, spring elective taken by other students.

The Curriculum also places greater emphasis on understanding law through the lenses of other disciplines like economics, history, and philosophy. Some students report that there is somewhat more reading in Curriculum B than in the standard curriculum. The extent to which this assessment is accurate is difficult to determine because of differences in the nature of the assigned material. Whereas the standard curriculum is dominated by the reading of appellate cases, Curriculum B offers more readings from secondary sources.

Logistics

The Admissions Office invites admitted students to request a seat in Curriculum B during the summer. Each year, one section of approximately 115 entering Georgetown full-time students participates in Curriculum B (known colloquially as "Section 3").

What Do Students Say About Their Curriculum B Choice?

- "Because Section Three taught me the law as embedded within contexts of history and legal theory, I am a deeper thinker, both as a practicing lawyer and as a citizen."
- "Going to law school made me a little nervous. I was nervous about the difficulty, the cost, and the time commitment—but I was also nervous that I would be learning law in a vacuum—studying Law and absorbing rules. I knew myself, and I knew if that was the learning situation, I would have a pretty hard time. I was extremely lucky to enroll in Curriculum B. Part of Curriculum B's project is illustrating just how much law animates, and is integrated in, our lives, our institutions, and society generally. Curriculum B made me a more nuanced and more powerful thinker, analyst, and lawyer. Curriculum B does not simply teach you what the law is, but also how it is formed, and how it functions."
- "Perhaps nothing is more uniquely and typically Georgetown than Curriculum B. Georgetown is a place where ideas are freely exchanged and respected, and Curriculum B gives students—gave me—the opportunity to think about and discuss ideas in a different way. Curriculum B provided me with not only a foundation in the fundamental concepts of the law as it is written and practiced, but also with an understanding of legal philosophy and the way legal theory affects the practice of law. We read cases and theoretical articles, and the professors guided class discussions that ranged from the economic theory of law to whether the law provides justice. Thinking back on my decision to enroll in Curriculum B, I know I made the right choice and I'd do it all over again!"

Search Curriculum B Section 3 Courses (https://curriculum.law.georgetown.edu/course-search/?cluster=cluster_105)

LAW 002 v02 Bargain, Exchange, and Liability (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 002 v02>)

J.D. Course | 6 credit hours

This course explores the ways in which the law can regulate relationships between individuals. Some of this regulation involves rules that individuals crafted for themselves; that is the core of the field of Contracts. Other aspects of the regulation of individuals' interactions entails enforcing rules society has established for people's behavior; this is the central focus of Torts. Rather than approaching Contracts and Torts separately, as the standard law school curriculum does, this course engages them together, emphasizing how they have changed in similar ways over the years as dominant legal ideas have changed. For example, both Contract and Tort must consider whether to regulate inaction as well as action. Both must determine how much law should defer to other relationships among individuals. Both face choices about how, if at all, to take into account the effects of broader societal conditions (such as inadequate employment opportunities or education) when assessing individuals' legal rights and obligations. And both must decide how much to focus on particular individuals' capabilities or states of mind and how much to impose generalized, one-size-fits-all rules. The first half of the course focuses on Classical Legal Thought, which rose to prominence after the Civil War and continues to have considerable influence on legal rules. The second half revolves around various ideas broadly grouped as Law and Economics, which began to emerge early in the 20th Century.

Note: This is a required course for Curriculum B first year students only. The topics examined in this course are found in the traditional curriculum in the Torts and Contracts courses.

LAW 003 v02 Democracy and Coercion (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 003 v02>)
J.D. Course | 5 credit hours

What is democracy? What would be required to realize aspirations to democracy in a country like the United States, with a history of enslavement, dispossession of Native peoples, highly unequal application of the criminal law, and more broadly persistent inequality? How has constitutional law shaped controversies over the terms of democratic life in the United States? What role should criminal law enforcement play in a democratic society and how, if at all, should constitutional law inform the criminal process? This course will explore these questions regarding democracy, coercion and constitutionalism, in both historical and contemporary perspectives, with particular attention to U.S. constitutional law and constitutional criminal procedure.

Note: This is a required course for Curriculum B first year students only.

LAW 009 v00 Foundations of American Legal Thought (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 009 v00>)
J.D. Course | 3 credit hours

Foundations of American Legal Thought introduces students to styles of twentieth- and twenty-first century American legal thought. The course begins with classical legal thought and with the challenge posed by legal realism to classical conceptions of rights and legal reasoning. It then considers process theory, law and economics, legal liberalism, critical legal studies, feminist legal theory, critical race theory, conservative legal theory, and LGBTQ+ legal theory. Each week students attend a one-hour overview lecture given to all students in Curriculum B, and two hours of seminar, given in small sections. The aim of the course is to familiarize students with the theoretical and historical underpinnings of the doctrines studied in their other courses, in particular the other Curriculum B courses.

Note: This is a required course for Curriculum B first year students only.

LAW 1726 v00 Global Law Scholars 1L Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1726 v00>)
J.D. Seminar | 0 credit hours

This year-long non-credit seminar meets approximately ten times a semester. Generally, this seminar aims to acquaint incoming GLS participants with the wide variety of practice areas in international and transnational law through presentations by faculty and practitioners. This also includes practical sessions with upper level law students related to navigating law school.

Note: This course is open only to first year Global Law Scholars.

LAW 008 v03 Government Processes (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 008 v03>)
J.D. Course | 4 credit hours

This course examines the various instruments the legal system has to deal with social problems. It seeks to identify the advantages and disadvantages of each instrument as a means of dealing with social problems and to provide students with an understanding of why one rather than another instrument is chosen. Upon analyzing the various options, the course will then undertake an in depth analysis of the regulatory state. The emphasis will be on institutional analysis, exploring the institutional roles of public and private actors in the regulatory state and the procedural framework within which those various institutional actors operate.

Note: This is a required course for Curriculum B first year students only.

LAW 008 v04 Government Processes (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 008 v04>)
J.D. Course | 4 credit hours

This course introduces you to the administrative and regulatory state – a subject of much current contestation. We begin by considering how the common-law systems you have studied in your first year so far are inadequate, standing alone, to address systemic social problems, and thus have required supplementation in the form of the administrative and regulatory state. You will come to understand both the tremendous power that has historically been exercised by administrative agencies and the significant constraints (legal and political) under which they have operated. You will learn to identify the design features that might make an agency constitutionally problematic, the factors that make one type of decision-making framework more appropriate than another, the prerogatives and limits of agencies in interpreting the statutes they are charged with administering, and agencies' prerogatives and limits in adjudicating facts and exercising policymaking discretion. You will also learn to identify the factors that affect the availability and timing of judicial review of agency action.

Note: This is a required course for Curriculum B first year students only.

LAW 005 v02 Legal Practice: Writing and Analysis (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 005 v02>)
J.D. Course | 4 credit hours

Introduces students to the analytical and rhetorical skills used by lawyers in practice. Students receive training in legal research, planning, legal writing, and oral argument. Throughout this two-semester course, students write, revise, and receive criticism on a number of assignments. The course also examines how economic and technological forces have changed the nature of contemporary law practice. The course meets for two hours each week with the Professor.

Prerequisite: Successful completion of the Fall semester Legal Practice: Writing and Analysis.

Note: This is a required course for Curriculum B first year students only.

LAW 001 v02 Legal Process and Society (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 001 v02>)
J.D. Course | 4 credit hours

Introduces students to the procedures used in litigation and alternative dispute resolution. A variety of materials will be read, including cases, rules, statutes, social science studies and historical analyses. The course will explore various structures American society uses to resolve legal and political conflict, and introduce the basic doctrinal, constitutional and jurisprudential concepts used to resolve disputes.

Note: This is a required course for Curriculum B first year students only.

LAW 007 v02 Property In Time (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 007 v02>)
J.D. Course | 4 credit hours

Takes up topics from the conventional Property course including the law of landlord-tenant, servitudes, nuisance, and takings law. Not only will students learn the basic doctrinal rules; they will also understand them in light of the history of American legal thought and some introductory concepts borrowed from the fields of law and economics and critical race studies.

Note: This is a required course for Curriculum B first year students only.

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