

EDUCATION LAW AND POLICY

Careers related to education, law, and policy range from school administrators (superintendent, principal) to lawyers at non-profit organizations, school districts, or law firms to policymakers and policy analysts at think tanks or governmental organizations. Our faculty, as well as our location in Washington D.C., combine to make Georgetown an ideal choice for students interested in education law and policy. On this page, we outline some of our course offerings.

Courses

Education law courses examine the laws and policies that govern the K-12 and higher education systems. Federal, state, and especially local authorities have a stake in the delivery of educational services. Issues that arise include equal educational opportunity, segregation and desegregation, gender discrimination, school finance, No Child Left Behind, special education, vouchers, charter schools, and school disciplinary processes.

We have tried to identify some core education law and policy courses as well as additional courses that students with an interest in this area might consider. Core courses include: *Education Law* and *Higher Education and the Law Seminar*.

In addition to these core courses, Georgetown offers a wide range of related courses. We suggest that students considering a career in education law consider issues such as health care, the separation of church and state, community organizing, immigration law, civil rights, land use, local government law, and labor law. The Law Center offers a variety of courses in these subject areas, and they are listed on the right side of this page.

Education lawyers, policymakers and advocates must possess a variety of skills including the ability to draft legislation, negotiate with multiple stakeholders, litigate, organize educational outreach campaigns, and design and update policies. We have included courses that emphasize these skills in the list on the right side of the page.

In addition to courses offered at the law school, J.D. students are able to take up to 6 credits at Georgetown's McCourt School of Public Policy (<http://gppi.georgetown.edu/>) on the main campus. The McCourt school offers several education policy courses.

Search Education Law and Policy Courses (https://curriculum.law.georgetown.edu/course-search/?cluster=cluster_85)

LAW 286 v02 Church-State Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 286 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20286%20v02))
J.D. Seminar | 2-3 credit hours

This seminar will focus on the major shifts in church-state law over the past decades and key issues the Supreme Court will face in the next several terms. It will analyze and evaluate the various theories proposed by the sitting Justices on both free exercise and establishment clause jurisprudence and place those theories in the historical context of church-state law in America. The seminar will deal with such issues as tensions between the free exercise and establishment clauses, public aid to religious institutions, religion and public education, accommodating religious minorities, and church autonomy. It will also examine tension between demands for religious accommodation and demands for gender and sexual equality, protection of public health, and other social norms. Throughout, current litigation strategies related to these issues will be explored.

Recommended: Constitutional Law II: Individual Rights and Liberties.

Mutually Excluded Courses: Students may not receive credit for this seminar and Religious Liberty on Trial Seminar.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 530 v00 Federal Legislation Clinic ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 530 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20530%20v00))
J.D. Clinic | 10 credit hours

Please see the Federal Legislation Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/federal-legislation-clinic/>) for more detailed information about the program.

For registration-specific supplemental materials, please see the Federal Legislation Clinic PDF (<https://georgetown.app.box.com/s/g2dpqjk9hc5jehxk7kzkzj9hb52tz9l/>).

For information about clinic registration, please see the Clinic Registration Handbook (<https://georgetown.app.box.com/s/0ehc9a8928jphateghs0uz7s60j9e5y88/>).

Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course.

LAW 1812 v00 Free Speech on Campus: Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1812 v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

Our society's intense polarization has had serious consequences for our campuses, in no arena more significant than freedom of expression. In today's toxic environment, how can students and faculty, and the numerous other stakeholders, pursue liberal, rational, open learning? How can they speak up without fear? How can campus administrators ensure safety and maintain civility? What speech is protected and what speech is deemed to be hateful? What legal redress can there be for threatening speech? What are the effects on all of us of a lack of free inquiry and civility on campus?

This course seeks to answer those questions as it considers the contours of free expression on campus. We will cover the distinctions between public and private colleges and universities, religion and free expression, and the relationship among free expression, academic freedom, shared governance, and freedom of association. We will consider the limits on expression, and where behavior crosses over the line from being protected to become the proper subject of disciplinary action or removal from the institution. We will also address the way in which the boundaries of free expression are foundational to institutions of higher learning. To say that expression is protected is a threshold issue, not the end of the discussion, bringing us to a compelling topic for the nation generally, and academia particularly: the relationship between free expression and civility in the public square.

Learning Objectives:

Our goal throughout the course will be to understand the breadth of issues faced by higher education institutions in their mission to further free and open debate and discussion, and also maintain a safe and appropriate learning environment for all members of the community. We will focus on applicable legal doctrines as well as the philosophical underpinning of free inquiry and academic freedom. Whether or not students seek to serve as a University Counsel, all need to understand the laws underpinning the fundamental freedom of expression. Our campuses are the places where knowledge is created and transmitted, and therefore what happens on campus matters beyond its confines.

There is also a skill-oriented aim of this course. Students will often be in the position of the college or university's general counsel, or other members of the administration, having to articulate the standards that apply to the institution, making or recommending decisions in particular cases, or formulate campus policy. Students taking the course for 3 credits, who will write a significant research paper, will have the opportunity to develop their skills in legal research and writing as applied to a particular issue and will present their papers at the final class meeting.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 206 v03 Health Care Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 206 v03>)

J.D. Course (cross-listed) | 4 credit hours

This course is Georgetown Law's introduction to the law and policy of health care provision and financing. No single course can serve as a comprehensive introduction, and this class won't try. Rather, we'll consider central themes and selected topics, with an eye toward the larger questions that drive legal, political, and ethical conflict in the health sphere. We'll begin with some context – the non-medical determinants of health, which have much greater influence on population-wide health than does clinical care. We'll then turn to the idea of a right to health care, then to the roles of markets and government in making care available and containing medical costs. Next up will be an introduction to the Affordable Care Act, with an eye toward its conceptual framework, its critics' core objections, and the main problems that it has left unresolved. We'll examine some of the legal conflicts that have arisen over the ACA, then turn to brief introductions to several other areas of health care law, including medical malpractice, antitrust, and the role of for-profit v. non-profit institutions. We'll finish with consideration of racial disparities in health care and tension between medicine's clinical and social roles.

COVID-19 has put a spotlight on our medical care system's shortcomings, as well as the social inequities that shape Americans' health and well-being. Our nation's response to COVID will thus play a substantial role in this year's edition of the course – as both a matter of national urgency and a window onto these shortcomings.

Note: This is a required course for the U.S. Health Law Certificate.

LAW 311 v01 Higher Education and the Law Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 311 v01>)

J.D. Seminar | 2-3 credit hours

Higher education plays a singular role in our society. Colleges and universities are complex organizations and institutions with unique missions to discover, create and transmit knowledge, and to further social mobility. Higher education intersects with the law in a myriad of ways. This course examines the legal issues that shape higher education, particularly in the United States. The course covers the distinctions between public and private colleges and universities, religion and higher education, accessibility to and financing of higher education, academic freedom, shared governance, admissions, free expression, privacy and freedom of association, campus safety with a particular focus on sexual assault, and issues of race, disability, gender and sexual orientation. We will consider student rights and responsibilities, faculty issues concerning research ethics and the classroom, and the roles of presidents, governing boards, and university general counsels. Materials include relevant statutes and cases as well as readings from related fields. Our goal throughout the course will be to understand the breadth of issues faced by higher education in the United States in pursuing its mission, and the ways in which legal rules and norms relate to these issues.

Recommended: Prior or concurrent enrollment in Constitutional Law II: Individual Rights and Liberties.

Note:

Students may take this seminar for either 2 or 3 credits. All members of the seminar are required to write a number of short reaction papers. Students taking the seminar for 3 credits are also required to write a research paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.

LAW 037 v00 Immigration Law and Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 037 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v00))
J.D. Course (cross-listed) | 3 credit hours

This course will examine the U.S. immigration system through legal and policy perspectives. We will explore the source, scope and constitutional limits of congressional power to regulate immigration; the executive branch implementation of immigration legislation, particularly procedures for entry and removal, and the extent of, as well as constitutional constraints on, Presidential power; and the administrative and judicial review of executive branch action. Close attention will be paid to how membership laws and policies are established and implemented: What laws and policies govern U.S. citizenship? Who is eligible to become a legal immigrant? How are annual admissions numbers set? How and why are family and employment priorities created? How does the U.S. protect refugees? With respect to the arrival of unaccompanied children from abroad, we will consider the laws and policies that govern how the U.S. government treats them. Unauthorized migration will also be examined to understand why some migrants do not use the legal route into the U.S. and what laws and policies the U.S. has in place to deter such unlawful movements at the border and control unlawful presence in the interior. We will analyze the impact of the major 1996 immigration control legislation and its implementation, with particular attention to detention and removal. We will closely examine the role of the Justice Department's Immigration Courts, with special attention to access to justice issues. We will explore the extraordinary need for, and challenges of, immigration law reform, as well as the particular situation of the Dreamers, children without lawful immigration status brought to and raised in the United States by their parents. Finally, we will assess the various changes implemented by the Trump and Biden Administrations, particularly in connection with the treatment of asylum seekers at the U.S.-Mexico border, the resettlement of refugees from abroad, and the removal of unauthorized immigrants.

LAW 037 v02 Immigration Law and Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 037 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v02))
LL.M. Course (cross-listed) | 2 credit hours

This class will cover the constitutional and political framework for the U.S. Immigration System, enforcement and adjudication agencies, immigrants, nonimmigrants, removals and deportations, detention and bond, immigration hearings, judicial review, grounds for removal and inadmissibility, "crimmigration," immigration reform, "Chevron" deference, refugee and asylum status and other international protections. It will also include reading and analyzing major immigration cases like *INS v. Cardoza-Fonseca*, 480 U.S. 421 (1987) (well-founded fear) and *Matter of Kasinga*, 21 I&N Dec. 357 (BIA 1996) (female genital mutilation).

Mutually Excluded Courses: Students may not receive credit for both this course and National Security Law Through an Immigration Framework.

Note: Withdrawals are permitted up until the last class for this specific course.

LAW 532 v02 Juvenile Justice Clinic ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 532 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20532%20v02))
J.D. Clinic | 9 or 14 credit hours

Please see the Juvenile Justice Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/juvenile-justice-clinic/>) for more detailed information about the program.

For registration-specific supplemental materials, please see the Juvenile Justice Clinic PDF (<https://georgetown.app.box.com/s/5v4uu9vv9av47yj57sq6uvq9ia5pzqgv/>).

For information about clinic registration generally, please see the Clinic Registration Handbook (<https://georgetown.app.box.com/s/0ehc9a8928jphteghs0uz7s60j9e5y88/>).

Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course in the first semester.

LAW 264 v03 Labor Law: Union Organizing, Collective Bargaining, and Unfair Labor Practices ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 264 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20264%20v03))

J.D. Course | 3 credit hours

The subject of labor law deals principally with the relationship between employers and unions. This course covers union organizing campaigns, collective bargaining disputes, strikes, lockouts, grievance-arbitrations, and related litigation. The student will develop skills that can lead to a career with management-side law firms, union-side law firms, the National Labor Relations Board, and public interest organizations.

This course will focus on the National Labor Relations Act. We will cover the scope of employee rights to engage in union activities; employee rights to engage in concerted activities even in the absence of a union; the National Labor Relations Board procedures for elections and unfair labor practice charges; the collective bargaining process; the duties of successor employers; strikes and lockouts; grievance and arbitration procedures; and a union's duty of fair representation.

We will also cover secondary boycotts, federal/state pre-emption, and discuss how the Railway Labor Act (covering the railroad and airline industries) compares with the National Labor Relations Act.

LAW 264 v04 Labor Law: Union Organizing, Collective Bargaining, and Unfair Labor Practices ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 264 v04](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20264%20v04))

J.D. Course | 3 credit hours

Labor law is the law governing workers' collective action, union organizing, and collective bargaining. This course will focus on labor law in the private sector, which is governed mainly by the federal National Labor Relations Act, as amended. We will cover the legal regulation of workers' collective action, union organizing campaigns and processes, workers' rights to strike and their limitations, the collective bargaining process, the powers and procedures of the federal National Labor Relations Board, and the relationship between federal labor law and individual constitutional rights. The student will develop skills that can lead to a career with the National Labor Relations Board, union-side law firms and/or unions, management-side law firms, and other worker advocacy organizations.

LAW 272 v00 Land Use Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 272 v00>)

J.D. Course (cross-listed) | 3 credit hours

This course explores the variety of ways in which the law attempts to resolve conflicts among land uses, as well as plan and regulate the impacts of different land use patterns. Topics will include common law; state, regional, and local planning; zoning; environmental controls; growth management; historic preservation; restrictions relating to residential development; and constitutional limits on land use regulation. Particular emphasis will be placed upon analysis of the political and economic context of land use law.

LAW 315 v00 Literacy and Law Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 315 v00>)

J.D. Seminar | 2 credit hours

In this seminar, we use children's literature and participatory methodology to explore the relationships between law and literacy simultaneously as we bring to the surface fundamental principles of law, justice, and democracy. We do this using a dynamic, experiential approach, with examples from children's literature, children's writing, and learner-centered teaching methodology and a combination of readings, interactive seminars, and placements involving weekly reading with emergent readers. We examine learning theories and practices regarding emergent literacy and discuss their legal, educational, and social implications. Readings are drawn from law, educational theory and practice, and children's literature. We explore the variety of learning approaches that now inform literacy instruction in America. Legal implications to be considered include restrictions on literacy due to historical oppression and educational disadvantage, equal protection and diversity, freedom of speech, school finance, discipline, gender, and English as a second language. We also focus on the relationship between interactive, experiential learning, civic skills, and the democratic process.

Students are required to spend at least one hour per week working with an emergent reader. The placement may be a literacy program at a local school or center (e.g., the Early Learning Center at Georgetown Law), or some other arrangement of a participant's choice, approved by the instructors (e.g., siblings, relatives, or parents/grandparents). The reading sessions may be conducted in person or online. Writing requirements include both a monthly 5-page journal and a short paper. The paper may be a conventional paper or, the more frequent choice, the writing of a children's book that integrates legal and educational issues and which is accompanied by a short analytical essay describing the book's connections between literacy and law. Please contact the professors for more information.

LAW 317 v01 Negotiations Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v01>)

J.D. Seminar | 3 credit hours

This seminar is an interactive workshop designed to teach the practice and principles of joint problem-solving and to improve students' negotiating skills. Students will be expected to read, write, discuss, critique, and participate in simulated disputes, both in and outside of class. The simulations are designed to familiarize students with the negotiating process, to plan and prepare for negotiations, to identify and experiment with individual negotiating styles and to raise ethical and practical questions. Simulations are taken from a variety of practice areas, including community, commercial, environmental, interpersonal, litigation, and transactional disputes. The effect of gender, culture, power, politics, impasse, and attitude toward conflict will also be explored.

Students learn to negotiate by participating in simulations, studying and discussing negotiation theory and principles, analyzing negotiation exercises, and being critiqued. They will analyze their own negotiations by maintaining a weekly journal throughout the seminar.

The class meets once a week for three hours; attendance is required to fulfill class commitment and students must attend the first class to be enrolled. Grades will be based on class participation, development and application of negotiation skills, the quality of the student's journal (including analysis, application of theory and principles, self-reflection, creativity, style, and organization), and the quality of and result of simulated negotiations. Any absence or lateness may result in a reduced class participation score.

Learning Objectives:

The aim of this workshop is to help students improve their skills in negotiation, joint decision-making, and joint problem-solving, and to make them better able to develop these skills further in the future. These skills are key components of practicing law. More specifically, the aims are

1. To give you an organized theoretical framework with which to analyze problems of negotiation -- one that will help you to keep learning from your experiences.
2. To enable you to experiment actively with a variety of negotiating techniques and your own negotiating styles.
3. To become aware of the dynamics of the negotiation process and self aware of one's actions within that process.
4. To help you become more sensitive to ethical issues in negotiation.
5. To improve communication, listening, and problem solving skills, and better understand the role of language and culture in negotiations.
6. To give you an understanding of other forms of dispute resolution.
7. Specific objectives include learning:
 - how to plan for a negotiation
 - how to create value
 - how to actively listen
 - understanding negotiation styles, tactics, strategies and techniques
 - how to overcome barriers to agreement
 - how to consider the impact of culture on negotiations

Recommended: Contracts, Torts, Civil Procedure.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations and Mediation Seminar.

Note: This seminar is open to J.D. students only.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in

LAW 317 v04 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v04](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v04))
J.D. Seminar | 3 credit hours

This seminar is an interactive workshop designed to teach the practice and principles of joint problem-solving and to improve students' negotiating skills. Students will be expected to read, write, discuss, critique, and participate in simulated disputes, both in and outside of class (one simulation of approximately three hours between the two weekend classes). The simulations are designed to familiarize students with the negotiating process, to plan and prepare for negotiations (both bi-lateral and multi-lateral), to identify and experiment with individual negotiating styles, to deal with impasse and difficult situations, and to raise ethical and practical questions. Simulations are taken from a variety of practice areas, including community, commercial, environmental, interpersonal, litigation, and transactional disputes. The effect of culture, power, and attitude toward conflict will be explored.

Students learn to negotiate by participating in simulations, studying and discussing negotiation theory and principles, and analyzing negotiation exercises.

The class meets four weekend days. Attendance at all sessions and participation in the simulation exercise between the two weekend classes are required to fulfill class commitment; students must attend the first class to be enrolled. Grades will be based on class participation including discussions and simulations (25%), the quality of the student's 7-page journal involving two simulations of the student's choice (including analysis, application of theory and principles, self-reflection, style, and organization) (25%), and a 14-page client negotiation advocacy memorandum on a topic of a student's choice which demonstrates mastery and analysis of negotiation theory, practice and principles (50%).

Prerequisite: Completion of all first-year courses, except Property.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations and Mediation Seminar.

Note: This seminar is open to J.D. students only.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded. **NOTE: In the Fall 2022 semester, this course will take place online via Zoom.**

LAW 317 v14 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v14](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v14))
J.D. Seminar (cross-listed) | 3 credit hours

This intensive, interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students' understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the psychological and ethical dimensions of negotiations, and the importance of planning and choosing negotiation strategies.

The seminar will meet for five sessions spread over two weekends. Attendance at all sessions is mandatory. Between weekend sessions, students will negotiate with a classmate and write a short reflection paper about the experience. In addition, a final paper (10-15 pages) is required, in which students should demonstrate that they have learned the concepts, principles, and theories from lectures, readings, and exercises.

Grades will be based on:

- Participation in class (30%)
- Midterm reflection paper (20%)
- Final paper (10-15 pages) (50%).

Learning Objectives:

- Gain knowledge about negotiation theory, including the differences between competitive bargaining and integrative bargaining.
- Know how to prepare to conduct an effective negotiation.
- Feel more comfortable negotiating and become more effective negotiators.
- Develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication.
- Engage in effective problem solving with respect to the simulated exercises, whether alone or in teams.
- Identify and appreciate ethical considerations related to negotiations.
- Engage in self-reflection and peer critique, including applying lessons learned in exercises to future performances and providing constructive criticism to classmates.

Recommended: Torts, Contracts, and Civil Procedure. Students with no formal negotiation training are encouraged to enroll.

Mutually Excluded Courses: Students may not receive credit for both this course and the Negotiations and Mediation Seminar.

Note: **ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS.** Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 317 v21 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v21](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v21))
J.D. Seminar | 3 credit hours

This intensive, interactive seminar is designed to teach participants the theory and practice of effective negotiation and negotiation advocacy so that they may improve their skill in joint problem solving and joint decision making. Negotiation skills are best learned by doing, so this seminar includes numerous opportunities for participants to enact the skills, principles, and approaches learned. The simulations and activities are designed to familiarize students with the negotiating process, help them prepare for entering and conducting a formal negotiation, teach them to identify and engage in the types of informal negotiations that occur every day, allow them to experiment with various styles and techniques, and introduce a variety of practical and ethical problems that they might encounter. Simulations are derived from a range of practice areas, including interpersonal, commercial, transactional, and criminal disputes, among others. The effects of culture, gender, power, politics, psychology, neuroscience, and personal conflict styles will be examined. Participants will apply their negotiation skills in the real world and evaluate the results. The course will also explore the use of alternative dispute resolution and conflict management systems to break or avert impasse in negotiation and facilitate the constructive handling of conflict.

Participants will learn to negotiate by actively engaging in simulations and discussions, analyzing negotiation exercises, giving and receiving critique, keeping a reflective journal that addresses the links between theory and practice, conducting a negotiation outside of class and then presenting the lessons learned, and writing a formal negotiation preparation memo about a newsworthy negotiation. This class meets on two Friday afternoons and four full weekend days; attendance at all sessions is mandatory. Grades will be based on class participation, development and application of negotiation skills, journal quality (including analysis, application of theory and principles, self-reflection, creativity, style, organization, and grammar), an analytical paper, and a presentation.

Learning Objectives:

By the end of the course, participants who complete all assignments, reflect on the course activities, and participate in class discussions, will be able to do the following things:

1. Assess a situation and determine whether it is in their or their client's best interests to negotiate.
2. Select an overall negotiation approach (competitive or collaborative; position- or interest-based, etc.) for each situation and enact it.
3. Plan and enact a strategy specific to each negotiation based on a negotiation-preparation template of their own design.
4. Deploy specific negotiation skills and techniques, self-assess personal efficacy in using them, and assess the techniques' value as applied.
5. Use a negotiation journal to sustain lifelong improvements in their negotiation skills and knowledge base.
6. Recognize and appropriately handle common ethical dilemmas that might arise in negotiations.

Prerequisite: Contracts (or Bargain, Exchange, and Liability).

Recommended: Prior or concurrent enrollment in a professional responsibility course.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations and Mediation Seminar.

Note: Note for the Summer 2022 section: This simulation course is open to LL.M. students, space permitting. Interested LL.M. students should

LAW 317 v22 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v22](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v22))
J.D. Seminar | 3 credit hours

The Negotiation Seminar is an intensive, skills-based class that emphasizes the ability to think and write analytically about the process of negotiating. The Seminar utilizes role plays, problem sets, instructional readings, and in-class discussions to provide a comprehensive approach to negotiating in all contexts. We will focus on two conceptual frameworks, namely "Principled Negotiation," as developed by Roger Fisher and the faculty of the Harvard Negotiation Project, and the "Three Tensions" of Negotiation, as developed by Robert Mnookin and the faculty of the Harvard Negotiation Research Project. The interactive nature of this class provides participants with an opportunity to work closely with each other and with the professor.

Participants will be expected to prepare for role plays before class. Participants will also be required to write a 6-8 page paper and a 13-15 page final paper. There will also be a small group project. There will be no final examination.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations and Mediation Seminar.

Note: This seminar is open to J.D. students only.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. Because role-play pairings are pre-assigned and depend on the presence of all participants, all enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.

LAW 317 v28 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v28](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v28))
J.D. Seminar | 3 credit hours

This intensive, interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students' understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the psychological and ethical dimensions of negotiations, and the importance of planning and choosing negotiation strategies.

The seminar will meet for five sessions spread over two weekends. Attendance at all sessions is mandatory. Between weekend sessions, students will conduct a negotiation with a classmate and write a short (1-2 pages) self-critique about the experience. In addition, a final paper (10-15 pages) is required, in which students should demonstrate that they have learned the concepts, principles, and theories from lectures, readings, and exercises.

Grades will be based on:

- Participation in class (30%)
- Midterm Negotiation/Self-Critique Paper (1-2 pages) (20%)
- Final Paper (10-15 pages) (50%).

Recommended: Torts, Contracts, and Civil Procedure. Students with no formal negotiation training are encouraged to enroll.

Mutually Excluded Courses: Students may not receive credit for both this course and the Negotiations and Mediation Seminar.

Note: This simulation course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) no earlier than the last week in April to request admission.

This course will be enrolled via waitlist. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled and must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. Students in this course will be charged a course materials fee to cover commercial materials that the Law Center purchases at the faculty's request on behalf of enrolled students. This additional fee will be placed directly on a student's account in early June. Students who drop the course will not be charged, but students who are approved to withdraw from the course after add/drop will not be refunded.

LAW 317 v53 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v53](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v53))
J.D. Seminar | 3 credit hours

This course will introduce the frameworks and tools critical for effective negotiation. The pedagogy is primarily experiential and interactive. In this course, we will learn from one another. Most class sessions will consist of a brief lecture followed by hands-on simulations, exercises, and group discussions. We will cover a myriad topics including but not limited to – value creation, value distribution, principal-agent tension, dealing with difficult tactics, advanced listening, and facilitating difficult conversations. In the latter half of the course, we will begin to explore the intersection of equity and negotiation. Building on the interest-based framework, we will consider how and why one might seek to embed procedural and substantive equity in their negotiations. Critical to success in this course is intentional engagement and robust self-reflection: students rigorously review their performance through in-class discussions, out-of-class journaling, and peer-to-peer feedback. The capstone project will be a final paper.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations and Mediation Seminar.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.

LAW 317 v54 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v54](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v54))
J.D. Seminar | 3 credit hours

Course Description:

This course is designed to help you explore the theory and practice of negotiation. You will learn and apply theories from a range of disciplines including law, economics, psychology, sociology, and management. Theories will be discussed in class and practiced through interactive simulations. We will focus on the use of negotiation to make deals and resolve disputes. The simulations will become increasingly complex as we explore how circumstances change when moving from single issue to multiple issues, from two-party to multi-party negotiations, and how external factors, such as ethics and reputation, influence our behavior.

Course Goals:

This class is an intensive and interactive skills course designed to:

- teach the theory and principles of negotiation;
- develop negotiation skills;
- allow you to experiment with a variety of negotiating techniques in different contexts;
- help you recognize and handle ethical issues in negotiation;
- introduce you to alternatives to negotiation; and
- allow you the opportunity to explore your individual style, reactions, and attitudes toward conflicts.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations and Mediation Seminar.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.

LAW 317 v55 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v55](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v55))
J.D. Seminar | 3 credit hours

As a lawyer, you will probably negotiate more than you do anything else. You will negotiate not just over cases, but any time that you need something that you cannot get alone. You will negotiate with your boss, your clients, your paralegal, and all of their counterparts (plus the lawyers) on the other side. You will negotiate with "the system" whether it is the court, the government, the structure of society, or the law. You will also continue to negotiate with your family, your friends, and yourself.

This course is designed to: (1) develop your understanding of negotiation, and your awareness of yourself as a negotiator; (2) give you some tools and concepts for analyzing and preparing for negotiations; (3) enhance your negotiating skills through frequent role plays, reflection, and feedback; and (4) teach you how to keep learning from your own negotiation experience.

In addition to negotiation skills and theory (including interviewing, counseling, negotiation, fact analysis, legal analysis, and collaboration), you will be introduced to issues of representation, ethics, and the place of negotiation in our legal system.

The Negotiation Seminar is an intense, interactive course. We will require preparation of readings, simulations (including one simulation of approximately four hours between the two weekend classes), and written assignments. Basically, you will learn by reading about specific research and doing simulated negotiations – figuring out with the rest of the class what works and what does not, writing about what you're learning, and trying again.

Because participation in the simulations is central to the course, attendance at all classes is required. Since we will begin our simulation exercises on the first day of class, all students who are interested in taking the course need to be present for the first class.

Grades will be based on:

- Class participation (30%)
- Written feedback to fellow students (10%)
- Planning Memo (20%)
- Midterm "Right Speech" Paper (20%)
- Final reflection paper (20%)

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations and Mediation Seminar.

Note: This course is restricted to J.D. students only.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses),

LAW 317 v57 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v57](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v57))
J.D. Seminar | 3 credit hours

This course will introduce the frameworks and tools critical for effective negotiation. The pedagogy is primarily experiential and interactive. In this course, we will learn from one another. Most class sessions will consist of a brief lecture followed by hands-on simulations, exercises, and group discussions. We will cover a myriad topics including but not limited to – value creation, value distribution, principal-agent tension, dealing with difficult tactics, advanced listening, and facilitating difficult conversations. In the latter half of the course, we will begin to explore the intersection of equity and negotiation. Building on the interest-based framework, we will consider how and why one might seek to embed procedural and substantive equity in their negotiations. Critical to success in this course is intentional engagement and robust self-reflection: students rigorously review their performance through in-class discussions, out-of-class journaling, and peer-to-peer feedback. The capstone project will be a final paper.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations and Mediation Seminar.

Note:

In Spring 2024, this course will meet on the following dates: 4/5, 4/6, 4/7, 4/19, 4/20 and 4/21.

This course is restricted to J.D. students only.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.

LAW 326 v00 Non-Profit Organizations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 326 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20326%20v00))
J.D. Seminar | 2 credit hours

This seminar examines the nature, formation, classification, and governance of non-profit organizations under state and federal law. Emphasis is on tax exemption and unrelated business income; powers and duties of officers and directors; tort liabilities of members, agents, officers and directors; legal issues in fiscal management; antitrust implications; and joint ventures with for-profit corporations. Issues that receive special treatment include: lobbying and political activities; First Amendment religion, speech, and association issues; and liabilities for "public interest" service providers. This seminar includes a general overview of tax considerations for non-profit organizations, but not in depth; tax matters are covered in depth in Tax Treatment of Charities and Other Nonprofit Organizations, which is offered in the Graduate Program.

Mutually Excluded Courses: Students cannot receive credit for this course and Non-Profit Organizations.

LAW 408 v03 Poverty Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 408 v03>)
(Fieldwork Practicum)

J.D. Practicum | 8-10 credit hours

As a society, we strongly believe in certain myths about the adequacy and fairness of our legal system. Among those beliefs are that our laws and policies make the American dream available to everyone and provide an adequate safety net to prevent people from falling into the type of destitution we associate with less developed nations. We take pride in having a legal system that we believe is fair and treats people equally, regardless of income, race, and other characteristics.

The reality is that our legal system makes promises it does not keep. We do not have the laws and policies we need to protect the poor and other vulnerable groups, and the laws and policies we do have are often inadequate at best and pernicious at worst. The result is a system where the poor and other subordinated groups are too often left unprotected and routinely feel victimized by the government agencies charged with assisting them.

A key goal of this course is for students to examine poverty-related laws, policies, and programs and understand how and why our system so routinely fails to protect the most vulnerable members of our society. As part of this analysis, students will think critically about how and why those laws, policies, and programs have such detrimental impacts on vulnerable groups including people of color, women, children, individuals with disabilities, immigrants, and others. The class will explore the history of poverty policy and the evolution of safety net programs, both of which are inextricably intertwined with racism, gender discrimination, and bias toward certain groups. It will also examine key Supreme Court cases that shaped poverty law and policy, looking in particular at how the evolution of jurisprudence in the 1960s and 1970s dashed the hopes of anti-poverty advocates that the Court would establish the legal foundation required to truly protect the indigent. Throughout the course, we will also discuss the politics, the key leaders and thinkers, the noteworthy state and local innovations, and the data with an eye to understanding why our legal system repeatedly fails to live up to its promise, what innovations have been successful, and where we go from here.

SEMINAR: Classes in the fall will cover the definition of poverty, the history of antipoverty policy, welfare, work supports, and safety net issues. Spring classes will feature guest lecturers covering education, health, housing, homelessness, juvenile justice, and child welfare. Students will be involved in participatory exercises in the course of both semesters: in the fall, mock press conferences, testimony to Congress, and meetings with public officials; and in the spring, a group project on developing a plan for neighborhood transformation, using materials studied through the year. A final paper will be required. Students will earn four graded credits for the seminar (two credits each semester); one grade will be provided at the end of the year.

FIELDWORK: In the four, five, or six-credit, mandatory pass-fail, fieldwork portion of the practicum, students will work with a public interest law organization that deals with issues connected to poverty. Students may work for either 10 or 15 hours in both the fall and spring, 10 hours in the fall and 15 hours in the spring or vice versa, or 30 hours/week in one semester only. If students complete their fieldwork hours for this practicum entirely in one semester, they may be eligible to enroll in a clinic for the other semester. The host organization may work from either a national or a local perspective on issues connected to poverty. Placements might involve a focus on poverty per se or "poverty and..." e.g., civil rights, women, education, housing, health, juvenile and criminal justice, child welfare or immigration. Depending on the organization, activities at placements could include assisting lawyers with litigation and/or policy advocacy, including governments on all levels and in either the executive branch or the legislative. Students may propose and arrange their own placements; these must be approved by Professor

LAW 586 v00 Race and American Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 586 v00>)

J.D. Course | 4 credit hours

With such watershed events in the civil rights movement as *Brown v. Board of Education* (1954) and the civil rights acts of the 1960s, the eradication of racial subordination in America seemed an achievable goal. Yet, in America today, racial minorities continue to experience social and economic disadvantages, and race relations remain strained in many respects. Whether law has aided or impeded the cause of civil rights in the past and the extent to which law can help to resolve racial issues in the present and future are questions of considerable controversy. This course will examine the response of law to racial issues in a variety of legal contexts. Topics will likely include the meaning of race and racial discrimination, intimate relationships, child placement, employment, education and integration, policing and criminal punishment, free expression, and political participation. Classes will center on candid discussion and participatory exercises about the issues raised by the assigned material. The course will cover most of the seminal "race" cases decided by the U.S. Supreme Court.

Recommended: Constitutional Law II: Individual Rights and Liberties.

Note: Laptops may not be used during class sessions.

LAW 1753 v00 Racial Equity in Education Law & Policy Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1753 v00>)

J.D. Clinic | 10 credit hours

Students in the Racial Equity in Education Law & Policy Clinic engage in legislative lawyering to address issues of educational inequality along racial lines in U.S. public education. Clinic students work on behalf of clients (that range from non-profit organizations to coalitions to youth-led groups) to devise legislative and policy interventions to address client's policy priorities. Students may engage in legislative lawyering on issues such as school resource inequities, school segregation, discriminatory school discipline policies or practices, and inclusive curricular offerings.

Please see the Racial Equity in Education Law & Policy Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/our-clinics/racial-equity-in-education-law-and-policy-clinic/>) for more detailed information about the program.

For registration-specific supplemental materials, please see the Racial Equity in Education Law & Policy Clinic PDF (<https://georgetown.app.box.com/s/ptvjfwsuaz5dm5ww2lx12lsv4p637e9m/>).

For information about clinic registration, please see the Clinic Registration Handbook (<https://georgetown.app.box.com/s/0ehc9a8928jphateghs0uz7s60j9e5y88/>).

Recommended: Courses such as Administrative law, Congressional Procedure, Civil Rights are recommended.

Mutually Excluded Courses:

Students may not concurrently enroll in this clinic and an externship or a practicum course.

LAW 1450 v00 Segregation Seminar: History and Future for Education, Housing and Opportunity (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1450 v00>)

J.D. Seminar | 2-3 credit hours

The course will cover segregation in public accommodations, residences and education, historically and currently. Although the workforce, marriage, and access to citizenship and voting were segregated for centuries in the U.S., employment discrimination, anti-miscegenation, immigration and election law are beyond the scope of this course.

Students will learn that the US is racially segregated in housing and education and that segregation is discriminatory. They will grapple with the fundamental question of why segregation exists and the role of law in creating and responding to segregation. Students will gain a historical perspective on the ideology of white supremacy that animates segregation. They will learn that the chief consequence of segregation is inequality, for everyone, people of color and whites. Among those consequences are mass incarceration, health and wealth disparities, wasted human capital due to lack of opportunity, racial hostility, militarized policing in certain neighborhoods (Ferguson & all its antecedents and successors), environmental degradation, and suburban sprawl. Students will also learn strategies for dismantling segregation and, hopefully, help develop innovative solutions in their research papers.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 410 v07 State and Local Governments in a Federal System: Laboratories of Democracy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 410 v07>)

J.D. Seminar | 2-3 credit hours

States are the “laboratories of democracy” Supreme Court Justice Louis Brandeis said, and contemporary theories of localism argue that policy change can be driven by innovation at the municipal level. Given the gridlock in Congress, and a Supreme Court that has devolved a number of key choices, including political gerrymandering a reproductive freedom to the states, the role of state government, and of municipal governments in an intrastate federalism model, is increasingly salient. Each state has its own Constitution, its own court system, and its own legislative process. States and local governments enjoy substantial law-making and regulatory authority; bear significant responsibility for the financing and provision of most domestic public goods and services; and are key sites for political participation. This course surveys the legal environment, political values and policy debates that shape state and local governments in the United States. We will look at some specific case studies on the promise of state constitutions and challenges to innovation in state constitutional law as an alternative to U.S. Constitutional doctrine; consider the state separation of powers doctrines that govern interbranch conflict; examine how state governments substitute decisions for local choice; consider the opportunities and challenges of direct democracy approaches to policy innovation; and look at the impact of boundaries on who has access to public goods. After completing the course, students will be able to identify many of the key doctrinal principals and analyze how they apply to the socio-economic context of federalism and intrastate federalism today. The course will examine the role of governors and mayors as policymakers, and how horizontal federalism serves as a driver of national policy in areas including civil rights, immigration and climate change. The course also will challenge students to explore the tension between the historical movement toward greater local home rule and the modern trend to regional solutions. Finally, the course will enable students to exercise and develop skills of particular relevance to state and local decision-making: statutory interpretation, working effectively in groups, and understanding the dynamics and procedural context of state and local government proceedings.

Learning Objectives:

This course aspires to empower its students to:

- Recognize and apply several core legal doctrines that enable and constrain state governments and various local government entities.
- Describe how several prominent threads of American political theory have guided the historical development of state and local government law.
- Apply several constitutional principles and legal standards that regulate state and local government
- Explain the predominant funding mechanisms for state and local governments, and analyze how state and local policies can affect the viability of local government.
- Identify several state and federal policies that can impair the sustainability of local government; and federal policies that constrain the autonomy of states in performing their core functions.
- Develop and deliver principled arguments about how socio-economic policy issues relate to legal doctrine, intra-regional wealth, housing and land use policy and alternatives to local government.

Recommended: Although no prerequisites are required for this course familiarity with constitutional law, property law and administrative law are helpful.

LAW 1397 v00 Street Law: Criminal Justice and Human Rights ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1397 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201397%20v00)) (Project-Based Practicum)

J.D. Practicum | 5 credit hours

Please see the Street Law website (<http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/street-law-program/>) and this video (https://m.youtube.com/watch?v=wq9fk_eeMNA&feature=youtu.be) for more information about the course.

OVERVIEW: Street Law Criminal Justice and Human Rights is a project-based practicum where Georgetown Law students teach practical law courses at D.C. public high schools (day students) or the DC Jail (evening students). Enrolled law students develop and refine critical lawyering skills, including legal research and writing, time and project management, public speaking, and the capacity to engage diverse audiences in a low-risk, high-reward environment. Street Law instructors help the local community better understand the law, identify how it impacts them, and develop legal and analytical skills. In short, Street Law instructors have a tangible impact on the lives of local residents.

The fall curriculum focuses on the purpose of laws and legal reasoning, negotiations, criminal justice, and human rights. A lesson plan bank is provided to all Street Law instructors. The course capstone is a human rights “mini” mock trial where the high school students perform as lawyers and witnesses and compete against other Street Law classes. This practicum allows law students to gain invaluable lawyering skills while actively giving back to the local community. Guiding students through the semester is a remarkable and unforgettable experience.

SEMINAR: The seminar uses interactive instruction to explore law and legal concepts, classroom management, lesson planning, and student assessment. Law students have time to collaborate with their peers and also gain access to additional lessons they can use in their classes. Outside of the seminar, faculty provide intensive support and collaborate with each student to support their learning and growth.

PROJECT WORK: The placements are determined primarily by the law students’ schedules. Law students spend at least 10 hours/week preparing for and teaching a practical law course. Law student instructors have the primary responsibility for instructing and grading their students. Street Law faculty and fellows observe each law student instructor and conduct post-observation debriefs at least three times per semester.

Regular and punctual attendance is required at all practicum seminars, field placements, and scheduled events. If a student must miss a seminar, a Street Law event, or project work, the student must speak to the Street Law faculty as soon as possible to discuss the absence. Unless Street Law faculty indicate otherwise, a student with more than one unexcused absence from the practicum seminar or one week of unexcused absences from the fieldwork or project work may receive a lower grade or, at the professor’s discretion, may be withdrawn from the practicum.

ORIENTATION: A three-day orientation is held from Tuesday, August 20, through Thursday, August 22. During orientation, law students will experience the student-centered teaching methodology they will use in their own classes and have a chance to practice facilitating lessons before entering the classroom. **Attendance at the orientation is mandatory.** Evening division students should contact the Street Law faculty to discuss orientation schedule conflicts.

MEETING INFO

Thursdays, 3:30 to 5:30 p.m.

ENROLLMENT INFORMATION: Students enroll in this course via GU Experience (<https://guexperience.georgetown.edu/>). Students are

LAW 1398 v00 Street Law: Mock Trial Advocacy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1398 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201398%20v00)) (Project-Based Practicum)

J.D. Practicum | 4-5 credit hours

Please see the Street Law website (<http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/street-law-program/>) and this video (https://m.youtube.com/watch?v=wq9fk_eeMNA&feature=youtu.be) for more information about the course.

OVERVIEW: Street Law Mock Trial Advocacy is a project-based practicum course where Georgetown Law students teach a mock trial advocacy course at DC public high schools (day students) or the DC Jail (evening students). Enrolled law students develop and refine critical lawyering skills, including legal research and writing, time and project management, public speaking, and the capacity to engage diverse audiences in a low-risk, high-reward environment. Street Law instructors help the local community better understand the law, identify how it impacts them, and develop legal and analytical skills. In short, Street Law instructors have a tangible impact on the lives of local residents.

The spring semester focuses on trial and litigation skills. Street Law instructors prepare their students to compete in a mock trial tournament. The law students develop a thorough understanding of trial procedure, law, and practical advocacy skills. This practicum allows law students to actively give back to the local community while gaining invaluable lawyering skills.

SEMINAR: The seminar uses interactive instruction to explore law and legal concepts, classroom management, lesson planning, and student assessment. Law students have time to collaborate with their peers and also gain access to additional lessons they can use in their classes. Outside the seminar, faculty provide intensive support and collaborate with each student to support their learning and growth.

PROJECT WORK: The placements are determined primarily by the law students’ schedules for the semester. Law students will work at least 10 hours/week preparing for and teaching a practical law and trial advocacy course. Guiding high school students through the mock trial process is remarkable and unforgettable. Law student instructors are responsible for instructing and grading their students. Street Law faculty and fellows observe each law student instructor and conduct post-observation debriefs at least three times per semester.

Regular and punctual attendance is required at all practicum seminars, field placements, and scheduled events. If a student misses a seminar, a Street Law event, or project work, they must speak to the Street Law faculty as soon as possible to discuss the absence. Unless the professor indicates otherwise, a student with more than one unexcused absence from the practicum seminar or one week of unexcused absences from the fieldwork or project work may receive a lower grade or, at the professor’s discretion, may be withdrawn from the practicum course.

ORIENTATION: A three-day orientation is held from Tuesday, January 7, through Thursday, January 9, 2025. During orientation, Law students will experience the student-centered teaching methodology they will use in their own classes and have a chance to practice facilitating before entering the classroom. **Attendance at the orientation is mandatory.** Evening division students should contact the Street Law faculty to discuss orientation schedule conflicts. Attendance at this orientation is mandatory for students who have not already taken the Street Law: Criminal Justice and Human Rights practicum in the fall semester.

MEETING INFO

Thursdays, 3:30 to 5:30 p.m.

ENROLLMENT INFORMATION: Students enroll in this course via GU

Full-time and visiting Faculty

Sheryll Cashin

Janel George

Frederick Lawrence