ENVIRONMENTAL LAW J.D.

The First Law of Ecology that "everything is connected to everything else" applies also to the field of environmental law. Environmental law's roots can be found in both common and statutory law, its values and principles in ethics, science and economics. Fields of law as disparate as bankruptcy, securities regulation and criminal law have been affected by environmental requirements. Although environmental law is a relatively new subject, it has grown dramatically in scope and complexity in the last 25 years, presenting students with a daunting array of laws, regulations, institutions, and acronyms.

In response to the demands of the field, the Law Center has recently restructured its environmental curriculum in order to offer a richer variety of environmental law courses. For organizing purposes, it may be helpful to think of the courses as being divided into three categories: core courses (necessary to gain a basic understanding of the field), advanced or specialized courses (for students interested in gaining more proficiency in different facets of the field), and related courses (knowledge of which may be as important as learning the content and structure of the environmental laws themselves).

Core Courses

Core courses include Environmental Law, Advanced Environmental Law, International Environmental Law, Natural Resources Law, and the Environmental Research Workshop.

Environmental Law is the basic introductory course in this curriculum cluster. While this survey course is not a formal prerequisite to all other courses in this area, students would be well advised to take this important course as early as possible in their environmental studies. The Law Center typically will offer two sections of Environmental Law each year. Both focus primarily on the major federal environmental statutes; these include, among others, laws relating to air and water pollution, and hazardous waste handling and disposal. Perhaps the main difference between the two sections is their relative attention to practice, and to policy and theory. The evening course, taught by Adjunct Professors Schiffer and Siff, emphasizes solving practical problems that confront the environmental lawyer and thus their course tends toward the former orientation, while the day offering focuses somewhat more on theory and public policy issues.

If Environmental Law can be described as a series of broad, shallow dives into the substance of federal environmental law, then the new Advanced Environmental Law course is a series of narrow, deep dives into the same material. The basic objective of the course is to teach students how to navigate an exceedingly complicated regime of statutes, regulations, informal agency practices, and the like, in the context of addressing a concrete problem. To this end, Advanced Environmental Law will use a set of reading materials which includes "problem sets" prepared by the professor, involving timely, rather complicated, practice-oriented scenarios. This course is targeted especially to students who would like to pursue a career either in environmental law or in complex government regulation of another kind.

Another noteworthy course in the environmental curriculum is the Environmental Research Workshop. This workshop is patterned after the law and economics workshop that has proved so successful here. Outside (or inside, if appropriate) scholars will present works in progress to the class. We conceive "environmental research" broadly enough to include topics in administrative law, constitutional law, corporate law, and other fields which may affect the future direction and shape of environmental regulation. We also hope occasionally to include in the series ecologists, economists, political scientists, and others whose work influences environmental law.

Familiarity with the issues addressed in International Environmental Law is essential to a full understanding of the limits and reach of domestic environmental law. More and more environmental problems are transnational in nature and are linked with issues of sustainable development. The intersection of environmental and trade issues is an area of particular current interest, and Trade and the Environment Seminar focuses on these issues.

In addition, given the necessarily abbreviated emphasis in the Environmental Law courses on the laws relating to public lands and other natural resources, such as wildlife, interested students would also be well served by taking the core course in Natural Resources Law. Natural Resources Law introduces students to the laws governing the ownership, conservation, and exploitation of our nation's public lands and the renewable and nonrenewable natural resources, like wildlife, water, and minerals that abound on them as well as on private lands. The course explores the constitutional, economic, and political underpinnings of these laws as well as hot button topics like takings and federalism.

Specialized Courses and Seminars

Depending on the student's own needs and interests, more specialized or advanced courses in the environmental cluster may also be valuable. These include courses and seminars relating to specific statutes (such as the Clean Air Act or the laws concerning hazardous waste), to emerging challenges to traditional environmental law (such as the problem of environmental equity) or to particular industries important to this field (such as the energy industry).

Some of the specialized courses (such as Advanced Environmental Law Seminar: US and EU Approaches to Regulating Chemicals, Biotechnology and Nanotechnology, Criminal Enforcement of Environmental Law, Land Use Law, Natural Resources Law Seminar: Selected Topics, and Water Law) provide the theoretically inclined student the opportunity to address broad issues of public policy and resource allocation in more depth than the basic course survey allows.

For the student interested in developing practice-oriented skills in this area, there is no better learning opportunity than participating in a clinical program. In the Institute for Public Representation (IPR), students represent individuals and communities adversely affected by environmental problems in the District of Columbia metropolitan area as well as local and regional environmental organizations interested in preserving the area's amenities and natural resources. The Harrison Institute works with states on developing policy proposals for building economies that are, among other things, environmentally sustainable.

Related Courses

Among the most important courses related to environmental law are Administrative Law and Economic Reasoning and the Law. Because so many environmental cases concern the appropriate scope and content of agency action, any serious student of environmental law should take Administrative Law. Likewise, in order to understand the current trend of regulating using market-based incentives such as pollution trading and informational requirements, students should gain some understanding of economic analysis. The course in Economic Reasoning and the Law addresses economic analysis as both a tool for analyzing legal rules and
institutions and as a larger jurisprudential movement that is pertinent to many fields of law, including environmental law.

Courses such as Negotiations, Negotiations and Mediation Seminar, Local Government Law, and Federal Courts may also contribute greatly to a student’s understanding of environmental law. Other courses that may once have seemed far afield from the study of environmental law – in particular, Corporations, Bankruptcy, Insurance, Finance of Real and Personal Property, and Securities Law – also are increasingly important to a thorough understanding of this field. Professors in many sections of these courses devote some coverage to legal issues arising in the environmental field.

Search Environmental Law Courses (http://curriculum.law.georgetown.edu/course-search/?cluster=cluster_12)

LAW 025 v00 Administrative Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20025%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course considers the constitutional, statutory, and other legal limitations on what government agencies can do and how they can do it. What constraints govern the power of agencies to make law, decide cases involving private parties, and investigate citizens? How much "due process" must government agencies give citizens whose lives they affect; what limits has Congress imposed on the procedures for agency decision making; and to what extent can people call on courts to check what they regard as abuses of governmental power? These are among the questions addressed in the course, which draws together problems ranging from the legitimacy of New Deal institutions to the dramatic procedural innovations of recent federal administrations and problems created by renewed Congressional interest in the details of agency decision making.

**Recommended:** For Professor Nager’s section: Prior or concurrent enrollment in Constitutional Law I: The Federal System.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the first-year elective by the same name or the first-year course, Government Processes.

LAW 1349 v00 Administrative Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201349%20v00)
J.D. Course (cross-listed) | 3 credit hours
There is no more fundamental course in law school than administrative law. This course introduces you to the modern administrative and regulatory state. You will come to understand both the tremendous power exercised by administrative agencies and the significant constraints (legal and political) under which they operate. 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.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the first-year elective by the same name or the first-year electives, The Regulatory State or Legislation and Regulation, or Government Processes, or Legislation and Regulations: Law, Science, and Policy.

**Note:** This course is a first-year elective. First-year day students select an elective offered in the spring.
LAW 029 v00 Advanced Environmental Law: Climate Change (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20029%20v00) (Project-Based Practicum) J.D. Practicum | 4 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This project-based practicum course will focus on the evolving legal and policy developments concerning global climate change, and provide students the opportunity to engage in hands-on work with policymakers in addressing the issue. Students will participate in a two hour/week seminar and carry out ten hours/week of project work including regularly scheduled meetings with professors and Georgetown Climate Center attorney advisors.

SEMINAR: This seminar covers the current understanding of climate change science and impacts, international and domestic policy approaches, technological and adaptation responses, and legal and regulatory cases and developments. Class participation and attendance will be graded.

PROJECT WORK: Students will prepare papers and make presentations in class and to outside “clients” on topics being analyzed for state and local governments through the work of the Georgetown Climate Center of Georgetown Law (http://www.georgetownclimate.org). Students will work with professors and advisors to develop professional-quality work products that can be shared with outside “clients.” The Center works with states and communities on crafting policy strategies to reduce emissions that contribute to climate change and to adapt to the consequences of climate change.

Prerequisite: Environmental Law. J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

Mutually Excluded Courses: Students may not take another practicum course or a clinic at the same time as a project-based practicum course. Students may enroll in an externship at the same time as a project-based practicum course.

Note: This course may be suitable for evening students who can regularly attend class and participate in calls or meetings during the day as students interact with professors, advisors, and/or clients.

This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits for approximately ten hours of project work per week, for a minimum of 11 weeks. Both the seminar portion and the project work will be graded. Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and project components. Regular and punctual attendance is required at all practicum seminars and students are required to devote the requisite number of hours to their project. If a student must miss seminar, project work, a meeting or a deliverable, he or she must speak to the professor as soon as possible (ideally beforehand) to discuss the absence or missed assignment. Unless the professor indicates otherwise, a student with more than one unexcused absence from the practicum seminar (out of 13 total seminar sessions), or one week of unexcused absences from the fieldwork or project work (out of a total of 11 weeks of fieldwork or project work), may receive a lower grade or, at the professor’s discretion, may be withdrawn from the practicum course.

LAW 1347 v00 Economic Regulation of Energy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201347%20v00) J.D. Seminar (cross-listed) | 2 credit hours

This seminar will address the principles of economic regulation of energy production, transportation, and delivery. Energy drives the economy, and the substantial investment required to produce, refine, transport, and deliver energy brings with it significant government regulation. We will focus primarily on economic regulation of energy at the Federal level, with some discussion of parallel state regulatory schemes and federal-state jurisdictional issues. The starting point is an understanding of the physical aspects of energy—the different sources of energy and the practical aspects of extraction, refining, transportation, and delivery to users—and the application of economics and antitrust law to understand the rationale for extensive federal and state regulation of energy industries.

The seminar will consider early steps to regulate private industry for the public good, introducing students to principles of economic regulation, including dealing with natural monopolies, requiring certificates or permits for energy facilities, balancing the need for industry to attract capital with rate-payer protection through cost-of-service ratemaking, assuring “just and reasonable” rates and terms and conditions of service, preventing undue discrimination, relying on competitive market forces as a substitute for regulation (light-handed or market-based regulation), and partial deregulation. Key Federal agencies to be examined are the Federal Energy Regulatory Commission (FERC) and the Department of Energy. We also will touch on parallel issues at the state level, efforts to diversify energy sources and reduce environmental impacts, state-federal conflicts, and enforcement programs.

The seminar will include a practical in-class exercise where students will prepare and present argument in a mock hearing setting. Schedules permitting, there will be a visit to FERC and discussion with senior officials. There is a writing requirement, but no examination. Students will prepare a mid-term legal memorandum and a final course paper that addresses a significant legal or policy energy topic. Grades will be based on class participation and the two written submissions.

There are no prerequisites, although prior or concurrent enrollment in Administrative Law is helpful. This seminar does not fulfill the Upperclass Legal Writing Requirement.

Recommended: Prior or concurrent enrollment in Administrative Law is helpful, but not required.
LAW 1290 v00 Energy and Environment Seminar: Hydraulic Fracturing
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201290%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar will examine the many policy and legal implications of the explosive growth of hydraulic fracturing, which has dramatically increased U.S. oil and gas production through the application of new drilling technology. As a foundation for this examination, the seminar will begin with the nuts-and-bolts of fracturing technology, how it differs from conventional production methods and what environmental impacts it can cause. The seminar will then focus on how fracturing is reshaping the U.S. energy production map and affecting energy prices and markets domestically and internationally. The seminar will then address a set of case studies that bring into focus key areas of legal and policy debate. Areas to be covered include: Is the science sufficient for policymakers to make thoughtful decisions to authorize or ban fracturing? What should the federal and state roles be in regulating fracturing and how much authority to control fracturing exists at the federal and state levels? Should individual cities and towns be allowed to ban fracturing or should that decision be made by states for all their communities? Is increased production of natural gas due to fracturing a positive or negative development from the perspective of addressing the global warming threat? In addition to writing papers, students will be divided into teams that will prepare classroom presentations about how key states have grappled with the challenges posed by hydraulic fracturing.

Prerequisite: Prior enrollment in at least one of the following courses: Environmental Law or Energy Problems Seminar: Climate Change and Other Energy Issues or Energy Regulation: A Practical Approach (formerly Economic Regulation of Energy).

LAW 1455 v00 Energy Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201455%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course examines in detail the regulatory regimes governing the sale and delivery of energy in the United States. The focus will be on the economic regulation of electricity and fossil fuel markets. Students will develop a working understanding of how electricity, oil and gas markets are regulated: i.e., how federal and state regulatory commissions regulate price and competition in interstate energy markets under the Federal Power Act and the Natural Gas Act, respectively, and in intrastate markets under analogous state laws. Other topics will include (i) how the law is evolving to address the rapid growth in renewable generation, (ii) the move toward increasing competition and market pricing in energy markets, (iii) the siting of natural gas pipelines and electric transmission lines, (iv) state regulation of oil and gas production, including fracking, (v) rules governing the development of LNG terminals, and (vi) disputes over the pricing and regulation of distributed energy resources (such as rooftop solar or demand response), and more.

Mutually Excluded Courses: Students may not receive credit for both this course and Energy Law and Policy.

LAW 1472 v00 Energy Law and Policy
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201472%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course will present the framework for the governance of energy production, distribution and use in the United States, and provide a foundation for future coursework on these subjects. While the course will focus primarily on U.S. law, it will address some international subjects and examples. Topics will include the evolving U.S. fuel mix and market dynamics, utility restructuring and grid modernization, roles of state and federal governments, the role of different policymakers and regulatory bodies in overseeing U.S. energy systems, relevant environmental laws, and emerging policy issues. There are no prerequisites, although experience with administrative law or environmental law would be beneficial.

Learning Objectives:

1. Substantive expertise
   • The physical nature of the energy system (how it is produced, distributed, and used)
   • Common terminology and acronyms related to energy and its regulation
   • Key statutes and regulations applying to energy production, distribution and use, and key cases interpreting this legal framework
   • Current issues being debated in energy law

2. Understanding of governance structure
   • The roles and responsibilities of different policymakers and regulators (e.g., economic regulators, environmental regulators, natural resource managers, legislators) and how they relate to each other
   • State and federal responsibilities in overseeing the energy system

3. Legal and policy skills
   • How to explore questions of regulatory authority by state and federal agencies
   • How to write analytically about legal and policy questions

Recommended: Administrative Law, Environmental Law.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Energy Law.
LAW 142 v02 Energy Problems Seminar: Climate Change and Other Energy Issues (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20142%20v02)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar considers economic, political, and legal aspects of current problems in the petroleum, natural gas, electrical, nuclear, coal and alternative energy industries with particular focus on global warming and the impact of climate change policies on energy use in the United States and abroad. In addition to the connection between global warming and energy, the seminar will examine: (1) the nexus between U.S. energy policy and Middle East wars and diplomacy; (2) the future of energy deregulation; (3) tensions between state and federal efforts to address energy issues; and (4) the problems and prospects of introducing new fuels and fuel sources, including nuclear, hydrogen, and renewables, into the U.S. and world economies. As these subjects sweep across the entire economy, they touch upon several fields of law: administrative law, antitrust, constitutional law, environmental law, oil and gas law, public utility regulation, and international law (both public and private).

Note: This seminar requires a paper. 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 Upperclass Legal Writing Requirement.

LAW 1347 v01 Energy Regulation: A Practical Approach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201347%20v01)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar focuses on the practical application of core and extended legal principles applicable to the electric, natural gas, and oil transportation industries. We will address challenges associated with the formation and implementation of energy policy by examining regulatory reforms and judicial decisions that continue to shape investment and operations. Taking a holistic approach that embraces financial, technological, and environmental factors, we will explore efforts to enhance the touchstones of fairness, efficiency, reliability, adequacy, and enforcement in domestic energy industries.

Several key statutes form the framework of energy law, including the Federal Power and Natural Gas Acts. We will extend a survey of the organic development of these statutes to the policy framework the Federal Energy Regulatory Commission has devised to achieve national goals. Foundational constitutional guideposts such as the Commerce Clause and Federalism will frame discussions while cost of service ratemaking, market-based rates, and market manipulation, with case examples and attendant legal principles, will be introduced. Diverse doctrines such as Mobile-Sierra and Chevron, among others, are considered to explore their impacts in areas such as wholesale price formation and agency initiatives, respectively.

By discussing norms of agency practice, we help students gain insight into current and evolving practices along the production-transmission-distribution continuum. Introduction and analysis of smart grid, demand response, low carbon goals, and other recent developments will be presented to connect current regulatory preoccupations to new challenges. Concepts such as cost causation and undue preference will be studied in contemporaneous contexts to convey the dynamics of rapidly evolving technologies, industry economics, and politics. In sum, the seminar’s emphasis on the practical application of energy law concepts will help students spot issues and assess controversies in the energy sphere.

The seminar will include two practical oral exercises, wherein students will prepare and present argument or negotiation positions in a mock setting and receive feedback on performance. The second exercise will be graded. There is no final examination; students will write a final paper on an energy law topic of their choice. Schedules permitting, there will be a visit to FERC and discussion with Commission staff. Grades will be based on class participation, the second practical oral exercise, and the final paper.

This seminar does not fulfill the Upperclass Legal Writing Requirement.

Recommended: Prior or concurrent enrollment in Energy Law or Energy Law and Policy.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
Environmental Law J.D.

LAW 2009 v01 Energy Trading and Market Regulation
LL.M Course (cross-listed) | 2 credit hours
Energy markets are dynamic and growing rapidly, creating new business opportunities and legal challenges not only for traditional energy companies such as utilities, pipelines, natural gas producers and independent power producers, but also for newer market entrants including investment banks, demand response providers, smart grid and renewable energy companies, hedge funds, and large industrial and commercial consumers of natural gas and electricity. The course will focus on the economic regulation of physical wholesale energy markets by the Federal Energy Regulatory Commission (FERC), primarily the regulation of transportation, price and competition in the electric and natural gas markets. We will examine six main areas: (i) restructuring and deregulation under the Federal Power Act and Natural Gas Act; (ii) the current model of energy market enforcement and compliance derived, in large part, from securities market regulation; (iii) the legal, regulatory and market responses to ongoing challenges, including market based pricing, market structure and the prevention of market manipulation and market power abuse; (iv) foundational laws and policies governing energy markets and non-discriminatory transportation by wire and pipeline of the electricity and natural gas commodities; (v) "hot topics" such as the shale gas revolution, pipeline and electric transmission infrastructure development and cost allocation, and integrating demand resources and renewables; and (vi) the constant interplay among Congress, energy regulatory agencies and market participants. Students will gain an appreciation for the legal and market challenges confronted by market participants. Some sessions will feature guest lecturers. There will be no examination. Instead, each student's grade will be based on a final paper that takes a position on a key legal or policy issue and defends that position persuasively.

LAW 1277 v00 Environmental Dispute Resolution Seminar
J.D. Seminar (cross-listed) | 3 credit hours
The Environmental Dispute Resolution Seminar explores the characteristics of environmental disputes and, through various simulations, serves to sharpen students’ skills in negotiation, litigation, client communication, persuasive writing, and oral advocacy. The Seminar will center around simulations based on a complex civil environmental law dispute that initiates as a negotiation, proceeds to litigation, and culminates in a court-ordered mediation with a third-party neutral. The course examines the roles lawyers play in each approach, as students assume the role of attorneys from a governmental agency, public interest organization, and outside counsel for a corporate defendant. Through the environmental law simulations, students will evaluate the utility and limitations of the negotiation, mediation, and litigation approaches to resolution. The Seminar will focus on developing each student’s understanding of the strategic decisions an attorney must make during various phases of dispute progression and resolution, including pre-enforcement determinations regarding compliance counseling. Students will also write a major motion that will fulfill the Upperclass Legal Writing Requirement, submitting a draft for review and comment before the final product. Environmental Law is a prerequisite for this course.

Prerequisite: Environmental Law.

Strongly Recommended: Prior or concurrent enrollment in Administrative Law. Foreign-trained LL.M. students must have completed a course in U.S. civil procedure, and U.S. Legal Research Analysis & Writing is strongly recommended.

LAW 146 v01 Environmental Law
J.D. Course (cross-listed) | 3 credit hours
This course covers the key laws developed to control pollution. The main focus of the course is on current statutes, including the National Environmental Policy Act, the Clean Water Act, the Resource Conservation and Recovery Act, the Superfund Act (CERCLA and SARA), and the Clean Air Act. Other statutes, such as the Toxic Substances Control Act, as well as climate change, are addressed briefly. Common law and pre-1970s efforts to develop law to obtain control are also reviewed. Relying on their practical experience, the instructors address application and interpretation of the statutes, Congressional actions to extend and modify the statutes, regulatory implementation of the statutes by executive agencies, enforcement policy and practice, the role of states, citizens’ groups and industry, and private efforts at clean-up. The professors use problems to help students understand the practical application of the statutes in real-world contexts.

Strongly Recommended: Prior or concurrent enrollment in Administrative Law.
This course focuses on legal strategies to regulate and remedy environmental harms. The course is designed to prepare transactional lawyers, regulatory lawyers, government counsel and litigators, as well as students interested in specializing in environmental law. A major goal of the course is to introduce students to the analytical skills necessary to understand and work in this and other predominantly statutory and regulatory fields. The course starts by reviewing economic, ecological and historical perspectives on protection of the environment. We also briefly cover common law environmental claims. We then turn to several cross-cutting public environmental law issues, namely discussion of regulatory design choices, federalism issues, a brief introduction to important administrative law concepts, cases, and doctrine, and analysis of the role of citizens as enforcers under US environmental laws. We then turn to in-depth analysis of key portions of several of the most significant federal environmental laws, including hazardous waste cleanup laws, the National Environmental Policy Act (NEPA), the Endangered Species Act, the Clean Air Act, and the Clean Water Act. We will also look at the developing body of law regarding climate change.

LAW 146 v08 Environmental Law
This course focuses on legal strategies to regulate and remedy environmental harms. The course is designed to prepare transactional, regulatory, and government lawyers, and students interested in specializing in environmental law. A major goal of the course is to introduce students to the analytical skills necessary to understand and work in this and other predominantly statutory and regulatory fields. The course starts by reviewing economic, ecological and historical perspectives on protection of the environment. We also briefly cover common law environmental claims. We then turn to an in-depth analysis of the key laws developed to control pollution: the National Environmental Policy Act, the Clean Water Act, the Resource Conservation and Recovery Act, the Superfund Act (CERCLA and SARA), and the Clean Air Act. Other key topics such as climate change, enforcement policy and practice, and the role of states, citizens' groups and industry are addressed briefly. The professor will use problems to help students understand the practical application of the statutes in real-world contexts.

LAW 146 v09 Environmental Law
This course focuses on legal strategies to regulate and remedy environmental harms. The course is designed to prepare transactional, regulatory, and government lawyers, and students interested in specializing in environmental law. A major goal of the course is to introduce students to the analytical skills necessary to understand and work in this and other predominantly statutory and regulatory fields. The course starts by reviewing economic, ecological and historical perspectives on protection of the environment. We also briefly cover common law environmental claims. We then turn to an in-depth analysis of the key laws developed to control pollution: the National Environmental Policy Act, the Clean Water Act, the Resource Conservation and Recovery Act, the Superfund Act (CERCLA and SARA), and the Clean Air Act. Other key topics such as climate change, enforcement policy and practice, and the role of states, citizens' groups and industry are addressed briefly. The professor will use problems to help students understand the practical application of the statutes in real-world contexts.

LAW 156 v01 Environmental Research Workshop
The Environmental Research Workshop has three primary objectives: to (1) acquaint students with some of the best contemporary scholarship in environmental, natural resources, and energy law; (2) create an intellectual forum at Georgetown that brings together some of the nation's foremost academic scholars with law- and policy-makers in the fields of environmental, natural resources, and energy law for the exchange of ideas, and to allow students to participate in that forum; and (3) provide students with an opportunity to produce some substantial legal scholarship on an environmental, natural resources or energy law-related topic. The centerpiece of the course is a series of workshop meetings, during which a leading academic or practitioner will present a paper or other written material, followed by commentary. Previous workshop speakers have included nationally recognized scholars writing about market-based regulation, risk analysis, environmental justice, climate change, endangered species, statutory interpretation, and other timely topics. Commentators have included a federal appellate judge, a Deputy Solicitor General, the general counsel for the U.S. Environmental Protection Agency, and the Counsel to the Secretary of the Interior, among others. Students will have an opportunity to present drafts of their papers to the class and respond to questions about them.

Students can fulfill their Upperclass Legal Writing requirement by producing a substantial piece of scholarly writing. Any student wishing to do this must register for the three (3) credit section of the course. JD students have the option of enrolling in the course for two instead of three credits. Those who pursue the two-credit option will not be responsible for preparing a substantial scholarly paper. They will instead draft the equivalent of three 4-5 page more detailed written critiques of papers being presented by the outside speakers. These critiques will be shared with the outside speaker. The paper requirements of the 2-credit section will not fulfill the Upperclass Legal Writing Requirement.

Prerequisite: Prior or concurrent enrollment in the basic survey class in environmental law, natural resources law, or international environmental law. Exceptions may be made with the consent of the Professor.

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 1345 v00 Farm Law and Policy Seminar
Rules governing agriculture have a dramatic impact on the cost, availability, nutritional quality, and safety of food, the fate of farmers and farm workers, and the environmental impacts of crop and livestock production. This course will cover the policies, rules, and laws that govern agriculture, including laws and regulations related to farm subsidies, farm stewardship, biotech regulation, food safety, food labeling, food assistance, farm labor, animal welfare, agricultural trade, and antitrust issues related to crop and livestock production.

The Farm Law and Policy Seminar complements other courses offered by the Law Center, including courses on Food Law and Environmental Law.

Recommended: A course in food law or environmental law.
LAW 178 v02 Federal Courts and the Federal System

This course addresses the role of the federal courts in our system of government, focusing on relevant constitutional and statutory provisions and jurisdictional doctrines and concepts. Representative topics include justiciability, congressional power to regulate the jurisdiction of the Supreme Court and lower federal courts, Supreme Court review of state court judgments, sovereign immunity, abstention, and habeas corpus.


LAW 216 v02 Historic Preservation Seminar

In recent decades, the preservation of historic buildings, neighborhoods, and landscapes has become a significant basis for regulation of private property, as well as an important motive for public and charitable ownership. In the District of Columbia, for example, there are over 25,000 buildings and 43 historic districts protected. This seminar examines the theory and practice of historic preservation. The practical focus of the course will be on the nationally significant law and institutions in the District of Columbia and how they might be improved. Students will have opportunities to hear from recognized preservation experts and architects, visit several districts, attend public proceedings of the DC Historic Preservation Board, and meet with actual participants in controversial preservation battles. Each student must complete a substantial original research paper, as the seminar satisfies the upperclass writing requirement.

Recommended: Constitutional Law and/or Land Use Law.

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.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 528 v03 Institute for Public Representation Environmental Law Clinic

Please see the Institute for Public Representation website (http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/IPR) for more detailed information about the program.

For registration-specific supplemental materials, please see the IPR: Environmental Law PDF (http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/clinic-applications/upload/IPR-Env-info-Sheet.pdf).

For information about clinic registration generally, please see the Clinic Registration Handbook (http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/clinic-applications/upload/Clinic-Registration-Handbook-v2.pdf).

Prerequisite: Students must have completed a course in environmental or natural resources law before taking the clinic. Students may take one of these courses concurrently with the clinic, but only in the evening.

Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course.
LAW 3032 v00 International Energy Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203032%20v00)

LL.M Course | 2 credit hours
The course begins with an introduction to International Energy Arbitration, followed by discussion of the International Energy Industry, its sources, segments, and players. Next comes the Science of Oil & Gas Disputes, an essential building block for any lawyer engaged in this field. An extensive presentation on the Legal Framework for International Energy Arbitration covers international laws and norms, national constitutions, national petroleum laws and regulations, and, in particular detail, the historical evolution of upstream host government petroleum contracts, including petroleum fiscal systems. To place the subject of host government contracts in its proper setting, the next section describes resource cycles and resource nationalism, as well as the legal status of host government contracts. Segments on contract stabilization and choice of law come next. The subject of international oil and gas dispute resolution explains the process and procedure for resolving these disputes through international arbitration, drawing on examples from actual international energy agreements and disputes. Discussion then moves to the early international oil and gas arbitration awards, from there to several modern international oil and gas arbitration awards, and finally to contemporary energy disputes with host governments. The course then moves to commercial disputes arising out of joint operating agreements, gas contracts, and LNG sales contracts. The final two substantive course subjects address disputes with host governments and with co-venturers over unitization / joint development of a common reservoir and decommissioning / abandonment of offshore production platforms and related facilities. Following a discussion of enforcement of energy awards, the final segments address advocacy in international energy arbitration and building an international energy arbitration practice. The course is designed to provide an in-depth knowledge of the main types and key drivers of international energy disputes, past and present, not only to aid in understanding the international energy industry, its business relationships and contracts, its broader legal framework, and its disputes, but to build better advocates to represent international energy companies and host governments in these contentious proceedings.

Recommended: Prior or concurrent enrollment in an introductory international arbitration course.

Note: A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

LAW 145 v00 International Environmental Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20145%20v00)

J.D. Course (cross-listed) | 3 credit hours
This course focuses on international law applicable to the leading environmental and natural resource issues. The course covers climate change, ozone depletion, transboundary pollution, hazardous wastes and chemicals, biodiversity, agriculture, fresh water, human rights and environment, environment and trade intersection, and financing of sustainable development. The course provides a framework for addressing the legal issues, links international law with relevant national laws, and focuses on ways to strengthen compliance with international obligations.

Learning goals for this course: To enable students to become effective counsel, litigators, negotiators, arbitrators, judges, or legal advisors on a broad range of international environmental and natural resource problems; to understand international negotiations; and to be able to apply legal concepts developed in the course within different national settings for implementing international law.

LAW 1024 v00 International Law Seminar: Water Resources (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201024%20v00)

J.D. Seminar (cross-listed) | 2 credit hours
Fresh water resources are predicted to become increasingly scarce in some regions and a source of conflict. This seminar covers a broad range of issues in international water law, including surface and ground water allocation, water quality, water agreements and river basin institutions, human right to water, water markets, demand management, and links with international economic law. Water is viewed both as a source of conflict and as an opportunity for cooperation. Includes a simulated negotiation for an international river or transboundary aquifer problem, and a simulated dispute settlement. Draws upon domestic water laws in understanding international water law.

Learning goals for this course: To understand legal aspects of water resource issues and the basic hydrology underlying the issues; to be able to identify the interests of different countries and other actors in an international negotiation over a water issue and to fashion solutions by thinking out of the box; to understand water litigation and the needs of judges/arbitrators in dealing with water resource issues.

Recommended: A basic course in public international law is helpful.

LAW 272 v00 Land Use Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20272%20v00)

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 1619 v00 Natural Resources and Energy Law and Policy Practicum
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201619%20v00) (Project-Based Practicum)
J.D. Practicum (cross-listed) | 4 credit hours
This course will give students an experiential learning experience in the field of natural resources and energy law and policy. Students will work individually or in groups on real-world legal and/or policy problems related to natural resources or energy for clients or stakeholders currently engaged in this rapidly changing subject area.

The seminar portion of the course covers the key elements of natural resources and energy law and policy related to the experiential learning projects. Students will study the relevant statutes, case law, and underlying policies relating to these natural resources and energy issues. The course is primarily domestic in its focus, but some topics and examples of international natural resources and energy law and policy will be included. During the course, students will draw on pertinent and practical legislative and administrative materials.

Throughout the semester, we will focus on building real-world legal and policy skills. We will discuss the successes and failures of natural resources and energy law and policy, the trade-offs between preservation and development, future prospects for effective resource management and conservation, and the skills needed to effectuate successful outcomes on behalf of clients.

This is a four-credit course, with two credits awarded for the two-hour weekly seminar and two credits for work outside of class on experiential learning projects. The class is designed to be appropriate for both law students and public policy students.

Course Goals:

1. The course is intended to help you develop your legal skills. During the experiential portion of the course, you will develop legal skills by working on a real-world legal or policy problem for a client. You will prepare a written analysis appropriate for delivery to the client. You will also prepare an oral presentation of your work, including findings and recommendations for the client. In undertaking this project, you will develop in-depth expertise on a natural resources issue as assigned.

2. In preparing the written analysis for your client, you will have an opportunity to hone your legal writing and analytical skills. You will consider and determine how best to present your analysis and findings to the client in written form.

3. You will also develop your skills in oral communication as you prepare and deliver a formal oral presentation of your project for the class and also for your client.

4. During the seminar portion of the course you will participate in an in-class exercise in which you will role-play and develop skills relating to the preparation, writing and oral presentation of testimony and public statements for a mock Congressional hearing and a mock public comment meeting. You will gain experience in considering the perspective of the person you are role-playing and how best to present the position that person represents. Through these in-class exercises and the class readings, you should develop practical skills and a greater facility with actual Congressional and administrative documents relevant to many legal practices.

5. By the end of this course, you should have a broad understanding of the overall legal framework for the administration of domestic natural resources. The focus will be on federal law and policy as it relates to the experiential projects being undertaken by the class, but you should also gain insights into selected state and international topics, particularly the interaction between federal and state law and policy.

6. The course should provide you with a context for evaluating ongoing and fast-changing legal and policy issues and controversies relating to natural resources and energy.
LAW 1480 v01 Negotiations and Mediation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201480%20v01)

J.D. Seminar | 3 credit hours

This seminar will focus on negotiation and mediation theory and practice as applied in a variety of legal settings. Students will study multi-disciplinary theories of negotiation and mediation through readings by Roger Fisher, Carrie Menkel-Meadow, Howard Raiffa, Robert Mnookin, David Lax and James Sebenius, Leonard Riskin and others, and will put these theories into practice through a series of negotiation and mediation simulation exercises. Students will be exposed to the wide range of legal, ethical, and practical issues that must be addressed by lawyers when representing clients in negotiations and mediations, and they will gain the tools necessary for creative problem-solving when resolving legal disputes. Students will have the opportunity to participate in role-play exercises as disputants, attorneys, negotiators, mediators and facilitators. Exercises will be designed around ethical issues, coalition-building, creativity, and diversity issues. One-on-one and multiple-party simulation exercises will be based on business, criminal, family, civil rights, and employment cases, as well as on community and public disputes. One of the simulated exercises will be videotaped, and students will also participate in a negotiation via email. Additionally, students will have the opportunity to observe an actual court-based mediation session in D.C. Superior Court. The seminar will meet once a week for three hours. Student evaluation will be based on several short writing assignments, class participation, and a paper due at the end of the semester.

Learning Objectives:

Learning objectives for the seminar include the following:

1. Identify, obtain, practice, and improve skills for resolving disputes through negotiation and mediation;
2. Identify, obtain, practice, and improve skills for assisting clients in resolving their legal issues through negotiation and mediation;
3. Develop self-reflection and peer review skills and practice generalizing lessons learned in specific simulations to broader negotiation and mediation contexts.
4. Develop an understanding of the multi-disciplinary theories underlying negotiation and mediation processes; and
5. Develop an appreciation for policy and ethical issues regarding the use of negotiation and mediation in legal disputes.

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

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

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.
Students will learn to negotiate by studying the negotiation theory, concepts and principles, and by participating in simulations and exercises from a variety of practice areas. The simulations are designed to familiarize students with the negotiating and mediation processes, sensitize them to their own negotiating behaviors, teach them how to use a mediator in aid of their negotiations, and raise a number of ethical and practical questions. Through in-class negotiation and mediation exercises, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication.

Through in-class negotiation exercises, 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 context in choosing negotiation strategies. Students will be videotaped while conducting at least one of their negotiations, followed by instructor evaluation and feedback.

Grades are based on the quality of student participation, several short “think pieces” and journal entries based on in-class experience, readings and lectures, and a final 10-15 page paper.

The Workshop is intensive (9:00 a.m. - 4:30 p.m. for six sessions spread over two weekends). Full attendance and participation is required at all six sessions.

Learning Objectives:

- Familiarization with negotiation and mediation theory, concepts and principles.
- Deepening of behaviors, processes and mindsets required for effective negotiation and mediation.
- Sharpening skills in the areas of listening, asking questions, creative thinking, and persuasive communication.
- Engaging in reflective practice.
- Awareness of the role that assumptions, differences (e.g., culture, gender) and psychology play in shaping negotiation/conflict dynamics.

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

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

If you are planning to take the MPRE in Spring 2018, the exam may conflict with this course because the MPRE will be offered on a Saturday in March or April. The date should be released by the National Conference of Bar Examiners in October and will be available at [http://www.ncbex.org/exams/mpre/registration/](http://www.ncbex.org/exams/mpre/registration/).

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.

A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.
LAW 317 v01 Negotiations Seminar (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%20317%20v01)
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.

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: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All
enrolled and waitlisted students must be in attendance at the start of the
first class session in order to be eligible for a seat in the class and must
attend each class session in its entirety.

LAW 317 v04 Negotiations Seminar (http://
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 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. The course will also offer an
introduction to the use of alternative dispute resolution and conflict
management systems design as a means to break negotiation impasse.

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

The class meets one Friday afternoon and four weekend days.
Attendance at all sessions is required to fulfill class commitment and
students must attend the first class to be enrolled. Grades will be based on
class participation including discussions and simulations, the quality
of the student’s 15-page journal (including analysis, application of theory
and principles, self-reflection, style, and organization), and a five-page
paper on a topic of a student’s choice which demonstrates mastery of
negotiation theory, practice and principles.

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: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. This
seminar will meet for five days of intensive sessions. All enrolled and
waitlisted students must be in attendance at the start of the first class
session in order to be eligible for a seat in the class and must attend each
class session in its entirety.

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. A student will be permitted to drop a course that meets for
the first time after the add/drop period, without a transcript notation, if a
student submits a written request to the Office of the Registrar prior to
the start of the second class meeting. Withdrawals are permitted up until
the last class for this specific course.
LAW 317 v11 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v11)
J.D. Seminar | 3 credit hours
Most lawyers, irrespective of their specialty, must negotiate. Litigators resolve far more disputes through negotiation than by trials. Business lawyers—whether putting together a start-up company, arranging venture financing, or preparing an initial public offering—are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators.

This seminar, by combining theory and practice, aims to improve both the participants’ understanding of negotiation and their effectiveness as negotiators. Drawing on work from a variety of research perspectives, the readings and lectures will provide students with a framework for analyzing negotiations and tools and concepts useful in negotiating more effectively. In particular, this seminar will expose students to the problem-solving approach to negotiation. Accordingly, our main texts will be Getting to Yes, by Roger Fisher, William Ury, and Bruce Patton, and Beyond Winning, by Robert Mnookin, Scott Peppet, and Andrew Tulumello. An additional packet of readings will also be required for the course.

Participants will spend much of their time in a series of negotiation exercises and simulations, where, as negotiators and critical observers, they will become more aware of their own negotiation behavior and learn to analyze what works well, what does not, and why. Class sessions will be devoted to a combination of lectures, case simulations, discussions, and film clips.

The seminar is intensive (9:00 a.m. to 5:00 p.m. for six sessions, spread over two weekends, plus a time to be scheduled by each student between the two weekends for videotaping and reviewing one negotiation). Full attendance and participation is required at all six sessions.

Grades are based on the quality of student participation and several writing assignments, including a final journal reflection paper.

Learning Objectives:

By combining theory and practice, this seminar aims to improve both your conceptual understanding of the negotiation process and your effectiveness as a negotiator. The class should help you improve your ability to prepare for a negotiation, to engage others in joint problem-solving and decision-making, and to diagnose what is going wrong and what to do differently when negotiations break down. Most importantly, the course will equip you to continue refining your skills as you gain more experience.

More specifically, our goals are:

- To increase your awareness about negotiation and negotiating behavior:
  - The pervasiveness of negotiation;
  - The implicit working assumptions that underlie your behavior;
  - Understanding others’ perceptions and reactions;
  - The importance of process (how we negotiate): its effects on the progress of negotiations and the relationship between negotiators.
- To enhance your understanding of negotiation theory by providing:
  - Exposure to social science research related to negotiation;
  - Some basic organizing concepts;
  - A common vocabulary to enhance preparation, negotiation, and review;
  - Analytic tools for diagnosing problems and developing strategy.

LAW 317 v14 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v14)
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 videotape a negotiation with a classmate and write a short (2-4 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%)
- Videotaped negotiation and self-critique paper (2-4 pages) (25%)
- Final Paper (10-15 pages) (45%).

Learning Objectives:

- Gain knowledge about negotiation theory, including the differences between competitive bargaining and integrative bargaining.
- Know how to prepare 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. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

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. Withdrawals are permitted up until the last class for this specific course.
This course will begin with a consideration of leading scholarship. Is settlement the most appropriate means of conflict management? Are there instances in which negotiated compromise vitiates the litigants' true interests? Do broad public policy implications and precedentual value trump the expenditure of individual resolution?

Set within the framework of Principled Negotiation, seminar participants will engage in role plays created by the American Bar Association and the Harvard Program on Negotiation. Students will hone their ability to meet the varied interests of stakeholders without acquiescences to positional demands. Participants will receive peer commentary through the use of a 360-degree feedback model.

Drawing upon his experience as a commercial litigator and white-collar criminal defense attorney, the instructor will present case studies to elucidate salient aspects of the process.

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

Note: This course will be enrolled via waitlist.

In Summer 2017, this seminar meets from 9:00 a.m. to 5:30 p.m. on the following days: 6/9, 6/10, 6/11, 6/17, and 6/18.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. Full attendance and participation is required at all five sessions.

A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last day of classes.

Participants will learn to negotiate by actively engaging in simulations and discussions, analyzing negotiation exercises, 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 (1:15 p.m. to 5:44 p.m.) and four weekend days (9:00 a.m. to 5:30 p.m.); 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.

Prerequisite: Contracts.

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: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.
LAW 317 v22 Negotiations Seminar (http://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: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the course. Because role-play pairings are pre-assigned and depend on the presence of all participants, attendance at every class in its entirety is mandatory.

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. A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

LAW 317 v24 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v24)
J.D. Seminar | 3 credit hours
This seminar is an interactive workshop designed to teach the practice and principles of joint problem-solving, to improve students’ negotiating skills and to provide instruction in representing clients in mediations. Students will be expected to read, write, discuss, critique, and participate in simulated disputes. 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. Students learn to negotiate by participating in simulations, studying and discussing negotiation theory and principles, analyzing negotiation exercises, and being critiqued.

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

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. This seminar will meet for six sessions. Full attendance and participation is required. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. The schedule is a demanding one, and students who cannot firmly commit to be at all six sessions should not enroll.

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. A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.
LAW 317 v25 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v25)
J.D. Seminar | 3 credit hours
Negotiation is a primary activity in the legal profession, whether the attorney is engaged in transactional, litigation, corporate, non-profit, academic or policy work. This skills-based seminar is designed to develop a deep understanding of the theory and practice of negotiation in professional settings. Students will learn through interactive role play simulations, readings and writing. The seminar is highly interactive, therefore to obtain credit for the course attendance at every class session is mandatory. Grades will be determined by the quality of class participation, assignments that reflect the preparation for negotiation role play simulations, and a final paper assignment.

The class meets two weekends, Friday through Sunday from 9:00 a.m. to 4:30 p.m., with assignments between class sessions. Students should not make other commitments during the listed weekends as preparation will be necessary during the evenings between class sessions. Given that this condensed class format contains the content of an entire semester class, students should plan time to complete most of the class readings prior to the first class session.

Learning Objectives:
In this skill-building course you will:

- Develop an in-depth knowledge of the practice and principles of negotiation
- Recognize the settings in which it is appropriate to use negotiation (litigation, transactional, etc)
- Become an effective advocate as a principal party negotiating on your own behalf, as a lawyer negotiating on behalf of a client, as well as a member of a negotiation team
- Prepare a client to negotiate and to understand the differences between the client’s role in negotiation vs litigation
- Understand the proper preparation to negotiate and plan strategy
- Acquire proficiency in necessary communication skills
- Master the principles and benefits of interest-based bargaining
- Learn to identify each party’s interests, creating value to meet them, and alternatives if negotiation is unsuccessful
- Understand the effect of cultural considerations on negotiation behavior
- Identify and use the ethical rules and guidelines for advocates in negotiations

Students will spend much of their time in a series of negotiation exercises and simulations. The simulations will give students the opportunity to learn from their own experience and feedback from other negotiators. Students will experience negotiations as a principal party negotiating on your own behalf, as a lawyer negotiating on behalf of a client, as well as a member of a negotiation team. Various videos and demonstrations further illustrate the principles. Emphasis will be placed on the ethical rules and guidelines that bind the advocate.

Prerequisite: Contracts (or Bargain, Exchange, and Liability) and Civil Procedure (or Legal Process and Society).

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. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

There is no coursework tied for further exam, which means they do not have to attend all of the classes to complete the coursework.
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 videotape a negotiation with a classmate and write a short (2-4 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%)
- Videotaped negotiation and self-critique paper (2-4 pages) (25%)
- Final Paper (10-15 pages) (45%)

**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 course will be enrolled via waitlist.

**ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS.** All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. 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.
Learning Objectives:

1. Develop baseline knowledge of key state and federal laws and policies impacting the development and financing of wind and solar energy projects in the U.S., and the interplay between such different levels of regulation.

2. Demonstrate an ability to analyze and explain a particular state’s regulatory regime in respect of the development of certain renewable energy projects located therein.

3. Develop an understanding of the main legal documents (a) governing project development and (b) for project financing, and key provisions (including risks and mitigants, and market commercial terms) for each.

4. Demonstrate an ability to, in cooperation with an assigned team, utilize such background knowledge to analyze a specific set of wind or solar project development documents, including the risks and proposed or actual mitigants in respect of the development and financing of such project.

Regardless of the industry or era, the regulation of infrastructural monopolies and their competitors has had five common elements: its mission (to align utility performance with the public interest); its legal principles (ranging from the state law on exclusive monopoly franchise to federal constitutional protection of shareholder investment); policy flexibility (accommodating multiple market structures—from monopolies to competition; and public purposes—from reliability to environmental accountability); reliance on multiple professions (law, economics, finance, accounting, management, engineering and politics); and formal administrative procedures, such as adjudication and rulemaking.

Today, political challenges are causing policymakers to stretch regulation’s core legal principles. Four examples of these challenges are: climate change (e.g., To what extent should we make utilities and their customers responsible for “greening” energy production and consumption?); universal service (e.g., Should we bring broadband to every home, and at whose cost?); privacy (How do regulators induce personal changes in energy consumption while protecting the related data from public exposure?); and protection of our infrastructure from hackers, terrorists and natural catastrophes.

Complicating these political challenges are two sources of constant tension: ideology (e.g., private vs. public ownership, government intervention vs. “free market”); and state federal relations (e.g., Which aspects of utility service are “national,” requiring uniformity, and which are “local,” warranting state experimentation?).

In this field—in which there are many jobs as baby boomers hired in the 1970s retire—regulatory lawyers play varied roles. They advise clients who are suppliers or customers of regulated services, represent parties before regulatory tribunals, advise those tribunals or their legislative overseers, and challenge or defend those tribunals on judicial review. Using Georgetown’s Zoom platform, students will have opportunities to interact with practitioners playing each of these roles.

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.
This course addresses regulatory efforts to bring competition to markets historically dominated by regulated monopolies, particularly in the electricity, gas, telecommunications and local transportation industries. Students will participate in a two hour/week seminar and carry out roughly 15 hours/week of project work for an outside client (usually a regulatory agency), under the direction of the course professor.

SEMINAR: In the field of public utility regulation, lawyers operate at the intersection of multiple professions (economics, finance, accounting, management, engineering and politics); jurisdictions (50 states and several federal agencies); and ideologies (e.g., private vs. public ownership, government intervention vs. "free market"). Regardless of the industry or era, public utility regulation has three common elements: its mission (to align corporate behavior with the public interest), its body of law (ranging from state law on monopoly franchises to federal constitutional protection of shareholder investment), and its flexibility (accommodating monopolistic and competitive market structures).

Today's policymakers are stretching traditional public utility law to address frontier problems, such as climate change (Should we require utilities and their customers to reduce and "green" energy production and consumption?); universal service (Should we bring broadband to every home?); homeland security (How vulnerable is utility infrastructure?); and privacy (Can regulators induce changes in personal energy consumption without exposing personal consumption data?). A constant is state-federal tension over jurisdiction (e.g., Which aspects of utility service are "national," requiring uniformity; and which are "local," warranting state experimentation?). The public utility field employs thousands of lawyers in diverse roles.

The seminar component will cover (a) the backbone law (state and federal enabling statutes, constitutional law, antitrust law, contract and tort law, administrative law); and (b) the array of formal and informal procedures (notices of inquiry, rulemakings, contested cases, deliberative decision-making, appellate review) available to decision-makers and parties seeking to influence them.

PROJECT-WORK: Each student will work with a senior decision-maker or advisor within a state or federal regulatory agency, or a public interest group, to solve a frontier policy problem in utility regulation. Past projects have included electric vehicles, solar energy deployment, broadband investment, revocation of public utility franchises, data privacy, wireline telephone rate structures, and service quality standards in a developing country's natural gas industry. Besides researching and solving substantive issues for the client, student papers and class discussions will address the lawyer's role in (a) integrating multiple professional disciplines; (b) maneuvering within multiple jurisdictions and fora; and (c) assessing and improving regulatory agencies' performance.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

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

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email Louis Fine (fine@law.georgetown.edu) to request admission.

This practicum course is suitable for evening students who can commit to attending the weekly seminars and participating in 15 hours of project work a week. The project work does not need to be completed during the semester and can be submitted at any point throughout the year. If a student must miss seminar, fieldwork, or practicum courses are similarly required to devote the requisite number of hours to their project. If a student must miss seminar, fieldwork, or practicum seminars and fieldwork placements. Students in project-based courses are similarly required to devote the requisite number of hours to their project. If a student must miss seminar, fieldwork, or practicum courses are similarly required to devote the requisite number of hours to their project.
LAW 1282 v00 Urban Laboratory: Land Use Planning Law in Practice
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201282%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Washington, DC, is undergoing its greatest physical and social transformation of the past half century. Students will engage with legal and planning issues of current real estate developments, analyzing issues of planning, zoning, historic preservation, environmental and other laws that are shaping the transformation. They will work in cooperation with students in Georgetown’s program in Urban and Regional Planning to study and participate in real planning efforts, involving projects such as the redevelopment of Union Station and of the air rights over I-395. Students will write short analytic papers, some of which may be comments submitted to regulatory agencies. Some classes will be held at Georgetown’s School of Continuing Studies or replaced by Saturday field trips.

Recommended: Prior or concurrent study of Land Use Law or Historic Preservation Law is recommended but not required.

LAW 1497 v00 Urban Law and Policy Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201497%20v00)
J.D. Seminar | 2-3 credit hours
This seminar will explore a range of legal and policy problems currently affecting American cities including housing and land use, concentrated poverty and racial segregation, expanded efforts to police crime, recent efforts to regulate harmful products (sugary drinks, tobacco, guns, unhealthy food), innovative efforts to encourage economic development, and strategies to expand social justice, among others. We will analyze the underlying social, economic, and political causes of these problems and the responses made by policymakers and courts. We will examine the limits of existing legal doctrines concerning local government powers at a time when local government units are being asked to take on more and more responsibility for improving society and regulating the conduct of citizens in local jurisdictions. Grades will be based on active participation in class discussion and a research paper. The last few weeks of the course will be devoted to student presentations of their research. Students seeking to use this course to satisfy the upper-level writing requirement must sign up for the three credit section.

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 J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. Laptops and tablets are not allowed in the classroom.

LAW 1515 v00 Water Law Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201515%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course provides a survey of the key elements of domestic water resources law and policy. Students will study the relevant state and federal law, legal opinions and interpretations, and development of underlying policies relating to water resources. The course will provide an overview of the basic doctrines relating to water law – prior appropriation and riparianism, and will consider hybrid systems of water allocation developed to address today’s needs and challenges. Students will examine the legal issues surrounding groundwater and water as a shared regional resource. The course will review the law of federal and Indian reserved water rights. Finally, the course will address some of the pressing water resources topics of today, such as sustainable management and climate change adaptation, ecosystem management and Endangered Species Act compliance in watersheds and river basins, and strategies for addressing future water needs. Throughout the course, we will consider the successes and failures of water resources law and policy and prospects for effective water resources management, including conservation, infrastructure development, and the importance of science and data. Students will be expected to participate in class discussions, as well as to complete a final paper. This is a two-credit seminar.

Learning Objectives:

1. By the end of this course, you should have a good understanding of the legal framework for the administration of domestic water resources. The focus will be on relevant federal and state legal and policy regimes, and the respective roles of the federal and state governments. You should also gain insights regarding the impact and adjudication of Indian water rights into selected international topics. You will learn about certain major river basins which illustrate these concepts.

2. During this course, you should attain an appreciation of the history of the development of water resources law and policy, the role this law and policy has played in the development of the United States, and how water resources law and policy has reflected the values of the nation historically.

3. The course should provide you with a context for evaluating ongoing legal and policy issues and controversies relating to the current management of water resources.

4. The course is intended to help you develop your legal skills. Through role-playing as a part of an in-class exercise, you will consider and practice skills relating to the preparation, writing and oral presentation of testimony and public statements for mock Congressional hearings and mock public meetings. Students will gain experience in considering the perspective of the person they are role-playing and how best to present the position they represent. Through these in-class exercises and the class readings, you should develop practical skills and a greater facility with actual Congressional and administrative documents relevant to many legal practices, in addition to case law.

5. Students also will prepare a final paper and present it orally. In doing so, you will have an opportunity to hone your legal writing and oral presentation skills and to develop more in-depth expertise on a water resource issue of your choice.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Water Law Seminar: Allocation and Use in Times of Scarcity.
do not attend the first class session will be withdrawn from the course.

accepted a seat must drop by

its entirety. For more information see the Week One website

be in attendance at the start of the first class session in order to be

This course is mandatory pass/fail, and does NOT count against

This optional, elective course is for first-year J.D. students only, who

This course will provide students with an understanding of the basic principles of water use law in states

and the preparation that is necessary to ensure a positive student

Note: FIRST YEAR WEEK ONE COURSE: This course will meet on the

This course focuses on the laws governing surface and ground water

LAW 1456 v00 Water Law Seminar: Allocation and Use in Times of

LAW 1371 v00 Writing for Practice: Administrative Law (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201371%20v00)

J.D. Seminar | 1 credit hour
The ability to write effective professional documents is one of a lawyer's most important skills. This one-credit seminar is designed to help students develop this skill. The seminar will build upon the principles learned in the first-year Legal Research and Writing course by providing instruction in drafting legal documents typical to the particular area of law that is examined in the larger, substantive course associated with the seminar. This writing intensive seminar has been developed by an adjunct professor working in collaboration with the full-time faculty member teaching the larger course. Students should expect to write several documents common in the given practice area, such as client letters, legal research memoranda, motions, or responses. At least one document will require both an initial and final draft. The professor will provide individualized feedback on each writing assignment. In addition to the practical legal writing skills taught, students will also learn more generally about the demands and concerns of regulatory practice.

This seminar, taught by a former law fellow, will expose students to some of the central legal documents and processes that govern administrative rulemaking proceedings. Over the course of the semester, students will advise a high-tech "client" throughout the lifecycle of a rule's development, including participating in notice-and-comment proceedings and considering whether to appeal the agency's decision. Students will engage with their clients, advise on key strategic decisions, and produce examples of the documents that are drafted by regulatory lawyers every day. Occasional guest speakers will provide students with special insight into the practice of administrative law.

Written work will consist of several short writing assignments to be completed between class sessions, as well as one longer assignment that students will draft over the course of the semester. Students will be evaluated on the quality of their written work and on class participation. Because the class meets only seven times over the course of the semester, attendance at each session is mandatory.

Prerequisite: Legal Practice: Writing and Analysis; concurrent or prior enrollment in Administrative Law. Students may contact the professor to discuss how they may meet the prerequisite with other prior or concurrent course work or experience.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students should email a short statement of their interest in the seminar to Professor Bonner at austin.bonner@gmail.com. Requests for permission to enroll will be reviewed on a rolling basis. Limit: 10 students. This course is open to J.D. students only.

In the Spring 2016 semester, this course will meet on the following seven Wednesdays: 1/27, 2/10, 2/24, 3/16, 3/30, 4/13, and 4/27. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.
A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.
LAW 1370 v00 Writing for Practice: Federal Courts and the Federal System (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201370%20v00)

J.D. Seminar | 1 credit hour

The ability to write effectively is one of a lawyer’s most important skills. This one-credit seminar is designed to help students develop this skill. The seminar will build upon the principles learned in the first-year Legal Research and Writing course by providing instruction in drafting legal documents typical to the particular area of law that is examined in the larger, substantive course associated with the seminar. This writing intensive seminar has been developed by two adjunct professors working in collaboration with the full-time faculty member teaching the larger course. In addition to the practical legal writing skills taught, students will also learn more generally about litigation strategy and the demands and concerns of professional practice.

The Federal Courts and the Federal System writing seminar will provide students with the opportunity to hone their legal writing while working through current, real world examples of the issues addressed in the Federal Courts and the Federal System course. Discussion will focus on using substantive Federal Courts knowledge as a practitioner, including framing complex issues for different audiences, working with “bad” facts, and the art of revision.

Written work product is the focus of the seminar. Students will write and revise objective memoranda and litigation documents. The professors will provide individualized comments on each major writing assignment, and many writing assignments will be discussed in class. Class participation will count toward the final grade.

Prerequisite: Legal Practice: Writing and Analysis; concurrent or prior enrollment in Federal Courts and the Federal System. Students may contact the professors to discuss how they may meet the prerequisite with other prior or concurrent course work or experience.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students should email a short statement of their interest in the seminar to Professor McSorley (tmm49@georgetown.edu) and Professor Bonner (eab73@georgetown.edu) by 5:00 p.m. on Tuesday, June 6, 2017. After the June 6 application deadline, students will be admitted into open seats on a rolling basis.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

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

Full-time and Visiting Faculty

Vicki Arroyo
Hope Babcock
William W. Buzbee
J. Peter Byrne
Sheila Foster
Lisa Heinzerling
Robert K. Stumberg
Edith Brown Weiss