**COMPLETE LIST OF J.D. COURSES**

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**LAW 534 v01 Access to Health Care and Coverage: Law and Policy** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20534%20v01)

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

The law governing access to health care has been in flux and in legal dispute in recent years. This course will examine America’s programs for health care access and finance, including employment-based private insurance, Medicare, Medicaid, CHIP, and VA. The course will also examine the enactment, implementation, and litigation of the Affordable Care Act. In addition to these payment systems, the course will also at laws affecting non-comprehensive systems such as emergency rooms, public hospitals, and community health centers. No previous knowledge of health law is required.

**Note:** The course will not focus on biomedical ethics, medical malpractice, or pharmaceutical regulation.

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

**LAW 300 v08 Accounting for Lawyers** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20300%20v08)

J.D. Course | 2 credit hours

This course introduces students to the basic elements of financial statements and how the financial statements can provide information on the operations, prospects, and financial condition of a business or entity. We will discuss the accounting principles or concepts used in preparing financial statements; how to account for certain specific items such as receivables, inventories, fixed assets, intangible assets, liabilities and contingencies, and revenue and expenses; and how the basic transactions of a business flow through the financial statements. We will also discuss the role and responsibilities of independent auditors, senior company executives, and the audit committee of the board of directors in the preparation of the financial statements. Finally, we will study the financial statements of various companies to see what these financial statements reveal about the companies, and we will study some examples of accounting fraud and discuss how perpetrators of the fraud violated applicable accounting principles.

This course is designed for students with no prior accounting background or experience. Students who have completed one or more university level accounting courses or have practical training in accounting should not enroll in this course unless they obtain instructor permission.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the graduate courses, Basic Accounting Concepts for Lawyers, Basic Accounting for Lawyers, or Financial Reporting and Accounting. Students MAY receive credit for this course and Business and Financial Basics for Lawyers.

**LAW 3091 v00 Addiction and Mental Health Law and Policy** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203091%20v00)

LL.M Seminar (cross-listed) | 2 credit hours

Addiction and mental health have increasingly become an integral part of the broader policy landscape. This shift has been accelerated by the impact of social issues such as the overdose epidemic, suicide and homelessness. This seminar will explore the framework of laws and policies promoting human rights, dignity, and recovery for people with substance use disorders and mental health conditions. It will highlight systemic and community responses to addiction, mental health, and related social issues as well as the use of litigation, legislation, advocacy and financial incentives as tools for reform.

Discussion will include:

- Evolution of responses to addiction, mental health, and related social issues;
- Human rights, deinstitutionalization and the rights of an individual to receive services in the most integrated setting appropriate to their needs;
- Statutory and regulatory frameworks promoting access to treatment, including the Patient Protection and Affordable Care Act;
- Understanding data, outcome measures, and healthcare finance structures for behavioral health, including Medicaid and commercial insurance;
- The role of litigation to promote accountability and protect civil rights;
- The impact of stigma, the dignity of risk, and harm reduction philosophy;
- Role of the health care and criminal justice systems and trends in reforms;
- The impact of globalization and comparative analysis of international drug policy;
- Cultural competence in legal advocacy and practice.

Guest lectures and discussion will provide real world case studies on laws and policy reforms impacting addiction and mental health.

**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.
This course is designed to introduce you to the core institutions and processes of the modern administrative state. You will come to understand the tremendous power exercised by administrative agencies as well as the significant constraints under which they operate. You will learn the procedures governing the key categories of administrative action; the doctrine governing judicial review of administrative action; and non-judicial mechanisms of agency control within the Constitution’s separation-of-powers framework.

Learning Goals: By the end of the semester, you should be able to:

1. Identify the legal framework (statutory, constitutional, doctrinal) that applies to a particular issue of administrative action;

2. Apply the relevant legal framework to a given set of facts; and

3. Evaluate the merits of the legal framework against a variety of normative goals.

You should also (4) be conversant in contemporary debates about the administrative state and be able to articulate and justify your views.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course with the same title.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 025 v06 Administrative Law
J.D. Course | 3 credit hours
This course is designed to introduce you to the core institutions and processes of the modern administrative state. You will come to understand the tremendous power exercised by administrative agencies as well as the significant constraints under which they operate. You will learn the procedures governing the key categories of administrative action; the doctrine governing judicial review of administrative action; and non-judicial mechanisms of agency control within the Constitution’s separation-of-powers framework.

Learning Goals: By the end of the semester, you should be able to:

1. Identify the legal framework (statutory, constitutional, doctrinal) that applies to a particular issue of administrative action;

2. Apply the relevant legal framework to a given set of facts; and

3. Evaluate the merits of the legal framework against a variety of normative goals.

You should also (4) be conversant in contemporary debates about the administrative state and be able to articulate and justify your views.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course with the same title.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 025 v08 Administrative Law
J.D. Course | 3 credit hours
This course is designed to introduce you to the core institutions and processes of the modern administrative state. You will come to understand the tremendous power exercised by administrative agencies as well as the significant constraints under which they operate. You will learn the procedures governing the key categories of administrative action; the doctrine governing judicial review of administrative action; and non-judicial mechanisms of agency control within the Constitution’s separation-of-powers framework.

Learning Goals: By the end of the semester, you should be able to:

1. Identify the legal framework (statutory, constitutional, doctrinal) that applies to a particular issue of administrative action;

2. Apply the relevant legal framework to a given set of facts; and

3. Evaluate the merits of the legal framework against a variety of normative goals.

You should also (4) be conversant in contemporary debates about the administrative state and be able to articulate and justify your views.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course with the same title.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 1349 v00 Administrative Law
J.D. Course | 3 credit hours
This course is designed to introduce you to the core institutions and processes of the modern administrative state. You will come to understand the tremendous power exercised by administrative agencies as well as the significant constraints under which they operate. You will learn the procedures governing the key categories of administrative action; the doctrine governing judicial review of administrative action; and non-judicial mechanisms of agency control within the Constitution’s separation-of-powers framework.

Learning Goals: By the end of the semester, you should be able to:

1. Identify the legal framework (statutory, constitutional, doctrinal) that applies to a particular issue of administrative action;

2. Apply the relevant legal framework to a given set of facts; and

3. Evaluate the merits of the legal framework against a variety of normative goals.

You should also (4) be conversant in contemporary debates about the administrative state and be able to articulate and justify your views.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course with the same title.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 1349 v01 Administrative Law
J.D. Course | 3 credit hours
This course is designed to introduce you to the core institutions and processes of the modern administrative state. You will come to understand the tremendous power exercised by administrative agencies as well as the significant constraints under which they operate. You will learn the procedures governing the key categories of administrative action; the doctrine governing judicial review of administrative action; and non-judicial mechanisms of agency control within the Constitution’s separation-of-powers framework.

Learning Goals: By the end of the semester, you should be able to:

1. Identify the legal framework (statutory, constitutional, doctrinal) that applies to a particular issue of administrative action;

2. Apply the relevant legal framework to a given set of facts; and

3. Evaluate the merits of the legal framework against a variety of normative goals.

You should also (4) be conversant in contemporary debates about the administrative state and be able to articulate and justify your views.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course with the same title.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.
LAW 1611 v00 Administrative Law and Public Administration Seminar

J.D. Seminar | 3 credit hours
Administrative law scholars have observed an increasing disconnect between the legal framework and doctrine governing agencies, on the one hand, and the way that the administrative state actually operates, on the other. For example, administrative law tends to concern itself with external sources of control over agencies, while in fact most of the work of the administrative state takes place in day-to-day internal operations. In this seminar, we use administrative law as a jumping off point to study a complementary set of frameworks and practices that govern and explain the operation of the administrative state: those drawn from public administration and political science. Lawyers who understand these complementary tools will be better prepared to advise clients on their interactions with institutions in the administrative state; to work within the institutions of the administrative state themselves; and to design and reform those institutions in the first instance.

This course is also a writing-intensive class that satisfies the Upperclass Legal Writing Requirement. To that end, each of you will devote a considerable amount of time this semester to developing a paper proposal about a conflict, crisis, or controversy within the operations of a government institution; researching your idea in depth; and both drafting and revising a substantial paper of at least six thousand words (exclusive of footnotes) that meets the different elements of the Writing Requirement. The last month of the semester will be devoted to workshopping these papers—that is, giving feedback to and receiving feedback from your colleagues.

Finally, as with every class in law school, this class provides an opportunity to deepen your professionalism. In your interactions with your colleagues and me in class, your communication with me in my office and in writing, and your work with other staff members in the Law Center to whom you might turn for research or writing assistance, each of you will have many chances to practice the collaborative, respectful, and diligent conduct that is the hallmark of the best of the legal profession.

Learning goals:

By the end of the course, students will be able to describe and discuss the core insights of the classic texts we will read; to assess the merits of these insights; and to apply these insights to everyday situations relevant to the institutions of government in D.C. and beyond. Students will also have written a paper of publishable quality analyzing and assessing a conflict, crisis, or controversy within the operations of a government institution using the lens of the tools we have studied.

Prerequisite: Students must take one of the following courses: Lawmaking: Introduction to Statutory and Regulatory Interpretation or Legislation and Regulation or The Regulatory State or Administrative Law or Government Processes.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Eloise Pasachoff (eloise.pasachoff@law.georgetown.edu) by 5:00 pm on Wednesday, October 6, 2021 a statement of interest that includes a statement about what recommended class, if any, you have taken.

LAW 448 v00 Advanced Antitrust Economics and Law Seminar

J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar examines recent developments in the economic approach to antitrust law and practice. Topics include issues at the frontier in various areas, including some or all of the following: decision-theoretic approach to antitrust, partial ownership acquisitions, advanced merger analysis and policy, buyer power, conditional pricing practices, intellectual property/antitrust interface, pay-for-delay agreements, standard setting, abuse of dominance, and behavioral economics. Students must complete a 2 or 3 credit paper and weekly assignments on the topic for the week. Some time is spent throughout the term on the student papers. This is an excellent course for students preparing for a career on antitrust. There will be written assignments that must be submitted for each class. Attendance is also required.

Prerequisite: Antitrust Law (or the equivalent Antitrust Economics and 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.
LAW 1528 v00 Advanced Antitrust Seminar: Antitrust and Intellectual Property
J.D. Seminar (cross-listed) | 2-3 credit hours
The intersection of antitrust and intellectual property underlies many key debates in contemporary competition law and presents topics of recurring importance. This advanced seminar introduces students to the antitrust/intellectual property interface, including the economics of innovation, the debate over the relationship between the two fields, and the impact of the evolution of that relationship on the antitrust analysis of specific practices. Topics include the economics of innovation, the contemporary debate over “Big Tech,” licensing practices, product design and tying, patent settlements, patent pools, standard setting, the acquisition of intellectual property rights, patent assertion entities, the assertion of IP rights, and antitrust counterclaims in U.S. litigation. Grades will be based on weekly papers written in response to the assigned readings; class participation can increase, but not decrease, the course grade.

Learning Objectives:
Students taking this course will:
1. Develop an understanding of the basic economics of innovation and their application of those principles to antitrust law and its intersection with intellectual property law.
2. Acquire an overview of key aspects of the intersection of antitrust and intellectual property in U.S. law, both in litigation and agency settings.
3. Explore recurring tensions between antitrust and intellectual property through the lens of particular practices.
4. Debate competing positions on the antitrust laws’ application to cutting-edge issues in IP-rich industries.

Prerequisite: For J.D. students, prior or concurrent enrollment in Antitrust Law or Antitrust Economics and Law. (Note that prior enrollment strongly recommended; concurrent enrollment accepted). For LL.M students: prior U.S. antitrust litigation experience or U.S. antitrust coursework is strongly recommended.

Note: A limited number of students may register for the 3 credit section of this seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. Students who register for the 3 credit section will write fewer weekly response papers, in addition to the paper for the Upperclass Legal Writing Requirement.

LAW 1474 v00 Advanced Civil Rights: The Civil Rights Act of 1964, The Frontiers of Civil Rights Enforcement and the Next Fifty Years
J.D. Seminar (cross-listed) | 2 credit hours
The Civil Rights Act of 1964, growing out of a sweeping grassroots civil rights movement was one of most important pieces of legislation passed in American history. At the time of passage, it was called a “Magna Carta of Human Rights” and during its first fifty years it produced enormous changes in legal doctrine, the workplace, and society. These changes in the legal landscape include disparate impact doctrine aimed at systemic racial discrimination, hostile work environment, religious accommodation, and gender stereotyping. This seminar will examine, from a practitioner’s perspective, how social change, evolving ideas of race and gender, globalization, global conflict, and technology will shape the development of this Act (and notions of equality) over the next fifty-years and the legal strategies to navigate this terrain. The course will focus on emerging issues such as coverage of sexual orientation and gender identity, big data and disparate impact, the intersection between criminal justice and employment opportunity, arbitration and privatization of adjudication, the “new” gig economy, migration and human trafficking, and religious pluralism.

Strongly Recommended: Constitutional Law I and Employment Discrimination.

LAW 046 v01 Advanced Constitutional Law Seminar
J.D. Seminar | 2 credit hours
The Advanced Constitutional Law Seminar explores current topics in constitutional law, politics, and theory. Topics vary, but they may include theories of constitutional interpretation (e.g., originalism, living constitutionalism), recent or upcoming decisions of the United States Supreme Court, new developments in constitutional doctrine, comparative constitutional law, and social scientific approaches to the study of the Constitution. The seminar meets in conjunction with the Georgetown Constitutional Law Colloquium. During the course of the semester, approximately six speakers will present new and original work to the Seminar. In the week prior to each presentation, seminar members and the instructor will discuss the background ideas and concepts, and formulate questions and comments about the paper. Each student will prepare a weekly reaction paper and one or more questions for the speaker.

LAW 1716 v00 Advanced Constitutional Law Seminar: Challenges to Liberal Democracies (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201716%20v00)
J.D. Seminar | 3 credit hours
This seminar examines the challenges to constitutional democracies from illiberalism, i.e. the concentration of power that relies on elections, limits judicial independence, and abuses the rule of law in the name of the people. Many so-called democracies have serious flaws in their election systems, limited judicial independence, and elected leaders who are not held in check by functioning rule of law processes/checks and balances.

In the United States, efforts have been made to change rules for voting, draw electoral districts to give extreme partisan advantage, and use federal government agencies as weapons to thwart checks and balances. In this seminar we apply a multidisciplinary approach to the American situation, putting legal (in particular constitutional) transformation in the center. Specific topics include constitutional amendment, limitations on judicial independence, control over the media, takings and other restrictions of the free market, voter suppression and gerrymandering, plebiscites (e.g., Brexit), and threats to fundamental rights.

In addition to considering Turkey and the countries of East Central Europe, where voters have chosen autocratic leaders, we will also examine the Russian approach which has served as a model for many emerging illiberal regimes as well as a financial and intellectual support for illiberal movements from France to Italy and elsewhere, to better understand developments in the U.S. In addition, the course will consider how crises, such as public health issues or civil unrest, are used as justification for limiting true democracy.

In addition to examining the legal structures that permit this abuse of the democratic form, this course will also address the critical question of whether a democracy is sustainable in the face of ethno- or religious populism. Are there sources of constitutional resilience to save the remaining constitutional regimes?

Recommended: Prior or concurrent enrollment in Constitutional Law I: The Federal System.

LAW 1387 v00 Advanced Constitutional Law Seminar: The Constitution, Democracy, and the Economy in the 21st Century (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201387%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This two-credit seminar will explore the many constitutional questions raised by the effort to maintain a democracy in the 21st century. We will examine in detail current questions in the law of democracy (particularly free speech and the regulation of campaign finance) as well as the growing conflict between the Constitution and the regulation of economic life.

We will explore what is distinctive about the intersection of contemporary constitutional law, the economy, and efforts to maintain democracy today, including by contrast to the history of the protection of economic liberties. The course materials will focus throughout on notions of freedom, individual and collective choice, and democratic practice.

The readings will include the principal Supreme Court cases, such as Buckley v. Valeo, Citizens United v. FEC, McCutcheon v. FEC, Virginia State Board of Pharmacy v. Virginia Citizens Consumer Council, and Sorrell v. IMS Health, as well as leading scholarship in the field, including:

- Robert Post, Citizens Divided
- Larry Lessig, Republic 2.0
- Jane Mayer, Dark Money
- Jacob Hacker and Paul Pierson, Winner-Take-All Politics
- David Singh Grewal, The Laws of Capitalism
- Bruce Ackerman, Beyond Carolene Products
- Suzanna Sherry, Property is the New Privacy: The Coming Constitutional Revolution

Prerequisite: Constitutional Law II: Individual Rights and Liberties.
LAW 1265 v00 Advanced Constitutional Law Seminar: The Framing and Ratification of the Constitution (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201265%20v00)
J.D. Seminar | 3 credit hours
Few events have had as much impact on the history of American law as the framing and ratification of the U.S. Constitution. This seminar is designed to offer upper-level students with serious interests in American history, political theory, and constitutional law an opportunity to learn more about these events by becoming intimately acquainted with some of the best and most sophisticated historical scholarship on the origins of the Constitution and by writing an original research paper on a relevant topic of their own choosing. Themes and topics covered in the course will likely include most or all of the following: the Declaration of Independence, the Revolutionary War, the Continental Congress, the Articles of Confederation, the History of American Public Finance, the Bank of North America, the Origins of American Federalism, the Problems of Union and Sovereignty, Implied Powers, Natural Rights, Slavery, Indian Affairs, Western Lands and Interstate Jurisdictional Disputes, the Annapolis Convention, the Virginia Plan, Madison’s Notes, Farrand’s Records, the Committee of Detail, the Committee of Style, the State Ratification Conventions, the Anti-Federalists, the Federalist Papers, the “Other” Federalists, and the Bill of Rights. Some attention will also be given to originalism as a method of constitutional adjudication, but the primary focus of the seminar will be on constitutional history rather than constitutional originalism. Guest lecturers with special knowledge of the foregoing topics will be invited to share their recent scholarship and critical perspectives on the history and historiography of American constitutional law.

Prerequisite: Constitutional Law I: The Federal System (or Democracy and Coercion).

J.D. Seminar (cross-listed) | 2 credit hours
This course will explore the relationship between constitutional rights, the economy, and efforts to maintain a democracy today.

We will examine the emergence and transformation of the notion of “civil liberties” as a concept in American legal culture, including by reference to the history of the protection of economic liberties. We will explore in detail some of the most prominent current controversies in constitutional law, including questions in the law of democracy (particularly free speech and the regulation of campaign finance) and the growing conflict between the Constitution and the regulation of economic life.

The readings will include principal Supreme Court cases and leading scholarship in the field. The materials will focus throughout on notions of freedom and liberty, individual and collective choice, and democratic practice. The course will additionally include discussion of constitutional and appellate advocacy and the relationship between the academic works we read and current and seminal cases. Leading practitioners and scholars may join us for certain classes.

Prerequisite: Constitutional Law II: Individual Rights and Liberties.

LAW 1648 v00 Advanced Corporate Finance: Quantitative Analysis and Valuation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201648%20v00)
J.D. Course (cross-listed) | 2 credit hours
This two-credit course provides an introduction to basic quantitative analysis techniques in corporate finance. Students will learn the fundamentals of valuation as it relates to a variety of assets, including bonds, stocks, options, and derivatives. Our class discussion will also touch on real problems that students are likely to face in legal practice.

Topics covered include: analysis of basic financial statements; net present value and internal rate of return; dividend discount model; bond pricing, yields and the term structure of interest rates; the capital asset pricing model (CAPM); weighted average cost of capital; arbitrage pricing theory; free cash flow analysis; efficient and alternative theories of capital markets; capital structure and leverage; dividend and payout policy; put and call option pricing; the Black-Scholes model; warrants and convertibles; and the pricing of forward and futures contracts. If time permits, we will also touch on more advanced pricing techniques that use stochastic processes such as random walks.

We will also briefly discuss how banking works, as well as more recent financial innovations, such as the creation of asset-backed securities. In particular, we will discuss the role securitization played both in improving access to credit and in creating macroeconomic instability, most notably during the Financial Crisis of 2008 and the ensuing Great Recession.

In addition to teaching students tangible skills, the course will develop their mathematical intuition, which will enable them to navigate financial problems with more confidence in both their professional and personal lives. This mathematical intuition will be built up through 4-6 problem sets I will assign. These problem sets will also enable students to gain familiarity with Microsoft Excel, which we will use at various points during the semester.

Our textbook will be Corporate Finance (11th ed. 2016) by Ross, Westerfield, Jaffe, and Jordan. Class attendance is mandatory and along with participation will count for 10% of the final grade. Problem sets will count for 20% of the final grade, with the remaining 70% determined by a comprehensive four-hour final exam.

While not strictly required, students enrolled in the course should be comfortable with basic algebra for the problem sets.

Recommended: Prior or concurrent enrollment in Corporations or Corporate Finance or Business Basics for Lawyers or Business Essentials: A Mini-MBA for Lawyers or Accounting for Lawyers.
LAW 032 v02 Advanced Criminal Procedure (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20032%20v02)
J.D. Course | 2 credit hours
The stages of the criminal process beginning with the filing of charges through the sentencing stage are analyzed. Legal issues arising at each stage will be examined. How the legal and administrative obligations of the participants in the process – the court, prosecutor and defense counsel – influence decision-making at various stages is explored. The prosecutor’s paramount role is to advocate aggressively on behalf of the government. However it cannot be unmindful of its administrative responsibility to process cases expeditiously. Protecting the rights of the accused is a defense attorney’s foremost obligation but not without a regard for the attorney’s duties as an officer of the court. Arbitrating matters is a core judicial activity in the criminal process; influenced by the court’s desire to move cases to conclusion. Burdens of proof to resolve procedural issues are studied in the context of how the allocations of burdens of proof are allocated to achieve philosophical interests to be accommodated by the system.

Prosecutorial discretion in the charging function, the constitutional basis therefore and limitation thereon are explored. Preliminary procedural steps as well as grand jury process, joinder and severance of defendants and charges, the right to a speedy trial, discovery, trial issues arising in complex multi-defendant trials, the evolving federal constitution law on the right to confrontation, the presentation of evidence, jury instructions and sentencing issues are all studied.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Recommended: Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Criminal Procedure and Litigation or Serial and Adnan Syed: Special Topics in Criminal Procedure or Criminal Justice II: Criminal Trials.

LAW 032 v03 Advanced Criminal Procedure and Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20032%20v03)
J.D. Course | 2 credit hours
This course addresses the law, strategy, and ethical considerations of criminal procedure and litigation beginning with the decision to commence an investigation and/or charge through sentencing.
Topics to be explored will include the prosecutorial decision to charge, representation (e.g., conflicts) of and compensation (e.g., forfeiture) by client issues, grand jury practice, immunity and plea negotiating, discovery, motions practice, prosecutorial and defense misconduct, selected trial issues, and sentencing. Materials for this course will include court opinions, pleadings from actual cases, Department of Justice manuals and policies, and news and law articles. The course may be organized around an actual case from its investigation inception, through pre-trial motions and discovery, to trial and verdict.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Criminal Procedure or Serial and Adnan Syed: Special Topics in Criminal Procedure or Criminal Justice II: Criminal Trials.

LAW 032 v06 Advanced Criminal Procedure (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20032%20v06)
J.D. Course | 2 credit hours
This course examines the process of criminal litigation beginning with the filing of charges and continuing through the trial. Topics covered include the exercise of prosecutorial discretion in the charging function, the preliminary examination and grand jury, bail, joinder and severance of defendants and charges, the right to a speedy trial, discovery, trial issues arising in complex multi-defendant trials, the evolving federal constitution law on the right to confrontation, the presentation of evidence, jury instructions.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Recommended: Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Criminal Procedure and Litigation or Serial and Adnan Syed: Special Topics in Criminal Procedure or Criminal Justice II: Criminal Trials.
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 (cross-listed) | 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 professor. 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 professor 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 work with professor 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 1712 v00 Advanced Evidence (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201712%20v00)
J.D. Course | 3 credit hours

This course will take an in-depth look at issues involving the law of evidence. The topics discussed will likely fall into three categories. This first category concerns constitutional limitations on evidence rules such as the Confrontation Clause, a criminal defendant’s constitutional right to present a defense, and the impeachment of jury verdicts. The second category concerns advanced problems involving character, hearsay, experts, and privileges. The third category concerns the process of proof in civil and criminal cases and will focus on topics such as burdens and standards of proof, evidentiary presumptions, and judicial notice.

Prerequisite: Evidence.

Mutually Excluded Courses: Students may not receive credit for this course and Advanced Evidence Seminar.

LAW 1712 v01 Advanced Evidence Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201712%20v01)
J.D. Seminar | 2-3 credit hours

This course will take an in-depth look at issues involving the law of evidence. The topics discussed will likely fall into three categories. This first category concerns constitutional limitations on evidence rules such as the Confrontation Clause, a criminal defendant’s constitutional right to present a defense, and the impeachment of jury verdicts. The second category concerns advanced problems involving character, hearsay, experts, and privileges. The third category concerns the process of proof in civil and criminal cases and will focus on topics such as burdens and standards of proof, evidentiary presumptions, and judicial notice.

Prerequisite: Evidence.

Mutually Excluded Courses: Students may not receive credit for this seminar and Advanced Evidence.

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 168 v00 Advanced Evidence: Supreme Court and the Constitution Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20168%20v00)
J.D. Seminar | 3 credit hours

This seminar examines advanced subjects in evidence that were not treated or not treated in depth in the basic Evidence course but are important to trial practice.

Prerequisite: Evidence.
LAW 1089 v00 Advanced Evidence: Trial Skills (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201089%20v00)
J.D. Skills | 2 credit hours
This course will bridge the gap between the academic subject of evidence and the practitioner's course of trial practice by teaching students how to use evidence as a functional tool in the courtroom. There will be brief overviews of the law, but the vast majority of this course is dedicated to teaching students through realistic examples how particular rules are used during trial and when and how to make objections. The course is structured and allocates time according to the importance of topics. For example, the evidentiary doctrine of judicial notice will be addressed, but the course will take time to examine evidentiary issues that are used in most trials, such as party admissions or business records. Through practical exercises, students will prepare arguments and defend their arguments through thoughtful researched positions (as is done in real trial work.) These practical exercises will make up the majority of the course work. Students will also learn how to lay the foundation for introducing evidence into a trial as exhibits. Once the item or document is introduced, students will learn how to effectively use the exhibits in the presentation of their case. The course will culminate in a final examination where students learn and practice how to write, argue, and defend evidentiary motions in limine, a fundamental component of litigation practice.

Prerequisite: Evidence.

Strongly Recommended: Trial Practice.

Mutually Excluded Courses: Students may not receive credit for both this class and Trial Practice and Applied Evidence. Students may take this course and Trial Practice.

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

LAW 2073 v00 Advanced International Commercial Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202073%20v00)
LL.M Course (cross-listed) | 3 credit hours
This course will provide an indepth study of specific topics in international commercial arbitration from both a theoretical and practical perspective. Topics to be considered will include:

1. the arbitration agreement - the separability doctrine, choice of law, parties to the agreement (including non-signatory issues), competence-competence, enforcement of the agreement and other types of national court intervention;
2. complex arbitrations - multiparty and multicontract issues, joinder of parties, consolidation of cases, parallel proceedings;
3. the arbitral tribunal - selection of arbitrators, duties of arbitrators, independence and impartiality issues, challenges of arbitrators;
4. the arbitral proceedings - bifurcation, interim measures, evidentiary rules, the conduct of hearings; and
5. the arbitral award - drafting of awards, enforcement and setting aside of awards, the 1958 New York Convention on the Recognition and Enforcement of Awards.

The course will refer to arbitration rules, case law, statutes and international conventions.

Prerequisite: International Commercial Arbitration, Introduction to International Commercial Arbitration, or permission of the instructor.

Mutually Excluded Courses: This course is mutually exclusive with the other spring course by this same name (LAWG/J 888).

Note: Please note, the date for the final class session will be announced at the start of the semester.
LAW 888 v00 Advanced International Commercial Arbitration: Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20888%20v00)
LL.M Seminar (cross-listed) | 3 credit hours
The seminar will be a combination of the theoretical and practical aspects of international commercial arbitration, with an emphasis on the practical. Its centerpiece will be the handling of a mock international arbitration case from the drafting of the arbitration agreement to the drafting of a final award, with units in between on the appointment and challenge of arbitrators, discovery of documents, and a live arbitration hearing. Teams of students will participate (as counsel to the parties) in the negotiation of arbitration agreements, in the drafting of motions and replies, in oral argument on such issues as the disqualification of arbitrators and the production of documents in discovery, in the hearing in a case, and in brief writing. Playing the role of arbitrators, students will also write final arbitral awards.

To the extent time permits, the course will also consider a handful of the many difficult and, to a large extent, still unanswered questions of national and international law that are emerging as the practice of international arbitration expands, including choice of law issues and, particularly in the United States, issues of the relation between federal and state laws.

The course will be limited to 12 students. It will meet once a week for two hours. There will be no final exam.

Prerequisite: A general course in international commercial arbitration. Students not having this precise prerequisite but having had a course in arbitration generally or substantial law practice experience in arbitration may apply for admission to the course by emailing Professor Joelson at joelsonmr@msn.com.

Mutually Excluded Courses: This course is mutually exclusive with the other spring course by this same name (LAWG 2073).

Note: This course does not meet the J.D. writing requirement (WR).

LAW 710 v00 Advanced International Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20710%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course is designed for those students that wish to gain a deeper understanding of the effect of certain U.S. rules governing the taxation of U.S. persons doing business overseas and foreign persons doing business in the United States. The course will cover a broad range of topics with particular emphasis on the tax consequences of cross-border reorganizations, liquidations and taxable acquisitions and dispositions. The course will cover the tax consequences of outbound transfers of assets, foreign-to-foreign transfers of assets, and inbound transfers of assets. Students will be expected to have a working knowledge of corporate taxation, and transactional aspects of subpart F and the foreign tax credit rules.

Prerequisite: Corporate Income Tax Law I (or Corporate Taxation (formerly Taxation II)); International Tax (or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons With Activities Outside of the U.S.))

Recommended: Prior or concurrent enrollment in Corporate Income Tax Law II (or completion of Corporate Taxation (formerly Taxation II)).
LAW 1460 v00 Advanced Legal Practice: Judicial Opinions

J.D. Seminar | 2 credit hours

With Supreme Court nominations certain to be contested for years to come, the judicial opinion has gone center stage. While understanding the enterprise of opinion-drafting is always critical for law students who take the clerkship route, it has never been more important for all advocates and soon-to-be advocates to think about how and why judicial opinions are created.

This seminar will consider judicial opinions through three overlapping and equally important lenses: the theoretical foundations of legal inquiry, close textual analysis, and discussion of social context.

Subtext. We will begin by examining the role of legal theory. Drawing on work by a variety of legal scholars, we will consider the most influential theories of law, including formalism and legal realism, and their broad effect on how cases are decided and opinions are written. We will hear from great American jurists themselves, from Brandeis, Holmes, and Cardozo, to Scalia, Posner, and lesser-known judges, as they espouse or critique different approaches and reflect on their own purposes.

Text. Then, using a selection of key decisions, we will examine these theories in practice. We will discuss the choices that were available in writing the opinions and how theory informed the use of precedent to justify and explain outcomes. We'll also look at the institutional values at stake and scrutinize their congruity with the equities in individual cases and policies implicated. Finally, we will study rhetorical techniques, including the use of persuasive narrative and metaphor.

Context. In addition to a close reading of text, this seminar will direct its gaze outward, to the social landscape beyond the courtroom. Contemplating a range of external currents and practices will enrich our understanding of judicial reasoning, especially that which appears to circumvent the mandates of formal logic. Particular sites of inquiry will include developments in social science and visual evidence.

Steeped in the subjects outlined above, students will pen their own opinions based upon an assigned problem and engage in shorter writing assignments, for a total of approximately 5,000 words. I will provide feedback on the main opinion, on both substance and style, and the students will incorporate this feedback into their rewrite of that opinion. My goals for this class are aimed at helping students to: (1) refine their legal writing skills in a new context; (2) consider the role and purpose of judicial opinions in the legal system; and (3) examine the influences of legal theory, doctrine, rhetoric, personal experience, and society in opinion writing.

Sixty percent of the final grade will be based on the written opinion, and forty percent will be based on class participation and assignments. Active participation will include written responses to the weekly reading assignments as well as class discussion. A willingness to share and respectfully listen to different points of view is critical to the success of the class.

LAW 1336 v00 Advanced Legal Practice: Writing in the Legislative Sphere

J.D. Seminar | 3 credit hours

In this class, we will examine the inner workings of Congress and think through strategies for achieving policy goals through legislation. You will draft legislative language in a policy area of your choice and attempt to convince a legislator to support the bill by writing a policy brief supporting the new statute. By acting in the role of a lawyer on the Hill, you learn not only how to solve complex legal problems in a legislative context, but also to think critically about the role of the legislative branch and of a lawyer within that branch.

The course will take you through the nuts and bolts of the process of lawmaking, from introduction, to the Committee process, to passage. You will also be asked to think broadly about the role of a lawyer in Congress, the connection (or lack thereof) between legislative history and statutory interpretation, and the relationship between the legislative branch and the other power centers of American government.

But the main focus of this course is on the writing you will do. You will pick both a topic and a legislator for whom you are a staffer. You will spend much of the semester researching the topic, drafting new statutory language to solve a problem in this area, and writing a policy brief to persuade the legislator to sponsor the bill. We will spend class time thinking through each stage of the writing process: from topic selection to research to legislative language to drafting. You will also have the opportunity to present your bill language and your arguments for sponsorship to a group of “legislators” (played by me and your classmates) who are considering sponsoring the bill.

Recommended: A basic course in Legislation or the 1L electives, Congressional Procedure & the Administrative State or Legislation and Regulation or The Regulatory State.
Complete List of J.D. Courses

LAW 301 v03 Advanced Legal Research
J.D. Course | 2 credit hours
In this advanced course, students will learn the concepts and skills needed to research complex legal problems. This course will cover a wide range of legal research topics, including statutes, legislative history, court and government documents, administrative materials, practitioner tools, secondary sources, and specialized legal research. Students will also gain hands-on experience developing, implementing, and documenting appropriate research strategies, conducting research in an efficient manner, and citing resources appropriately for a professional-level work product.

Grading will be based on class attendance and participation, a series of research assignments, and a take home exam.

Learning Objectives:
As a result of this class, students will be able to:

1. Classify different primary and secondary legal resources, regardless of format.
2. Evaluate the costs and benefits of particular resources, regardless of format, and articulate major differences between resources.
3. Analyze a legal research problem and then design, execute, and document an efficient research plan.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for both this course and Legal Research Skills for Practice.

LAW 036 v00 Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators
J.D. Seminar | 2 credit hours
This seminar will provide students with a platform to build upon the principles learned in first year Legal Research and Writing and to develop real-world legal practice skills. The course is designed to provide the most benefit to students who are pursuing judicial clerkships and litigation positions for post-graduate employment. The course will simulate the litigation process, with students playing the roles of both advocates and decision-makers throughout the semester. Students should expect to research and write several documents common in civil litigation, including correspondence, legal research memoranda, motions and responses, and judicial decisions. At least one assignment will be a collaborative writing assignment, and the remainder will be individual assignments.

The instructor will provide individualized comments and grades on each major assignment. The seminar will teach cost-effective research, writing, and revising techniques. Students will also develop their practical research and writing skills, learn to view cases from multiple perspectives, and learn strategies for addressing and managing the challenges of legal practice.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Advanced Legal Writing: Practical Skills from Retail Industry Examples, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing for International Business Lawyers, or Writing for Law Practice.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 036 v02 Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20036%20v02)
J.D. Seminar | 2 credit hours
This two-credit seminar is designed to help students develop the legal practice skills necessary to succeed as civil litigators and judicial law clerks. Students will have an opportunity to build upon the written and oral advocacy skills learned in first-year Legal Practice: Writing and Analysis by using those skills in a practical setting that simulates the litigation process. Throughout the course of the semester, each student will play the role of advocate, law clerk, and judicial decision-maker. Students should expect to research and write a dispositive motion to dismiss, a bench memorandum, and a judicial decision and to deliver a brief oral argument. Students will also learn to edit their own written work and the work of their colleagues—a critical skill for any effective law clerk or litigator.

The instructor will provide individualized comments and grades on each major assignment. The seminar will teach cost-effective research, writing, and revising techniques. Students will also develop their practical research and writing skills, learn to view cases from multiple perspectives, and learn strategies for addressing and managing the challenges of legal practice. Class participation will count toward the final grade.

**Prerequisite:** Legal Practice: Writing and Analysis.

**Recommended:** Federal Courts and the Federal System.

**Mutually Excluded Courses:** Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar or Advanced Legal Writing: Legal Writing as a Discipline or Writing for Law Practice.

**Note:** In Fall 2016, this seminar will meet on Mondays, 5:45 p.m. - 7:45 p.m. The seminar will not meet on Monday, 10/3, or Tuesday, 10/11. These two class sessions will be rescheduled for Friday, 10/14, and Friday, 12/2, 5:45 p.m. - 7:45 p.m.

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

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LAW 036 v06 Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20036%20v06)
J.D. Seminar | 2 credit hours
This two-credit seminar is designed to help students develop the legal practice skills necessary to succeed as judicial law clerks and civil litigators. Students will have an opportunity to build upon the written and oral advocacy skills learned in first-year Legal Research and Writing by using those skills in a practical setting that simulates the litigation process. Throughout the semester, each student will play the role of advocate, law clerk, and judicial decision-maker and should expect to research and write a motion to dismiss and a bench memorandum (both about a single fact pattern). Students will also learn to edit their own written work and the work of their colleagues—a critical, and often underdeveloped, skill for any young lawyer. By the end of the semester, students will have written approximately 40 pages of legal writing and produced two substantial writing samples that can be used to apply for judicial clerkships and/or positions as litigation associates. Class format will vary week-to-week. Some classes will be seminar-style discussions, others will simulate courtroom experiences, and others will feature guest speakers. One class session will be dedicated to the clerkship application process and clerkship experience and will feature advocates who have clerked in the state and federal courts.

The instructor will provide individualized comments and grades on each major assignment. The seminar will teach cost-effective research, writing, and revising techniques. Students will also develop their practical research and writing skills, learn to view cases from multiple perspectives, and learn strategies for addressing and managing the challenges of legal practice. Class participation will count toward the final grade.

**Learning Objectives:**

- Strengthen legal research and writing.
- Draft brief and bench memorandum.
- Deliver oral argument.

**Prerequisite:** Legal Practice: Writing and Analysis.

**Mutually Excluded Courses:** Students may not receive credit for both this seminar and Advanced Legal Writing: Practical Skills from Retail Industry Examples, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing for International Business Lawyers, or Writing for Law Practice.

**Note:** Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 036 v07 Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators

J.D. Seminar | 2 credit hours

Every day, lawyers confront challenges in litigation that stem from the array of principles and rules that underlie the federal judiciary. More importantly, lawyers also regularly deploy such rules tactically. This class is designed to prepare students to succeed as law clerks and litigators by creating opportunities to practice skills at various steps in the judicial process. We will simulate the roles of law firm associate, law firm partner, law clerk, and judge through oral presentations and substantial writing projects (which may be used to develop writing samples suitable for applying to clerkships or other roles). Students will also learn to edit their own work and the work of others. Class format will vary week-to-week and include courtroom simulations, guest speakers, and seminar-style discussions. We will also cover the clerkship application process and feature guests who can speak about their clerkship experiences.

Each student will complete four primary assignments:

• A motion or opposition (~10 pages)
• A bench memo on the motion (~15 pages)
• Oral argument on the motion (~7 minutes)
• Judicial opinion (~10 pages)

Learning Objectives:

• Improve legal writing and research skills through “real world” applications of civil procedures and other federal courts topics.
• Develop a deeper understanding of the structure and function of legal argument.
• Practice techniques to more effectively edit and critique one’s own writing.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar, Advanced Legal Writing: Practical Skills from Retail Industry Examples, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing for International Business Lawyers, or Writing for Law Practice.

LAW 1541 v00 Advanced Legal Writing and Practice: National Security Law in the Private Sector

J.D. Seminar | 2 credit hours

Over the past decade, the practice of “National Security Law” as its own discipline in private practice has emerged, partially as a response to market demand for assistance with national security-related agencies, regulations, and issues, and partially as a realignment of several different areas of law into one holistic practice that benefits from cross-sectoral and cross-regulatory experience. (The relevant areas of law include international trade, data privacy and security, telecommunications, and transactional matters involving foreign direct investment.) This class is designed to prepare students to succeed as national security law practitioners by creating opportunities to develop skills relevant to the various stages of relevant matters, including counseling, investigations, administrative advocacy, and litigation. We will simulate the roles of law firm associate, law firm partner, law clerk, and judge through oral presentations and substantial writing projects (which may be used to develop writing samples suitable for applying to clerkships or other roles). Students will also learn to edit their own work and the work of others. Class format will vary week-to-week and include courtroom simulations, guest speakers, and seminar-style discussions.

Each student will complete three primary assignments:

• A memorandum (~10 pages)
• A motion or brief (section) (~15 pages)
• Oral argument on the motion (~7 minutes)

Learning Objectives:

• Improve legal writing and research skills through “real world” applications of national security law topics.
• Develop a deeper understanding of the structure and function of legal argument.
• Practice techniques to more effectively edit and critique one’s own writing.

Prerequisite: Legal Practice: Writing and Analysis.
LAW 036 v08 Advanced Legal Writing for International Business Lawyers
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20036%20v08)
J.D. Seminar (cross-listed) | 2 credit hours
With the increasing globalization of the practice of law, business lawyers today are frequently representing clients in transactions that span different legal systems, cultures, and languages. This course is designed to provide students with practical insight into the cross-border practice of business law and the relevant written and oral skills necessary to effectively communicate in this practice setting.

The principle objectives of the course are to teach you how to communicate clearly, concisely, and appropriately in a business-law setting, and how to apply and adapt these skills to situations involving international, cross-cultural, and even multinational business transactions. You will be able to practice these skills through a variety of written and oral communication exercises based on actual cross-border transactions similar to those you will likely encounter as a junior transactional associate at a law firm. The focus of this course will be on practical skills, rather than on theoretical analysis.

Although some of our discussions and exercises will involve reviewing contract provisions and you will become familiar with basic contract structure, this is not a course on contract drafting. Rather, the focus is on developing your practical lawyering skills such that you are able to effectively communicate with parties from all sides of a cross-border business transaction and to recognize and overcome the principle cultural, linguistic, and other barriers to cross-cultural communication.

Enrollment by both JD and LL.M. students is encouraged. Class time generally will be split between lecturing and in-class exercises and discussion. The majority of the in-class exercises will utilize fact scenarios from actual deals and will involve students working in small groups or teams.

Prerequisite: Legal Practice: Writing and Analysis.

Recommended: Prior or concurrent enrollment in Corporations is recommended but not required.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing: Practical Skills from Retail Industry Examples, or Writing for Law Practice.

Note: Students may request a withdrawal from an academic advisor through the due date of the final draft of Writing Project #2.

LL.M. STUDENTS: THIS COURSE REQUIRES DEPARTMENTAL PERMISSION TO ENROLL. LL.M. students cannot register or put themselves on the waitlist for this course through MyAccess. Students interested in taking this course should send an e-mail to llmas@georgetown.edu indicating their interest in the course and their previous exposure to U.S. legal writing.

LAW 1532 v00 Advanced Legal Writing for International Business Lawyers
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201532%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course is designed to provide students interested in transactional practice with hands-on insight into the cross-border practice of business law by creating a simulated law-firm environment in which students are asked to complete tasks as if they were junior associates.

The principle objectives of the course are to teach students how to communicate clearly, concisely, and appropriately in a business-law setting, and how to apply and adapt these skills to situations involving international, cross-cultural, and even multinational business transactions. Students will practice these skills through a variety of written and oral communication exercises based on actual cross-border transactions similar to those they will likely encounter as a junior transactional associate at a law firm. The focus of this course will be on practical skills, rather than on theoretical analysis.

Although some of our discussions and exercises will involve reviewing contract provisions and students will become familiar with basic contract structure, this is not a course on contract drafting. Rather, the focus is on developing the student’s practical lawyering skills such that he or she is able to effectively communicate with parties from all sides of a cross-border business transaction and to recognize and overcome the principle cultural, linguistic, and other barriers to cross-cultural communication.

Enrollment by both JD and LL.M. students is encouraged. Class time generally will be split between lecturing and in-class exercises and discussion. The majority of the in-class exercises will utilize fact scenarios from actual deals and will involve students working in small groups or teams.

Prerequisite: Legal Practice: Writing and Analysis.

Recommended: Prior or concurrent enrollment in Corporations is recommended but not required.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing: Practical Skills from Retail Industry Examples, or Writing for Law Practice.

Note: Students may request a withdrawal from an academic advisor through the due date of the final draft of Writing Project #2.

LL.M. STUDENTS: THIS COURSE REQUIRES DEPARTMENTAL PERMISSION TO ENROLL. LL.M. students cannot register or put themselves on the waitlist for this course through MyAccess. Students interested in taking this course should send an e-mail to llmas@georgetown.edu indicating their interest in the course and their previous exposure to U.S. legal writing.
LAW 1444 v00 Advanced Legal Writing Workshop ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201444%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201444%20v00))

J.D. Seminar | 3 credit hours
This three-credit seminar offers an opportunity for J.D. students to hone their legal writing skills in a small workshop environment. Students will write a variety of legal documents – including statutory provisions, contractual provisions, objective legal analysis, persuasive legal analysis, and correspondence – and will develop individualized goals for improving their writing throughout the semester. Students will build on skills in legal discourse introduced in the first year Legal Practice course, including crafting effective written analysis, understanding and meeting the expectations of the audience, organizing documents to enhance clarity, applying those skills to new forms of legal writing, and developing effective time management strategies. It will also focus on improving students’ ability to critically assess their own and others’ legal writing and to provide helpful feedback to colleagues in a professional setting. This course is designed as a writing workshop, with in-class writing and peer critique during most classes and individualized feedback from the professor on drafts of documents.

Learning goals for this course:

- Build on skills in legal discourse introduced in the first year Legal Practice course, including analyzing and conceptualizing legal issues, crafting effective written analysis, understanding and meeting the expectations of the audience, organizing documents to enhance clarity, and applying those skills to new forms of legal writing
- Improve students’ ability to critically assess their own and others’ legal writing and provide helpful feedback in a professional setting
- Improve time management skills and develop an effective writing process that can be adapted for a range of contexts in legal practice
- Learn techniques for effective teamwork and collaboration
- Develop confidence in transferring legal writing techniques across genres

Prerequisite: Legal Practice: Writing and Analysis or its equivalent.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Legal Writing: Transactional Practice.

Note: Students enrolled in the course will be writing, commenting, or revising nearly every week, with six out-of-class writing assignments that will be revised after the professor provides feedback on them. Students should thus be prepared to make a substantial time investment in the class.

LAW 1623 v00 Advanced Legal Writing: Intellectual Property and Technology Transactions ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201623%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201623%20v00))

J.D. Seminar | 3 credit hours
This three-credit seminar offers an opportunity for J.D. students interested in transactional practice to hone their legal writing, negotiating, and real-world transactional skills in a small workshop environment. Students will review, write and analyze a variety of transactional documents – including full-length contracts, unique contractual provisions, and simulated client correspondence – and will develop individualized goals for improving their writing and transactional skills throughout the semester. While this course will teach drafting, deal-structuring, negotiation, and related skills that are generally applicable for any type of deal or transactional practice, it will focus on intellectual property and technology transactions and will teach those skills through a semester-long simulation based on a fictional startup company. The course will also focus on improving students’ abilities to critically assess their own and others’ legal writing and to provide helpful feedback to colleagues in a professional setting. Students will receive peer critique during most classes, as well as individualized feedback from the professor on most drafts of documents.

Professor permission is not required. Background in intellectual property or technology is not required.

Participation in the in-class exercises and simulations will be a key component of student evaluation.

Learning Objectives:

My primary goal for the course is to give you real world transactional experience that you can use on day one out of law school. In addition, this course aims to expose you to new and emerging technologies and complex intellectual property licensing constructs, and give you the ability to analyze and negotiate different types of deals from both a legal and business perspective.

Prerequisite: Legal Practice: Writing and Analysis or the equivalent first year legal writing course.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Legal Writing: Transactional Practice or Information Technology Transactions: Strategy, Negotiations and Drafting.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 036 v05 Advanced Legal Writing: Legal Writing as a Discipline
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20036%20v05)
J.D. Seminar | 2 credit hours
This seminar will focus on legal writing as a discipline. It will impart to students both the foundational and advanced tools to excel in all forms of legal writing and communication, from litigation briefs and judicial opinions to office memoranda and corporate documents. Through this seminar, students will gain a leg up in the marketplace, attaining a rare skill applicable to all types of legal positions.

To write and communicate effectively, attorneys must use language in a focused manner and make complicated information clear. This seminar will teach students how to master these skills. Students will learn how to draft both routine and complex legal documents by applying writing principles and techniques based on how readers process information most easily. The seminar will use a case problem with a federal constitutional issue. The first part of the seminar will focus on three overarching principles of the discipline of legal writing. It will involve brief writing assignments centered on each principle, based on the case problem. The second part of the seminar will apply the three principles to drafting and editing various legal documents common to many law practices.

While each assignment will require individual writing, the seminar also will involve significant collaboration among students, primarily through weekly peer review and discussion. The instructor will provide individualized comments on each major assignment and evaluate students based on the assignments and participation.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing: Practical Skills from Retail Industry Examples, Advanced Legal Writing for International Business Lawyers, or Writing for Law Practice.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL.
Please submit the following to Professor Butler at chuck324@gmail.com no later than 5:00 p.m. on June 9, 2021: (1) resume and (2) short explanation of interest in the seminar. Professor Butler may conduct brief interviews by phone prior to June 16, 2021. After the June 9 application deadline, students will be admitted into open seats on a rolling basis.

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

LAW 1730 v00 Advanced Legal Writing: Practical Lawyering Skills and Strategies
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201730%20v00)
J.D. Seminar | 3 credit hours
This three-credit seminar offers an opportunity for J.D. to hone their legal writing skills in a small workshop environment, while learning the skills and strategies of lawyers in practice. Students will represent a client in a simulated case, prepare relevant documents for their client, and discuss and debate relevant strategies. In addition, they will learn and participate in a number of in-class oral presentations related to the representation of the client. Students will build on skills in legal discourse introduced in the first year Legal Practice course, including crafting effective written analysis, understanding and meeting the expectations of the audience and the purpose of the projects, organizing documents to enhance clarity, and developing effective time management strategies. Students will learn to critically assess their own and others’ legal writing and to provide helpful feedback to colleagues in a professional setting. This course is designed as a workshop, with in-class and out-of-class writing and rewriting, in-class oral presentations, peer critique, individualized feedback from the professor, self-critique and reflection, and collaborative work.

Prerequisite: Legal Practice: Writing and Analysis.

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

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

Laptop Policy:
You are required to bring a fully powered laptop or tablet to class. We will be using the online text book, TeachingLaw.com, and doing substantial writing during class time.
LAW 036 v09 Advanced Legal Writing: Practical Skills from Retail Industry Examples
J.D. Seminar | 2 credit hours
Whether or not you expect to represent retail clients during your career, this course provides real-world writing skills for your future at a law firm and builds on skills learned in your first-year Legal Practice course. This class will build your writing repertoire and will familiarize you with different kinds of writing used in a litigation practice. It does so against the background of legal issues facing retail clients—issues that you probably have personal experience with from your life as a consumer of retail products.

Retail law gives us an exciting lens from which to approach writing and legal practice skills. Clients in the retail industry contend with a wide variety of legal issues: they could face lawsuits about their advertising and marketing, contracts, data collection, employment, supply chain, real estate, and other hot-button areas of law. They are also sued by a variety of different groups: competitors, customers, and employees. A young lawyer practicing in this area will be expected to research an assortment of legal questions, prepare internal memoranda for her team, draft written advice to clients, and assist in motions practice and other aspects of litigation. This course uses fact patterns from the retail industry like those that a young lawyer could expect to see in practice.

Students will improve analytical and writing skills, apply those skills to new types of legal problems, develop a strong "self-editor" and skills for taking and implementing constructive criticism, practice effective time management techniques, and gain familiarity with the types of written assignments a young firm lawyer is expected to handle and the types of work product partners and clients will expect to better prepare for legal practice.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing for International Business Lawyers, or Writing for Law Practice.

LAW 1531 v00 Advanced Legal Writing: Practical Skills from Retail Industry Examples
J.D. Seminar | 2 credit hours
Whether or not you expect to represent retail clients during your career, this course provides real-world writing skills for your future at a law firm and builds on skills learned in your first-year Legal Practice course. This class will build your writing repertoire and will familiarize you with different kinds of writing used in a litigation practice. It does so against the background of legal issues facing retail clients—issues that you probably have personal experience with from your life as a consumer of retail products.

Retail law gives us an exciting lens from which to approach writing and legal practice skills. Clients in the retail industry contend with a wide variety of legal issues: they could face lawsuits about their advertising and marketing, contracts, data collection, employment, supply chain, real estate, and other hot-button areas of law. They are also sued by a variety of different groups: competitors, customers, and employees. A young lawyer practicing in this area will be expected to research an assortment of legal questions, prepare internal memoranda for her team, draft written advice to clients, and assist in motions practice and other aspects of litigation. This course uses fact patterns from the retail industry like those that a young lawyer could expect to see in practice.

Students will improve analytical and writing skills, apply those skills to new types of legal problems, develop a strong "self-editor" and skills for taking and implementing constructive criticism, practice effective time management techniques, and gain familiarity with the types of written assignments a young firm lawyer is expected to handle and the types of work product partners and clients will expect to better prepare for legal practice.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing for International Business Lawyers, or Writing for Law Practice.
LAW 1444 v01 Advanced Legal Writing: Transactional Practice

J.D. Seminar | 3 credit hours
This three-credit seminar offers an opportunity for J.D. students interested in transactional practice to hone their legal writing skills in a small workshop environment. Students will write a variety of transactional documents — including deal memos, contractual provisions, and correspondence — and will develop individualized goals for improving their writing throughout the semester. Students will build on skills in legal discourse introduced in the first year Legal Practice course, including crafting effective written analysis, recognizing the importance of precise drafting to ensure that the various provisions of contracts fit together in a synchronized way, understanding and meeting the expectations of the audience, organizing documents to enhance clarity, applying those skills to new forms of legal writing, and developing effective time management strategies. It will also focus on improving students’ ability to critically assess their own and others’ legal writing and to provide helpful feedback to colleagues in a professional setting. This course is designed as a writing workshop, with in-class writing and peer critique during most classes and individualized feedback from the professors on most drafts of documents.

Prerequisite: Legal Practice: Writing and Analysis or the equivalent first year legal writing course.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Legal Writing: Intellectual Property and Technology Transactions.

Note: Students enrolled in the course will be writing, commenting, or revising nearly every week, with approximately five out-of-class writing assignments, most of which will be revised after the professors provide feedback on them. Students should thus be prepared to make a substantial time investment in the class.

Because of the collaborative nature of the class, students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1444 v02 Advanced Legal Writing: Transactional Practice

J.D. Seminar | 3 credit hours
This three-credit seminar offers an opportunity for J.D. students interested in transactional practice to hone their legal writing skills in a small workshop environment, while learning the basic elements and construct of a written agreement. Students will write or edit a variety of transactional documents — including deal memos, contractual provisions, and correspondence — and will develop individualized goals for improving their writing throughout the semester. Students will build on skills in legal discourse introduced in the first year Legal Practice course, including crafting effective written analysis, recognizing the importance of precise drafting to ensure that the various provisions of contracts fit together in a synchronized way, understanding and meeting the expectations of the audience, organizing documents to enhance clarity, applying those skills to new forms of legal writing, and developing effective time management strategies. It will also focus on improving students’ ability to critically assess their own and others’ legal writing and to provide helpful feedback to colleagues in a professional setting. This course is designed as a writing workshop, with in-class writing and peer critique during most classes and individualized feedback from the professors on most drafts of documents.

Learning Objectives:

Each assignment will have specific goals; some goals will be specified by the professor, and some goals will be specified by the student. Each assignment will be submitted first as a draft and then as a final product, with an opportunity to receive feedback after the draft is submitted. The grade for each assignment will be based upon (1) assessments of how the successful the draft was in accomplishing the goals for the assignment; (2) evaluation of how effective the revisions to the draft document were in addressing the feedback received on the draft; (3) professionalism/polishing/timeliness of the final document.

Prerequisite: Legal Practice: Writing and Analysis or the equivalent first year legal writing course.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Legal Writing: Intellectual Property and Technology Transactions.

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

Students enrolled in the course will be writing, commenting, or revising nearly every week, with approximately five out-of-class writing assignments, most of which will be revised after the professors provide feedback on them. Students should thus be prepared to make a substantial time investment in the class. Because of the collaborative nature of the class, students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1449 v00 Advanced Oral Advocacy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201449%20v00)
J.D. Seminar | 2 credit hours
Many of our experiential offerings that focus on advocacy skills do so within the context of the entire trial or appeal; students in these courses work on all relevant skills associated with that type of litigation, including planning, writing, and oral advocacy. This advanced course assumes some exposure to the litigation process and gives students the chance to focus solely on improving their oral advocacy skills, specifically, their ability to persuade decision makers orally in situations where the speaking is an interactive process. Each week, students will prepare, present, and judge oral arguments on issues that are taken from pending cases or problems created by the instructor. Problems will be drawn from criminal, civil, and administrative law cases to allow students to experience how a generalist advocate presents arguments in different litigation contexts. Students will be expected to self-assess their performances and, working with the group and the instructor, develop and adapt their argument preparation and execution accordingly. Through this course, students will develop their ability to craft and deliver ideas orally in words and style that is both comprehensible and credible in settings where the listener/decision maker may engage the speaker at will.

Significant preparation will be required for each class session, and students will be meeting one-on-one or in small groups with the instructor outside of class time to prepare, debrief, and receive individualized feedback. Grading will be based on class participation only; there is no exam or final paper.

Learning Objective: Advanced training in preparation for and execution of an oral argument.

Recommended: Trial Practice, Civil Litigation Practice, moot court team membership, or other relevant litigation or oral advocacy experience is recommended.

Note: Due to the nature of this course, it is essential to finalize enrollment prior to the first week of classes. As such, students enrolled in this course have until 5:00 p.m. on Friday, December 13, 2019 to drop the class without penalty.

After December 13 at 5:00 p.m., a student who wishes to withdraw from this 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. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Students will meet each week with Professor Goldblatt in his office as part of their preparation for course. In addition, Professor Goldblatt may schedule moot courts over the course of the semester to take place in the Supreme Court Institute moot court room. Most will be held at the usual class time, but it is possible that one or more may be scheduled on a Friday afternoon (1:00 pm or later). Availability to attend at these times is a class requirement except for other class conflicts.

LAW 702 v00 Advanced Partnership Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20702%20v00)
LL.M Course | 2 credit hours
Focuses on the skills necessary (including review of transactional documents) for a tax attorney involved in advising on partnership structuring matters. Topics will include drafting the partnership agreement, allocations of tax items, amortization of partnership intangibles, classification/conversions, interplay of partnership rules on debt restructuring application of various gain triggers upon exiting from partnerships, partnership mergers and divisions, partnership equity-based compensation, and the partnership anti-abuse rules.

Prerequisite: Federal Income Taxation (formerly Taxation I); Taxation of Partnerships. Neither prerequisite may be taken concurrently.

LAW 040 v01 Advanced Patent Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20040%20v01)
J.D. Seminar | 3 credit hours
This advanced seminar presumes knowledge of patent law fundamentals and examines various specific topics, including the Hatch-Waxman Act, patent administration, claim interpretation, the doctrine of equivalents, the experimental use privilege, and comparative and international patent law. Students will write papers on some specific aspect of patent law, not limited to those topics covered in class.

Prerequisite: Patent Law or equivalent experience.

LAW 381 v02 Advanced Studies in Federal Securities Regulation: Policy and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20381%20v02)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar course offers an opportunity for in-depth discussion of key issues in securities regulation including current Securities and Exchange Commission (SEC) and Public Company Accounting Oversight Board (PCAOB) regulatory and enforcement actions, how regulatory decisions are made, the economic and other policy bases for SEC and PCAOB regulation, and the operation and impact of the SEC's regulatory oversight and enforcement programs in the recent financial crisis. Guest speaker participants will include members and senior staff from the SEC and PCAOB and experienced securities practitioners.

Grading will be based on a final paper on an approved topic and class participation.

Learning goals for this course: Develop a high level understanding of how securities regulations are developed and applied, using a series of studies of specific regulatory issues, with frequent guest speakers from government and private practice.

Prerequisite: Corporations; Securities Regulation (may be taken concurrently).

Note: This course requires a paper. J.D. students must register for the 3 credit section of the course 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.
LAW 1534 v00 Advanced Topics in Corporate Law: Control and Its Implications (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201534%20v00)
J.D. Course (cross-listed) | 1 credit hour
In a significant minority of public corporations, a single person or entity has the power to choose the directors of the corporation and determine the outcome of stockholder votes. Many private corporations operate with this governance profile. Corporations fitting this profile are described as “controlled.”

In the standard model of the corporation, the power to direct and oversee the business and affairs of the entity rests with the board of directors, who are obligated as fiduciaries to act in the best interests of the company and its stockholders. When a party other than the board of directors has the ability to control the corporation, it upsets the standard model, with knock-on effects for a variety of corporate doctrines.

This course examines the nature of control and its implications. In addition to covering these issues in the context of public companies, the course will examine their implications for privately held companies and touch on their application to alternative entities.

Course enrollment is limited to 32. Students are expected to possess a basic understanding of the law applicable to alternative entities and corporations. An introductory course in corporations or business associations is a prerequisite.

Learning Objectives:
After taking this course, students will understand the following topics:

• What constitutes control? What are the different types of control and what factors contribute to its existence?
• What fiduciary duties do controllers owe? When and why do they arise?
• How does the presence of a controller affect corporate doctrines such as the standard of review, demand futility, and ratification?
• What devices can be used to mitigate the effects of control, such as special committees, majority-of-the-minority votes, and enhanced-independence directors?
• What are the implications of particular methods of maintaining control, with particularly emphasis on the currently trending device of dual class stock?

Prerequisite: Corporations.

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

Add/Drop and Withdrawal Policies
No student will be permitted to drop this course after January 20, 2022. Failure to drop the course by January 20, 2022 will result in a withdrawal. No student may withdraw from this class without permission from the professors.

LAW 1521 v00 Advanced Topics in Corporate Law: Corporate Transaction Litigation in Delaware (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201521%20v00)
J.D. Course (cross-listed) | 1 credit hour
This course will explore corporate litigation in the Court of Chancery in the context of mergers, acquisitions, and other transactional structures.

The course is divided into three parts. Part I will begin with a discussion of Delaware's place in the world of corporate litigation. This will include the mechanics of initiating a lawsuit to challenge a deal, together with the Court's role in resolving preliminary and logistical issues, before turning to the substantive law governing motions for expedition and motions for preliminary or permanent injunctive relief. Finally, we will discuss the section 220 actions for accessing corporate books and records.

Part II will focus on corporate litigation, in theory and in practice. We will discuss structural matters relating to where to file and who represents a class in competing lawsuits, and focus a significant amount of our time on recent changes in corporate litigation following Corwin. Then we'll turn to other key issues in stockholder derivative litigation relating to the board of directors.

In Part III, we will discuss non-stockholder M&A litigation of two categories trending in different directions on the Delaware dockets: appraisal and material adverse effect (or material adverse change) litigation.

While the class is divided into three parts, we may cover more or less than a single part on each of the three class days.

In addition to reading cases, students will be asked to read parts of briefs actually filed in Delaware corporate litigation. Selected students will be assigned to (informally) argue the briefed issues as assigned. Following in-class argument, we will discuss the outcome of the actual litigation.

By the end of this course, students will be familiar with the common issues arising in corporate transactional litigation; which actions may be brought directly and which must be pursued derivatively; which are statutory and which arise under the common law; and what current "hot" corporate litigation issues are currently being litigated in Delaware.

Prerequisite: Corporations.

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

Add/Drop and Withdrawal Policies
No student will be permitted to drop this course after January 28, 2022. Failure to drop the course by January 28, 2022 will result in a withdrawal. No student may withdraw from this class without permission from the professors.
LAW 1535 v00 Advanced Topics in Corporate Law: Management Misconduct (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201535%20v00)
J.D. Course (cross-listed) | 1 credit hour
Through the lens of Delaware law, this course will review the roles of the board of directors, senior officers, and stockholders in overseeing a corporation, monitoring management conduct, and promoting compliance. The course will consider the director’s duty of oversight, its origins, and how it has evolved. The course will examine whether senior officers owe a similar duty of oversight, or whether different duties apply. We will delve deeply into the derivative action, which is the primary enforcement mechanism through which stockholders can address management misconduct. As part of this effort, we will explore the various stages of the derivative action and consider its strengths and weaknesses.

As its source materials, the course will examine recent derivative lawsuits. The course also will consider hot-button topics, such as #MeToo issues as a business risk.

Course enrollment is limited to 35. Students are expected to possess a basic understanding of the law applicable to alternative entities and corporations. An introductory course in corporations is a prerequisite.

Learning Objectives:

After taking this course, students will be able to answer the following questions:

- What standards apply to a board and senior officers when overseeing a corporation, monitoring for misconduct, and promoting compliance?
- What is the duty of oversight, how did it arise, and how has it evolved?
- What is the nature of a stockholder derivative action, the various stages of the proceeding, and its strengths and weaknesses?
- Are stockholder derivative actions an effective way of policing management misconduct? Is the Delaware corporate model particularly prone to management misconduct?
- Do alternative structures, such as B-corps or constituency-based models, offer promising alternatives?
- Can a corporation serve morally good ends?

Prerequisite: Corporations.

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

Add/Drop and Withdrawal Policies
No student will be permitted to drop this course after October 14, 2021. Failure to drop the course by October 14, 2021 will result in a withdrawal. No student may withdraw from this class without permission from the professors.

LAW 1406 v00 Advanced Topics in Corporate Law: Unincorporated Business Entities (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201406%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
So-called “alternative” or “unincorporated” business entities, most notably limited liability companies (LLCs) and limited partnerships (LPs), indisputably have become an important and apparently permanent fixture in American business. They are becoming the entity form of choice for privately held businesses, but equity interests in LLCs and LPs are also traded publicly on national securities exchanges.

From a legal perspective, and similar to traditional corporations, state law subjects the creation, termination, and internal governance of alternative entities to a mix of statutory rules and common law doctrine that address issues of efficient allocation of capital, creditor protection, and agency costs. More so than with corporations, however, the extent of the applicable state law is to facilitate maximal private ordering and customization appropriate to the unique needs and characteristics of any individual company. This flexibility provides obvious benefits to business planners. At the same time, however, it engenders a fundamental legal challenge: how to balance that flexibility with the development of guiding precedents and predictability otherwise characteristic of the corporate and common law traditions?

This course introduces students to that very challenge. Topics covered include alternative entity formation and dissolution; the centrality of operating agreements and freedom of contract in establishing the rights and responsibilities of stakeholders; the fiduciary and contractual duties of managers, contractual modification or elimination of fiduciary duties, and the relationship between “contractual fiduciary duties” and the implied contractual covenant of good faith and fair dealing; and judicial review of self-interested transactions, especially in the increasingly litigious environment of public M&A.

Students are expected to possess a basic understanding of the law applicable to alternative entities and corporations.

Prerequisite: Corporations.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.
LAW 1602 v00 Advanced Topics in Torts: Products Liability, Guns, and Drugs

J.D. Course (cross-listed) | 3 credit hours
This upper level course will cover the law of products liability generally and take a close look at the state of products liability litigation and liability in relation to guns and to opioids. The goal is to combine a survey of the complicated field of products liability law with a sophisticated deep dive into two areas of cutting edge products liability litigation. The first part of the course will familiarize students with major topics applicable to all products manufacturers including: a product distributor's liability for defect-caused harm, allocating responsibility inside and outside the commercial chain of distribution, causation, affirmative defenses, approaches to design defect litigation, and federal preemption of products liability claims. Later in the course, we will examine gun manufacturer liability, currently and prior to the passage of the Protection of Lawful Commerce in Arms Act, which reshaped the landscape of gun litigation. Finally, we will end with a consideration of the growing litigation related to the opioids, litigation inflected by doctrines peculiar to prescription drug manufacturer liability. The final examination will be a self-scheduled 48 hour take home exam. Attendance and participation are crucial to the course, and significant credit will be given to those students who contribute thoughtfully and constructively to class discussion of cases and issues.

LAW 1759 v00 Advanced Trial Practice

J.D. Seminar | 3 credit hours
In this simulation course, students will explore the major components of a trial in depth: opening statement; direct and cross-examination of fact witnesses; qualification, direct and cross-examination of expert witnesses; objections; impeachment; use of exhibits and visuals; and closing argument. Students will represent either the plaintiff or the defendant for each trial component. On the final day of class, working in teams of two, students will try the case presented in the simulated case file.

The focus of this course is “learning by doing” in a simulated courtroom setting from a prepared trial record. Specifically, each trial component will include demonstrations, opportunities to perform, feedback, and opportunities to perform again. Students will receive intensive, constructive feedback throughout the course.

Prerequisite: Evidence. Additionally, 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).

Note: Attendance Is Mandatory At All Class Sessions. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal.

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

LAW 308 v01 Advertising Law

J.D. Course | 3 credit hours
This course covers legal regulation of advertising in the United States, with some comparison to other countries. Private causes of action by consumers and competitors, state attorneys general, and the Federal Trade Commission all form part of the law of advertising. Topics will include falsity, substantiation, surveys, product placement, “green” marketing claims, disclosures and disclaimers, and First Amendment aspects of advertising regulation. There will be a final take-home exam.
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LAW 1604 v00 Affordable Housing Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201604%20v00)
J.D. Seminar | 3 credit hours
The goal of this seminar is to expose you to the policy, law and practice concerning the provision and preservation of affordable housing and its relationship to personhood, to community, and to society as a whole. Specifically, we will examine the problems caused by the absence of a sufficient number of safe, sanitary, decent, and affordable units for households of low and moderate income. We will look at aspects of federal and local housing policy from both a current and an historical viewpoint. We will place particular emphasis on issues of poverty and race. Your paper can examine any element of affordable housing regardless of whether it is covered in class.

LAW 508 v01 Affordable Housing Transactions Clinic (Harrison Institute) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20508%20v01)
J.D. Clinic | 14 credit hours
Please see the Affordable Housing Transaction Clinic website (http://www.law.georgetown.edu/academics/academic-programsclinical-programs/our-clinics/HIHC) for more detailed information about the program.

For registration-specific supplemental materials, please see the Affordable Housing Transactions Clinic PDF (http://www.law.georgetown.edu/academics/academic-programsclinical-programs/clinic-applications/upload/Affordable-Housing-2017-FINAL.pdf).


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

LAW 1754 v00 Africana Legal Studies (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201754%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
Western law—like Western religion, Western fashion, Western individualism, and Western education—has been imposed on African people enslavement, colonialism, and imperialism. But the history of African people and their thinking on “law” or rules for social living does not begin with these atrocities. This is the central, initial recognition of “Africana Legal Studies.” This seminar focuses on the indigenous African ways of knowing “law” and governance constructs. It will explore the need for application of an Africana Studies lens to legal scholarship, the tenets of Africana Studies, and the contours of Africana Legal Studies. The course will explore a theoretical framework for how to identify and distill precolonial, pre-enslavement (“pre-Maafa”) ways of knowing law. It will include an examination of how Africana legal frameworks have evolved in the face of Western colonialism, European enslavement, and other externally-imposed social structures and how Western law interrupted and interfered with Africana legal frameworks. From participating in this African-centered exploration of “law,” governance, and persistence, students may derive insights and strategies for addressing the issues of today, legal and beyond. The writing requirement offers students an opportunity to write on a topic of their choice pertaining to Africana legal frameworks.

Learning Objectives:
Students successfully completing this course will be able to (1) identify the Africana Studies conceptual framework, (2) de-center the West in their thinking about “law” and indigenous ways of knowing governance, (3) identify methods for researching and identifying Africana “legal” frameworks, (4) through class readings and discussions, analyze avenues of inquiry surrounding the relationship between Africana “legal” frameworks and other frameworks of governance, and (5) discuss and consider ways that American jurisprudence and statutes interfere(d) and interact(ed) with Africana governance protocols. The primary course evaluation is by the traditional two-draft seminar paper.

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 1632 v00 Aggregate Litigation: A Global Perspective
J.D. Seminar (cross-listed) | 1 credit hour
In a world of mass production, mass harm often follows. A defective product might injure numerous consumers; a false report might mislead multiple investors; and a discriminative practice might impact a large number of employees. In such cases, litigation by each individual plaintiff might prove ineffective, and often impractical. To resolve this problem, legal systems have devised various forms of aggregate litigation and collective redress procedures. This introductory course discusses the key characteristics of these procedures, using a comparative framework. Class actions and alternative collective redress regimes in the U.S., Canada, Australia, Israel and Europe will be studied, and the potential for multi-national aggregate litigation, in a single or in multiple forums, will be explored.

Note: This course will meet on Mondays and Wednesdays, 11:10 a.m. - 1:10 p.m. on the following dates: 9/5, 9/10, 9/12, 9/17, 9/19, 9/24, and 9/26.

LAW 277 v02 Aging and Law Seminar
J.D. Seminar (cross-listed) | 2 credit hours
This seminar explores, through lecture, discussion, role playing, and problem solving, the range of legal challenges and public policy issues affecting older adults. Subject areas include health care benefits (Medicare, Medicaid); long-term services and supports (nursing homes, home and community-based services, long-term care insurance, state-based programs); income security programs (Social Security, SSI); aging and autonomy, including elder abuse, neglect and exploitation and advance planning related to incapacity (powers of attorney, guardianship and its alternatives, choices regarding life-sustaining medical treatment); housing and consumer issues affecting older adults; and ethical issues in representing older adults. Coursework will address systemic inequities faced by older adults of color, older women, LGBTQ older adults, older adults with disabilities, and older adults who are immigrants or have limited English proficiency. The seminar is both practice- and policy-oriented and integrative with respect to other coursework and related disciplines.

Recommended: Prior or concurrent enrollment in one or more of the following courses: Administrative Law; Family Law I: Marriage and Divorce; Constitutional Law II: Individual Rights and Liberties; Professional Responsibility.
LAW 065 v02 Alternative, Complementary, and Integrative Medicine, The Legal Issues Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20065%20v02)
J.D. Seminar (cross-listed) | 3 credit hours
Alternative, Complementary, and Integrative Medicine ("non-traditional medicine") ("CAM") is the fastest-growing sector of American Health Care and is one of the fastest growing fields in the United States. Presently, at least 50 percent of Americans are using some form of alternative and complementary therapy such as acupuncture, nutritional supplementation, herbs, massage, yoga, chiropractic and homeopathy. According to the Journal of the American Medical Association in 1997, visits to alternative health care practitioners exceeded total visits to all conventional primary care physicians. The number of clinics and hospitals that integrate some modalities of CAM alongside conventional medicine is growing rapidly. The Institute of Medicine, a part of the National Academy of Sciences, has held recent conferences on the values of both CAM and Integrative Medicine. The NIH is using significant resources to fund research in this area.

This development, of course, is raising legal issues. There is a growing but still unsettled body of law on this subject. Some but not all CAM modalities are now licensed and regulated by at least some states. Federal regulatory bodies, such as the FDA and FTC are trying, within the limits of their statutory authority, to protect what they perceive to be the interests of the public. Yet, they come at the problem through conventional, rather than alternative, eyes. Conventional law is based upon protecting the public from purveyors of the proverbial "snake oil" frauds. And to an extent this law is being used to keep out alternatives to the established health-care modalities. This seminar studies the tensions, legal, economic, and social, of this struggle as it unfolds. This seminar covers several areas of law including administrative law, medical malpractice, informed consent, FDA/FTC law, among others. A paper meeting the upperclass legal writing requirement is required.

LAW 015 v02 American Legal History (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20015%20v02)
J.D. Course | 3 credit hours
The defining characteristic of American legal history in the twentieth century, wrote the great legal historian James Willard Hurst, was the emergence of unreviewable, "prerogative" power in executive officials. Americans needed a state, but they also needed it to respect individual freedom and a diverse civil society. They wanted not Leviathan but a democratic and liberal state, and they looked to lawyers and the rule of law to create it.

Through a series of case studies, interspersed with histories of the American legal profession, political parties, and public bureaucracies, this course looks to the past for insight into our present. The case studies include the Cambridge smallpox vaccine controversy of 1902-1905; lawyering at Ellis Island and within the immigration bureaucracy; Charles Evans Hughes on commission government and the draft in World War I; legal realism and legal radicalism in New Deal farm policy; FDR's Court-packing plan; Japanese American internment and price control in World War II; and McCarthyism. Topics on the legal profession include the nineteenth-century, court-centered bar as an "inner republic"; the emergence of the corporate bar; ethnicity, gender and race within the bar; New Deal lawyers; and the "Washington lawyers" of postwar America. Theoretical topics include the professions, bureaucracy, party strategy, state autonomy, and professional authority.

LAW 361 v20 American Legal Profession (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v20)
J.D. Course | 3 credit hours
This course combines material covered in the two-hour Professional Responsibility course with a broader examination of the legal profession. In addition to the law of lawyering (including the Model Rules of Professional Conduct), the course includes material on the moral underpinnings of law practice, the structure and regulation of the legal profession, and the distribution of legal services. The course uses problems and case studies to enable students to identify ethics issues as they arise in different practice areas, including private practice, government lawyering, criminal defense and prosecution, and public interest practice.

LAW 1107 v00 Analytical Methods (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201107%20v00)
J.D. Course (cross-listed) | 3 credit hours
Lawyers in every type of practice (corporate, litigation, government, public interest, etc.) routinely deal with problems that require a basic understanding of concepts and methods from economics and statistics. This course provides an introduction to these subjects and their application and relevance to law and legal practice. Topics covered include decision analysis, game theory, probability, and statistics. Grades will be based on a graded problem set and a take-home final examination. No prior background in economics or statistics is required; however, we will regularly use elementary algebra and geometry. Students with strong backgrounds in economics, mathematics, or statistics should consult with the professor before enrolling in the course.

Course Objective and Learning Outcomes: The objective of the course is to enhance students’ ability to give sound legal advice and make effective legal arguments by introducing them to selected concepts and methods from economics and statistics that are relevant to numerous areas of law and legal practice. These concepts and methods include: decision trees, expected value, sensitivity analysis, risk aversion, present value; Nash equilibrium, game trees, backward induction, subgame perfection, moral hazard, adverse selection, probability, conditional probability, independence, Bayes’ rule; descriptive statistics (including measures of central tendency and variability), hypothesis testing, confidence intervals, statistical significance, type I and type II errors, and regression analysis.

By the end of the course, I expect students to have a good understanding of these concepts and methods and to be able demonstrate a basic proficiency in applying them to: (i) unpack complex decisions of the kind that lawyers and their clients often encounter in litigation and transactions; (ii) analyze situations involving strategic interactions (i.e., situations where the outcome depends on the strategies and actions of multiple parties) of the kind that lawyers and their clients often encounter in litigation and transactions; and (iii) engage in probabilistic and statistical reasoning and evaluate probabilistic and statistical evidence of the kind that courts and lawyers often encounter in litigation.
LAW 1167 v00 Anatomy of a Federal Criminal Trial: The Prosecution and Defense Perspective

This course will be an in-depth analysis of the investigation and trial of a federal white collar criminal case led by an experienced criminal defense attorney and an experienced prosecutor who faced each other in the courtroom during the trial of a former executive of Enron Corporation. This course will use a hypothetical case study based on the Enron trial the instructors conducted against each other beginning at the investigative stage through the charging stage and continuing through trial and sentencing.

Through discussion and selected assignments representative of different stages of the prosecution, students will critically examine the hypothetical criminal prosecution from both sides of the adversarial process – moving beyond a discussion of the basic stages of the trial into an analysis of how each side approaches each stage – asking themselves what they hope to accomplish and what is the best method for doing so.

Each student will do a total of three written assignments and two oral assignments.

Learning Objectives:

The goal of this course is to provide a realistic and practical view into what it is actually like to be a prosecutor or a defense counsel, and the decisions and considerations they make through each stage of a matter, from investigation through sentencing and appeal. The learning outcomes for the course include:

- Knowledge of each stage of a white collar investigation, from a defense and prosecutorial perspective.
- Ability to engage in a lively discussion while letting go of the fear of a “wrong answer.”
- Ability to engage in critical and strategic thinking beyond black letter law and into the practical effects of a particular course of action as well as any related policy considerations.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Mutually Excluded Courses: Students may not receive credit for both this class and Federal Prosecution.

LAW 1743 v00 Animal Law Seminar

An exploration and discussion of the treatment of animals under state, federal, and international law, as well as current policy reform efforts. The course will address the historical status of animals in the law; legislative and regulatory efforts and citizen initiatives to strengthen animal protection laws; the application of federal laws concerning captive animals, wildlife, and farm animals; the role of international conventions concerning trade in animals and in animal products; the limitations on state laws addressing anti-cruelty, hunting, trapping, and animal fighting; and the effect of free speech, religious expression, and other Constitutional principles on animal protection statutes.

Students will write a paper that fulfills the Upperclass Legal Writing Requirement as explained in the Student Handbook. Students will present their paper to the class and lead a discussion on it.
LAW 567 v00 Animal Protection Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20567%20v00) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course explores the process of public interest litigation in an effort to better understand the status and treatment of animals in the courts. Students will participate in a two-hour/week seminar and also undertake 10 hours/week of fieldwork in the twenty-attorney litigation unit at the Humane Society of the United States.

SEMINAR: The seminar offers a practical survey of litigation and legislative efforts on behalf of animals at the local, state, and national level. The course will address the historical status of animals in the law; the current application of animal protection laws to wild animals, animals confined in factory farms, exhibitions, and laboratories, and companion animals; legislative efforts and citizen initiatives to strengthen animal protection laws; the role of international conventions and other laws concerning trade in animals and animal products; the limitations on implementation and enforcement of animal laws; and the impacts of free speech, religious expression, and other Constitutional provisions on animal protection statutes. Utilizing an interdisciplinary approach that combines administrative law, environmental law, consumer protection, and other related public interest fields, the seminar will examine why some public interest litigation campaigns succeed and others fail; explore how to construct an effective public interest litigation strategy; and teach students how to develop innovative uses of existing laws to expand legal protections for animals.

FIELDWORK: Students will work closely with the Humane Society of the United States’ in-house litigation group to find new and creative ways to ensure that all animals receive the legal protections they deserve. As part of the fieldwork, students will work on a wide variety of cases in state and federal courts throughout the country, including actions to protect cougars, wolves, grizzlies and other wildlife, to curb unscrupulous breeding of, and cruelty to, companion animals, to improve the treatment of animals used in research, and to prevent the systematic mistreatment of animals in factory farms. The docket is extensive and interdisciplinary, and involves cases being pursued jointly with other public interest groups, including environmental protection, consumer protection, public health, labor, and sustainable agriculture organizations. For the Fall 2021 semester, students are permitted to conduct their practicum fieldwork remotely.

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).

Recommended: Administrative Law.

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

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

This course is suitable for evening students who can attend the weekly seminar and conduct 10 hours of fieldwork/week during normal business hours. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The fieldwork must be completed during normal business hours. The two-credit seminar portion of this practicum will be graded. The two credits of fieldwork are mandatory pass/fail. Students will be allowed to take another course pass/fail in the same semester as this practicum course.

LAW 038 v02 Antitrust Economics and Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20038%20v02)
J.D. Course (cross-listed) | 4 credit hours
This course covers the major federal legislation and doctrine in the field of antitrust law with a primary focus upon governmental efforts to promote competition. Emphasis is placed upon the growing role of economic analysis and trends in judicial interpretation relating to the coordination, monopolies, mergers and joint ventures, as well as evolving legal standards, including the role of decision theory in setting legal standards.

This version of basic antitrust places greater emphasis on the tools of economic analysis that have taken on growing importance in antitrust as well as controversies between Chicago School and post-Chicago economic approaches. There is no economics prerequisite. The necessary economic tools will be developed in the course. Students should be prepared to master economic as well as legal materials. There will be written assignments that must be submitted for each class.

Recommended: Some economics background is helpful, but not required.

Mutually Excluded Courses: Students may not receive credit for both this course and Antitrust Law.
LAW 1530 v00 Antitrust in Action: Evaluating the Deal and Advising the Board of Directors

This intensive one-credit course will take ten students through a fast-paced, real-life M&A situation with potentially significant antitrust implications over the course of three days. Students will represent a hypothetical client who has received an unsolicited indication of interest from a competitor and have to weigh that offer against alternative transactions presenting less risk. With time of the essence, the students will have to analyze the antitrust implications of the various alternatives and make a recommendation regarding the risks to the client's Board of Directors. Once the Board makes its decision and the deal is negotiated (with the help of the students in respect of the provisions in the merger agreement with antitrust implications), it will then become their responsibility, as outside counsel for the company, to convince the antitrust authorities that the transaction is not anticompetitive.

Students will be informed of the scenario a few days in advance, and provided with the relevant background materials, in order to be ready for the course. The students will play the role of associates in a firm that is the outside counsel to the company that is the subject of the scenario. The goal of the course is to simulate through this hypothetical M&A scenario, the legal skills needed to guide a client's strategic and tactical business decisions in a real-life antitrust sensitive situation.

This course will be highly interactive. Working in teams and individually over three class sessions, the students will perform a "quick and dirty" antitrust analysis of the alternatives, evaluate/negotiate the antitrust risk shifting provisions in the merger agreement, present the analysis to the Board, and present a Day 1 presentation to the antitrust authorities. The students will be allocated tasks throughout the week as they would in a real life/time private practice situation. The students will work with a practicing antitrust & M&A lawyer from an international New York City firm as the "partner" on the matter who will give out assignments, review written material, and otherwise coordinate the team.

Prerequisite: Corporations.

Recommended: An antitrust or antitrust and economics course is recommended, but not mandatory.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Students may not withdraw from this class after the add/drop period ends without the permission of the professor. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students. Note: Students should be prepared to dedicate a significant amount of time to this class over the course of the weekend outside of the scheduled class hours.

LAW 038 v01 Antitrust Law

This course covers the major federal legislation in the field of antitrust law, with a primary focus upon governmental efforts to promote competition, including Sections 1 and 2 of the Sherman Act, and Section 7 of the Clayton Act. Emphasis is placed upon the growing role of economic analysis and other modern trends in judicial interpretation, with an emphasis on understanding the means by which courts determine whether unilateral and collaborative business conduct is pro-competitive or anticompetitive, regardless of the particular statutory provision at issue.

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

LAW 038 v50 Antitrust Law

This course covers the major federal antitrust statutes and related federal agency guidelines, with a primary focus on government efforts to protect and promote competition through the Sherman Act, the Clayton Act, and Section 5 of the Federal Trade Commission Act. Emphasis is placed on the growing use of economic analysis and other modern trends in judicial interpretation of these statutes, and on recent case law addressing vertical and horizontal restraints, monopolization, and mergers.

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

LAW 1396 v00 Antitrust Law Seminar: Case Development and Litigation Strategy

This course explores the process of raising and defending against antitrust challenges. Through a series of contemporary case studies, we will examine the resolution of antitrust disputes, focusing on the substantive strategies and procedural tools available to the litigants. In the context of these case studies, we will discuss criminal indictments, plea agreements and the DOJ's leniency policy, sufficiency of pleading, presumptions and burdens of proof, rules of evidence (including the use of expert evidence), dispositive pretrial motions, class actions and class action settlement strategies, temporary restraining orders and preliminary injunctions, treble damage judgments, interlocutory and final appeals, and Supreme Court review. There will be no exam, but a paper will be required.

Prerequisite: Antitrust Law or Antitrust Economics and Law.

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 049 v05 Appellate Courts and Advocacy Seminar

J.D. Seminar | 3 credit hours

The Appellate Courts and Advocacy Seminar combines a substantive review of key appellate litigation doctrines concerning appellate jurisdiction, standards of review, and other topics, with a significant advocacy component, including motion and brief writing. The course considers each stage of the appellate litigation process beginning with a general overview, moving to the various bases for appellate jurisdiction in the federal courts, then discussing standards of review, and concluding with an intense review of the anatomy of an appellate brief. We will also briefly consider U.S. Supreme Court practice.

There are about a half dozen small- to medium-sized writing assignments that have two purposes: They introduce students to an aspect of appellate practice, and they demand application of one or more of the course’s doctrinal topics. For all assignments, students are provided copies of relevant practice rules, statutes, cases, and other items. No outside research is involved.

For a detailed course description and syllabus, please contact the instructor at bswolfman@yahoo.com.

In addition, Professor Wolfman’s biography also has more information on his background.

Prerequisite: All first-year courses. Federal Courts is recommended, but not required.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. 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.

LAW 049 v06 Appellate Courts and Advocacy Workshop

J.D. Seminar | 2-3 credit hours

The Appellate Courts and Advocacy Workshop combines a substantive review of key appellate litigation doctrines concerning appellate jurisdiction, standards of review, issue preservation, and other topics, with a significant advocacy component, including motion and brief writing. The course considers each stage of the appellate litigation process beginning with a general overview, moving to the various bases for appellate jurisdiction in the federal courts, then discussing standards and scope of review, and concluding with drafting a full appellate brief in a simulated case. (Students enrolled in the Appellate Courts Immersion Clinic, who must enroll in this course for two credits, do not draft the simulated appellate brief.) We will also briefly consider U.S. Supreme Court practice. The workload is steady and at times fairly demanding. Students desiring to get the most from this course will have to read the materials as they are assigned and complete the writing assignments diligently. In the first two-thirds of the workshop, students gain invaluable practice experience by deconstructing an appellate brief element by element and then, toward the end of the course, build on that experience by drafting a full appellate brief from scratch.

The course’s half dozen small- to medium-sized writing assignments serve two purposes: They introduce students to an aspect of appellate practice, and they demand application of one or more of the course’s doctrinal topics. For all assignments, students are provided copies of relevant practice rules, statutes, cases, and other items. No outside research is required.

For a detailed course description and syllabus, please contact the instructor at wolfmanb@georgetown.edu.

The learning goals of this course are (1) mastery of the basic doctrine of the law of federal appellate courts (in particular, jurisdiction, standards of review, and scope of review); (2) providing students with a critical understanding of the doctrine enabling them to make credible arguments about the doctrine’s gaps and ambiguities; and (3) enhancing students’ persuasive writing skills.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
LAW 049 v07 Appellate Courts and Advocacy Workshop (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20049%20v07)
J.D. Seminar | 3 credit hours
The Appellate Courts and Advocacy Workshop combines a substantive review of key appellate litigation doctrines concerning appellate jurisdiction, standards of review, issue preservation, and other topics, with an intensive advocacy component, including motion and brief writing. The course considers each stage of the appellate litigation process, beginning with a general overview, moving to the various bases for appellate jurisdiction in the federal courts, then discussing standards of review, and other doctrinal issues, and then concluding with an intense review of the anatomy of an appellate brief. We will also briefly consider U.S. Supreme Court practice. Students considering judicial clerkships after graduation often find this course useful.

During the doctrinal portion of the class, students complete about a half dozen small- to medium-sized writing assignments. These assignments do two things: (1) introduce students to some aspect of appellate practice, and (2) demand application of one or more of the course's doctrinal topics. In addition to these smaller assignments, students are also responsible for writing an appellate brief. For all assignments, students are provided copies of relevant practice rules, statutes, cases, and other items. No outside research is permitted.

The doctrinal portion of the course, and the corresponding small- to medium-sized writing assignments, will be covered during the eight three-hour class sessions over the first four weeks of the Summer Term. The appellate brief will be completed over approximately the next five weeks. During that time, each student will have a one-on-one meeting with the professor to review a draft appellate brief. The student will then submit a final version of the brief.

All students are expected to attend class. Students should prepare for class by reading the assigned materials and completing the writing assignment and are expected to discuss the materials and assignments in class. A practice-oriented small class depends on preparation and active student participation.

The instructor, Brian Wolfman, is Director of GULC's Appellate Courts Immersion Clinic, which litigations public-interest appeals of all kinds. He is the former co-director of Stanford's Supreme Court Litigation Clinic and GULC's civil rights clinic. Before entering clinical teaching, Prof. Wolfman was the former Director of Public Citizen Litigation Group, a public interest law firm in Washington, D.C. He has litigated dozens of cases in federal courts of appeals, state appellate courts, and the U.S. Supreme Court.

For a detailed course description and syllabus, please contact the instructor at (wolfmanb@georgetown.edu).

The learning goals of this course are (1) mastery of the basic doctrine of the law of federal appellate courts (in particular, jurisdiction, standards of review, and scope of review); (2) providing students with a critical understanding of the doctrine, enabling them to make credible arguments about the doctrine's gaps and ambiguities; and (3) enhancing students' persuasive writing skills.

**Prerequisite:** Civil Procedure or Legal Process and Society, and Legal Practice: Writing and Analysis.

**Note:** This course will enroll via waitlist.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled and must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop, failure to attend any subsequent class session in its entirety may result in a withdrawal, and final grades will be calculated only if the student is enrolled in the course and is attending class. Failure to attend the first class session in its entirety will result in an automatic withdrawal from the course.

LAW 1414 v00 Appellate Courts and Advocacy Workshop (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201414%20v00)
J.D. Seminar | 3 credit hours
The Appellate Courts and Advocacy Workshop combines a review of key appellate litigation doctrines concerning appellate jurisdiction, standards of review, and other topics, with an intensive advocacy component, including motion and brief writing. The course considers each stage of the appellate litigation process, beginning with a general overview, moving to the various bases for appellate jurisdiction in the federal courts, then discussing standards of review, and concluding with a review of the anatomy of an appellate brief. We will also briefly consider U.S. Supreme Court practice. Students considering judicial clerkships after graduation may find this course useful.

During the doctrinal portion of the class, students are required to complete about a half dozen small to medium-sized writing assignments. These assignments do two things: They introduce students to some aspect of appellate practice and demand application of one or more of the course's doctrinal topics. In addition to these smaller assignments, students are also responsible for writing an appellate brief. For all assignments, students are provided copies of relevant practice rules, statutes, cases, and other items. No outside research is involved. Students receive individualized feedback on each writing assignment.

The doctrinal portion of the course, and the corresponding small to medium-sized writing assignments, will be covered during the first three-quarters or so of the course. The appellate brief will be completed during the remainder of the class. While working on the brief, each student will have a one-on-one meeting with the teacher to review a draft brief. The student will then submit a final version of the brief.

All students are expected to attend class. Students should prepare for class by reading the assigned materials and completing the writing assignment. Students are expected to discuss the materials and assignments in class. A practice-oriented small class depends on active student participation.

The teacher, Brian Wolfman, is Director of GULC's full-time Appellate Litigation Clinic and previously co-directed GULC's Institute of Public Representation and Stanford Law School's Supreme Court Litigation Clinic. He is the former Director of Public Citizen Litigation Group, a public interest law firm in Washington, D.C., where he worked for almost 20 years. He has litigated dozens of cases in federal courts of appeals, state appellate courts, and the U.S. Supreme Court.

In addition, Professor Wolfman's biography (https://www.law.georgetown.edu/faculty/wolfman-brian.cfm) also has more information on his background.

**Prerequisite:** Civil Procedure (or the section 3 course, Legal Process and Society).

**Mutually Excluded Courses:** Students may not enroll in this course if they are enrolled in the Spring 2017 full-time Appellate Litigation Clinic.
**Complete List of J.D. Courses**

**LAW 504 v01 Appellate Courts Immersion Clinic**
- J.D. Clinic | 12 credit hours
- Please see the Appellate Courts Immersion Clinic website for more detailed information about the program.
- For registration-specific supplemental materials, please see the Appellate Courts Immersion Clinic PDF.

**LAW 044 v01 Appellate Practice Seminar**
- J.D. Seminar | 3 credit hours
- The purpose of this seminar is to teach you appellate advocacy skills.
- You will learn the process of writing an appellate brief, preparing for oral argument, and delivering the argument. In the process, you will receive one-on-one instruction from the professors. We will seek to engage the students in lively class discussion, and we will rely on real-world successes and failures from briefs and oral arguments by practitioners in the federal appellate system.
- In the seminar, you will write an appellate brief based on a real case and present a moot oral argument in support of your brief before a panel of appellate judges and/or nationally recognized appellate practitioners. You will have the opportunity to express a preference for which side of the case you wish to represent (appellant or appellee) for purposes of your brief and oral argument. We will provide individualized critiques after you submit a draft of your brief and again after your oral argument. Both the draft and final versions of the student brief must be at least 6,000 words in length, excluding footnotes (or roughly 25 pages).
- The professors for the seminar are Lisa S. Blatt, the head of the Appellate and Supreme Court practice at Arnold & Porter Kay Scholer LLP who has argued 35 cases before the U.S. Supreme Court and numerous cases before the federal courts of appeals, and Robert Leider, an associate who joined the practice after clerking for Justice Clarence Thomas and who has experience handling appeals before federal and state appellate courts. We believe that success in virtually any legal career requires excellent writing and oral advocacy skills.
- Recommended: Prior or concurrent enrollment in one or both of the following courses: Advanced Legal Writing; Trial Practice.

**Mutually Excluded Courses:**
- Students may not receive credit for both this course and the Appellate Practice Seminar.
- Students in this clinic may not concurrently enroll in another class, clinic, externship or practicum.

**LAW 504 v00 Appellate Litigation Clinic**
- J.D. Clinic | 9 credit hours
- Please see the Appellate Litigation Clinic website for more detailed information about the program.
- For registration-specific supplemental materials, please see the Appellate Litigation Clinic PDF.

**LAW 044 v00 Appellate Litigation Clinic**
- J.D. Clinic | 9 credit hours
- Please see the Appellate Litigation Clinic website for more detailed information about the program.
- For registration-specific supplemental materials, please see the Appellate Litigation Clinic PDF.

**Recommended:**
- Prior or concurrent enrollment in one or both of the following courses: Advanced Legal Writing; Trial Practice.

**Mutually Excluded Courses:**
- Students may not receive credit for both this seminar and the Appellate Courts and Advocacy Seminar, or the Appellate Courts Immersion Clinic.

**Note:**
- FIRST CLASS ATTENDANCE IS MANDATORY. 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.
LAW 044 v02 Appellate Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20044%20v02)
J.D. Seminar | 3 credit hours
What happens after a trial court decides a case? The purpose of this seminar is to teach you about the appellate process and help you develop appellate advocacy skills. Using the federal system as a model, you will learn about the various stages of appellate litigation, as well as appellate courts’ sometimes-limited role in each of them. We will seek to create lively class discussions, examining real-world briefs and oral arguments. The course will involve significant legal writing opportunities; in addition to short in-class and take-home writing exercises, you will craft an appellate brief over the course of the semester. Both the draft and final versions of your brief must be at least 6,000 words in length, excluding footnotes (roughly 25 pages). You will also learn how to prepare for oral argument; the semester will culminate in each student's delivery of an oral argument in support of their brief in front of appellate practitioners. We will provide individualized critiques of your writing assignments and your oral argument.

Recommended: Prior or concurrent enrollment in one or both of the following courses: Advanced Legal Writing; Trial Practice.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Appellate Litigation Clinic or the Appellate Courts Immersion Clinic.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. 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.

LAW 537 v00 Applied Legal Composition (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20537%20v00)
J.D. Course | 2 or 4 credit hours
Students study legal writing from both the writer's and reader's perspectives. Students review documents, analyze scholarship, write criticisms of legal writing, prepare their own texts, and read extensively about the theory of legal composition. Students hold conferences with clients who are currently working on writing projects.

Prerequisite: Legal Practice: Writing and Analysis at Georgetown Law.

Recommended: Legal Writing Seminar: Theory and Practice for Law Fellows.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL and can only be taken by Senior Writing Fellows, who must take this course. Contact the Office of the Registrar if you would like to distribute the credits unevenly between the semesters.

LAW 1329 v00 Art Law Seminar: Images, Objects, and Culture (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201329%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine major intersections of law and art in the United States, focusing on cases and legislation in light of social, political, and art historical influences. We will consider questions implicated by art law's myriad incarnations, such as why art receives special legal treatment, how law defines art, and who benefits. Ongoing themes will be the dissonances of existing law with twenty-first century culture and digital technology, and new developments. Areas include freedom of expression, copyright, moral rights, authenticity, the right of publicity, authorship, museums, and the art market, with visits by outside speakers on selected topics.

All students taking the course will be expected to develop original papers reflecting substantial critical engagement with an art law topic of their choice, in satisfaction of the Upperclass Legal Writing Requirement for J.D. students. Participation will also play a significant role in the course, including discussion of assigned readings and short reflection pieces. Classroom time in the latter part of the semester will be devoted to student presentations and feedback.

Learning goals for the course:
Developing skills in critical analysis and scholarly writing; developing proficiency in a body of law and relevant policy concerns; expanding knowledge of doctrinal analysis through close reading of cases, legislation, and related authorities, along with the influences of cultural and historical context.

Recommended: Prior course work in copyright law.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please submit a brief statement of interest in the seminar by 5:00 pm on Monday, June 4, 2018, to Professor Bonneau (sonya.bonneau@georgetown.edu). Art-related background is not required but may be included in the statement. Professor Bonneau is making her decisions and filling the open slots in the seminar on a rolling basis.
LAW 1740 v00 Artificial Intelligence and National Security: Law, Ethics, and Technology (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201740%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This two-credit course provides students with an appreciation of the legal, ethical, and technical issues raised by the proliferation of artificial intelligence in the field of national security. The focus of the course is to enable students as lawyers, leaders, and policymakers to grapple with these issues by giving them an understanding of how artificial intelligence operates; its potential and likely use in different national security settings; and how each use raises distinctive legal and ethical questions involving predictability, trustworthiness, responsibility, and accountability. The course will use numerous examples and case studies to illustrate these issues, as well as videos to depict some of the technical aspects of artificial intelligence.

The specific learning objectives for the course are for students to understand the following:

(1) How artificial intelligence operates, including the concept of an algorithm, how it is trained on data, the statistical models that underlie this training and the basis for its outputs, machine learning, deep learning and neural networks, and the ways in which human choices and interactions shape this process. No technical background in statistics or computer science is necessary, since the goal is to explain these concepts in accessible terms.

(2) Artificial intelligence as a system involving human-machine teaming, the roles that each member of the team potentially plays at different points in the process, and the concept of trustworthy artificial intelligence.

(3) The role that artificial intelligence is playing in the national security field, its capabilities and potential applications to specific areas, and the extent to which global competition to employ and refine artificial intelligence is itself a national security issue.

(4) Limitations and risks of artificial intelligence, and possible ways to address them.

LAW 1628 v00 Artificial Intelligence, Robotics, and the Law: A Comparative Analysis Between the EU and the U.S. (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201628%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
The increasing role of technology in humanity raises constant major challenges to law in a variety of moral, theoretical and doctrinal dimensions. The purpose of this course is to analyze current developments in the fields of Artificial Intelligence (‘AI’) and robotics through the prism of legal regulation and/or vice versa (analyzing legal regulation through the prism of AI and robotics). Along with discussing the interface of law and technology through a variety of critical theoretical perspectives, the course will focus on specific topics and case studies as “laboratories” for assessing contemporary approaches to law & technology. The topics to be discussed include a new generation of AI crimes, risk regulation in the fields of autonomous vehicles and data protection, up to the current debate on the legal personhood of robots and AI systems. The main objective of this course is to make students aware of the connections between technology and the legal environment and keep them up-to-date with the current discussions worldwide. It is a unique opportunity to further develop technical knowledge on state-of-the-art topics, such as machine learning, neural networks, and 'black boxes.'

The course is worth 1 credit.

Students will write a paper of 2,500-3,000 words, excluding footnotes. This final paper will consist of a case study along the lines of the main topics discussed and analyzed during the course.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 7, 2019, through Friday, January 11, 2019, 9:00 a.m. - 11:35 a.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.
LAW 030 v00 Asian Law and Policy Studies Seminar

J.D. Seminar (cross-listed) | 3 credit hours
This is a research seminar in which students will present their current research on Asian law and policy at the end of seminar classes where we consider the various areas of law and development which have led to the economic dynamism of the Asia-Pacific region. The impact of the Asia-Pacific region on the world market and global economic activity is substantial and continues to grow. In addition, the conspicuous success and some spectacular failures of Asian nations in legal and economic development have prompted suggestions that the experience of these nations may provide models (both positive and negative) for other developing countries and regions. The seminar will explore—in connection with the role of law and legal institutions—the interaction of social change, economic growth, and legal development in East and Southeast Asia. Specific topics will depend on the research interests of the participants, but will include capital formation, financial regulation, transnational trade and investment, intellectual property, land reform, environmental protection, worker protection, human rights, and similar private and public law issues. The first few classes will introduce elements of development economics relevant to law and development.

Each student will also prepare a substantial academic work of publishable quality and present a 20-30 minute precis of it to the seminar. The student papers are expected to meet or preferably to exceed the publishable quality and present a 20-30 minute precis of it to the seminar. Guest speakers may present some classes separately or together with the instructor.

Recommended: Comparative Law (or the equivalent Comparative Law: Legal Systems in Transition) or any course in Asian law.

LAW 2028 v01 Assisted Reproductive Technologies and the Law

LL.M Seminar (cross-listed) | 2-3 credit hours
This 2 or 3 credit seminar will provide an overview of the underlying and competing laws and policies arising from the assisted reproductive technologies (ARTs) that continually make front page news. Since the 1980 opening of the country's 1st IVF clinic amidst protests and pickets, courts and legislatures have struggled to create laws and policies in response to continually evolving reproductive advances. Topics will include: the legal status of the IVF embryo in the context of procreative rights; embryo cryopreservation, storage, disposition and mix-ups; legal implications of advances in egg freezing, reproductive genetics and oncofertility; posthumous reproduction; egg and sperm donation; traditional/genetic and gestational surrogacy; unique issues for single and same-sex couples, including the rapidly changing impact of same-sex marriage; and professional standards, economic and regulatory aspects of the ARTs.

New this semester will be the inclusion of two classes that will examine selected legal and policy aspects of comparative ART law perspectives on "third-party ART" and the impact these differences have on cross-border reproductive practices, with a particular focus on surrogacy.

National experts in their respective fields will provide guest lectures on: medical advances in ART (including a field trip to a locally based national IVF clinic); psychosocial aspects of donor egg and 3rd party ART; reproductive genetics; and regulation and public relations for ART providers.

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 for JD students. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.

LAW 050 v00 Aviation Law

J.D. Course (cross-listed) | 2 credit hours
This course encompasses most aspects of air transportation, including airport and air traffic control liability, air carrier liability in the carriage of passengers and cargo domestically as well as internationally under the Montreal Convention and economic and safety regulation of domestic and international air transportation. The course also includes contributions by practitioners in the field.

LAW 050 v01 Aviation Law

J.D. Course (cross-listed) | 2 credit hours
The course, taught by practitioners in the field, covers contemporary and cutting-edge aviation topics such as international commercial aviation, aviation security, and the integration of unmanned aircraft systems (i.e., drones) into the national airspace. The course material will encompass most aspects of aviation law, including the law of international civil aviation, the economic and safety regulation of air transportation, aircraft registration and certification, aircraft accidents, airport law, government immunity from tort liability, and airline liability for the carriage of passengers and cargo domestically and internationally under the Montreal Convention. Students are exposed to a range of materials, including cases, treaties, executive agreements, and regulations, with a view towards imparting practical skills that can be applied to any field of law.
LAW 1316 v00 Bankruptcy Advocacy (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201316%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 professor.
This project-based practicum course will focus on bankruptcy litigation.
Students will participate in a two hour/week seminar and carry out 10
hours/week of project work under the direction of the course professor.

SEMINAR: The basic goal of this practicum is to provide law students
with the opportunity to learn and then to apply litigation skills at both
the trial court (bankruptcy court) level, as well as the appellate level.
More broadly, the practicum will seek to demonstrate the centrality and
significance of the bankruptcy law system in the context of our credit-
based economy. Key themes will be evaluated including the tension
between providing debtors with a fresh start and the need to provide
creditors with protection of property rights. The impact of bankruptcy
law will be examined at both the individual level in various contexts,
such as the importance of a discharge action, as well as the broader
macro level in discussions about the impact on credit cost and credit
availability. Students should finish the course with a deeper appreciation
of the litigation skills required to either try a bankruptcy case or to appeal
from an adverse ruling, as well as the underlying goals and policies of
bankruptcy law, and the impact on individuals and businesses.

PROJECT WORK: In Spring 2022, this practicum will seek to give students
an opportunity to assist in the writing of an actual amicus curiae brief
to be filed in a pending matter before the U.S. Supreme Court, or one
of the Circuit Courts. The topic typically includes a matter of national
importance in the area of consumer bankruptcy law.

The students may be able to attend the moot court for counsel for one
of the parties, and, depending on the Court’s schedule, the actual oral
argument.

The student work will be consistent with the District of Columbia’s rule on
the unauthorized practice of law (Rule 49) which makes it impermissible
for students to practice law to present themselves as attorneys in any
way.

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).

Recommended: Any bankruptcy course. Any course focusing on Article 9
of the Uniform Commercial Code.

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: LL.M. students may enroll in this course, space permitting, provided
they have excellent U.S.-based legal research skills and English language
writing ability. Interested LL.M. students should email the Office of the
Registrar (lawreg@georgetown.edu) to request admission.

This is a four-credit course. Two credits will be awarded for the two-hour
weekly seminar and two credits will be awarded for approximately 10
hours of project work per week, for a minimum of 11 weeks. Both the
seminar 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

LAW 054 v01 Bankruptcy and Creditors’ Rights (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%20054%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course is a general introduction to bankruptcy law. The course
begins with a brief analysis of various state laws that relate to or are
directly incorporated into the bankruptcy law. Judicial and statutory
liens, execution, garnishment, debtors’ exemptions, and fraudulent
conveyances are reviewed. The course then moves to a consideration
of the Bankruptcy Code. Topics include: initiation of bankruptcy
proceedings; the automatic stay; property of the bankruptcy estate; the
trustee’s avoiding powers, including preferential transfers and fraudulent
conveyances; secured, priority, and unsecured creditors’ rights; debtors’
exemption rights; the discharge of debt; liquidation under Chapter 7; and
rehabilitation plans under Chapters 11 and 13.

Recommended: Prior or concurrent enrollment in one of the following
courses: Commercial Law: Secured Transactions; Commercial Law:
Secured Transactions and Payment Systems.

Mutually Excluded Courses: Students may not receive credit for this
course and Bankruptcy or Financial Restructuring and Bankruptcy.

LAW 054 v02 Bankruptcy and Creditors’ Rights (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%20054%20v02)
J.D. Course | 3 credit hours
This course deals with all facets of corporate reorganization under
Chapter 11 of the United States Bankruptcy Code. It is designed
to familiarize students with the central legal principles underlying
reorganization and other remedies offered by Chapter 11 to business
debtors, including the protections offered to creditors and other parties in
interest in Chapter 11 cases. The course will deal with the responsibilities
of counsel and the duties of the debtors and creditors committees.
After completing the course, you will be able to counsel clients and to
make persuasive arguments with respect to most basic issues
arising in Chapter 11 cases. You will gain an understanding of business,
commercial and financial concepts that underlie the reorganization
of businesses. The reorganization of troubled companies is a multi-
disciplinary task that brings to bear many other professional skill sets
(including the skills of financial advisors, investment bankers, lenders,
and accountants). You will also be shown how other areas of the law
(including secured transactions, real property, securities, corporate,
corporate finance, litigation, and employment law) may become material
to a reorganization. The course is designed to be highly interactive. Class
participation is welcome and strongly encouraged.

Mutually Excluded Courses: Students may not receive credit for this
course and Bankruptcy or Financial Restructuring and Bankruptcy or
Corporate Reorganization and Business Bankruptcy.

Note: The last class will meet on Thursday, December 4, 2014, 3:30 p.m. -
5:30 p.m.
LAW 002 v02 Bargain, Exchange, and Liability

J.D. Course | 6 credit hours

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

Note: This course will have a take-home mid-term exam; a take-home final exam; and role-playing exercise.

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

LAW 2086 v00 Basic Accounting for Lawyers

LL.M Course (cross-listed) | 2 credit hours

This is a basic course for students with NO accounting background or experience. A student will learn what an asset and a liability are, what the basic financial statements are, how financial statements are developed from the underlying accounting information of a company, and how the basic transactions of a business affect each line item of each financial statement. Students will learn how to understand the basics as it relates to the balance sheet, income statement, and statement of cash flows. Methods will include reading and text exercises, class lectures, and case exercises. Grading may be based on a final examination.

Mutually Excluded Courses: Students may not receive credit for both this course and Accounting for Lawyers or Introduction to Accounting. Students MAY receive credit for this course and Demystifying Finance: A Short Course for Law Students and Business Basics for Lawyers and Business and Financial Basics for Lawyers.

LAW 104 v02 Behavioral Law and Economics

J.D. Course (cross-listed) | 1 credit hour

The economic analysis of law has predominated much of legal analysis for the past few decades. Within this framework, rational choice theory has taken central stage as the key model used in order to predict human behavior. In recent years, however, researchers both in economics and in psychology have demonstrated that people systematically deviate from the predictions set forth by the rational choice model. The goal of this course is to incorporate these findings into legal analysis. In doing so we will first examine traditional economic analysis of law in the areas of property, contracts and torts, and then explore how the conclusions of this analysis are altered when behavioral insights are incorporated into it.

Learning Outcome Goals:

Primary Goals

At the end of the course, students will have acquired understanding of and/or facility in the core concepts of rational choice theory and alternative behavioral theories.

At the end of the course, students will have acquired understanding of and/or facility in the implications of behavioral findings on legal analysis.

Secondary Goals

At the end of the course, students will have acquired understanding of the methodological framework underlying behavioral economics.

Note: Laptop computers are not permitted in class without the permission of the instructor.
LAW 1354 v00 Best Practices for Justice: Prosecutors
Working to Improve the Criminal Justice System
(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 the professors. This project-based practicum course will work with the Prosecutors’ Center for Excellence to focus on emerging issues of importance to prosecutors and will include doing research and writing on these challenging issues. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

SEMINAR: The criminal justice system is undergoing a period of re-examination and reform. The Prosecutors’ Center for Excellence (PCE) is working with prosecutors around the country to assess emerging issues and implement change. PCE supports the development and growth of statewide Best Practices Committees that provide an on-going process for prosecutors to be part of this national discussion. The critical topics covered in the practicum will be:

- The evolving role of the modern prosecutor
- Preventing wrongful convictions
- Issues relating to race and equity in a prosecutor’s office
- Managing forensic evidence, including new forensic science, laboratory standards, and dealing with problems in forensic science
- The challenges of digital evidence, including using digital evidence for investigative purposes, privacy vs. public safety, and ethics and digital evidence
- Prosecutorial ethics, including law enforcement ethics and conviction integrity units
- Reducing crime and building community trust, including community prosecution, crime strategy units, and research on crime prevention

PROJECT WORK: Under the direction of the professors, students will engage in:

- The student’s legal work for the Prosecutors’ Center for Excellence supports publications on critical issues for prosecutors. See https://pceinc.org/topics/publications. Students will work on emerging issues facing the criminal justice system which can include crime prevention, reducing the criminal justice footprint and new technologies. Students will have individual or group assignments, depending on the topic.

Learning Objectives:
The course objective to to expose students to policy issues facing prosecutors on a variety of topics ranging from ethics to forensics to community engagement.

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).

Recommended: A course in criminal law is recommended, but not required.

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 the Office of the Registrar (lawreg@georgetown.edu) to request admission.
LAW 611 v17 Big Data, Face Recognition and the Limits of the Legislature: A Bill Negotiation Simulation

J.D. Seminar | 1 credit hour

If you have ever taken advantage of basic government services, your personal information is part of a massive trove of data that local, state and federal agencies share with one another through a variety of overlapping networks, databases and bureaucratic collaboratives. This infrastructure has been built over the course of the last 20 years, for the most part without any oversight or accountability, let alone transparency to the public.

Some policymakers—pushed by civil rights advocates and grassroots organizations—have begun to try to check the exponential growth in government power that these technologies have made possible. Last year, the Washington Post reported that Immigration and Customs Enforcement (ICE) was running face recognition searches on Maryland’s driver information databases. Community groups, including one group represented by Georgetown’s own Federal Legislation Clinic, demanded that legislators take action.

In this course, students will simulate the actual bill negotiation that took place last year in the Maryland State legislature. Using a fact pattern based on what unfolded, but fictionalized to protect client confidentiality, students will assume coalition roles to broker, draft, amend, and advocate for their own privacy bill from the perspective of those assigned roles.

**Learning Objectives:**

Through this course, students will have the opportunity to:

- Learn the legal, political and technological frameworks around government use of face recognition.
- Gain a basic understanding of the databases, networks and information sharing partnerships that pervade government bureaucracy.
- Practice legislative drafting and bill amendment.
- Create a bill pitch and deliver it for feedback to a panel of advocates and academics with first-hand knowledge of the Maryland bill.
- Devise and execute a political strategy to build an advocacy coalition and navigate their bill through the legislature.
- Draft hearing testimony and participate in a mock committee hearing.

**Note:** This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 30, 2020 at 3:00 p.m. After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

**Learning Objectives:**

- Describe the normative theories that inform the development of the field of bioethics and the role that the law has played in this evolution
- Describe practical examples of legal and ethical dilemmas that arise across multi-disciplinary topics in health, medicine, and the biological sciences
- Articulate the ethical arguments on often opposing sides of priority bioethical issues, understanding the varied levels of nuance involved
- Analyze the role of legal institutions and law and in creating a framework to address the ethical, legal, and social issues that arise in the fields of health, medicine, and the biological sciences

LAW 1536 v00 Bioethics and Social Justice

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

This seminar explores legal, ethical, and social issues raised by developments in health, medicine, and the biological sciences at the U.S. and global levels. It first provides an overview of the normative theories that inform the development of the field of bioethics, as well as connects these theories to legal and social dynamics that continue to shape discussions of equity and justice. It then considers a spectrum of priority topics and themes, through both a theoretical and practical lens, such as end-of-life issues, reproductive rights, human subjects research, access to medicines, and vaccines. Students will develop an in-depth perspective on how law and ethics overlap and shape the discourse on these priority topics. This seminar will be especially informative for students looking to obtain a practical view into how the law interacts with ethical dilemmas in health, medicine, and science.

**Learning Objectives:**

- Describe the normative theories that inform the development of the field of bioethics and the role that the law has played in this evolution
- Describe practical examples of legal and ethical dilemmas that arise across multi-disciplinary topics in health, medicine, and the biological sciences
- Articulate the ethical arguments on often opposing sides of priority bioethical issues, understanding the varied levels of nuance involved
- Analyze the role of legal institutions and law and in creating a framework to address the ethical, legal, and social issues that arise in the fields of health, medicine, and the biological sciences
LAW 1536 v01 Bioethics and Social Justice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201536%20v01)
J.D. Seminar (cross-listed) | 1 credit hour
This seminar explores legal, ethical, and social issues raised by developments in health, medicine, and the biological sciences at the U.S. and global levels. It first provides an overview of the normative theories that inform the development of the field of bioethics, as well as connects these theories to legal and social dynamics that continue to shape discussions of equity and justice, including on the global stage. It then uses several in-class simulations to explore the practical challenges—both legal and ethical—that arise for counsel practicing in this field. The simulations are designed for students to “step into the shoes,” as it were, of different actors, from in-house counsel at an academic medical center to the United States Ambassador to the United Nations, to gain practical insight into real-world situations. This seminar will be especially informative for students looking to obtain a practical view into how the law interacts with ethical dilemmas in health, medicine, science, and politics.

Learning Objectives:

- Describe the normative theories that inform the development of the field of bioethics and the role that the law has played in this evolution
- Describe practical examples of legal and ethical dilemmas that arise across multi-disciplinary topics in health, medicine, and the biological sciences
- Articulate the ethical arguments on often opposing sides of priority bioethical issues, understanding the varied levels of nuance involved
- Analyze the role of legal institutions and law and in creating a framework to address the ethical, legal, and social issues that arise in the fields of health, medicine, and the biological sciences

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

LAW 284 v01 Biotechnology and the Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20284%20v01)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar investigates legal, ethical, and social problems raised by developments in health, medicine and the biological sciences through the study of selected subjects that vary from year to year. Issues covered might include death and dying, genomics, reproductive technologies, fetal treatment and research, experimentation with human subjects, and societal controls on scientific advances.

LAW 3038 v00 Biosecurity and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203038%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course is designed to provide students an understanding of current and emerging issues concerning biosecurity and relevant law. Recent global acts of terrorism coupled with sophisticated advances in biotechnology present a host of complex issues driving biosecurity analysis and discussion. We will examine both the history and current state of bioterrorism threats with an emphasis on the legal and ethical challenges as we "sort out" best methods for moving forward. Our analysis will explore the recent Zika and Ebola threats as well as the threats posed by prior H1N1, SARS, anthrax, smallpox, SARIN, Ricin, and even the possibilities stemming from genetically engineered once thought “dead” bio-threats. Our method of instruction will focus on significant legal challenges each week. We will however, use past examples of quarantine and cordon sanitaire applications to instruct as how best to legally address future possible pandemics. Within our course exercises, students will be assigned healthcare and legal roles in order to gain insight as to management of a true healthcare crisis. Guest speakers with knowledge of crisis management will be invited to share personal experiences and advice concerning future pandemics. We will also examine recent legislation, both domestic and international, with a view toward a better understanding of the complex challenges within biosecurity.

LAW 056 v00 Biotechnology and Patent Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20056%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course examines a variety of legal and policy issues associated with the intellectual property protection available to biotechnological innovations, with an emphasis on patents.

Specific issues that will be examined within this framework include legal utility; conception and reduction-to-practice of biological molecules; anticipation and obviousness of nucleic acids; written description and enablement requirements for biological processes and molecules; experimental use; export and import issues; infringement; and potentially developments outside the US.

Course readings rely primarily on cases, statutes, and regulations. A biotechnology background is not necessary.

Prerequisite: Patent Law or patent law experience.

Note: J.D. students must register for the three-credit section of the course if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. A take home exam is required for the two-credit section.
LAW 1175 v01 Borders and Banishment Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201175%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course explores practices of border fortification, incarceration, criminal law enforcement, and immigration policing. Migration and incarceration—borders and banishment—present some of the most pressing legal and moral controversies in contemporary public life. Over the past two decades, criminal-immigration matters have become the most commonly prosecuted federal crimes; populations in prison, jail and immigration detention have dramatically increased; and though major proposed immigration reforms are stymied in Congress, pressures for reform in both the immigration and criminal contexts continue to mount.

The course will begin by considering the historical, social psychological, and legal foundations of border fortification and banishment practices. Then, attention will turn to some of the crises that pervade border enforcement, policing, and incarceration settings—from the presence of millions of people in the United States without legal status, to the explosion in criminal and immigration detention, police violence, and the widespread problem of sexual assault and prison rape. Reformist alternatives to the status quo in immigration and criminal legal processes will be considered, including through examination of social movement projects, prisoner advocacy, and public interest practice settings focused on relevant reform. Course readings and discussion will center on proposed criminal and immigration law reform and more far-reaching alternatives to borders and banishment. The course will conclude by investigating various abolitionist efforts to think and work beyond borders and banishment. Students will reflect in class and in writing on the various components of the course in relation to their own interests.

There are no prerequisites. All students are welcome.

**Recommended:** Criminal Justice (or Democracy and Coercion), Criminal Law, Immigration Law.

**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Allegra McLeod (mcleod@law.georgetown.edu) and Karly Mitchell (km1602@law.georgetown.edu) by 5:00 pm on Wednesday, June 9, 2021 expressing your interest in taking the seminar. Please include whether you want to take the course for 2 or 3 credits.

**FIRST AND SECOND CLASS ATTENDANCE IS MANDATORY.** Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. 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 1468 v00 Business and Financial Basics for Lawyers (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201468%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course covers basic business concepts that are useful across many areas of legal practice. First, it introduces financial accounting, with a focus on understanding and using financial statements. Second, it deals with core financial concepts, such as the time value of money, risk versus return, and methods for valuing assets. Third, the course discusses the basic categories of financial instruments: debt, equity, and derivatives. Although these topics all inevitably involve numbers, mathematical complexity is kept to a minimum. Much of the reading consists of excerpts from case law, which illustrate business concepts and their relation to legal practice.

**Note:** This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.
LAW 1394 v00 Business and Human Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LUAW %201394%20v00)  (Fieldwork Practicum)
J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and engage in related fieldwork at outside organizations. This fieldwork practicum course is designed to give students familiarity with the field of business and human rights through a seminar in which we will explore the evolution of the field and the major issues that arise within it, combined with a placement in an organization that is working in some way on business and human rights issues. Students will participate in a two-hour/week seminar and undertake at least 10 hours/week of fieldwork with organizations in the Washington, DC area that are involved in working on business and human rights issues. Organizations are not certain whether they will be able to provide in-person placements in fall 2021, but have committed to provide remote placements if they are not.

SEMINAR: The seminar will give students an understanding of the challenges in holding multinational companies accountable for the adverse impacts of their operations. We will examine how the modern global corporation is organized around extensive supply chains, the ways in which its formal legal structure can enable it to avoid responsibility for the full range of impacts that it creates, and the successes and limitations of attempts to address this problem through litigation. We will then turn to the emergence of the concept of human rights as a key conceptual tool in the effort to surmount the limits of conventional litigation and regulatory strategies. This will involve discussion of incidents that served as the impetus for this development, and the human rights instruments that provide the basis for human rights claims.

We will then examine in depth some of the types of impacts that can constitute rights violations, relating to concerns such as forced labor, human trafficking, unsafe working conditions and wage theft, physical abuse, forcible displacement, environmental degradation, child labor, sexual discrimination, freedom of expression, privacy, and climate change. This will provide an opportunity as well to examine the range of responses to such abuses and their effectiveness, such as voluntary industry standards; guidelines established by international organizations such as the United Nations and the Organization for Economic Cooperation and Development, and the International Labor Organization; mandatory disclosure provisions such as the California and UK Human Trafficking statutes; voluntary disclosure programs; international finance standards; procurement regulation, and other measures. Students will also learn about issues that are distinctive to particular economic sectors, such as the extractives, apparel, financial, and information and communications technology industries. Finally, we will focus on how businesses can incorporate human rights concerns into their operations in order to comply with the duty of respect articulated by the UN Guiding Principles on Business and Human Rights.

FIELDWORK: Students will be placed with organizations in the Washington, DC area that are involved in working on business and human rights issues. These may include NGOs, corporations, bar associations, and international organizations. Students will work on a variety of types of projects that further the mission of their particular organizations. These may include legal research; advising, training, and educating community groups; gathering information on the effectiveness of voluntary standards; compiling information on adverse human impacts of different types of activities or in different sectors; helping to devise remedies for human rights violations; preparing staff for and participating in meetings with government, business, and/or non-profits organizations; helping advise on possible legislation; submitting reports to international organizations; helping with human rights due diligence efforts; and others.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students are also eligible).

LAW 370 v02 Business and Human Rights in the Global Economy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20370%20v02)
J.D. Seminar (cross-listed) | 2 credit hours

Corporations today have a global scale as well as an impact that matches or sometimes exceeds that of governments. Their activities—from sourcing of raw materials, to processing and production of intermediate or finished goods, to distribution and sale—have major consequences not only for the human rights of their employees but also for the rights of the individuals and communities impacted by their operations. In many countries, government regulation and oversight are either absent or largely ineffective. Companies in turn struggle to define their responsibilities in the face of these “governance gaps”—particularly where requirements under national law fall short of international standards in areas such as hours of work and safety and health.

A robust and often contentious debate over these issues culminated in the development of the U.N. Guiding Principles on Business and Human Rights (the “UNGPs”) under the leadership of Special Representative John Ruggie. These Principles establish a framework for considering the respective roles of governments and corporations and outline core concepts of human rights due diligence and effective remedy. In doing so, the UNGPs also inform and to some extent refocus efforts that have emerged over the past 20 years to address these governance gaps and have brought together stakeholders from business, labor, civil society, the investment community, and academia.

At the same time, in recent years there has been an increased push from civil society groups and certain governments to go beyond these “voluntary” efforts and develop a binding business and human rights treaty mechanism; this has met with strong opposition from business and many other governments, including the United States.

Even as “non-regulatory” approaches remain the predominant means of addressing various business and human rights challenges, there also has been a growing focus in recent years on tools through which national governments and international institutions could exercise greater leverage. This includes advocacy for stronger labor and other human rights language in trade agreements, one-way trade preference programs, procurement standards, and the rules and guidelines applied by international financial institutions—coupled with more aggressive enforcement of those criteria. Expanded efforts to advance that “regulatory” approach in trade policy and elsewhere in some cases has been met with resistance from governments and business, but there also have been examples of emerging consensus among a diverse range of stakeholders.

This course introduces students to this quickly-evolving business and human rights landscape, including the diverse set of multi-stakeholder initiatives—some, but not all, of which include government participation. We will discuss the guidance provided by the UNGPs and other instruments, the range of stakeholders and how they engage with one another, tools utilized by governments and corporations to implement human rights standards, and how all of these interact in the context of both sector-specific and cross-cutting legal and policy challenges.

Among the questions the course will examine are:

- Which human rights standards are most relevant to business?
- What are the appropriate linkages between business policies and practices and the promotion of human rights?
- Which business and human rights approaches are emerging as “best practices” and perhaps even as recognized norms?
- What tools to support those are being used by governments and corporations?
- Who are the principal stakeholders and what are their roles and objectives?
**LAW 1351 v00 Business and Its Regulation (D.C. Advantage Practicum)**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201351%20v00)

J.D. Practicum | 9 credit hours

In a D.C. Advantage practicum course, students participate in a weekly seminar and work for 25 or 30 hours/week in a related placement they have secured themselves. This D.C. Advantage practicum course is designed to give students who are working in a placement related to business regulation the tools they need to succeed at work as well as insights about the impact of the regulation on business entities.

**SEMINAR:** This three-credit seminar will focus on a deep understanding of the legal, policy, societal, business and strategic aspects of regulation and its impact on entrepreneurs as well as established businesses in a wide variety of industries. The regulatory process and framework, the impact and cost of regulation on a series of general and specific stakeholders (both intended and unintended consequences), the enforcement of regulation and striking the right balance in the degree of the regulation of business will all be explored. The course will then focus on a series of industry-specific “drill-downs” that will examine how particular industries are regulated and the impact of their roles on day-to-day business operations. Guest speakers will include business leaders, regulators/in-house counsel at regulatory agencies and companies, accomplished regulatory lawyers and others involved in the federal and state regulatory framework.

**FIELDWORK:** Students in this program will work for 25 or 30 hours per week, for at least 11 weeks, in a public sector placement related to business regulation, and must be closely supervised by an attorney from that office. Students are responsible for finding their own placements, and must have the placement offer when applying to the program. They will earn 5 pass/fail credits for 25 hours of fieldwork or 6 pass/fail credits for 30 hours/week of fieldwork.

**Prerequisite:** Prerequisites: 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).

Required co-requisite: Every student taking a D.C. Advantage practicum must concurrently enroll in at least one additional course that relates to the fieldwork he or she will be doing.

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

This course is mutually exclusive with all other D.C. Advantage practicum courses and the externship program (that is, a student may do only one D.C. Advantage practicum while at Georgetown Law and may not do both a D.C. Advantage practicum and an externship during his or her time here.) Students who completed one externship before this rule went into effect (Fall 2016) may seek a waiver and are still eligible to take this course. Under no circumstances may participants in this course concurrently or subsequently enroll in an externship. This course is also mutually exclusive with the summer Business Law Scholars program.

**Note:** This course is open to J.D. students only.

Students must apply to this program through an online application that will be made available during the Fall 2016 semester. We will update this page with a link to the application as soon as it is available.

Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. A student wishing to withdraw from the course will be withdrawn from both the seminar and fieldwork components.

**Default attendance rule for all practicum courses (unless the professor indicates otherwise):** Regular and punctual attendance is required at all practicum seminars and fieldwork placements. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components. Students who complete one externship before this rule went into effect (Fall 2016) may seek a waiver and are still eligible to take this course. Under no circumstances may participants in this course concurrently or subsequently enroll in an externship. This course is also mutually exclusive with the summer Business Law Scholars program.

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

Students must apply to this program through an online application that will be made available during the Fall 2016 semester. We will update this page with a link to the application as soon as it is available.

Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. A student wishing to withdraw from the course will be withdrawn from both the seminar and fieldwork components.

**Note:** First class attendance is strongly encouraged but not required.

**LAW 1372 v00 Business Essentials: A Mini-MBA for Lawyers**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201372%20v00)

J.D. Seminar | 3 credit hours

A common complaint of recent law school graduates is that they wish they had been exposed more in law school to the realities of the business marketplace. Similarly, business people feel that recent law school graduates too often have little understanding of the language, thought processes and skills necessary to practice business law effectively. In today’s business environment, brutal competition and rapid disruptive change is the norm. The accelerating pace of change – fueled by global competition and technological innovation – is widening this knowledge and experience gap between businesspeople and recent law school graduates. This course attempts to bridge that gap by exposing law students to the essential business skills needed for understanding and advising future clients who run private sector companies, government agencies, or non-profit entities. It will also expose students to the managerial aspects of running a law firm or any business.

This course is focused on providing a basic understanding of theory and skills in areas of general management, leadership, strategic thinking, sales, marketing, finance, operations, technology, entrepreneurship, negotiations, and personal career management. Unlike the typical law school course, the reading materials for this course will focus primarily on business case studies, with each student being asked to analyze what he or she would do if faced with the business problem presented in the reading. Students should prepare to be actively engaged in each class discussion. In addition to active, ongoing participation, students will be evaluated on several short writing assignments (i.e., 2-3 page papers analyzing selected case studies); their performance in an in-class group presentation, and a final paper.

**Note:** First class attendance is strongly encouraged but not required.
LAW 1657 v00 Business Law Scholars Leadership Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201657%20v00)
J.D. Seminar | 3 credit hours
This 3 hour course is designed to provide Business Law Scholar students with a survey of key leadership reading and content, including teams and team building, strategic networking, and leadership style. Scholars will develop skills in these and other areas, emphasizing their personal leadership style. The course will incorporate readings and cases that allow for an examination of the characteristics of leaders and other topics. Students will complete team projects on a leadership issue and reflect both individually and with the group on career strategies and goals.

Learning Goals:
- Develop strategic thinking skills.
- Gain knowledge about leadership theory, strategies, and skills. Build team and teamwork skills.
- Build knowledge about teams and team building and increase skills for working in teams.
- Engage in self-reflection and peer critique, applying lesson learned to additional exercises.

Note: This course has mandatory attendance at all sessions. Participants are expected to participate actively in each class. All participants will submit several short papers on assigned materials and complete a team project, including a presentation in the last two weeks of class.

Enrollment Policy: In Spring 2022, this course is restricted to third year students in the Business Law Scholars Program. Withdrawal Policy: Students who expect to graduate as Business Law Scholars may not drop or withdraw from this class, unless also withdrawing from the Business Law Scholars Program.

LAW 058 v03 Business Planning Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20058%20v03)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar integrates issues of corporate, securities and tax law using a problem approach in the context of business planning and counseling. Several problem situations involving common business transactions are examined extensively. Some of the problems considered may include: (i) incorporating a sole proprietorship or professional practice; (ii) analyzing financial statements; (iii) raising private capital for a new business venture; (iv) planning for an initial public offering of securities; and (v) corporate acquisition and/or divestiture planning. Students learn and utilize negotiation skills involved in the purchase/sale of a business venture. From time to time, students are required to submit memoranda on certain aspects of the problems under consideration. On occasion, students will work together in small groups, and at other times may be responsible for individual work. Students will be expected to perform work similar to attorneys in private practice. The written work is in lieu of an examination.

Prerequisite: Corporations; Federal Income Taxation.
Recommended: Corporate Taxation.

Strongly Recommended: Securities Regulation. Students who wish to take this seminar should make every effort to fulfill the prerequisites in their second year of the full-time program or third year of the part-time program.

Mutually Excluded Courses: Students may not receive credit for this seminar and International Tax and Business Planning Workshop.

LAW 058 v08 Business Planning Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20058%20v08)
J.D. Seminar | 3 credit hours
This seminar will introduce students to the various legal and business considerations – including corporate, securities and tax law, accounting and finance – that arise in forming, financing, and operating an early stage emerging growth company. During the course we will take a hypothetical startup company through a series of transactions from formation through a first round of venture financing. Students will work individually and will be expected to complete short weekly written assignments and three lengthier assignments consisting of memoranda or draft legal documents. The written assignments will be similar to work actually done by attorneys in private practice. The grade will be based on class participation and the quality of the written assignments; there will be no exam. Business Planning is a capstone course designed primarily for third-year students. Second-year students will be admitted only with the prior permission of the teacher.

Prerequisite: Corporations and Federal Income Taxation.

Strongly Recommended: Prior or concurrent enrollment in Corporate Taxation; Securities Regulation.

Mutually Excluded Courses: Students may not receive credit for this seminar and Corporate Transactions: Negotiating the Deal and Drafting the Documents or the LL.M. course International Tax and Business Planning Workshop.
Regardless of being industry, sector specific or multi stakeholder in nature, the regulation, de-regulation, policy, practice and ever growing global litigation in this new field of practice is multifaceted, dynamic, interactive, complex and challenges business leaders, markets and even lawyers to think outside the box in order to address a challenging relationship between business, markets and society. This is where business strategy meets risks. Or instead, this is where risks eat a business strategy. As a result, business leaders, shareholders and their advisors are now required to integrate a 3D internal and external view and assessment on how to address, prevent, mitigate and remediate the social and environmental impacts (risks) of private sector operations in complex environments and with a collaborative and systems thinking approach.

Bar Associations in America and abroad have begun issuing specific guidance on how corporate lawyers should advise their clients incorporating human rights and sustainability standards. For instance, in a Mergers and Acquisitions (M&A) transaction, corporate lawyers are most likely to encounter questions dealing with social, environmental, human rights and environmental concerns. Those advocating on behalf of environmental and human rights organizations will find their work directly intersects with company law, securities law, investment law, governance, compliance, company law and alternative dispute resolution mechanisms to name a few sub areas.

Fast-forward 2020. The global COVID-19 pandemic has suddenly entered this space. It has done so highlighting the vulnerabilities and opportunities in the relationship between business, governments and society across the globe. Furthermore, the global pandemic is challenging all stakeholders not only to become relevant but to re-think, re-imagine and re-envision new models that seek engagement, resilience, addressing grievances, investment, economic recovery and accountability frameworks.

In practice, these global and ever growing litigation trends are also challenging traditional company-led corporate social responsibility (CSR) and ethics programs that have been associated with both philanthropic, corporate citizenship and company-sponsored activities that give back to societies. While many of these programs have achieved several levels of success, for many sectors in society they remain as corporate public relations or green wash exercises and demand more transparent, accountable and remediation responses. The stakes are high.

Litigation, a growing movement towards mandatory human rights and environmental due diligence and reporting requirements and other types of social demands are challenging companies to be very purposeful and accountable on how they address the environmental, social and governance negative impacts (for some) or violations (for others) of their operations.
**LAW 090 v00 Capital Punishment Seminar**

J.D. Seminar | 2-3 credit hours

This seminar focuses on the substantive law of capital punishment and on the procedural aspects of post-conviction proceedings. The course will include an examination of the history of death penalty jurisprudence, habeas corpus, recent U.S. Supreme Court cases, public policy issues, and state and federal death penalty statutes. The writing requirement offers students an opportunity to write on a topic of their choice pertaining to the death penalty.

**Mutually Excluded Courses:** Students may not receive credit for this course and The Death Penalty in America Seminar or the Death Penalty Litigation Practicum.

**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.

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**LAW 1037 v01 Catholic Social Thought and the Law Seminar: The Work of Pope Francis**

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

This course aims to help students develop critical skills to identify the ways in which varying frameworks, including those informed by personal and religious values, might shape perceptions of law. The focus will be on Catholic social thought, a corpus of theological and philosophical reflection on the social and economic order dating back to 1891; with a particular focus on the recent commentary of Pope Francis. The materials in the first three weeks aim to help students understand and thoughtfully engage the philosophical underpinnings and core concepts of Catholic social thought. The next two blocks focus on the topics to which Pope Francis has devoted the most extensive attention (thus far)—the alleviation of poverty and care for the environment. The last block takes up the commentary on specific themes, including the exercise of “soft power” in global politics; how reflections might inform discussion of marriage and family law; and other bioethics questions.

This seminar requires a series of short reflection and reaction papers which aim to facilitate thoughtful student participation in seminar discussions throughout the course. The final paper is not a research project, but a short engagement (about 8 pages) with a particular set of issues arising from across the range of topics covered in the course. This course does not satisfy the JD Upper Level Writing Requirement.

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**LAW 500 v00 Center for Applied Legal Studies**

J.D. Clinic | 10 credit hours

See the Center for Applied Legal Studies website for more detailed information about the clinic.

For registration-specific supplemental materials, please see the Center for Applied Legal Studies PDF.

For information about clinic registration generally, please see the Clinic Registration Handbook.

**Mutually Excluded Courses:** Students may not concurrently enroll in this clinic and an externship or a practicum course.
LAW 1079 v00 Child Welfare Law and Practice in the District of Columbia
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201079%20v00) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This practicum course will focus on the workings of the child welfare system in the District of Columbia. Students will participate in a two-hour/week seminar and also undertake 10 hours/week of fieldwork at a child welfare-related organization.

SEMINAR: Students will study Supreme Court and District of Columbia cases defining the fundamental nature of the parent/child relationship and setting forth when state intervention is warranted to protect the best interests of the child. Students will gain an understanding of the various stages of child protection proceedings and the different roles, responsibilities and professional relationships of the attorneys representing the government, the child and the parents at each stage. Issues concerning interracial and gay adoption will be discussed, as will the overrepresentation of poor and minority youth in the child welfare system. Students will engage in simulation exercises, give an in-class presentation on a topic of their choosing, and will write a final paper.

FIELDWORK: Students will participate in fieldwork with a child welfare-related organization and share their experiences with the class and through written reflection memos. Some fieldwork sites require students to undergo police/background clearances, and others do not. If this is a concern for a student, he/she should reach out to the professor before the beginning of the semester to discuss field placement options. For the Fall 2021 semester, students are permitted to conduct their practicum fieldwork remotely.

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.)

Recommended: Family Law I: Marriage and Divorce or Family Law II: Child, Parent, and the State; Evidence.

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

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

This course is suitable for evening students who can commit to attending class and working 10 hours/week (during business hours) with their field placements. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The fieldwork must be completed during normal business hours. The two credit seminar portion of this practicum will be graded. The two credits of fieldwork are mandatory pass/fail. Students will be allowed to take another course pass/fail in the same semester as the field work. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork 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 fieldwork components. Default attendance rule for all practicum courses (unless the professor indicates otherwise): Regular and punctual attendance is required at all practicum seminars and fieldwork placements. Students in experiential practicums are similarly required to devote the requisite number of hours to seminars and fieldwork placements. Students in project-based practicum courses are similarly required to devote the requisite number of hours to their project. If a student must miss seminar, fieldwork, or project work, the absence. Unless the professor indicates otherwise, a student with

LAW 1529 v00 China and International Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201529%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
Over the past forty years, China has gone from one of the most isolated countries in the world to a major player in international affairs, a leading exporter, and a much more influential voice on regional security matters. Yet even with the rapid economic growth and increased influence that China has achieved over the past several decades, it maintains an ambivalent attitude towards many key aspects of international law and the architecture of global order. This class will explore China’s ambivalent engagement with international law in the context of its increasing prominence as an emerging power, and will in particular look to address the question of how China might adapt to the existing world order, and the ways in which it might look to influence its evolution. The class will cover a range of issues, including China’s membership in the WTO; its engagement with the international human rights regime; China’s approach to international cooperation on issues like global warming and nuclear non-proliferation; and international law aspects of the dispute over the South China Sea; among others.

Learning Objectives:
This class will provide you with a solid understanding of China’s approach to key international law issues, and also a sense of the Chinese government’s views on international law and international legal institutions more generally. By the end of the semester, you should have a sense of how China fits into the existing global legal order, and the ways in which it is seeking to influence or even alter it. In-class discussions will also bring out the ways in which other states have sought to influence Chinese behavior, which will give you a sense of how and when relatively powerful states like China can be convinced to alter their approach to key international law issues.

For students who have not previously taken a class on public international law, this course will serve as a basic introduction to key concepts of international law (although the readings will focus very heavily on the Chinese approach, rather than the underlying law itself); for those who have taken prior international law courses, this course will serve as a useful refresher.

A core goal of the class is to understand international law from the perspective of the Chinese state. In other words, students will develop a sense of why China makes the choices it does on key international law issues, and what values and political and historical dynamics drive its decision-making. In so doing, students will gain insight into a different political-legal culture, and seek to understand how different political-legal systems — including non-democratic ones like China — come to grips with legal questions in ways that may differ markedly from the approach of the U.S. government. At the same time, having taken steps to articulate China’s perspective, students may be able to see more clearly the values and political and historical factors that drive American decisions on key international law issues.

Finally, a core goal of the response papers — above and beyond demonstrating an understanding of the substance of the readings — will be to give students the chance to build their skills at analyzing legal arguments, and in building their own written arguments in response to them. As noted below, response papers will be graded both on the basis of demonstrated mastery of the material, and also on the basis of the successful construction of a persuasive and fact-based argument.

Recommended: International Law I: Introduction to International Law.

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 1546 v00 Chinese Legal System (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201546%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course aims to provide an overview of the legal system of the People's Republic of China. The focus will be more on institutions than on specific rules, because finding the rules is much simpler than understanding their institutional context. We will, however, look at specific pieces of legislation as we go along.

China’s legal system exists together with its political, economic, and social structures, and cannot be understood in isolation from them. Thus, part of this course is necessarily about understanding modern China in general, not just its legal system. By the time the course is over, I hope that students will have an understanding of the environment within which Chinese law operates, and will be able to appreciate the differences between the way rules operate in the United States and the way they operate in China as well as the reasons for those differences. Although this course, as a survey course, does not specifically address issues of legal aspects of doing business in China (that is another course), it is a highly recommended preparation for such a course, and it is intended to be useful to anyone contemplating a legal career involving China.

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

LAW 286 v02 Church-State Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20286%20v02)
J.D. Seminar | 2-3 credit hours
This seminar will focus on the major shifts in church-state law over the past decades and key issues the Supreme Court will face in the next several terms. It will analyze and evaluate the various theories proposed by the sitting Justices on both free exercise and establishment clause jurisprudence and place those theories in the historical context of church-state law in America. The seminar will deal with such issues as tensions between the free exercise and establishment clauses, public aid to religious institutions, religion and public education, accommodating religious minorities, and church autonomy. It will also examine tension between demands for religious accommodation and demands for gender and sexual equality, protection of public health, and other social norms. Throughout, current litigation strategies related to these issues will be explored.


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 1040 v01 Civ Tech: Digital Tools and Access to Justice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201040%20v01) (Project-Based Practicum)
J.D. Practicum (cross-listed) | 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 expose students to the varied uses of computer technologies in the practice of law, with an emphasis on technologies that enhance access to justice and make legal services more affordable for individuals of limited means. Students will participate in a two-hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

SEMINAR: The seminar portion of the class is devoted to two topics: the access to justice crisis and the role of digital tools in bridging it. Among the issues we will discuss throughout the semester are: the extent of the justice gap, the economic and regulatory barriers to access, and the problem of resource constraints. We will also discuss how legal technologies are altering the landscape for persons of limited means and empowering disadvantaged and marginalized individuals and communities. The second topic is learning to design and develop legal expert systems. To create our systems, we use a software platform that does not require a coding background.

PROJECT WORK: Students will work in small teams for a legal service organization to develop a platform, application, or automated system that increases access to justice and/or improves the effectiveness of legal representation. These organizations include civil rights organizations, direct service providers, and other public interest organizations. The course culminates in a design competition: The Georgetown Iron Tech Lawyer Competition. Along the way, students learn systems logic, teamwork, and visual literacy skills. By the end of the semester, each team will have built a functional app intended for adoption by the participating legal services organization to put into use for its clients.

No programming background is required. Students are not required to have coding experience and will not be expected to learn to write software.

Students are encouraged to check out these apps created by Georgetown Law students (https://applications.neotalogic.com/a/links) in earlier semesters and in use at various organizations. They are also encouraged to contact Professor Rostain at (tr238@law.georgetown.edu) with questions.

Prerequisite: 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. Students who wish to concurrently enroll in this course and another practicum course may only do so with the permission of the Assistant Dean of Experiential Education (l (lawexp@law.georgetown.edu)awexp (awexp@law.georgetown.edu)@law.georgetown.edu (rst@law.georgetown.edu)), Professor Rostain (tr238@law.georgetown.edu), and the professor of the second practicum.

Students may concurrently enroll in this practicum course and an externship.

Note: This course is suitable for evening students; project work does not need to be completed during business hours.

This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar portion and the project work will be graded.
LAW 1533 v00 Civil Discovery in Federal Courts (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201533%20v00)
J.D. Seminar | 3 credit hours
Discovery is an essential aspect of civil litigation. It is the primary way a party may gather evidence for a case. In discovery, a party determines the merit of their—and equally important, their opponent’s—case. Each decision made during discovery will determine what evidence you will have available to you, what evidence you will be forced to provide, and how much this exploration will cost your client.

This simulation course, taught around a hypothetical but realistic civil litigation, is designed to be a hands-on introduction to civil discovery in federal courts. Students will become familiar with topics important to modern civil discovery in large complex cases, such as negotiating the scope of discovery and electronic search terms. They will also learn to use the traditional methods of civil discovery, such as depositions, interrogatories, requests for admissions, and requests for document productions in a coordinated way to build their case. Students will follow the litigation from just after the denial of a motion to dismiss through the end of fact discovery.

The class will be divided into two groups. One group will be assigned to represent the plaintiff in the hypothetical litigation; the other group will be assigned to represent the defendant. Student plaintiffs and student defendants will be paired against each other. Assignments to each group will remain the same throughout the semester. Every week, students will be asked to produce written work (e.g., a discovery plan, requests for document production, interrogatories, deposition outlines) and several students will be chosen to present their work product for class discussion. Students will not only discuss relevant legal decisions in motion practice but also argue discovery motions on behalf of their hypothetical clients.

Through the hypothetical litigation, students will explore the practical application of the Federal Rules of Civil Procedure and acquire realistic insight into modern civil practice and the life-cycle of a case.

Prerequisite: Civil Procedure or Legal Process and Society.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Civil Litigation Practice or Civil Litigation Practice: From the Complaint to the Courthouse Steps.

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 an available seat, if any, in the class.

Because the success of the course depends on pairings and each student playing an assigned role in every class, unexcused absences and/or lateness will be noted and will negatively impact a student’s grade in the course. Students may not withdraw from this class after the add/drop period ends without the permission of the professor and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the course would cause significant hardship for the student.
LAW 060 v00 Civil Litigation Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20060%20v00)
J.D. Seminar | 4 credit hours
This year-long seminar will take the students through the entire course of a civil trial. In the first semester, using a core model case, students will conduct initial interviews of the clients, analyze the facts, and make initial decisions about how to proceed. Then, using the Federal Rules of Civil Procedure, students will prepare discovery plans and conduct discovery (including drafting document requests, interrogatories, and requests for admission, and preparing for and taking depositions of lay and expert witnesses). Each student will be video-recorded taking depositions. Students will also draft and argue motions arising from discovery disputes.

The second semester will carry the core model case to trial. The seminar includes mock trial experiences, as well as class discussion of trial techniques, strategy, tactics, and ethics. Students will participate directly in a series of trial practice exercises as witnesses and attorneys. These exercises will include opening statements and closing arguments, direct and cross examinations, handling exhibits, expert testimony, and making and opposing objections. Again, significant role-playing will be video-recorded. The final exam will be a mock trial held on a Saturday at the end of the semester (usually the last Saturday in April or the first Saturday in May) in a courtroom in the U.S. District Court.

This seminar is designated as a two-semester course, with the second semester building on the first. Both semesters include individual critiques of student performances, so attendance is important and will be considered in grading. The seminar is intended for students who are considering careers as trial lawyers.

Prerequisite: Prior or concurrent enrollment in Evidence no later than the Fall 2021 semester.

Mutually Excluded Courses: Students may not receive credit for this seminar and Intellectual Property Litigation: Pretrial Skills or Civil Litigation Practice: From the Complaint to the Courthouse Steps.

Note: 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.

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 060 v01 Civil Litigation Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20060%20v01)
J.D. Seminar | 4 credit hours
This year-long seminar will take the students through the entire course of a civil trial. In the first semester, using a core model case, students will conduct initial interviews of the clients, analyze the facts, and consider claims and defenses. Thereafter, using the Federal Rules of Civil Procedure, students will prepare discovery plans and conduct discovery (including document requests, interrogatories, requests for admission, and depositions of lay witnesses). Students will also draft and argue court motions. Electronic discovery issues also will be discussed. The second semester will carry the core model case to trial. The seminar includes mock trial experiences, as well as class discussion of trial techniques, strategy, and ethics. Students will participate directly in a series of trial practice problems as attorneys. Exercises will include opening statements and closing arguments, direct and cross examination, admission of exhibits, and making and opposing objections. One Saturday session will be required. This seminar is designated as a two-semester course, with the second semester building on the first. Both semesters include individual critiques of student performances. The seminar is intended for students who are considering careers as trial lawyers.

Prerequisite: Civil Procedure (or Legal Process and Society); prior or concurrent enrollment in Evidence no later than the Fall 2017 semester.

Mutually Excluded Courses: Students may not receive credit for this seminar and Intellectual Property Litigation: Pretrial Skills or Civil Litigation Practice: From the Complaint to the Courthouse Steps.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
**LAW 1216 v01 Civil Litigation Practice: From the Complaint to the Courthouse Steps**

J.D. Seminar | 3 credit hours

The vast majority of civil cases that are filed are not actually tried. Civil litigation is typically resolved before trial, either through a dispositive motion or a settlement. This course is intended to provide students with experience in all aspects of civil litigation prior to the trial itself, the work that represents what civil litigators typically do on a day-to-day basis. We will address practical questions—the mechanics of what to do, when to do it, and where to go for help. We also will consider strategic questions that successful litigators must consider at each stage of the case as they position a case for all three potential outcomes (settlement, disposition through motions practice, or trial). Finally, we will discuss common ethical questions that arise in the course of civil litigation, particularly with respect to discovery.

Students will be assigned the role of plaintiff or defense counsel and provided with a hypothetical case to litigate. In that context, students will try their hands at the most important aspects of pretrial civil practice, from conducting the initial client interview, to drafting or responding to the complaint, to negotiating discovery disputes, to drafting and arguing motions, to deposing witnesses. Each week, students will have the opportunity to gain or use information that may support or undermine their case, and we will discuss questions about what can and should (from a practical, strategic, and ethical perspective) be done to obtain, preserve, share, and use that information.

Students will be provided with a variety of written materials to use as resources in completing the weekly assignments as the case progresses, including rules, seminal cases, excerpts from useful treatises, and articles written by successful practitioners. For many tasks students are asked to perform, we also will provide them with a checklist of practical, strategic, and ethical issues to consider. Our goal is to provide students with a set of materials that will serve as a useful guide when they become practitioners.

**Prerequisite:** Civil Procedure (or Legal Process and Society).

**Recommended:** Prior or concurrent enrollment in Evidence.

**Mutually Excluded Courses:** Students may not receive credit for this seminar and Intellectual Property Litigation: Pretrial Skills or the year-long Civil Litigation Practice seminar.

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

After the Add/Drop period, students may not withdraw from this class without the permission of the professor.

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**LAW 001 v01 Civil Procedure**

J.D. Course | 4 credit hours

This course examines what can happen in a civil lawsuit. It asks: What kinds of courts exist in the United States? What limits does the law impose on where cases can be brought? Who can sue? What remedies can a court impose? What choices do the parties have about who else participates in the lawsuit? How much information about the lawsuit must each side disclose in the initial pleadings, or at other times before trial? What opportunities are there for resolving disputes without trials? In trials, what are the respective roles of judges and juries? What are the tensions between a lawyer’s duty to a client and the lawyer’s duty to the system of justice? Who should make the procedural rules for lawsuits, and how, if at all, should those rules be changed?

Like other first-year courses, this course also seeks to help students build important legal skills. It provides practice in reading with care the statutes, rules and cases that express the law; analogizing and distinguishing precedent; applying legal theories to new facts; expressing arguments with precision; appreciating the ethical as well as the intellectual and strategic dimensions of a legal problem; and thinking critically about the rules of a legal system even while learning to operate within those rules.

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

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**LAW 062 v01 Civil Rights**

J.D. Course | 2 credit hours

This course studies the statutory, common law, and constitutional issues that arise in federal civil rights litigation. For the fall semester of 2018, the course will focus on the primary civil rights statute, 42 U.S.C. § 1983, which is used for constitutional (and some other) claims against state and local governments and their officials. Such constitutional torts include most prison litigation and police misconduct litigation and provide the basic vehicle for claims for both damages and injunctions. The course is constructed around the fundamental issues of recognition of constitutional claims (prisoners’ rights to medical care, safety, and humane conditions, free citizens’ rights to freedom from unnecessary force, unreasonable searches, equality, etc.) and creation of offsetting defenses (absolute and qualified immunity, sovereign immunity, etc.). The course will offer at least two "workshops" that give students an opportunity for practical experience in implementing these concepts and the policies behind them. Some attention will be given to related statutes that may supplement § 1983.

Learning Outcomes. You should learn at the highest level of proficiency 1) topics listed in the primary syllabus and the theories and policies justifying them, 2) methods used by attorneys in the area of civil rights for finding or developing "law," 3) professional skills (such as case analysis, potential case evaluation, how to listen and take notes, how to speak in public) used by attorneys in the area of civil rights, and 4) how to appreciate your own biases and limitations in doing all the above. The primary course evaluation is by the final exam.

**Prerequisite:** Prior or concurrent enrollment in Constitutional Law II: Individual Rights and Liberties. This prerequisite can be waived by the professor for students who have taken the substantial equivalent or show they have other preparation.

**Mutually Excluded Courses:** This course may not be taken in 2019-20 by persons also enrolling in the Civil Rights Policy Seminar in 2019-20.
LAW 1684 v00 Civil Rights and Violence Against Women (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201684%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 practicum will focus on innovative efforts to reframe the Violence Against Women Act's civil rights remedy to withstand constitutional scrutiny. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

The #MeToo movement tells us that the law has been deeply inadequate in responding to sexual assault and harassment. One reason, among others, is that Title VII and Title IX do not provide adequate remedies. They only apply in certain contexts and do not allow suit against the primary person responsible for the sexual assault and/or harassment that occurred.

Once upon a time, a federal remedy did exist to fill these gaps. The Violence Against Women Act’s (VAWA) civil rights remedy was in effect for six years before the U.S. Supreme Court struck it down in United States v. Morrison. During that time, plaintiffs sued for harassment, sexual assault, and/or battering in a variety of contexts, including for example, workplaces, gyms, and doctor's offices.

Legal Momentum (formerly NOW Legal Defense), who led the effort to pass the original civil rights remedy, is the project partner for the course. Under the supervision of Professor Nourse, students will work on a variety of legal and policy projects throughout the semester that will inform Legal Momentum’s and (and other advocates’) next steps in the effort to revive this important civil rights remedy. This year, the practicum will build on the prior two years research in this practicum, by focusing on a new federal model law, and a new state model law against sexual harassment and assault.

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 and a clinic or another practicum course. Students may concurrently enroll in this course and an externship.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students must submit a resume and one page statement of interest to Professor Victoria Nourse (vfn@georgetown.edu) by 5:00 pm on Wednesday, June 9, 2021. After June 9, if seats remain open in the course, students will be admitted on a rolling basis.

This course is suitable for evening students; project work does not need to be completed during business hours. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised 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 fieldwork 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 fieldwork components. Default attendance rule for all practicum courses (unless the professor indicates otherwise): Regular and punctual attendance is required at all practicum seminars and fieldwork placements. Students should plan to attend all scheduled seminar and fieldwork activities. Students who miss more than two scheduled activities in any one component will be dropped from the practicum.

LAW 528 v02 Civil Rights Policy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20528%20v02)
J.D. Clinic | 12 credit hours
Please see the Civil Rights Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/civil-rights-clinic) for more detailed information about the program.


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

LAW 094 v01 Civil Rights Policy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20094%20v01)
J.D. Seminar | 2-3 credit hours
This seminar studies the statutory, common law, and constitutional issues that arise in federal civil rights litigation. For the spring semester of 2019, the seminar will focus on the primary civil rights statute, 42 U.S.C. § 1983, which is used for constitutional (and some other) claims against state and local governments and their officials. Such constitutional torts include misuse of litigation and police misconduct litigation, providing the basic vehicle for claims for both damages and injunctions. Like the course in Civil Rights, the seminar will cover both judicial creation of constitutional claims as well as defenses against those claims. Primary policy attention will be given to police misconduct litigation, an active area with substantial new developments and altered landscape over the past five years. The central policy issues in the area test the breadth of judicially created claims, the offsetting construction of defenses against such claims, and the resulting balance struck by the Court. That balance suggests that the Court is moving rapidly -- and with surprising unanimity -- toward a new view of police misconduct litigation.

Learning Outcomes: You should learn at the highest level of proficiency 1) topics listed in the primary syllabus and the theories and policies justifying them, 2) methods used by attorneys in the area of civil rights for finding or developing “law,” 3) research methods, including appreciation of both theory and practice, for analyzing policy justifications for proposed legal norms, and 4) how to appreciate your own biases and limitations in doing all the above. The primary course evaluation is by the traditional two-credit seminar paper.

Prerequisite: Prior or concurrent enrollment in Constitutional Law II: Individual Rights and Liberties. This prerequisite can be waived by the professor for students who have taken the substantial equivalent or show they have other preparation.

Note: The seminar will meet double-time for the first five weeks of the semester and only a few times thereafter for presentation of papers.

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 Underclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Underclass Legal Writing Requirement. Students registered in the 2 credit section must write a research paper of at least 4,000 words.
LAW 1322 v00 Civil Rights Statutes and the Supreme Court Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201322%20v00)
J.D. Seminar | 2 credit hours
This seminar will examine recent litigation in the Supreme Court involving the modern civil rights statutes: Title VII, Title IX, RFRA, the ADEA, the ADA, the Fair Housing Act, and Sections 2 and 5 of the Voting Rights Act. Toward that end, we will read recent cases decided by the Court interpreting these statutes, and the cases that form the backdrop for those decisions. We will also examine briefs and oral arguments in some of these cases. Finally, we will examine civil rights cases that are scheduled to be heard in the upcoming term, or that may make their way to the Court in the near future. There will be one writing assignment, a paper of approximately 25 pages in length. Two-thirds of the grade will be based on the paper, and one-third will be based on class participation.


LAW 088 v00 Class Action Law and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20088%20v00)
J.D. Course | 2 credit hours
Class actions in such diverse areas as securities and corporate governance, employment discrimination, toxic torts, mass accidents, and consumer fraud have challenged the capacity and creativity of federal and state courts throughout the Nation. New forms of class suits continue to pose challenging questions for the judiciary. This seminar will focus on the class action device as an attempt to resolve disputes on an aggregate basis. The principal focus will be on emerging procedural and constitutional issues raised in recent and pending class action suits, and the treatment of those issues in the Supreme Court and federal courts of appeals. The seminar will explore these issues by evaluating class actions in a variety of settings, focusing on appellate decisions that have resolved (or failed to resolve) significant issues in class action law and practice as well as case-studies of pending or recently decided class actions. The seminar will cover all phases of a class action, including pleading and other pre-certification issues, the certification decision, appeals from class certification decisions, class notice, settlement issues, trial, and the legal doctrines governing simultaneous overlapping federal and state-court litigation.

Prerequisite: Civil Procedure (or the equivalent Legal Process and Society).

LAW 1725 v00 Co-ops and Sustainable Communities Seminar: Alternatives to Corporate Capitalism (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201725%20v00)
J.D. Seminar | 3 credit hours
Cooperatives are people-centered enterprises democratically owned and operated by their members to realize a common goal. These organizations are democratic and put long standing values before profits.

Cooperatives exist in many industries, including finance, housing, agriculture, health care, and retail, and in many forms, including worker, consumer, social, and producer cooperatives. Cooperative members provide expertise, labor, and capital to the operation.

While many people belong to cooperatives and express their desire to support them, cooperatives remain both widely misunderstood and overlooked as a viable organizational structure. Since cooperatives are not owned by stockholders, their value remains in their member-owners and thus in the community. Cooperatives can be a powerful tool in reducing poverty and developing neighborhoods. By increasing public awareness of cooperatives, community developers can advocate for cooperatives and their ability to help local economies thrive.

This course will cover the history of cooperatives and explain how they operate at a functional level, including their governance, financing, and democratic structure. Focusing primarily on worker-cooperatives and consumer-cooperatives, students will research current cooperative organizations to better understand the abstract concepts covered by the curriculum. Weekly discussions will focus on issues currently facing cooperatives and potential solutions.

We will consider the cooperative’s role in reducing poverty and confronting growing income and wealth inequality. We will also explore the causes of why the cooperative structure is not widely known to be a viable substitute to the corporate, capitalist structure on which our economy has grown to over-rely. The class will conclude with students presenting their papers, creating valuable discussion on how to incorporate cooperatives into the American economy.

Recommended: No prerequisites are required, but completion of previous courses in corporations, business entities or related courses, clinics and practicums might be helpful.

Note: This seminar counts for 3 credits. All members of the seminar are required to write a number of short reaction posts on Canvas discussion boards. Students are also required to write a research paper fulfilling the Upper Class Legal Writing Requirement.
**LAW 379 v00 Commercial Law: Domestic and International Sales Transactions** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20379%20v00)

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

Sales is an advanced course in contracts that builds upon the basic first-year offering and focuses on the planning and regulation of sales transactions under Article 2 of the Uniform Commercial Code. The course also covers international sales governed by the U.N. Convention on Contracts for the International Sales of Goods (CISG). Major topics include the methodology and scope of the UCC and CISG, allocating the risk of loss; warranties; breach; excuse for non-performance; warranty disclaimers and remedy limitations; rejection, revocation, and cure; anticipatory repudiation and the right to demand adequate assurances; and techniques of statutory analysis. Class discussions will analyze problems that deal with these topics.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Commercial Law: Sales and Leases.

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**LAW 379 v01 Commercial Law: Sales and Leases** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20379%20v01)

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

Sales and Leases is an advanced course in contracts that builds upon the basic first-year offering and focuses on the planning and regulation of sales and lease transactions under Articles 2 and 2A of the Uniform Commercial Code. The course also covers international sales governed by the U.N. Convention on Contracts for the International Sales of Goods (CISG). Major topics include the methodology and scope of the UCC and CISG, allocating the risk of loss; warranties; breach; excuse for non-performance; warranty disclaimers and remedy limitations; rejection, revocation, and cure; anticipatory repudiation and the right to demand adequate assurances; remedies; and techniques of statutory analysis. Class discussions be centered on problem sets that deal with these topics.

**LAW 071 v03 Commercial Law: Secured Transactions** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20071%20v03)

J.D. Course | 3 credit hours

This course will provide students with an important grounding in the world of commercial transactions and financing. It concerns the law governing loans secured by collateral, for both individuals and businesses. The course centers on Article 9 of the Uniform Commercial Code, which covers security interests in personal property, but briefly delves into mortgages on real estate as well. The first part of the course explores the basics of secured transactions, focusing on the creditor-debtor relationship. Topics include: the rights and remedies of secured and unsecured lenders against the debtor under state law and in bankruptcy, the creation and scope of security interests, and default. In the second part of the course, the focus shifts to the creditor-third party relationship. Topics include: perfection and priority among creditors, and competitions for the collateral between secured creditors and lien creditors, bankruptcy trustees, sellers, and buyers.

**STUDENT LEARNING OUTCOMES**

At the end of the course, students should be able to:

- Demonstrate knowledge of rules governing security interests in Article 9 of the Uniform Commercial Code (UCC) and related bodies of law
- Interpret the Uniform Commercial Code (UCC), the Bankruptcy Code, and related statutory provisions, and apply these rules to new sets of facts
- Communicate legal analysis in an organized fashion, both orally and in writing

**Mutually Excluded Courses:** Students may not receive credit for both this course and Commercial Law: Secured Transactions and Payment Systems.

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**LAW 070 v00 Commercial Law: Secured Transactions and Payment Systems** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20070%20v00)

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

This course is designed to introduce students to the methodology of Uniform Commercial Code analysis, with emphasis on the legal policies governing uniform state banking regulation of modern payment systems and secured financing of personal property. Topics include: evolution of the modern payment system; check issuance, collection and presentation; the rights and liabilities of the issuers and holders of checks and notes; the uses of credit and collateral in sales and loans; the establishment of priorities among security interests; and the rules governing default and insolvency. The course will examine the way legal rules structure and sanction the contemporary practices of financial institutions, manufacturer, and the dealers, sellers, and buyers of personal property.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Commercial Finance; or Commercial Law: Secured Transactions; or Commercial Law: Payment Systems; or Commercial Law: Payment Systems and Financial Transactions.
LAW 268 v01 Commercial Remedies (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20268%20v01)
J.D. Course | 3 credit hours
This course will explore the law and practice of remedies, the concrete outcome of every litigated case. The rules governing the availability, scope, and interaction of the major remedies — compensatory damages, injunctions, declaratory judgments, restitution, and punitive damages — will be examined in commercial settings. The focus is therefore on remedial responses to violations of rights in tangible and intellectual property, exchange-based rights such as breach of contract, and marketplace rights against improper competitive conduct. Particular attention will be given to the basic concepts underlying remedies law and the policy influences of moral philosophy and economic analysis. In addition, the course will cover the practical and strategic aspects of seeking and resisting judicial relief, including quantification of monetary awards. The reading includes three "behind-the-scenes" case studies of how remedies issues are litigated, as well as a classroom visit with an expert witness. Students considering practice in commercial litigation, as well as students who intend to pursue a transactions practice (where prospective remedies are often lurking in the background), will find the course valuable.

Learning Objectives:

Students should learn how to recognize and solve remedies problems. The objective is not to accumulate and catalog a lot of nuts-and-bolts rules, but to develop a critical eye for the fuzzy boundaries and ambiguities that characterize remedies law. In any event, knowing the rules of remedies law is only the starting point; whether litigating a case or negotiating a deal, the challenge is often to construct (or attack) creative arguments about difficult and unsettled remedies issues. Having a coherent understanding of the structure and operation of remedies across a range of substantive fields is essential to meeting such challenges in practice. As the saying goes, mastery lies not in what you know, but in what you do when you don’t know.

LAW 3078 v00 Commercial Space Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203078%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course will provide an overview of U.S. domestic legal regimes that govern commercial spaceflight activities, including those managed by the Federal Aviation Administration, Federal Communications Commission, Department of Commerce, U.S. Defense Department and State Department. The course will examine existing regulations and statutes as well as current discussions about changes to policy and law to address the evolving nature of the space industry and U.S. national space priorities. Examples include the proposed Space Force, space traffic management, and oversight of non-traditional commercial activities in light of international treaty obligations.

Recommended: Prior or concurrent enrollment in administrative law, regulatory law or international law.
LAW 528 v01 Communications and Technology Law Clinic (IPR) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20528%20v01)
J.D. Clinic | 12 credit hours
Please see the Communications and Technology Law Clinic (IPR) website (https://www.law.georgetown.edu/experiential-learning/clinics/communications-technology-law-clinic-ipr) for more detailed information about the program.

For registration-specific supplemental materials, please see the Communications and Technology Law Clinic (IPR) PDF (https://www.law.georgetown.edu/wp-content/uploads/2021/03/IPR-CT-Info-Sheet-2021-2022.pdf).


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

LAW 1291 v00 Communications and Technology Policy: Advocacy in the Public Interest (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201291%20v00) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. In this course, students will learn from a seminar instructor with decades of experience in government (FCC, White House, Congress), non-profits, and the private sector. For fieldwork, students will work at a range of public interest advocacy organizations engaged in cutting-edge policy issues in Washington, D.C.

These days are to technology and telecommunications policy what the 1960s were to voting rights or the 1930s were to administrative law. Internet governance, privacy, cybersecurity, broadband adoption, competition policy and copy protection decisions at the FCC, FTC, Congress, and the Administration are having a lasting impact on the technology ecosystem. Consumer advocacy therefore is more critical than ever, while the tactics and strategy deployed by consumer advocates must be facile and creative in a rapidly changing political environment.

This fieldwork practicum course will focus on the aforementioned and related issues. Students will be exposed to legislation and rulemaking across a broad spectrum of actors including Congress, the White House, federal agencies, industry, public interest advocates, and the press. Students will participate in a two hour/week seminar and carry out 10 hours/week of fieldwork at a number of participating non-profit, public interest advocacy groups, including Public Knowledge, Consumers Union, Common Cause, National Consumers League, Center for Democracy and Technology, and others (list subject to change).

**SEMINAR:** In the two-credit, graded, seminar portion of the practicum, students will examine the legislative, regulatory, and administrative policy-making process in communications and technology. With public policy rapidly evolving in the communications and technology sectors, legal practitioners must understand how such policy is made and can be influenced. Some case studies will be preceded by overviews of subject areas critical to such policy. Using case studies from the debates involving wireless spectrum allocation, open Internet, video competition, digital copyright protection, corporate mergers and consumer advocacy initiatives, students will learn how Congress, the White House, and the Executive branch shape policy directly impacting the technology and communications sectors. Students will also learn how public interest groups, corporate interests, political interest groups, and the press intersect to influence policy.

**FIELDWORK:** In the two-credit, mandatory pass/fail, fieldwork portion of the practicum, students will apply the concepts discussed in seminar to current debates in spectrum policy, open Internet policy, and video competition policy through a field placement at a participating advocacy organization. Students will work with seasoned practitioners and apply in real-world settings the advocacy tools discussed in the seminar.

**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).

**Recommended:** Communications Law, Copyright Law, Antitrust Law.

**Mutually Excluded Courses:** Students may not concurrently enroll in this practicum and an externship or a clinic or another practicum course. Students may not receive credit for both this practicum and Technology Policy and Practice.

Students taking this practicum are not precluded from enrolling in the Institute for Public Representation: Communications and Technology Law clinic either before or after this course.
LAW 073 v02 Communications Law and Policy

J.D. Course | 3 credit hours
This course is intended to help students understand the policy issues that underlie the regulation of communications industries, become familiar with the fundamental approaches to communications regulation and judicial review of that regulation, and evaluate the successes and failures of recent reforms. The course will address regulation of broadcasting, cable, wireline and wireless telephony, and broadband and Internet communications. Sections begin with a brief history of communications regulation and discuss the fundamental legal and policy decisions that have evolved through the present day. The course seeks to understand in what instances the government should intervene in the marketplace. When intervention occurs, the course seeks to evaluate government’s most appropriate role in broadcast regulation, telephone regulation, wireless spectrum issues, cable television regulation and broadband regulation. We will discuss the powers of local, state, and federal regulators and attempt to identify the jurisdictional boundaries among them. The course explores the regulatory theory underlying the Communications Act of 1934 and the Telecommunications Act of 1996 and attempts to predict the regulatory models that should govern the 21st century.

LAW 200 v01 Communications Law: Law and Policy in the Internet Age

J.D. Seminar (cross-listed) | 2-3 credit hours
The advent of the Internet has spawned massive leaps in technology and the way Americans use communications services to reach that technology. This course examines how courts, legislatures, and regulatory agencies react to constant change in communications technologies. We will focus on specific technological advances to explore the way legal, economic, social, and technological forces shape and are harnessed by legal systems faced with challenges to the status quo. The course will draw on leading communications law cases, statutes, and FCC and FTC actions. Students will explore the legal and lobbying battles raging today in Washington and across the world that are fueled by technological change, in areas such as net neutrality, privacy, broadband subsidy, competition, and spectrum policy. We will try to focus in particular on questions currently before the courts, the FCC and Congress. The goal is to deepen each student’s understanding of major communications law topics, to determine if a comparison of these topics reveals a set of common legal, policy, and political reactions to technological change, and to provide future policymakers with the tools to respond to change more effectively.

The class will meet for two hours once per week. Grades will be based on class participation (25%) and a final paper/oral presentation (75%). There are no course prerequisites. While there is overlap with Communications Law and Policy on several issues, we cover different issues in total. For students with no communications law background, we will cover the basic background on the law and policy needed to understand the issues addressed.

Learning Objectives:
• Deepen each student’s understanding of major communications policy topics in dispute.
• Determine if a comparison of these topics reveals a set of common legal, policy, and political reactions to technological change.
• Provide future policymakers with the tools to respond to change more effectively.
• Provide insight to the role legal constraints play in policy debates and policy plays in legal challenges.
• Improve oral and written advocacy skills through writing and presenting an advocacy white paper.

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 611 v08 Communications Skills Boot Camp (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v08)
J.D. Course | 1 credit hour
As new lawyers enter the workforce, often they are not just new to the law, but new to the world of business. As the market for legal services becomes increasingly more competitive, each of us needs to distinguish ourselves not just regarding the services we provide, but in the way we provide them. Successful service providers constantly interact with colleagues and clients. Therefore, superior communication skills become essential. The Communication Skills Boot Camp is a Week One simulation course designed to help law students rethink how they share information. Students will learn to put the needs of their listeners first, both when preparing for and during the conversation, and will refine their delivery skills. Through group exercises, customized role plays, and instructor coaching, students will learn a range of communication skills, including how to: focus on the needs of others; share information with confidence and credibility; understand personal communication styles; develop a clear message and deliver it with presence; ask better questions and listen for key insights; handle questions and emotional reactions effectively; guide a problem-solving discussion; lead an effective brainstorming discussion; and implement effective habits of innovative professionals.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 8, 2018, through Thursday, January 11, 2018. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who are enrolled through a lottery process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled 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. For more information see Week One website (http://www.law.georgetown.edu/go/weekone). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Friday, December 1, at 3:00 p.m. After that point, permission from the course professor and Assistant Dean for Experiential Learning is required.

LAW 1513 v00 Community Development Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201513%20v00)
J.D. Seminar | 2 credit hours
Community Development is the work of partnering with local communities to tackle complex social problems, where racism, economic and social inequality are often intertwined. Students will have the unique opportunity to integrate critical theory and practice within the context of a real-time community development project spearheaded by the professor. Students will gain exposure to the deal structure, financing and legal documents governing the increasingly controversial disposition of public land in mixed income/mixed use developments. Grassroots organizers, attorneys and government officials working in the field will participate as guest speakers and conversants from time to time. Student papers may range across a wide spectrum of topics dealing with some problem confronted by the professor’s initiative or, more generally, by community development practitioners in the field.

Recommended:
Previous exposure to critical theory, community organizing and economic development is helpful but not required.
LAW 1513 v01 Community Development Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201513%20v01)
J.D. Seminar | 2 credit hours
Community Development is the work of creating better outcomes for low-income and underserved populations and communities. This is done in a variety of ways: affordable housing, community-based services and programs, social entrepreneurship, workforce and business development, individual/community wealth and capacity building.

Contemporary community development theory takes a resident-participatory and bottom-up, rather than a bureaucratically administered and top-down, approach to development. ABCD—Asset Based Community Development—strategies identify and maximize the human and physical resources/assets within the community in order to impact complex problems sitting at the intersections of poverty, race, gender and other identities.

Critical theory situates this community development practice within a broader critique of the political, economic, and cultural systems that legitimize and disrupt the systems and structures of poverty, inequality, and marginalization that community development practices aim to ameliorate and/or remedy.

This course provides a unique opportunity for students to integrate social theory and community development practice into a praxis of community development that reflects on the power dynamics being legitimated and disrupted by community development practices.

Students will have an opportunity to grapple with the integration of critical theory and practice by exploring best practices in some area of community development and by participating in a live D.C. community development initiative being spearheaded by the professor.

Students are required to write two short papers 9-10 pages each, exploring community development best practices in a subfield of community development, one paper focused on a professor-assigned topic related to the D.C. initiative referenced above and the other on a topic of the student’s choosing.

Recommended:

Previous exposure to community organizing and economic development is helpful but not required.

Note: This course will be enrolled via waitlist.

LAW 1513 v02 Community Development Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201513%20v02)
J.D. Seminar | 3 credit hours
Community Development is the work of creating better economic, social, political, health, and environmental outcomes for under-disinvested communities. This is done in a variety of ways, including community organizing, planning, and development focused on a broad spectrum of inequalities and historic inequities facing communities defined by place, identity, and/or interest.

Contemporary community development theory takes a bottom-up and democratically participatory approach to engaging these inequalities and historic inequities. Rather than seeing communities as places of deficit and need, Asset Based Community Development (ABCD) recognizes, values, and leverages the human, built, and natural assets already within under-disinvested communities by partnering with those communities to impact complex problems having multiple interlocking causes and effects.

This course provides a unique opportunity for students to integrate critical theory and community development practice into a praxis of community development that reflects on the power dynamics being legitimated and sometimes disrupted by the histories and current practices of community development.

This praxis of community development centers a community wealth building, reparative, and sustainable economy approach to the problems engaged by many community development practitioners. This emerging praxis is part of a New Economy movement rooted in racial equity and more democratically owned and controlled community organizations designed to close gaps in wealth, health, and other indicators of wellbeing.

Final Assessment:

Students are required to produce a 1) literature review, research question, outline, and bibliography 2) draft and 3) 6000 word final paper (approximately 25 pages).

Learning Objectives:

- develop an understanding of principles of good practice, key concepts, and core practice areas defining the field of community development;
- acquire tools to critically evaluate the history and present engagement of government, philanthropy, and private sectors in under-disinvested communities;
- build a working knowledge of the District of Columbia’s community development ecosystem;
- gain familiarity with community wealth building and ownership models of community development by working with a community seminar partner located in one of the District’s under-disinvested communities.

Prerequisite: There are no required prerequisites for this course. The primary student assessment is a presentation of research findings and white papers to our seminar partner and community organization to facilitate strategic planning and execution of plans within those communities.

Recommended: Previous exposure to community organizing and/or economic development, strategic and urban planning, affordable housing and community service is helpful but not required.

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely.
LAW 091 v11 Comparative Constitutional Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20091%20v11)
J.D. Course (cross-listed) | 3 credit hours
How do we lose (and save) a constitutional democracy? How are constitutions designed? Can constitutions exist without constitutionalism? What is an authoritarian constitution? What influences a constitutional transition? Is it possible to have an unconstitutional constitutional amendment? What forms of judicial review can courts employ? How do courts across the world interpret constitutions? Are courts or legislatures better protectors of constitutional rights? Can constitutions be employed abusively?

Comparative constitutional law has exploded in contemporary constitutional practice and as a field of study. Events around the world—from the Middle East and Asia to Europe and Latin America—underscore the urgency of understanding how constitutional democracies are born and how they can collapse. In this course, we will explore constitutions in global perspective, examining issues of constitutional structure and rights across comparative constitutional systems. We will cover topics like constitution-making, constitutional change, constitutional amendment, judicial review, and constitutional interpretation. Drawing on examples across the world, we will also examine the relationship between the individual and the state in relation to freedom of religious freedom, freedom of speech, and constitutionalism in times of national emergency and in fragile democracies.

Mutually Excluded Courses: Students may not receive credit for both this course and the Comparative Constitutional Law Seminar.

LAW 091 v10 Comparative Constitutional Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20091%20v10)
J.D. Seminar (cross-listed) | 2-3 credit hours
How to lose and save a constitutional democracy? How to prevent democratic backsliding? How to design a constitution? Can constitutions exist without constitutionalism? What is an authoritarian constitution? How do constitutions transitions and change occur? What forms of judicial review do courts employ? Is it possible to have an unconstitutional constitutional amendment? How do courts across the world interpret constitutions? Can constitutions be employed abusively?

Comparative constitutional law has exploded in contemporary constitutional practice and as a field of study. Events around the world—from Asia and the Middle East to Europe and Latin America—underscore the importance of understanding how constitutional democracies are born and how they can collapse. In this course, we will explore constitutions in global perspective, examining issues of constitutional structure and rights across comparative constitutional systems. We will cover topics like constitution-making, constitutional change, constitutional amendment, judicial review, and constitutional interpretation. Drawing on examples across the world, we will also examine individual rights issues, such as freedom of religion, as well as constitutionalism in times of national emergency and in fragile democracies.

J.D. students who wish to write a fulfilling the Upperclass Legal Writing Requirement must register for the 3-credit section of the seminar. J.D. or LLM students taking the seminar for 2-credits will not need to write a paper. There are no prerequisites for taking the class.

Mutually Excluded Courses: Students may not receive credit for both this course and the Comparative Constitutional Law course.

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.
Corporate governance has received a considerable amount of attention worldwide. More than a decade ago, the global financial crisis clearly demonstrated that poor corporate governance practice could have disastrous consequences not only for the companies and shareholders but also for the capital or financial markets and the economy as a whole. The recent global health crisis has heightened an urgent need for more sustainable corporate governance rules and practices which, in turn, can help clearly distinguish the line between ownership and control in the company, balance the interests of shareholders, board members, and other stakeholders, and ensure their accountability towards the society as a whole. As such, local rules and recommendations are now supposed to improve corporate productivity at the same time as more sustainable businesses.

Several countries around the world have increasingly launched reforms with the objective to better off corporate governance and the long-term performance of their companies. Despite this strong attention for corporate governance worldwide, as well as the tremendous impact of globalization, paradoxically, more is to be done. Adopting a comparative perspective allows legal, institutional, cultural and sociological factors to be considered as relevant determinants or limits to better off managerial governance and companies’ performance.

This very rich theme cannot be completely dealt with in a few hours in class. However, we may highlight some very interesting useful aspects for lawyers and practitioners. The course aims at providing more in-depth reflection to understand corporate governance law, regulation and practices in companies and seeks to encourage the need for comparative law as a means of thinking about law in a globalized economy. It is mainly focused on public-listed companies practice from such jurisdictions as US, UK and EU Member States ones.

**Prerequisite:** Corporations.

**Note:** WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 10, 2022 through Thursday, January 13, 2022, 1:30 p.m. - 4:50 p.m. The course will have a take-home exam that must be completed between January 21 and January 28, 2022.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 2030 v01 Comparative Reproductive Technologies and "Reproductive Tourism" (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202030%20v01)
LL.M Seminar (cross-listed) | 2-3 credit hours
This seminar will examine the fundamental elements of ART law and practice so that students have a foundation to explore and compare a diverse number of legal systems’ approaches to selected reproductive technologies with a particular emphasis on the legal implications for “cross-border reproductive care” ("reproductive tourism"). Other topics will include: comparative access to and affordability of IVF, egg and sperm donation, and surrogacy; reprodogenetics; treatment for same-sex couples; professional liability; and embryonic stem cell research (as it intersects with egg donation and the use of IVF embryos). Guest lectures will provide a medical and an ethical perspective to broaden an understanding of the legal and policy challenges in this unique field.

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 for JD students. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.

LAW 757 v01 Comparative Tax Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20757%20v01)
LL.M Course (cross-listed) | 2 credit hours
Provides an introduction to the study of comparative tax law. The coverage is broad, touching on many countries and types of taxes, as well as the general legal framework for tax law and tax procedure. Emphasis is on the income tax and, to a lesser extent, value added tax. Focus is on underlying structural differences in legal systems, including constitutional issues, judicial interpretation of tax laws, judicial and legislative anti-avoidance doctrines, different approaches to defining income, alternative systems for taxing corporations and shareholders, and problem areas in the VAT (including international services and e-commerce). The student completing this course will have a basic understanding of how to approach foreign tax law, and tools to better understand the tax system in the student’s own country.

Prerequisite: Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in either Corporate Taxation (formerly Taxation II) or Corporate Tax Law I.

LAW 791 v00 Complex Derivative Transactions: Structure and Usage (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20791%20v00)
LL.M Course | 2 credit hours
This course is designed to provide a comprehensive overview of complex derivative transactions currently utilized in the global financial marketplace; emphasis will be on how such transactions are structured, how they are utilized by market participants, and how they will be regulated under new U.S. federal law and regulations. Topics addressed will include: legal and policy issues that gave rise to the trading of these financial market products and changes to legislation and regulations affecting these markets in recent decades; varieties of swaps transactions involving various underlying commodities, including interest rates, currencies, agricultural and energy commodities, credit products such as credit default swaps, and equities; varieties of exchange-traded funds involving various underlying commodities including precious metals, energies, and securities; exchange-traded credit derivative products, including security and commodity options; and structured products. The course will focus on the growth and innovation in swaps and derivatives markets, market development prior to enactment of the Wall Street Reform and Consumer Protection Act, and in-depth review of new financial reform statutes and regulations for these markets. Specifically, in addition to analyzing various types of swaps and derivatives, the course will address issues relating to swaps clearing, trading execution, recordkeeping, reporting, enforcement authorities, as well as exemptions from regulation. Focus of the course will be on understanding how market participants use complex derivatives, the benefits and risks of particular products, and the new regulatory landscape for such transactions.

Prerequisite: Prerequisites: Regulation of Derivatives

LAW 1098 v00 Complex Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201098%20v00)
J.D. Course | 4 credit hours
This course will focus on complex procedural issues that arise in modern litigation. The overall focus of the course is on multi-party, multi-jurisdictional disputes and the increased regulatory role that courts play in the system of dispute resolution. The first part of the course will focus on class actions, including the requirements for class certification, judicial review of class settlements, the impact of the Class Action Fairness Act on class action practice (CAFA), and the intersection of class actions and contracts for arbitration of disputes. Considerable time will also be spent on multi-district litigation (MDL) practice including the modern development of bellwether trials; the unique aggregation problems that arise in the context of international disputes; the strategic choices available to lawyers handling complex cases, and the strategic and economic dynamics of settlement.

Prerequisite: Civil Procedure (or Legal Process and Society).
LAW 950 v01 Complex Securities Investigations

LL.M Course (cross-listed) | 2 credit hours
The course is designed to provide a practical survey of a complex securities investigation from inception through the Wells process, civil and criminal charging decisions, and trial. Representing a public company, its officers, employees or directors requires a thorough understanding of the tools and strategies employed by the civil and criminal regulators. We will consider a variety of common practice issues including managing concurrent SEC and DOJ investigations, structuring and conducting the internal investigation; responding to SEC document subpoenas; conducting witness interviews; and, the application of the corporate privilege, attorney-client privilege, work product doctrine, and governmental privileges. The self-reporting and professional responsibility provisions of Sarbanes-Oxley and the SEC’s cooperation initiative present a variety of difficult practice issues that are critical to a lawyer’s fundamental responsibility to represent solely the client’s interests. Students will gain practical knowledge of the issues and opportunities arising through interaction and negotiation with the SEC and DOJ during the investigative process, and the strategic decisions of waiver and cooperation to achieve the optimal result for the client.

Recommended: Criminal Justice (or Democracy and Coercion) or Criminal Procedure or a course in White Collar Crime

LAW 1384 v00 Computer Programming for Lawyers: An Introduction

J.D. Course (cross-listed) | 3 credit hours
This class provides an introduction to computer programming for law students. The programming language taught may vary from year-to-year, but it will likely be a language designed to be both easy to learn and powerful, such as Python or Javascript. There are no prerequisites, and even students without training in computer science or engineering should be able successfully to complete the class.

The course is based on the premise that computer programming has become a vital skill for non-technical professionals generally and for future lawyers and policymakers specifically. Lawyers, irrespective of specialty or type of practice, organize, evaluate, and manipulate large sets of text-based data (e.g. cases, statutes, regulations, contracts, etc.) increasingly, lawyers are asked to deal with quantitative data and complex databases. Very simple programming techniques can expedite and simplify these tasks, yet these programming techniques tend to be poorly understood in legal practice and nearly absent in legal education. In this class, students will gain proficiency in various programming-related skills.

A secondary goal for the class is to introduce students to computer programming and computer scientific concepts they might encounter in the substantive practice of law. Students might discuss, for example, how programming concepts illuminate and influence current debates in privacy, intellectual property, consumer protection, antidiscrimination, antitrust, and criminal procedure.

This is a hands-on class. Each student will spend most class sessions using his or her own computers, reading, writing, and debugging code. Every student must bring to every class a computer, on which free software will be provided to be installed. Students will be required to complete problem sets between class meetings. To obtain a passing grade, students must complete problem sets and larger coding assignments, participate in class sessions, and demonstrate they have learned the assigned skills.

At the completion of this class, students should be able to write simple to moderately complex computer programs that can automate text-handling and data-handling tasks that would be difficult or impossible to perform without programming skill. Students will also gain a solid foundation of programming knowledge and skills they can build upon to progress toward mastering more advanced programming techniques and other programming languages.

Mutually Excluded Courses: Students who have completed at least one computer programming course in college or graduate school or who have mastered at least one computer programming language are not eligible for this course.

Note: This course is online only. There will be no meetings on campus.

Waitlisted students who enroll in this course after the first class meeting will be dropped from the course. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. This course will meet twice each week. There will be 1 one-hour lecture with all enrolled students, with the second hour of weekly course content delivered asynchronously. Later in the week there will be a second class session consisting of one-hour lab sections broken into small groups of 15 students. Waitlisted students who enroll in this course after the first class meeting will be dropped from the course.
LAW 1499 v00 Computer Programming for Lawyers: Intermediate
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201499%20v00)
J.D. Course | 3 credit hours
This class builds on Computer Programming for Lawyers: An Introduction by introducing students to intermediate-level concepts of computer programming and computer science relevant to legal practice. The students in this course will serve as the Teaching Assistants for the introductory course, which will always be taught concurrently. In addition, students in this course will complete at least one substantial programming term project.

Enrollment in this course is by prior permission of the Professor only. All students must have prior computer programming experience. Students who have successfully completed the introductory course meet this requirement. Other students must demonstrate comparable prior experience, but this experience need not be formal training or professional experience. Students need not possess a technical degree, and self-taught programmers are welcome.

The course is based on the premise that computer programming has become a vital skill for non-technical professionals generally and for future lawyers and policymakers specifically. Lawyers, irrespective of specialty or type of practice, organize, evaluate, and manipulate large sets of text-based data (e.g. cases, statutes, regulations, contracts, etc.) Increasingly, lawyers are asked to deal with quantitative data and complex databases. Programming techniques can expedite and simplify these tasks, yet these programming techniques tend to be poorly understood in legal practice and nearly absent in legal education. In this class, students will gain proficiency in various programming-related skills.

A secondary goal for the class is to introduce students to computer programming and computer scientific concepts they might encounter in the substantive practice of law. Students might discuss, for example, how programming concepts illuminate and influence current debates in privacy, intellectual property, consumer protection, antidiscrimination, antitrust, litigation and criminal procedure.

This is a hands-on class. Each student will spend most class sessions using his or her own computers, reading, writing, and debugging code. Every student must bring to every class a computer, on which free software will be provided to be installed.

Note: THIS COURSE REQUIRE PROFESSOR PERMISSION TO ENROLL. Interested students should contact Professor Ohm at (ohm@law.georgetown.edu) by Wednesday, June 9, 2021.

Withdrawal Policy: Students in Computer Programming: Intermediate serve as Teaching Assistants (TAs) to students enrolled in Computer Programming for Lawyers: An Introduction. Because the introductory class cannot operate without a minimum and stable number of TAs, it is essential we ensure a fixed enrollment for the intermediate class, by adopting special rules for dropping the class. A student enrolled in Computer Programming for Lawyers: Intermediate may drop the class no later than 3pm on Sunday, August 1, 2021 and only by notifying Professor Ohm in writing.

LAW 363 v01 Conflict Management Systems Design Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20363%20v01)
J.D. Seminar | 3 credit hours
This seminar is an interactive workshop designed to introduce students to the theory, principles and practice of conflict management systems design with the goal of training students to assume this new and creative professional role. Lawyers are increasingly being called upon to act not simply as litigators or deal-makers, but also as “process architects” for institutions, organizations and governments. In addition, they are being asked to design, tailor and manage systems to handle “streams” of disputes in an effective and efficient manner, such as those arising from commercial transactions, mass torts, natural disasters, government programs and restorative justice initiatives.

Students will be expected to read, write, discuss, critique and participate in simulated exercises. After an overview of conflict management theory and principle, students will, through readings, discussions and exercises, study seven actual systems that reflect conflict management design principles. Then through a series of additional hands-on role plays and simulations, students will have the opportunity to develop systems design skills and work on a mock consulting team during class. The practical and ethical implications of systems design work will be explored, as well as opportunities for synthesis of systems design skills into legal practice.

The class meets four weekend days. Due to the intensive and interactive nature of the seminar, attendance at all class sessions is mandatory. Students will also be expected to participate in a simulation (approximately three hours) between the two weekend sessions. Grades will be based on class participation including team work, discussions and simulations (25%), the quality of a 7-page journal analyzing a class consulting team simulation and applying systems design principles (25%), and a 14-page client proposal on a topic of the student’s choice (revising a current system or designing a new system to manage conflict and resolve disputes) which demonstrates application and mastery of conflict management systems design skills.

Prerequisite: A course on an alternative dispute resolution topic is required (e.g., Negotiations Seminar, Mediation Seminar, Mediation Advocacy Seminar, Negotiations and Mediation Seminar). The two-credit sections of International Negotiations Seminar do not satisfy the prerequisite for this class.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 084 v04 Conflict of Laws (Private International Law) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20084%20v04)
J.D. Course | 3 credit hours
Increasingly, lawyers find themselves planning transactions or litigating cases involving persons or events connected with more than one state or nation. This course examines the principal approaches relied on by U.S. courts to determine what law to apply when some or all of the operative facts underlying a claim or defense arise in another state or nation. The course also considers the criteria used by U.S. courts in recognizing and enforcing the judgments of the courts of other states or nations.

LAW 1543 v00 Congratulations, You’re In-House Counsel at an Investment Bank! Now What? (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201543%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
This intensive, fast-paced, one-credit course will explore the type of legal and advisory work that investment bank lawyers engage in when working on a transaction. General Counsel wear many hats. Among several issues, general counsel guide banks through challenges to the banks’ hard-won reputation, they consult on conflicts between the banks’ myriad deal opportunities, they guide bankers on due diligence issues of importance to banks’ future liabilities and they help develop control procedures for ensuring that very sensitive information is properly held. You will live these issues. Students will get the opportunity to react to real-life fact patterns by, among other things, negotiating engagement letters between a bank and its client, reviewing legal opinions to decide how to best protect the bank’s exposure to underwriters’ liability and advising on ways to navigate the difficult waters of reputational risk. The goal of the course is to simulate through hypothetical scenarios, the legal skills needed to guide a bank’s strategic and tactical business decisions in a real-life situation.

This course will be highly interactive, and will require students to work in both teams and individually over one weekend. The course will begin on a Friday afternoon and continue throughout the course of the weekend, culminating in a simulated Investment Banking Transaction Approval Committee Meeting on Sunday. The students will be allocated tasks throughout the weekend as they would in a real life/real time in-house counsel situation.

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

Note: This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend any class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. Note: Students should be prepared to dedicate a significant amount of time to this class over the course of the weekend outside of the scheduled class hours.

J.D. Seminar | 1 credit hour
President Franklin D. Roosevelt called the Fair Labor Standards Act (FLSA) of 1938 “the most far-reaching, far-sighted program for the benefit of workers ever adopted in this or any other country.” The historic FLSA established the minimum wage, created a standard workweek, outlawed child labor, and instituted certain work safety protections for minors. Over eighty years later, many argue that the law is too rigid for today’s 21st-century workplace and the gig economy. Others contend that the law must be strengthened to better protect workers, many of whom face job insecurity; wage theft; or lack of health, retirement, and unemployment benefits. Most agree that the law needs to be updated -- but how?

In this dynamic and realistic Week One simulation, students will prepare for and conduct a Congressional hearing on updating the FLSA. Working in teams, students will gain experience in the key components of preparing for and conducting a hearing including writing, delivering, and responding to opening statements, testimony, and questions. Students will play the roles of witnesses such as Department of Labor leadership, business leaders, worker advocates, and others, as well as Democratic and Republican Congressional Members of Congress/staff. Additional Members of Congress will be played by outside experts. Upperclass teaching fellows will help guide student preparation for the hearing and serve as Members of Congress in the simulation.

Note: This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 29, 2021 at 3:00 p.m. After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 309 v00 Congressional Investigations and the Modern Government Inquiry (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20309%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course will focus on the scope and contours of Congress’s oversight and investigative authority, how it has evolved over time, and key similarities/differences in relation to other types of government investigations. Specifically, it will examine the interplay between congressional investigations and the separation of powers between the Legislative, Judicial, and Executive branches of government, as well as how such investigations can impact private actors. Topics covered will include, among others:

- Committee jurisdiction and grants of authority;
- Interaction between Congress and the Executive Branch, including claims of Executive Privilege and special issues related to congressional oversight of active criminal investigations;
- Judicial review of congressional oversight activities;
- The applicability of constitutional and common law privileges and the congressional contempt power; and
- Current trends in congressional investigations in light of a changing political dynamic in Washington, including the role of the minority party and specially-constituted investigative commissions.

The world of congressional investigations is truly interdisciplinary—these high-stakes investigations often involve overlapping, and at times competing, considerations of law, legislation, lobbying, policy, politics, public relations, and media. Rarely does a congressional investigation occur in a vacuum—for an issue to attract a congressional committee’s attention, it is often necessarily subject to parallel criminal and civil proceedings, or it will be. Therefore, students will be challenged to assess the spectrum of risk a subject or witness might face, including criminal exposure, impacts on parallel litigation, administrative or regulatory issues, media scrutiny, reputational and economic risk, and potentially negative legislative results. Students will also consider the myriad objectives of a congressional investigation, including evaluating the effectiveness of existing laws, supporting or opposing legislation, or advancing a particular political agenda.

By the end of the course, students should have acquired a working understanding of:

- The sources, scope, and history of congressional oversight and investigative authority;
- Legal and business risks associated with congressional and other government investigations;
- Key nuances and similarities in the representation of clients before various types of government bodies; and
- Some basic practice concepts in the white collar representation of entities and individuals under government investigation.

Recommended: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Mutually Excluded Courses: Students may not receive credit for both this course and Congressional Investigations Seminar or Congressional Oversight of the Executive Branch.
LAW 309 v02 Congressional Investigations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20309%20v02)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar deals with Congress’ powers to conduct oversight and investigations of the Executive branch. This seminar will cover the scope of Congressional inquiries and investigations, Congress’ subpoena powers, grant of immunity powers as well as hearing and rulemaking powers, the use of select committees, the GAO, and other special investigative techniques. The course will examine the use of prehearing depositions, rights of witnesses, preparation of witnesses, the role of the press and the interaction between Congress and prosecutorial functions including investigations conducted by special and independent counsel statute. In addition to the traditional use of lectures, class discussions and outside speakers, the course will be built around mastering the subject matter and surfacing ethical issues by working on complex problems. Students will be expected to work in small groups on contemporary issues to simulate the work of Committee members, Committee Staff, White House Counsel Staff and members of the news media.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Legislative Investigations Seminar or Congressional Oversight of the Executive Branch.

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

LAW 309 v03 Congressional Investigations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20309%20v03)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar explores the range of issues involved in congressional investigations, with special attention paid to the differing perspectives of the major players, both inside and outside of Congress, in a congressional investigation. Congressional investigations involve a unique interplay of legal and political issues. Legal issues – involving such matters as the rights of private institutions and private citizens who may be implicated in a congressional investigation, the legal and political ability of the Executive Branch to resist congressional probes, the authority of the Judicial Branch to interfere with or limit the conduct of congressional investigations, and the relationship of congressional investigations to related criminal and civil inquiries conducted by other governmental entities – must be factored into the political calculus of the contending political forces involved in a congressional investigation. Political determinations – which underpin such issues as the scope and duration of an investigation or whether witnesses should be interviewed, deposed or called to testify live at a hearing – may have significant legal ramifications. This seminar will address these issues at both the practical and the theoretical levels. As part of the course, class members will be asked to participate in mock problems concerning different aspects of the process.

Recommended: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Congressional Oversight of the Executive Branch or Congressional Investigations and the Modern Government Inquiry.

LAW 1486 v00 Congressional Oversight of the Executive Branch (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201486%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
"Quite important as lawmaking is vigilant oversight of administration."
"The informing function of Congress should be preferred even to its legislative function."

Woodrow Wilson

The above quotes capture the central theme for this seminar, which explores Congress’ oversight of the Executive Branch. Oversight and investigation are one of Congress’ primary means of asserting its role in the Constitutional scheme of separated powers. Historically, this assertion creates tensions that forces interplay among the three coordinate branches of government: legislative, executive, and judicial. This course will examine these issues as well as review the tools Congress uses to execute its powers. This includes the full range of Congress’ compulsory powers through the issuance of subpoenas, grants of immunity, contempt rulings, and enforcement actions in civil and criminal court. Students will use major investigations as case studies to demonstrate these processes. Students will be asked to assume roles as various actors in the process, which includes members of Congress and their staffs; officials in the executive branch, and the judiciary.

WOODROW WILSON, Congressional Government, (Boston: Houghton, Mifflin, 1885), 303

COURSE OBJECTIVES:
1. Students will understand the interplay among the three coordinate branches as a result of our constitutional structure, and how these structural relationships impact law and policy-making.
2. Students will understand the tools at Congress’s disposal to effect legislative oversight and congressional investigations. To borrow a phrase from one of our texts, “you will learn how the worlds of lawmaking, law-implementing, law-interpreting, and law-enforcing connect.”

Prerequisite: Constitutional Law I: The Federal System; prior or concurrent enrollment in Constitutional Law II: Individual Rights and Liberties.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Congressional Investigations Seminar or Congressional Investigations and the Modern Government Inquiry.
LAW 1717 v00 Congressional Procedure (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201717%20v00)
J.D. Course | 3 credit hours
There are many procedure courses in law schools. There is civil procedure, a required course. There is administrative procedure, widely seen as an important course. Congressional procedure does not receive enough attention in law schools. This course is an introduction to that procedure and its importance for lawyers and leaders. Today, we live in a Republic of Statutes. The common law, learned in the first year, has largely been supplanted by statutes at both the state and federal levels. To interpret statutes, whether one is in a court or an agency, or just reading the newspaper, one must understand the process by which the statute is made. One cannot intelligently read a trial transcript without understanding basic trial process. The same is true of statutes. The purpose of this course, then, is not to consider congressional procedure for its own sake, but as a means to understand difficult problems in statutory interpretation.

Mutually Excluded Courses: Students may not receive credit for this course and Legislation taught by Professor Nourse, Congress and the Administrative State or Congressional Procedure and Statutory Interpretation Seminar.

LAW 1121 v00 Congressional Procedure and Statutory Interpretation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201121%20v00)
J.D. Seminar | 3 credit hours
Statutory interpretation is the lifeblood of legal practice—it even accounts for the largest part of the Supreme Court’s docket. To be an expert in statutory interpretation requires more intensive knowledge of how Congress works—its “rules of proceedings.” This seminar has two aims: first, to educate students about congressional procedure (akin to civil procedure or administrative procedure); to teach students how to apply this knowledge to real statutory interpretation cases; and to become expert in reading legislative history. This is a hands-on course requiring in-class use of the laptop and various databases to “find” and interpret legislative history. In this course, students will learn how to research legislative history in ways that make the process easier, more rigorous, and more consistent with Congress’s own rules. Students will apply this process in a final research project involving a recent or currently pending statutory interpretation case. This class meets the J.D. upperclass legal writing requirement.

Note: 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 two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 103 v00 Conservatism in Law in America Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20103%20v00)
J.D. Seminar | 3 credit hours
This writing seminar explores various themes running through conservatism in American law. In the course of examining the meaning of American legal conservatism, it touches on certain basic questions about the nature and purpose of law both generally and in the United States in particular, as well as assumptions and beliefs about how human beings behave and how they learn to order their dealings with one another. It explores the relationship of conservatism in society to conservatism in American law, occasionally using current and past controversies to illustrate different ways of understanding conservatism in law as well as competing approaches.

Recommended: Constitutional Law I: The Federal System or Democracy and Coercion.

LAW 1724 v00 Conservative Jurisprudence Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201724%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
The course will introduce students to the writings of the main conservative legal theorists, their contribution to modern legal theory and participation in modern legal theoretical debates. Students will read about the internal debates within the legal conservative movement by focusing on the split between libertarians and traditionalists within the movement including debates regarding “originalism” and “textualism” as conservative interpretive approaches to the law.

The course will be divided into three sections: The first section of the course will address the question: Who is a conservative? The second: Who is a legal conservative? And the third: What is a conservative method of legal interpretation?

LAW 822 v00 Consolidated Returns (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20822%20v00)
LL.M Course | 2 credit hours
This course studies the law and regulations governing the taxation of corporations filing consolidated federal income tax returns. This course is highly recommended for students who intend to practice corporate tax law because it will focus on consolidated return principles that affect corporate tax planning, mergers and acquisitions. The course will cover the following subjects: eligibility to file consolidated returns; treatment of business transactions within the group; treatment of dividends and other distributions within the group; adjustments to the basis of stock of members of the group; treatment of acquisitions of another consolidated group; treatment of dispositions of subsidiaries of a group; consolidated return treatment of the group’s favorable tax attributes; use of disregarded entities by a consolidated group; and treatment of earnings and profits accounts. The consequences of filing consolidated returns in specific situations are considered as each topic is covered.

Prerequisite: Federal Income Taxation (formerly Taxation I); Corporate Income Tax Law I.
LAW 1609 v00 Constitutional and Statutory Interpretation Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201609%20v00)
J.D. Seminar | 2-3 credit hours
Analyzing text is a deeply important part of legal practice in public law, whether statutory or constitutional law. It cuts across a wide variety of subject matter areas, from very basic aspects of the Constitution to any statutory topic imaginable. Whatever the subject matter, whether health care law, presidential emoluments, or internet privacy, certain problems of legal analysis recur. How should courts analyze legal texts? Where should judges go to look for meaning when the text is vague or ambiguous? Should texts be updated to reflect current norms? What does it mean to look for the drafter's intent? Should approaches toward statutory and constitutional text be symmetrical or not? This seminar will introduce students to these problems and provide essential skills for reading both constitutional and statutory text. Invited guests will provide materials. Students taking the two-unit version of the class will be graded on short reaction papers due every two weeks. Students taking the three-unit version must provide reaction papers due every two weeks and satisfy the law center's writing requirements. Given the theoretical nature of the topic, law review students are especially encouraged. Yale Professor William Eskridge, Professor Nourse's coauthor, will be attending the seminar.

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

LAW 089 v00 Constitutional Aspects of Foreign Affairs Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar deals with the distribution of powers between the president and Congress in the areas of war, diplomacy, international organizations, foreign assistance, commerce, money, etc. as well as the distribution of powers between the national and state governments. Such related matters as the impact on individual rights and the political question doctrine in this context are also discussed.

Prerequisite: Constitutional Law I (or Democracy and Coercion).

Mutually Excluded Courses: Students may not receive credit for both this seminar and Foreign Relations Law.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. 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.

LAW 1601 v00 Constitutional Impact Litigation Practicum
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201601%20v00)
Project-Based Practicum | 5 credit hours
This project-based practicum course will give students the unique opportunity to be part of the constitutional litigation work of Georgetown Law's Institute for Constitutional Advocacy and Protection (ICAP). Led by attorneys with deep experience in trial and appellate advocacy, national security law, and federal prosecution, ICAP pursues strategic litigation in federal and state courts at all levels to ensure clear recognition of constitutional rights in areas such as immigration, First Amendment rights, national security, public safety, criminal justice reform, and whistleblower protection, among others. ICAP often works in close partnership with non-profit organizations, pro bono teams of law firms, and law school clinics. Students will participate in a two-hour weekly seminar and carry out an average of 15 hours per week of work with ICAP and its partners on strategic litigation.

SEMINAR: Drawing on experience from ICAP's cases as well as prominent historical and current examples of impact litigation, the seminar will focus on the history of public and social justice litigation and its uses, criticisms, and obstacles. Seminar participants will discuss with the practicum's Professor, Senior Lecturer, and other lawyers on the ICAP team strategies for bringing impact litigation, including identifying and selecting plaintiffs, test cases, venues, and legal theories, as well as engaging the public. Students will receive specific instruction on how to prepare research memoranda useful to litigators exploring which cases to take and which arguments to make; on what makes for successful, persuasive briefing of constitutional arguments; and on how to explain to the public, in forms such as short op-eds, the crux of key legal challenges and the stakes associated with them.

PROJECT WORK: Students will work an average of 15 hours per week on constitutional litigation and related projects handled by ICAP. Work flow will depend on litigation deadlines and demands. Students should not expect the work load to be even from week to week, and some weeks may require a significantly greater number of hours while others may require very few. Students’ roles may include providing litigators with memoranda conveying research on relevant legal issues; drafting portions of briefing materials for use in litigation; meeting oral advocates preparing to argue these matters in court; drafting press releases and/or op-eds relevant to ICAP’s litigation; and assisting with spin-off projects that may arise from the litigation. Students also may be involved in fact gathering related to ICAP’s litigation, including reviewing and analyzing publicly available data. ICAP’s previous work has included obtaining injunctions against unlawful private paramilitary activity by far-right extremists and militias; challenging bail practices and fines and fees that unconstitutionally discriminate against indigent defendants; representing “sanctuary cities” against challenges to their policies; standing up for freedom of expression; advocating against undue burdens on religious expression; promoting fair and just criminal prosecutors and sentences; and protecting the rights of civil servants, among many others. Students will undertake multiple projects over the course of the semester, engaging with not only the Professor and Senior Lecturer, but also ICAP’s other litigators. Students will be expected to work both independently and in teams, just as they would on an impact litigation team.

Prerequisite: Constitutional Law I and Constitutional Law II (or concurrent enrollment in Constitutional Law II). Additionally, 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: The practicum portion of this course is designed to immerse students in all facets of ICAP’s litigation, from developing new litigation ideas and fact-gathering, to legal research and writing in support of briefs and pleadings at the trial and appellate levels, to working with ICAP’s partners on strategic litigation.
LAW 1359 v00 Constitutional Interpretation Seminar: Originalism and its Rivals (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201359%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar will critically evaluate the "originalist" position that courts should be bound by the "original understanding" or by the "original public meaning" of the constitutional text, or by the "original Framers' intent." The seminar will then review a variety of alternative approaches, including ones that treat the constitutional text as having evolving meaning, and others that emphasize tradition, democracy, precedent, moral obligation, or other bases for constitutional interpretation, including alternatives that contest the idea that the Constitution should be considered binding or that the judiciary should have ultimate authority for constitutional interpretation. The positions will be identified and evaluated through a focus on Supreme Court decisions and on scholarly commentary. Participants will be expected to write short response papers and to attend the seminar meetings. No paper will be required.

LAW 004 v00 Constitutional Law I: The Federal System (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20004%20v00)
J.D. Course | 3 credit hours
This course addresses questions concerning the role of the Supreme Court in resolving legal problems that arise under our fundamental law, as well as issues concerning the Constitution's distribution of power between the national and state governments and among the branches of the national government.

LAW 215 v00 Constitutional Law II: Individual Rights and Liberties (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20215%20v00)
J.D. Course (cross-listed) | 4 credit hours
This course focuses primarily on the First, Fifth, and Fourteenth Amendments (free speech, due process, and equal protection) and the role of the Supreme Court as ultimate interpreter and guardian of the Bill of Rights.

Note for Professor Barnett's Fall section: Note for Professor Barnett’s Fall section: As a way to understand the structure of current doctrines, Professor Barnett’s course will stress how and why the doctrines evolved from the Founding through the Civil War, Reconstruction, the Progressive Era, the New Deal, the Warren and Rehnquist Courts to the Roberts Court today. The course will also stress the effect that slavery had on the original Constitution and the Reconstruction Amendments. Coverage will include the Second and Ninth Amendments. Professor Barnett's section will consist of a 3-hour unit consisting of two 85 minute class sessions and a 1-hour unit consisting of video presentations on the theory and practice of originalism that students can view at their convenience at any time before or during the semester. The 3-hour in class component will use the "flipped classroom," with one or two 5-15 required videos accompanying the casebook that explain the reading assignments to be watched by students before coming to class. The 1-hour asynchronous unit will consist of video lectures by: (1) Larry Solum (UVA), Overview Of Originalist Theory, (2) Randy Barnett, Normative Rationales For Originalism, (3) Thomas Colby (GW), Criticisms of Originalism, (4) Larry Solum (UVA), Public Meaning Originalism, (5) Michael Rappaport (USD), Original Methods Originalism, (6) Jack Balkin (Yale), Living Originalism, (7) Stephen Sachs (Duke), Original Law Originalism, (8) Balkin, Rappaport, Sachs & Solum, Q&A, (9) Christina Mulligan (Brooklyn), Diverse Originalism, (10) Larry Solum & Randy Barnett, Originalism and Precedent, (11) Evan Bernick (GULC), Constitutional Construction, (12) Justice Thomas Lee (Utah Supreme Court), Corpus Linguistics, (13) Jud Campbell (Richmond), Originalist Sources, (14) John Stinneford (Florida), The Original Meaning Of Cruel & Unusual Punishment. (These lectures are subject to change before class starts.) Internet access on any device is not allowed during class; all laptop use is disallowed in Professor Barnett's course (unless necessary to conduct Zoom instruction).

Learning goals for Professor Spann's section

The primary goal of the course is to teach students how to manipulate the doctrinal rules and underlying policy considerations that govern the topics in the course, and to get students to confront the normative implications raised by such vast amounts of doctrinal indeterminacy.

Learning goals for Professor Lenhardt's section

Course Outcomes and Grading: Final grades in this course will be based on a final exam, the completion of class exercises and assignments, and class participation. Together, class discussions, exercises, and assignments will help students to acquire foundational knowledge of constitutional law.

Students should complete the course knowledgeable of and with facility in doctrinal analysis in U.S. constitutional law, to include close reading of cases and precedents, and the application the law to facts. Students should also have an understanding of the following:

- Historical development of constitutional law, the U.S. Supreme Court, and other legal institutions;
- Major themes and broad concerns of U.S. constitutional law;
- Jurisprudential considerations in legal analysis, including major theories of constitutional interpretation;
- The influences of political institutions in constitutional law;
LAW 1538 v00 Constitutional Law: The First and Second Amendments
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201538%20v00)
J.D. Course | 1 credit hour
This course will provide students the opportunity for intense and detailed study of cutting-edge issues arising under the Free Speech Clause of the First Amendment and the right to keep and bear arms under the Second Amendment. Students will be required to read leading Supreme Court cases in full (including concurrences and dissents) to enable them to discuss and debate the decisions and the analytical approaches used to reach them.

We will discuss the First Amendment on Monday and Tuesday and the Second Amendment on Wednesday. We will compare and contrast the two on Thursday.

Learning Objectives:
By the end of the week, I hope you will have learned to:
1. Understand more deeply First and Second Amendment jurisprudence;
2. Appreciate how difficult it is for the Supreme Court to decide close cases;
3. Express your thoughts clearly and concisely and to disagree with colleagues without being disagreeable;
4. See virtue in reading cases in their entirety, rather than in excerpt form;
5. Recognize different judicial philosophies in Supreme Court opinions;
6. Identify premises justices use as starting points for their analyses; and
7. Write an exam that reflects command of First and Second Amendment cases.

Prerequisite: Constitutional Law II: Individual Rights and Liberties.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 1512 v00 Constitutional Litigation and the Executive Branch
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201512%20v00)
J.D. Seminar | 2 credit hours
This seminar will explore the practice and strategy of constitutional litigation through a close study of recent constitutional challenges to Executive Branch action.

We will begin with a brief overview of major trends in constitutional litigation against the Executive Branch. We will then address specific cases, examining the course of each litigation and exploring key strategic judgments made by parties, amici, and judges. Students will leave the course familiar with every stage of a constitutional case, from the initial announcement of an Executive Branch policy, to the decision to file suit and the drafting of a complaint, to litigation at every level of the Judiciary and in the court of public opinion, to the varied challenges that may follow a successful lawsuit. Along the way, we will consider the strategy and incentives of different litigants—including civil rights groups, private parties, cities, states, and legislators. We will also study the goals and strategies of lawyers charged with defending Executive Branch action.

Although this list is subject to change in light of ongoing developments, we likely will cover many of the following topics:

• President Trump's "travel ban"
• The exclusion of transgender persons from military service
• Don't Ask, Don't Tell
• The Defense of Marriage Act (DOMA)
• DACA and DAPA
• Threats to revoke federal funds from sanctuary cities
• The (unsuccessful) addition of a citizenship question on the 2020 Census
• Requests by juvenile undocumented migrants to exercise abortion rights
• The challenge to President Trump’s policy of blocking critics on Twitter
• President Trump’s compliance (or lack thereof) with the Emoluments Clauses
• Efforts by the House of Representatives to compel testimony by former officials
• Efforts by cities, states, and the House to obtain President Trump’s tax returns
• The impeachments of President Trump

Each week, students will study relevant court filings and opinions (from district courts all the way to the Supreme Court), complemented by contemporaneous legal commentary. We will expect all students to prepare for—and participate in—classroom discussion.

Prerequisite: Civil Procedure or Legal Process and Society; Constitutional Law I: The Federal System or Democracy and Coercion.
LAW 1727 v00 Constitutional Originalism Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201727%20v00)
J.D. Seminar | 2-3 credit hours
This course will explore the scholarly debate surrounding originalism as a theory of constitutional interpretation. There will be some consideration of prominent criticisms of originalism, but the class will mostly focus on the internal developments and debates within the originalism literature. Topics will include the normative justifications for originalism, the role of precedent within originalism, the interpretation/construction distinction, and the relationship between originalism and judicial deference.

Note: This course will enroll via waitlist. Please add your name to the waitlist by 2:45 p.m. on Friday, 8/21. Seats for this course will be awarded at 3:00 p.m. on Friday, 8/21.

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 1101 v00 Consumer Advocacy: Public Health Regulation of Tobacco and Personal-Care Products (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201101%20v00) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course will focus on federal regulation of tobacco and personal-care products by the Food and Drug Administration (FDA) under the Food, Drug, and Cosmetic Act and how public interest groups advocate greater protections for consumers. Students will participate in a two-hour/week seminar and carry out either 10 or 15 hours/week of fieldwork as interns with one of two national consumer and environmental health organizations: the Campaign for Tobacco-Free Kids or the Environmental Working Group. (Two pass/fail credits will be awarded for 10 hours/week of fieldwork, and three pass/fail credits will be awarded for 15 hours/week of fieldwork.)

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will utilize legislative and administrative materials as well as case law to become familiar with the processes by which the federal government regulates tobacco and personal-care products, and to critique both the statutory framework and FDA’s performance in protecting consumers. The 2009 Tobacco Act created a new regulatory regime very different from the FDA’s existing authority to regulate other products within its jurisdiction. Examination of the agency’s initial steps to carry out this responsibility provides a chance for students to understand how a federal agency responds to a legislative mandate requiring innovative action to address a major public health problem. On the other hand, FDA has minimal authority to regulate personal-care products, raising real concerns for consumer protection. The course will also touch on related topics such as the role of the Federal Trade Commission in the regulation of trade practices, the Freedom of Information Act, the legislative process and the interaction of federal and state regulation.

FIELDWORK: In the two- or three-credit, mandatory pass-fail, fieldwork portion of the practicum, students will work as interns with the Campaign for Tobacco-Free Kids or the Environmental Working Group on projects aimed at strengthening the legislative or administrative processes, or on matters in litigation, under the supervision of attorneys connected with these organizations. (Students who have completed this course will have priority consideration if they opt to apply for the year-long Toni Stabile Graduate Fellowship at the Environmental Working Group after graduation.)

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).

Recommended: Administrative Law; Food and Drug Law-related courses.

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

Note: LL.M. students must seek professor permission to apply. Evening students who work during the day are encouraged to reach out to the professors to determine whether this practicum course would be compatible with their schedules. This is either a four or a five credit course, depending on the number of fieldwork hours/week. Two credits will be awarded for the two-hour weekly seminar and either two credits (for 10 hours/week) or three credits (for 15 hours/week) for the fieldwork. The fieldwork will be conducted over a minimum of 11 weeks, to be arranged with the faculty members. Students will have the ability to choose the credit option that best fits their schedules. However, the fieldwork must be completed during normal business hours. All students will initially be registered for a total of four
LAW 1270 v00 Consumer Debt and Bankruptcy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201270%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
Over the past fifty years, American households have increasingly relied on borrowing to make ends meet. For most families, growth in household debt has outpaced growth in wages. Credit fills the gap between stagnant incomes and rising expenditures. As a result, many families struggle under unmanageable debt obligations.

This course focuses on the laws that govern consumer credit and debt collection: state and federal lending and consumer protection laws, rules allocating rights and remedies between debtors and creditors, and federal bankruptcy law. We will examine both legal doctrines and the public policy debates that shape their development. The course is divided into four units. First, we will consider why families incur debt, where they borrow, and how debt fits into the household balance sheet. Then, we will explore how particular types of loan products are regulated, including “fringe” products like payday loans. Third, we will examine what rights the law gives to creditors to collect, such as through foreclosure of residential mortgages. We will likewise study the scope of debtors’ substantive rights and procedural protections, and the limits they place on debt collection activities. Finally, we will delve into the law of consumer bankruptcy, exploring the policy goals of the bankruptcy system and the 2005 bankruptcy reforms. Throughout the course, we will consider not only the formal legal rules governing household debt, but also how those rules work in the real world.

STUDENT LEARNING OUTCOMES

At the end of the course, students should be able to:

• Demonstrate knowledge of the key laws governing consumer debt and bankruptcy and of the recurring debates related to policymaking in this field
• Research and master the existing literature on a topic in the field of consumer debt and bankruptcy, and make an original contribution to it
• Evaluate and critique arguments presented in the course readings and other legal scholarship
• Communicate ideas and arguments in an organized fashion, both orally and in writing

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

LAW 622 v01 Consumer Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20622%20v01)
J.D. Course (cross-listed) | 3 credit hours
Consumer spending drives the economy. This course studies the system of consumer finance—the way in which consumers consumption is financed. The course focuses on four themes: the empirical state of household finances; the psychology and sociology of consumer finance; the business of consumer finance; and the regulation and political economy of consumer finance. The course is structured around the jurisdiction of the new Consumer Financial Protection Bureau: bank accounts and savings vehicles; payment systems; consumer credit; consumer financial advice; and some insurance products. Specific topics to be covered include conspicuous consumption, behavioral economics, operational costs and underwriting, credit reporting, mortgages, credit and debit cards, checking and savings accounts, fringe banking products, the unbanked, debt collection, consumer financial information, and the powers of the CFPB.

LAW 1452 v00 Consumer Protection Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201452%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Consumer protection law seeks to address a wide (and ever-evolving) list of deceptive, fraudulent and unfair practices. In this course, we will survey the laws, players, and industries that are affected by consumer protection law. Among other subjects, we will cover advertising practices (including native advertising), mortgage fraud, privacy, identity theft, payday lending, and higher education.

LAW 1355 v00 Contemporary Bias and Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201355%20v00)
J.D. Seminar | 2-3 credit hours
In this course, we will analyze how Contemporary Bias (Structural, Implicit, Explicit) shapes outcomes for marginalized groups and the role of law in protecting individuals from such bias. In light of the global uprisings against police brutality and broader systemic inequality, the theme of the seminar will be “Public Policy and Activism.” We will pay particular attention to current events and how activism is used as a vehicle for persuading decision-makers to adopt public policy positions and take action. Students will engage with the ethical, practical, strategic, and tactical considerations that go into deciding how to advance policy goals. Through interactive class discussion, we will analyze the effect of various policies, including whether laws are likely to reduce or exacerbate existing inequalities. While we will discuss multiple policy areas (e.g. policing, voting rights, workplace harassment, immigration, and LGBTQ Rights), special attention will be given to racial justice issues in the United States. The final project will give students the opportunity to build on what they've learned to propose their own activism strategies and legal reform.

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 481 v00 Contemporary Legal Scholarship Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20481%20v00)

J.D. Seminar | 3 or 5 credit hours
The Seminar is designed for all fellows, SJD students, and some JD students who wish to become a law professor or who think they may go into law teaching at some point in their careers. The seminar aims to familiarize students and fellows with different genres of legal scholarship, including "normative" or reform-oriented scholarship, analytic and doctrinal work, comparative legal analysis, theoretical, critical, or conceptual scholarship, and interdisciplinary legal scholarship. We look at a couple major pieces that aim to re-orient entire areas of law, as well as short works that look to restate or change particular pieces of doctrine, book reviews, symposia and encyclopedia pieces. The Seminar meetings alternate with workshops, at which fellows and SJD students present work in progress. JD students will also present drafts of their papers in the final session at the end of the semester. Attendance at all sessions, including all workshops, is required of all JD students, research fellows, and first and second year SJD students. A fuller description is available upon request.

Note: This seminar is offered for 3 credits in the fall and spring and offered as a year-long seminar for 5 credits.

This course requires professor permission to enroll. Please email Professor West (Robin.West@law.georgetown.edu) by 5:00 pm on Friday, August 28, 2020 with a copy of your CV.

LAW 458 v00 Contract Law Seminar: Franchising (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20458%20v00)

J.D. Seminar (cross-listed) | 2 credit hours
Franchised businesses account for approximately 40 percent of retail sales in the U.S., more than a trillion dollars a year, and have about 10 million employees. Franchising is growing: a new franchise opens in the U.S. roughly every eight minutes of every working day. Although most people may associate franchising with "fast food restaurants," franchising is prevalent in many areas of the economy, including automotive, hotel, various retail establishments, and numerous business services, among others. With the explosive growth of franchising, which really began in the 1950s, has come the development of franchise law as a separate discipline during the past 60 or so years and significant growth in the number of lawyers who practice in this field. Thus, franchising and the evolving practice of franchise law have a great practical impact on the U.S. and global economy.

Franchise law is a combination of contract and statutory law and is heavily influenced by trademark, antitrust and other areas of business law. Franchise agreements tend to be lengthy multi-year trademark licensing agreements. Because franchising involves distribution of goods and services, antitrust and other competition law considerations must be taken into account. Franchising is also regulated at both the federal and state level. Many franchise sales are regulated by state and federal disclosure requirements, analogous to SEC requirements. Automotive, petroleum and certain other franchise relationships are regulated by specific statutes, while various states generally regulate aspects of the franchise relationship, such as termination or renewal of the relationship. There is a substantial amount of litigation in franchising, involving not only disputes between franchisors and franchisees, but also franchise employees, consumers and others. Many common law contract concepts, such as the "implied covenant of good faith and fair dealing" have evolved and continue to evolve in the context of franchise law. Franchising is also growing rapidly outside the U.S.; accordingly, a variety of laws and regulations of other countries are relevant.

This course will cover the legal and practical business basics of franchising, including, structuring of the franchise relationship and the analysis of franchise agreements; the sales process and disclosure requirements; the relationship of franchising, employment, trademark, antitrust and other generally applicable statutes; contract and other common law concepts that affect the franchise relationship; statutes regulating the franchise relationship at the state and federal levels; automobile, petroleum and international franchising; and franchise-related dispute resolution. Students will be evaluated on the basis of a paper and class participation, including mock negotiations at the end of the semester.

Learning Objectives:

My principal goal is for you to gain a general understanding of franchise law. In addition, I want you to become comfortable reading complex contracts, specifically franchise agreements, and to be able to analyze and negotiate a franchise dispute.

Prerequisite: Contracts (or Bargain, Exchange, and Liability) or, for foreign-educated LL.M. students, Foundations of American Law, Introduction to U.S. Legal Systems or a Contracts equivalent course from the home country.

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-
This course examines copyright law, providing a basic understanding of its objectives and principles. Topics covered include subject matter requirements for copyrightability; rules that govern determination of authorship; rights of copyright law confers on authors; rules governing indirect liability of intermediaries and liability for circumvention of technological protections; and scope of copyright preemption. The course will also consider the tensions between copyright holders and technology that threatens traditional content business models.

Learning goals for this course:

- Critical mastery of the existing copyright statutory, doctrinal, and policy landscapes; critical mastery of strategic considerations in copyright licensing and litigation, in technology ventures that implicate copyrights, and in copyright policymaking.

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

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**LAW 002 v01 Contracts**

J.D. Course | 4 credit hours

Introduces students to the law of contracts, the branch of law primarily concerned with private exchange. The course considers how individuals and businesses make binding agreements and the consequences of doing so. The major topic areas are the bases for enforcing contracts; the agreement process; contract interpretation; remedies for breach of contract; arbitration clauses; good faith and best efforts; and the problems of substantive and procedural unfairness and unconscionability. Special attention will be paid to the connection between the cases studied and the drafting and negotiation of contracts. Reading materials include judicial opinions, the Uniform Commercial Code, and excerpts from legal and professional journals. The course provides a foundation for subsequent studies in commercial law.

The primary goal of the course is to teach students how to manipulate the doctrinal rules and underlying policy considerations that govern the topics in the course, and to get students to confront the normative implications raised by such vast amounts of doctrinal indeterminacy.

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

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**LAW 110 v03 Copyright Law**

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

This course examines the law of copyright and its role within the overall framework of intellectual property law. Topics covered include the subject matter requirements for copyrightability; the rules that govern determination of authorship, the rights that copyright law confers on authors and the limitations and exceptions to those rights; the rules governing indirect liability of intermediaries and liability for circumvention of technological protections; and the scope of copyright preemption.

Learning goals for this course:

- Critical mastery of the existing copyright statutory, doctrinal, and policy landscapes; critical mastery of strategic considerations in copyright licensing and litigation, in technology ventures that implicate copyrights, and in copyright policymaking.

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**LAW 110 v07 Copyright Law**

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

This course examines copyright law, providing a basic understanding of its objectives and principles. Topics covered include subject matter requirements for copyrightability; rules that govern determination of authorship; rights of copyright law confers on authors; rules governing indirect liability of intermediaries and liability for circumvention of technological protections; and scope of copyright preemption. The course will also consider the tensions between copyright holders and technology that threatens traditional content business models.

Note: This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

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**LAW 611 v16 Corporate Compliance in the Financial Sector: Anti-Money Laundering and Counter-Terrorism Financing**

J.D. Seminar | 1 credit hour

This course will introduce students to the law and practice of corporate compliance, with particular reference to the financial sector and a critical compliance area for that sector: anti-money laundering and counter-terrorism financing (AML/CFT). Through mini-lectures, simulation exercises (e.g., drafting of corporate compliance policies, in-house client counseling on compliance issues, briefings of senior executives on key compliance issues, identification of compliance failures, and reporting of potential wrongdoing to law enforcement and regulators), and oral and written feedback, students gain exposure to the key skill sets that lawyers performing corporate-compliance roles routinely use. This course can also serve as an introduction to materials covered in upper level elective courses such as Federal White Collar Crime or International White Collar Crime. The course does not require students to have any prior exposure to corporate-compliance issues from their first-semester courses.

For each class day, students will have certain assigned readings before class (which may include scenario-based fact patterns and mock documents for the next day’s exercises), and handle questioning in mini-problems involving witness questioning in both civil and criminal practice. The scenario for the course, as it expands during Week One, is expected to include situations such as (1) drafting and markup of a corporate AML/CFT policy to ensure appropriate inclusion of legal and other requirements pertinent to the topic; (2) client interviews involving corporate executives and employees with questions about interpretation and implementation of the AML/CFT policy; (3) public speaking to corporate executives, in the form of concise briefings on key AML/CFT-related issues and developments; (3) identification of potential AML/CFT compliance failures through questioning of corporate executives and employees; (4) reporting of potential wrongdoing to law enforcement and regulators through Suspicious Activity Reports; and (5) recommendations of possible disciplinary action against selected corporate executives and employees who appear to have engaged in various forms of misconduct. Students can expect to participate in each of the scenario-based exercises each day of class and to enhance their and their classmates’ learning through a highly participatory and supportive environment.

Note: This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.
LAW 1425 v00 Corporate Criminal Law: A German Case Study (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201425%20v00)

J.D. Seminar | 1 credit hour

Unlike the USA (and most other European states), Germany does not provide for corporate criminal law. Instead, it is at the discretion of the competent authorities whether or not to impose a regulatory fine on legal entities. These fines are limited to the amount of EUR 10MM (higher fines are only permissible with regard to antitrust law violations covered by EU law). Therefore, a significant impact on the organisation acting unlawfully is often only reached by further or alternative legal measures (i.e. skimming off excess profits and forfeiture of the gross pecuniary advantage gained).

For instance, even a German private limited company (“GmbH”) that has drawn profits amounting to EUR 100MM from an punishable export transaction with North Korea can only be fined up to this amount due to the skimming off-provisions. A higher sum may only be determined as a forfeiture measure.

In any case, German administrative law does not allow for administrative sanctions that deliberately aim at fining the legal entity out of existence. Further, punitive damages are not awarded in Germany.

For these and further reasons German scholars and politicians of today lively discuss the necessity of introducing a corporate criminal law system (and, if required, which concrete design is preferable). The broad discussion concerns inter alia the following subject matters:

Are legal entities or rather business enterprises (including corporate groups) the appropriate circle of perpetrators under the future criminal legislation? What are the constitutional requirements – if any – with regard to “corporate mens rea”? And does an indicted corporation enjoy all of the constitutional rights implicated in the criminal investigation or prosecution of an individual?

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 9, 2017, through Thursday, January 12, 2017, 9:00 a.m. - 12:20 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Note: Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.

LAW 114 v05 Corporate Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20114%20v05)

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

This course will provide students with a foundation in the financial and legal aspects of a business’ capital structure. It is designed to put students in a position to collaborate on and communicate regarding corporate finance matters with clients and other stakeholders such as bankers, investors and regulators. The course covers many of the subjects included in a business school finance class (e.g. discounted present value, valuation of risk, financial statement analysis, the capital asset pricing model and, most importantly, business valuation), while emphasizing the legal aspects of the capital structure, including the contractual and statutory regimes governing bonds, loans and other debt instruments, convertible securities and preferred and common equity. Other on- and off-balance sheet financing instruments will also be considered including leases, derivatives and structured products. The course concludes with two units applying the principles covered in the first part of the course—mergers and acquisitions and financial restructurings and reorganizations.

Prerequisite: Corporations.

Recommended: While not required, students will find it helpful to be familiar with the concepts covered in an introductory financial accounting course.

Mutually Excluded Courses: Students may not receive credit for this course and Corporate Finance: Quantitative Analysis and Valuation.
LAW 113 v06 Corporate Governance Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20113%20v06)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar will focus on current issues in corporate governance in the context of seminar requiring a substantial written paper. We will consider how these developments relate to current theories of corporate governance and to the development of corporate governance laws and best practices in the United States and several other jurisdictions. The seminar will meet weekly to discuss assigned readings; students will be expected to produce topic outlines and a draft of their final papers during the term as well.

Among the subjects to be considered are: (1) the need – in the context of large public corporations – for corporate governance rules due to the separation of corporate control from ownership; (2) the governance-related duties and responsibilities of corporate directors, officers and controlling shareholders; (3) competing theories of 'shareholder primacy' and 'director primacy'; (4) the changing roles of institutional investors seeking improvements in corporate governance; (5) activist investors and the competing governance theories of short term vs. long term investment strategies; (6) “shareholder democracy” and “shareholder primacy,” including such issues as majority voting, say-on-pay, proxy access, shareholder engagement and controlled or dual-class share structures for corporations; (7) corporate social responsibility, diversity in the boardroom and the role of non-shareholder stakeholders (local communities, environmental advocates, employees, creditors, consumers, etc.); (8) the role of corporate lawyers in corporate governance (including who is the “client” – the board, management or shareholders); (9) the interactions between state corporate law and federal securities law and various regulators; and (10) new international perspectives on corporate governance.

Prerequisite: Corporations.

Recommended: Securities Regulation and/or Corporate Finance.

LAW 113 v07 Corporate Governance Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20113%20v07)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will focus on current issues in corporate law. We will consider how these developments relate to current theories of corporate governance and to the development of corporate governance laws and best practices in the United States. The seminar will meet weekly to discuss assigned readings.

Among the subjects that may be considered are: (1) the need – in the context of large public corporations - for corporate governance rules due to the separation of corporate control from ownership; (2) the governance-related duties and responsibilities of corporate directors, officers and controlling shareholders; (3) competing theories of 'shareholder primacy' and 'director primacy'; (4) the changing roles of institutional investors seeking improvements in corporate governance; (5) activist investors and the competing governance theories of short term vs. long term investment strategies; (6) “shareholder democracy” and “shareholder primacy,” including such issues as majority voting, say-on-pay, proxy access, shareholder engagement and controlled or dual-class share structures for corporations; (7) corporate social responsibility, diversity in the boardroom and the role of non-shareholder stakeholders (local communities, environmental advocates, employees, creditors, consumers, etc.); (8) the role of corporate lawyers in corporate governance (including who is the “client” – the board, management or shareholders); (9) the interactions between state corporate law and federal securities law and various regulators; and (10) new international perspectives on corporate governance.

Seminar participants are expected to attend all sessions and to participate actively in each class. All participants will submit reaction papers/essays on the assigned materials for some of the classes and complete a team project, including a presentation in the last two weeks of class.

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. Students enrolled in the 3 credit section must submit a paper topic or a list of potential topics for approval at the first class session. Students must prepare an outline, a draft, and a final paper on a topic related to the seminar and chosen in consultation with the professor. The paper should reflect extensive research into applicable materials, including case law, statutes, regulations, as well as enforcement actions.

Prerequisite: Corporations.
Complete List of J.D. Courses

**LAW 1742 v00 Corporate Governance, Risk Management, and Compliance Seminar**
J.D. Seminar | 2-3 credit hours
Every day, corporations must assess the legal consequences of many fearsome possibilities. Some involve garden-variety business risk: Will a bank’s trading desk make a big bet that goes wrong? Others involve major changes to the business environment: Are the company’s assets particularly vulnerable to harm due to cyberattacks or climate change? And some deal with the company’s own legal compliance: Will employees lose their way and engage in illegal business? In this course, we will take a detailed look at the role of law and lawyers in governing these risks.

The course will take a dual approach to understanding the role of lawyers in corporate governance, risk management, and compliance. First, we will look at the history, corporate-law doctrines, and regulatory structures that have greatly raised the importance of these so-called “GRC” processes in recent years. Second, we will take a hands-on approach to assessing challenges to lawyers serving in GRC roles within regulated businesses, at outside law firms, and at regulatory agencies. The work of the seminar will include short presentations and case-study simulations.

Although the legal frameworks that we will consider will be U.S.-focused, the course will also explore the global nature of governance, risk management, and compliance as a legal and corporate phenomenon. At the end of the course, my aim is that students will possess a new set of perspectives through which to engage with some of the most important debates within the field.

**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 848 v00 Corporate Income Tax Law I**
LL.M Course (cross-listed) | 2 credit hours
Examines the federal income tax effects of certain basic transactions involving corporations and their shareholders. Principal subjects covered include corporate formation and capital structure, distributions to shareholders, redemptions and liquidations. Major emphasis is upon Internal Revenue Code Sections 301-362 and related Treasury Regulations.

**Prerequisite:** Federal Income Taxation (formerly Taxation I).

**Recommended:** Prior or concurrent enrollment in Corporate Income Tax Law I.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. courses, Corporate Taxation (formerly Taxation II) or Corporate Tax Planning in Practice: Structuring and Negotiating the Deal.

**LAW 850 v00 Corporate Income Tax Law II**
LL.M Course (cross-listed) | 2 credit hours
Continues the study of provisions of the federal income tax law applicable to corporations and their shareholders. Detailed study is given to corporate reorganizations under Subchapter C, including acquisitions, divisive reorganizations, and recapitalizations; the treatment of boot; the basis provisions; the assumption of liabilities; and related matters. Consideration also is given to carryovers of corporate tax attributes, including restrictions applicable to loss corporations.

**Prerequisite:** Federal Income Taxation (formerly Taxation I).

**Recommended:** Prior or concurrent enrollment in Corporate Income Tax Law I.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. courses, Corporate Taxation (formerly Taxation II) or Corporate Tax Planning in Practice: Structuring and Negotiating the Deal.
**LAW 1267 v00 Corporate Legal Department Practicum** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201267%20v00) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and perform fieldwork at outside organizations. This fieldwork practicum course will provide students with an appreciation of the work that lawyers do in corporate and non-profit organization legal departments. Students will participate in a two hour/week seminar and do approximately 10 hours of fieldwork each week in the legal department of a corporation or association in the Washington, D.C. area. Past sponsors have included one of the nation’s largest banks, a multinational information technology corporation, major software companies, an international manufacturing company, a public utility, a power generator, charitable corporations, internet start-ups, and major trade associations.

SEMINAR: The two-credit, graded, seminar portion of the practicum will focus on the competencies that lawyers need to be successful in corporate legal departments, how corporate clients make use of the work of their lawyers, how business considerations shape the work that lawyers perform, and the major legal issues with which various companies must contend. The seminar also will prompt students to develop sensitivity to the constituencies outside the corporation on which a company’s activities may have an impact. Classes will include discussion of assigned readings, problem-solving exercises, and discussions of students’ placement experiences. Students will be assigned a mid-term paper on a subject relating to in-house law department practice, and make a presentation at the end of the semester on a topic of their choosing that relates to the student’s fieldwork and/or areas discussed during the seminar portion of the course. Grades will be based on class participation, the mid-term paper, and the final presentation.

FIELDWORK: In the two-credit, mandatory pass-fail, fieldwork portion of the practicum, students will work under supervision for approximately 10 hours each week in the legal department of a corporation in the Washington, D.C. area. Please note that due to the nature of the work, some periods will be busier than others and there may be times when students will need to work more than 10 hours in a given week.

Students will be responsible for paying their own transportation to/from their fieldwork location.

**Learning Objectives:**

This practicum is designed to teach the practical skills needed by lawyers practicing in the general counsel’s office of an organization. While such a lawyer will rely on training received in law school that is applicable to lawyers wherever they may practice, the role of the in-house lawyer is different from that of the private practice lawyer for a number of reasons, including that the in-house lawyer is an employee of the client, may be looked to for both legal compliance and business promotion services, will be interacting daily with numerous other employees of the organization, and may often not have the luxury of time to prepare carefully researched answers to difficult legal questions.

The course will teach the skills described in the syllabus topics through weekly seminar discussions, in-class simulations of tasks and situations facing in-house counsel, experiential learning from students’ field assignments, and in-class discussions of students’ field work experiences.

**Prerequisite:** Corporations and prior or concurrent enrollment in a professional responsibility course. 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).

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**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.

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**LAW 1747 v00 Corporate Purpose and Environmental, Social and Governance (ESG) Issues Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201747%20v00)

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

In a seminal 1970 essay, economist Milton Friedman famously wrote that a corporate executive’s responsibilities are solely to the company’s stockholders and that the stockholders’ desires are for the corporation “to make as much money as possible.” Many credit this essay with inspiring a widely held notion that a corporation’s purpose is to make money for its stockholders without considering the interests of the greater society. Others, including some investors, have argued that corporations should be evaluated on issues beyond their financial performance, and in recent years many of these issues have been grouped under the acronym “ESG,” standing for a corporation’s environmental, social and governance practices. Recent events such as the pandemic, the BLM movement, voting legislation, climate change and growing economic inequality have heightened ESG awareness. Notable business groups, academics and others have explicitly or implicitly rejected the Friedman position, and have argued that corporations have significant ESG-related obligations.

This seminar will consider issues related to the purpose of a corporation and its obligations to its stockholders and the larger group of stakeholders, the fiduciary duties of corporate directors in the context of ESG, agency issues associated with differing interests of stockholders and management, the role of the SEC and other regulators in corporate ESG matters, considerations of investors focused on ESG issues and their ability to influence corporate ESG actions, and the impact of ESG considerations on corporate performance and profitability. We will also consider particular ESG issues and how corporations have addressed them. There is no textbook for the seminar. Readings will include legal, academic and general articles and materials on the subjects being covered.

**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 1540 v00 Corporate Tax Planning in Practice: Structuring and Negotiating the Deal
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201540%20v00)
J.D. Seminar | 1 credit hour
This seminar employs simulations to develop the skills specific to planning, negotiating and drafting to address the federal income tax aspects of corporate transactions. The course examines multiple variations on common transaction scenarios, each with increasing complexity, including:

- Taxable acquisitions of a business (including considerations related to making elections under Sections 338(h)(10) and 336(e));
- Tax-free reorganizations (including issues related to the application of the step-transaction doctrine); and
- Spin-off, split-off and “Reverse Morris Trust” transactions.

This seminar will be taught across six class sessions. Students will be presented with three different factual scenarios, relevant background materials, and a list of potentially applicable legal authorities. Each scenario will be addressed over two classes, with students analyzing facts in the first class to determine potentially relevant structures, including reviewing draft documents, and analyzing applicable law. Draft agreement mark-ups, memorandum or presentations will be due one week after class. An “issues list” or other “high-level” memorandum or presentation for the client mark-up may also be due. In the second class, students will present their recommendations and evaluations of tax benefits and costs to the client and interpret responses prepared by the opposing counsel. The students will work with instructors on the matter who will give out assignments, review written material, and otherwise coordinate the teams.

Prerequisite: Corporate Taxation; Federal Income Taxation.

Recommended: Corporations.

Mutually Excluded Courses: Students may not receive credit for this course and Corporate Income Tax Law II or Tax Planning for Corporate Acquisitions Seminar.

Note: This course is open to J.D. students only. LL.M. students may not register for this course, and this course will not count toward the tax specialization credits required for the Taxation LL.M. degree.

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

LAW 422 v00 Corporate Taxation
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20422%20v00)
J.D. Course (cross-listed) | 4 credit hours
This course focuses on the federal tax treatment of transactions between a corporation and its shareholders, as well as the tax treatment of mergers, acquisitions, and other corporate reorganizations. Corporate tax rules play a major role in the structuring of most major corporate transactions, as well as the everyday practice of corporations, and so an understanding of these (often quite complex) rules are essential not just to tax practice but to corporate practice generally. Students in this class are exposed to these rules, as well as some of the many creative ways corporations (and their lawyers) have structured their affairs to get the most beneficial tax treatment available. While the focus is on the traditional corporate form, it is contrasted with alternate forms of business operation, especially partnerships and subchapter S corporations. NOTE: Students who plan to take the Business Planning Seminar or the course in Venture Capital, Private Equity, and Entrepreneurial Transactions should take Corporate Taxation, a prerequisite for that seminar and course, as early as possible in their upperclass years.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for both this course and the graduate courses, Corporate Income Tax Law I or Corporate Income Tax Law II.

Note: Any section of Corporate Taxation (formerly Taxation II) satisfies the Corporate Income Tax Law I requirement for the LL.M. in Taxation.

LAW 121 v01 Corporations
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20121%20v01)
J.D. Course (cross-listed) | 4 credit hours
Students should note that Corporations is a prerequisite for Corporate Finance, Securities Regulation, Business Planning Seminar, and many corporate law seminars.

This is a basic course in business corporations. Brief coverage is given to factors bearing on choice of organization, including partnership attributes, process of corporate formation, corporate privileges and powers, corporate capital structure, and limited liability. Close examination is given to the governance structure of the corporation and the fiduciary obligations of directors and officers. The particular nature of the public corporation is explored. Topics studied may include stock trading by corporate insiders, transactions in corporation control, and the procedural problems in stockholder derivative suits. Along with a focus on such policy questions as federal-state jurisdiction, the nature of the corporate governance system, and the role of the corporation in modern society, the course deals with the role of the lawyer in corporate matters.

Note: Note for Professor Davidow’s section:

J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Monday, July 12.
LAW 121 v05 Corporations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20121%20v05)
J.D. Course (cross-listed) | 3 credit hours
This is a basic course in business corporations. This course explores the governance structure of the corporation and the fiduciary obligations of directors and officers, with a particular focus on the nature of the public corporation. Topics studied may include: the role of shareholders in contrast with the role of directors and officers, the issues surrounding transactions in corporation control, and the procedural problems in stockholder derivative suits. Policy questions such as federal-state jurisdiction, the nature of the corporate governance system, the role of the corporation in modern society, and the role of the lawyer in corporate matters may also be included.

Note: This course will not cover alternative entities or federal securities law.

Note: For students enrolled in Professor Sale’s Corporations course: Students should keep their schedules open for the full Monday and Wednesday, 9:00 am - 11:00 am block to accommodate one or more rescheduled classes that the professor anticipates needing to schedule.

LAW 121 v06 Corporations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20121%20v06)
J.D. Course (cross-listed) | 4 credit hours
Students should note that Corporations is a basic course that is a prerequisite for Corporate Finance, Securities Regulation, Business Planning Seminar, and other advanced business law courses.

This course covers the practical aspects of organizing and operating various types of business entity, as well as the policy considerations relating to their governance and to the roles of large businesses in society. It covers choice of entity, including the attributes of partnerships, limited liability companies, and corporations; the process of forming different types of entity; and the nature and limitations of limited liability associated with corporations and limited liability companies. It considers planning and structuring different types of entity, including capital structure and governance mechanisms. The course pays particular attention to the practical and policy considerations of governance in the large, public company as well as the fiduciary obligations of officers and directors. In order to provide a basis for understanding cases related to liability for breach of fiduciary duty, students will be exposed to the procedural aspects of derivative suit litigation. In connection with the major policy issues in corporation law, students will discuss the role of the lawyer in advising business clients. Other topics studied may include insider trading and transactions in corporation control.

LAW 118 v00 Counseling the Corporation in Crisis (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20118%20v00)
J.D. Course | 2 credit hours
This course will explore the multifaceted problems facing corporate lawyers, both inside counsel and law firms, in advising a public company and especially the board of directors in times of extreme stress. It will be taught through a series of classes which first review the basic legal principles (corporate law, fiduciary duty and professional ethics) and then require the students to apply them in a series of "moot board of directors' meetings." Students will be given a corporate crisis and asked to make a written and oral presentation to a board of directors. The board will be composed of the professor, other practicing lawyers or business people and other students. Grading will be based 80% on the final oral presentation and final 15-page memorandum to the Board of Directors and 20% on class participation throughout the semester. Guest speakers will include general counsels of several large public companies.

Recommended: Corporations, Evidence, and Federal White Collar Crime are strongly recommended.
LAW 1357 v00 Criminal Appellate Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201357%20v00)

J.D. Seminar | 3 credit hours

This skills-based seminar will focus on the art of crafting an effective appellate brief and presenting a persuasive oral argument — all in the context of a criminal case. Students will examine the practical, substantive and procedural aspects of appellate advocacy, learning how to identify promising appellate issues, to scour a case’s factual and procedural record, to prepare a persuasive appellate brief, and to deliver an effective oral argument. Through class discussions about real-world criminal cases, attendance at an oral argument in a local appellate court, and one-on-one instruction from the professor, the course strives to convey a realistic sense of the life of a criminal-law practitioner and appellate lawyer. Although the seminar may be of special interest to those considering a career in criminal law, it should be of interest to any law student, since success in any legal career requires excellent writing and oral-advocacy skills. Students will write (and rewrite) an appellate brief, using the record and materials of a real criminal case, and will present a moot oral argument (or two) in the same case. The professor will review an interim draft of your brief, providing comments and suggestions to aid in its revision, and will offer an individualized critique of your oral argument(s). Both the draft and final versions of the student brief must be at least 6,000 words in length, excluding footnotes (or roughly 25 pages). Grading will be based on the brief (60%), the oral argument (30%), and class participation (10%). Attendance and participation in class each week are mandatory. The brief is intended to fulfill the upper-level writing requirement.

There will be no class meeting on Wednesday, October 12, 2016, because of Yom Kippur. Instead, the class will review materials for, and then attend, an oral argument in a criminal case being presented in local or federal appellate court. This “field trip” will necessarily be scheduled outside of our usual class-meeting time – most likely, on a weekday morning – but the date for the excursion will be chosen in consultation with class participants.

**Prerequisite:** Legal Practice: Writing and Analysis; prior or concurrent enrollment in Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

**Recommended:** Prior or concurrent enrollment in Evidence.

**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 512 v01 Criminal Defense and Prisoner Advocacy Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20512%20v01)

J.D. Clinic | 14 credit hours

Please see the Criminal Defense & Prisoner Advocacy Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/criminal-defense-prisoner-advocacy-clinic) for more detailed information about the program.


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

LAW 003 v00 Criminal Justice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20003%20v00)

J.D. Course | 4 credit hours

Introduces the administration of the criminal justice system and serves as a foundation for the advanced courses offered in upperclass years. The course explores the development and operation of the constitutional provisions regulating the federal and state governments in the enforcement of their penal laws and analyzes in depth each step in the criminal process, including some or all of the following issues: search and seizure, arrest, interrogation, the right to counsel, plea bargaining, right to jury trial, and sentencing.

**Mutually Excluded Courses:** Students may not concurrently receive credit for both this course and Criminal Procedure or Democracy and Coercion. Students may take both this course and Criminal Law.

**Note:** NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

This course is open to J.D. students only. The course will enroll via waitlist and is restricted to evening students and transfer students from other law schools.
**Complete List of J.D. Courses**

**LAW 003 v01 Criminal Justice** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20003%20v01](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20003%20v01))

J.D. Course | 4 credit hours
Introduces the administration of the criminal justice system and serves as a foundation for the advanced courses offered in upperclass years. The course explores the development and operation of the constitutional provisions regulating the federal and state governments in the enforcement of their penal laws and analyzes in depth each step in the criminal process up to the decision to charge, including some or all of the following issues: search and seizure, arrest, interrogation, identification procedures, and the right to counsel.

*Note:* The Summer section of this course will enroll via waitlist and is restricted to evening students and transfer students from other law schools.

**LAW 512 v00 Criminal Justice Clinic** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20512%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20512%20v00))

J.D. Clinic | 14 credit hours
Please see the Criminal Justice Clinic website ([https://www.law.georgetown.edu/experiential-learning/clinics/criminal-justice-clinic](https://www.law.georgetown.edu/experiential-learning/clinics/criminal-justice-clinic)) for more detailed information about the program.


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

**LAW 1652 v00 Criminal Justice II: Criminal Trials** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201652%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201652%20v00))

J.D. Course | 3 credit hours
This course traces the litigation of criminal cases from the time the police hand the case off to the prosecutor through final judgment, sentencing, and post-trial relief. Among the topics covered: pretrial release and bail; prosecutorial discretion in charging; venue; defendant’s right to counsel and the role of defense counsel; grand jury and preliminary hearing; joinder and severance; gag orders; discovery; right to speedy trial; privilege against self-incrimination and grants of immunity; plea bargaining and guilty pleas; jury selection; sentencing; double jeopardy; and post-trial processes to correct erroneous judgments (appeal and habeas corpus). The course focuses principally on Supreme Court decisions, but also visits where appropriate the rules of criminal procedure. This course includes all the topics covered in the two-credit Advanced Criminal Procedure course, but uses the extra credit hour to dig deeper on the most interesting issues and includes post-trial procedures not usually covered in Advanced Criminal Procedure.

*Recommended:* It is desirable but not essential that the student have taken Evidence before or is taking it contemporaneously.

**Mutually Excluded Courses:** Students may not receive credit for this course and Advanced Criminal Procedure.

**LAW 1655 v00 Criminal Justice Reform Seminar** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201655%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201655%20v00))

J.D. Seminar | 2-3 credit hours
This course will familiarize students with the history, law, policy, and advocacy for criminal justice reform in the United States. The course will examine criminal justice reform from both policy and advocacy perspectives. The course will examine: 1) the problems with the American criminal justice system; 2) the institutional actors involved in the effort to create criminal justice reform; 3) the strategies that reform advocates use in pressing for criminal justice reform through both policy change and litigation; and 4) the successes advocates have made in reforming the American justice system.

The course is available as 2 or 3 credits.

*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 1485 v00 Criminal Justice Technology, Policy, and Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201485%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 practicum will explore the impact of technology on the criminal justice system, and will teach students how to design, build and understand technologies that affect criminal justice processes and policy. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

SEMINAR: Seminars will review the design, deployment, and impact of technologies throughout the criminal justice system, from law enforcement surveillance and monitoring tools to algorithmic risk assessments used in bail decisions and sentencing. Students will be asked to view these tools through two critical lenses: how well these tools further their stated policy aims, and how technology changes power relationships between government and citizens. Throughout the semester, students will also hear from guest speakers that are using technology to tackle police misconduct, expungement, and other criminal justice policy issues. To complement this policy discussion, students will learn techniques to design, deploy, and analyze criminal justice-focused technology. These exercises will teach analytical approaches to developing and understanding technology systems, including: activity-centered design, system mapping, specification building, tool selection, and prototyping. (No computer science or coding knowledge is necessary to take this course.) The semester will conclude with a pitch day, where students will present a policy or procedural problem they have identified in the criminal justice system that could be addressed through technological tools, and present their proposed design for a solution.

PROJECT WORK: Students will work with clients and the practicum instructors to identify problems in the criminal justice system that could be improved through the use of technological tools, then design such tools working in small teams. Potential practicum projects could include digitizing Miranda warnings, using text messages to lower failure to appear rates in juvenile court, or determining how to use the Digital Millennium Copyright Act (DMCA) to help people whose criminal records have been expunged but whose record information is still available online.

Prerequisite: 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 course and a clinic or another practicum course. Students may concurrently enroll in this course and an externship.

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

This course is suitable for evening students; project work does not need to be completed during business hours. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised 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

LAW 126 v00 Criminal Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20126%20v00)
J.D. Course | 3 credit hours
This course examines society’s control of unwanted behavior through criminal law. The particular focus is on the general elements of a criminal offense cutting across all criminal codes rather than on the elements of individual crimes. Some attention is given to the basic theories of punishment and criminal culpability as contrasted with civil forms—e.g., tort law or civil commitment—for controlling deviant behavior.

LAW 126 v02 Criminal Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20126%20v02)
J.D. Course | 3 credit hours
This introductory course involves the jurisprudence of substantive criminal law. Among the topics we will discuss are the general elements of a criminal offense, the structure of criminal justice administration, the exercise of discretion throughout the criminal justice system, and justifications and excuses. Certain substantive offenses may also be covered. Some attention will be given to the basic theories of punishment and sentencing.

LAW 126 v03 Criminal Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20126%20v03)
J.D. Course | 3 credit hours
This course examines the body of public law that is designed to punish blameworthy or antisocial behavior. The course begins by introducing the general principles governing all criminal offenses—the general part of the criminal law—and then examines how these principles apply to a variety of specific offenses as well as the exculpatory defenses. Attention is paid to the basic theories of punishment which provide the students with the theoretical tools they need to construct cogent arguments for how far the criminal law should be extended to suppressed the undesirable behavior.
There are about a dozen criminal law and criminal procedure cases that the Supreme Court will be hearing and, presumably, deciding this term. There are no prerequisites for this seminar. FIRST CLASS ATTENDANCE IS MANDATORY. 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.

**LAW 1249 v00 Criminal Law and Procedure Seminar: Supreme Court 2016 Term**

J.D. Seminar | 3 credit hours

There are about a dozen criminal law and criminal procedure cases that the Supreme Court will be hearing and, presumably, deciding this term. In this upperclass legal writing requirement seminar we will study all — or at least most — of these cases in depth. The readings will focus on briefs and any opinions that the Court may issue during the semester. The class will take an in-depth look at the substantive or procedural criminal law doctrines that these cases involve, whether or not those doctrines are ones that the Supreme Court itself is likely to address.

The writing component of the course will consist of writing, and after feedback, rewriting, “bench memos” on 3 (or 4) of these cases. (Alternatively, it may be feasible to write, and after feedback rewrite, the draft of an opinion in 1 (or 2) of these cases.)

**Note:** There are no prerequisites for this seminar. FIRST CLASS ATTENDANCE IS MANDATORY. 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.

**LAW 1756 v00 Criminal Law Theory in Context**

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

This seminar will introduce students to contemporary theoretical thinking about substantive criminal law. We will explore some of the most pressing problems in criminal jurisprudence, as well as some perennial ones, through the lens of the tension between morality and context.

Philosophers of the criminal law have traditionally turned to moral reasoning when trying to justify or critique penal laws. Morality purports to dictate how individuals ought to act toward one another as a matter of universal truth, and therefore views social context as detrimental to analytical clarity. Sociolegal and critical scholars, on the other hand, highlight the relevance of contingent factors, such as material conditions, historical narratives, and political power relations, for proper understanding of the criminal law. However, they generally stop short of offering compelling normative theories to guide our way forward. The seminar will examine the prospects and perils of both views, explore whether they can be reconciled, and consider prominent alternative frameworks that are gaining traction in recent scholarship.

Students will become familiar with the central philosophical puzzles underlying the criminal law as well as with cutting edge theoretical approaches for tackling them. We will pay attention to both general issues, like criminalization (what to impose liability for), defenses (when to relieve of liability), and punishment (what form liability ought to take), and pertinent issues at this historical moment, like hate crimes, gun violence, and prison abolition.

There are no prerequisites. For JD students, prior or concurrent enrollment in Criminal Law is recommended, though not required.

**Recommended:** For JD students, prior or concurrent enrollment in Criminal Law is recommended, though not required.

**Note:** The 3 credit section of this seminar (LAWJ-1756-09) is restricted to J.D. students only.

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 seminar explores white-collar criminal practice in the transnational context. “Transnational” cases generally involve the potential application of one or more country’s laws to alleged criminal activity that crosses borders. We begin by introducing students to the general differences in the legal structures, concepts of criminal law, and varied standards for corporate and individual liability, that apply in civil and common law systems. We will study the substantive U.S. law that is implicated in many transnational prosecutions and learn when U.S. law applies extraterritorially. The substantive provisions we study may include proscriptions on corruption, fraud, money laundering, tax evasion, data breaches/hacking, or violations of economic sanctions. We will explore the tools available for obtaining evidence abroad, as well as some of the national laws and regulations that impact transnational investigations. Some of the challenges we will explore are regulations regarding data privacy, employment laws, national security/state secret laws, and blocking or economic protection statutes. At the conclusion of the class, we will consider a number of case studies that illustrate issues companies face in attempting to forge a global resolution among regulators and prosecutors from different countries. These include managing competition between sovereigns, joint and parallel national investigations, and the division of penalties.

**Learning Objectives**

This course, as its title suggests, is designed to expose students to important issues they will face in the transnational practice of law. One of our goals, then, is very practical: to give students information they will need to be successful practitioners in this area.

Another goal is to challenge students to take a step back and think about larger questions: When criminal conduct crosses borders, which sovereign should prosecute? Should U.S. criminal law extend as far as it does? Is it fair or efficient to permit multiple countries to address such conduct criminally? Should expedited evidence-gathering tools be available to both the defense and prosecution? What liability rules would best serve the purposes of punishment?

Like all writing seminars, the class also seeks to enhance students’ ability to conduct legal research, capacity to engage in critical thinking, and prowess in communicating effectively, in writing and in class.

**LAW 1610 v00 Criminal Practice Seminar: White-Collar Crimes in a Transnational Context**

J.D. Seminar | 2 credit hours

An examination of the basic Fourth, Fifth, and Sixth Amendment principles that govern the interaction of the police and suspects in the investigation of crime. From stop and frisks to coerced confessions, the course will examine the constitutional doctrines developed to regulate police behavior and the admissibility of evidence. The core concepts will include the definition of a “search,” the meaning of probable cause and reasonable suspicion, the requirement of a search warrant and the many exceptions to the warrant requirement, Miranda and related limits on interrogation, and the pre-trial right to counsel. The course will also focus on the role of the courts in enforcing the constitutional guarantees, particularly through the exclusionary rule.

**Learning Objectives:**

1. Thorough Understanding of the Primary “Substantive” Fourth Amendment Issues in Criminal Cases and Certain Civil Cases
2. Thorough Understanding of Primary “Remedial” Fourth Amendment Issues in Criminal Cases
3. Thorough Understanding of the Primary “Substantive” Fifth Amendment Issues Related to Interrogations and Confessions
4. Thorough Understanding of the Primary “Remedial” Fifth Amendment Issues Related to Interrogations and Confessions
5. Thorough Understanding of the Sixth Amendment Issues Related to Uncounseled Confessions and Pretrial Line-ups
6. Thorough Understanding of Sixth Amendment Issues Related to the Effective Assistance of Counsel

**Mutually Excluded Courses:** Students may not receive credit for both this course and Criminal Justice or Democracy and Coercion.

**Note:** This course is offered only to transfer students from other law schools who have not had a first year course in constitutional criminal procedure.

**LAW 3111 v00 Criminal Tax Law and Procedure**

LL.M Seminar (cross-listed) | 2 credit hours

This course examines the life cycle of a criminal tax case, including the warning signs that a civil tax case may be referred for criminal investigation, applicable privileges, potential defenses, the opening of an administrative investigation, sources of information, authorization of a grand jury investigation and prosecution, best practices in plea negotiations, trial strategies, sentencing, and collateral and civil tax consequences. The course also will address current priorities of IRS Criminal Investigation and the Department of Justice, and cases pulled from the headlines.

**Prerequisite:** Federal Income Taxation (formerly Taxation I)

**Recommended:** Tax Practice and Procedure, Criminal Law and Procedure
LAW 599 v00 Critical Legal Theory Seminar
J.D. Seminar | 2 credit hours
This seminar focuses on radical challenges to traditional legal thought in the areas of race, gender and sexuality, including work from legal realism, critical legal studies, radical feminist jurisprudence, critical race theory and queer theory. No prior background in jurisprudence or philosophy is necessary.

LAW 982 v00 Cross-Border Commercial Regulation: Aviation and Maritime Law
LL.M Seminar (cross-listed) | 2 credit hours
This seminar examines U.S. and international law applicable to aviation and maritime services worldwide. It includes the transportation of both passengers and cargo by air as well as sea. It reviews the evolution and progress made in international law liability conventions (Warsaw, Montreal 1999, Athens 2002) that are applicable to passengers and cargo involved in air as well as sea transport and mishaps/disasters. It examines the emerging applicability of both environmental and security laws and treaties in this area. In the context of public international law, the seminar focuses on the 1944 Chicago Convention and the evolution of restrictive bilateral air transport agreements into the current system of bilateral and multilateral open skies agreements that govern the movement of most passenger as well as cargo airlines of all nationalities throughout the world. The sometimes inconsistent application of U.S. and E.U. competition laws and policies is studied, particularly as they currently govern the developing practices of code sharing among international airlines and comparable global alliances among shipping lines. Also examined are the legal as well as economic (and practical) consequences of these alliances. Finally, the seminar examines the area of aircraft hijacking and the steps the international community has taken to meet these threats.

Recommended: Conflict of Laws: Choice of Law; International Law I: Introduction to International Law (for foreign-educated students, knowledge of these topics from home country study or practice is sufficient.)

LAW 807 v00 Cross-Border Transactions in Latin America
LL.M Seminar (cross-listed) | 1 credit hour
The course is designed to give students an overview and practical insight on the legal aspects of doing business with or investing in Latin America. The course will focus on Mexico, but will also address legal issues associated with doing business in Central and South American countries. Topics will be discussed from the perspective of U.S. investors doing business in the region, and will cover the legal implications of cross-border distribution, licensing and joint venture arrangements, acquisitions and direct investments, labor planning and creditor rights.

Recommended: Contracts, Corporations, and International Business Transactions.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
**LAW 1615 v00 Cryptocurrencies, Initial Coin Offerings and the Law Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201615%20v00)

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

This seminar will examine cryptocurrencies like Bitcoin, Ether and Ripple's XRP, and their possible roles as commodities, payment instruments and investments. It will also explore "Initial Coin Offerings" ("ICOs")—fundraises by startups identifying technology-based problems and proposing the sale or financing of technology-based solutions.

Cryptocurrencies and ICOs have recently attracted more attention—and investment dollars—than early stage venture capital. However, governmental authorities around the world worry that they are under-regulated (or unregulated), pointing to a recent spate of fraud, market volatility, and potential money laundering associated with virtual transactions. This seminar will explore the regulatory framework for digital currencies and payments, and examine the evolving reforms and regulatory efforts arising in the sector. The course will cover topics including the differences between key cryptocurrencies; the varying regulation of cryptocurrencies and ICO tokens as "commodities" vs. "securities;" the mechanics of an ICO; and money laundering and bank secrecy laws.

**Prerequisite:** A course in securities, banking, or derivatives, one of the following or similar courses: Advanced Studies in Federal Securities Regulation; Derivatives Regulation; Federal Banking Regulation: Modern Financial Institutions and Change; Financial Regulation and Financial Crises; Federal Regulation of Financial Institutions; Initial Public Offerings; Securities Regulation; or Securities Regulation of Financial Institutions and the Securities Markets.

**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.

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**LAW 1645 v00 Cultural Appropriation Seminar: Innovation or Theft?** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201645%20v00)

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

Innovation thrives on borrowing from creators past and far-flung. When does cultural exchange cross the line into cultural misappropriation or theft decried as "cultural appropriation"? Notably, today's culture wars increasingly turn on *intellectual* property claims, with calls for attending to the legal and ethical implications of dominant cultural creators taking and profiting from the innovations of disadvantaged and minority creators. From claims of copyright in dance moves sold on the blockbuster video game Fortnite, to the use of trademark law to upend the Washington Redskins' mascot and name, to social movements #reclaimthebindi and #mycultureisnotyourcouture, diverse citizens contest ownership and authorship of our common culture. Is yoga the cultural property of India, the common heritage of mankind, or the copyright of Bikram Choudhury? What are the repatriation obligations of museums today? Is all music theft? What is the relationship between cultural appropriation, colonialism, and white supremacy? Is property an appropriate legal institution for addressing conflicts over culture? This seminar considers the particular role of intellectual property, including copyright, trademark, patent, and design patent, in promoting free cultural exchange, albeit on fair terms in a global marketplace of ideas marked by sharp differences in power, wealth, and knowledge. The seminar seeks to facilitate respectful and meaningful intercultural dialogue about identity, recognition, and semiotic and distributive justice.

There are no prerequisites or recommended prior courses, although some familiarity with intellectual property will be helpful.
**LAW 1633 v00 Current Developments in International Taxation Seminar**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201633%20v00)

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

In 2017 the United States enacted a historic tax reform package that represents the most significant change to the U.S. international tax regime since 1986. Four years later, significant changes to that new system are being proposed. Meanwhile, at the multilateral level, the Organisation for Economic Cooperation and Development (OECD) has proposed major changes to the mechanisms for coordinating different countries’ assertion of tax jurisdiction over income earned cross-border, in order to shift some taxing rights to market countries and impose a globally agreed minimum tax on corporate income. The minimum tax proposals interact significantly with the existing U.S. international tax regime, as well as with the more recent U.S. proposals.

This course will study current developments in US international tax policy through a close reading of selected tax regulatory packages associated with the 2017 tax reform. In addition, we will consider the major international tax policy documents published by the OECD and the relationship between the negotiations at the OECD and U.S. international tax policy developments. We will study these documents and the underlying policy considerations, and discuss the impact on U.S. multinational tax planning. We will also speak with government representatives involved in crafting the regulations and negotiating multilaterally.

Students will write short papers with respect to the regulatory packages we examine, and write a final paper reflecting on the strengths and weaknesses (or lack thereof) of the new international tax regime, or particular statutory and regulatory provisions therein of students’ choosing.


**Note:** J.D. students may take the seminar pass/fail by professor permission only.

**LAW 2038 v00 Current Issues in Tax Policy**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202038%20v00)

LL.M Seminar (cross-listed) | 2 credit hours

This colloquium will offer students an opportunity to examine current tax policy issues in depth and at an advanced level, with discussions led by policymakers, economists, and other tax experts. The course will discuss various current and recent legislative proposals at a detailed level and examine the economic, tax policy, and political considerations underlying the decisions that have been made in each proposal. This will include infrastructure, wealth tax, cross-border tax, consumption taxes and other politically salient tax policy topics. It will explore the economic and policy literature surrounding the issues of economic welfare and competitiveness. The course will also examine issues such as tax expenditures, debt vs. equity, cost recovery, and various tax incentives. Reading materials generally will be supplied and will include economic and tax policy papers, legislative proposals, and technical explanations. The course is intended to be highly interactive with students discussing design and policy issues with leading experts in the field. The grade for this course will be based primarily on papers that students submit addressing policy topics discussed by the guest speakers. Useful class participation will be taken into account as a plus in determining the final grade. There will be no final exam.

**Prerequisite:** Federal Income Taxation (formerly Taxation I).

**LAW 1640 v00 Current Issues in National Security Law**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201640%20v00)

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

This course explores the legal implications of some of the most challenging issues affecting national security, encompassing both conventional and non-conventional threats. Topics include: domestic and international legal authorities; the law of electronic surveillance; resumption of the nuclear arms race and the weaponization of space; technology and national security (artificial intelligence, cryptocurrency); and cyber threats to national security. The course concludes with discussions on the U.S. national security decision-making process and the ethical dimensions of national security policy.

**Note:** The last class will be April 3, 2019.
LAW 014 v01 Current Issues in Transnational (Private International) Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20014%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar provides an introduction to the increasingly important field of private international law as well as an opportunity to explore in depth specific issues now under active consideration in the various international and regional organizations working on the development, codification and harmonization of private international law. Beyond the “classic” questions of jurisdiction, choice of law, judicial assistance and enforcement of judgments, we will explore such substantive topics as international sale of goods, cross-border consumer protection, secured transactions, international securities law, international intellectual property, transport of goods by sea, transnational leasing law, dispute settlement mechanisms, international family law (including international adoption, abduction and enforcement of child support and family maintenance), international privacy and data protection, and even wills and trusts in their cross-border contexts. All students will be expected to choose a topic and to research and to present key findings and recommendations to the class.

This course requires a paper and an oral presentation. It is open to J.D. and LL.M. students. For J.D. students who choose the 3 credit “writing seminar” option, the objective will be to research and write analytical papers of publishable quality on discrete topics of current importance in transnational practice. Students will be required to satisfy the WR requirement including (1) selection of a paper topic approved by the professor, (2) submission of an outline, followed by feedback from the professor, (3) submission of a draft paper of at least 6,000 words exclusive of footnotes, followed by feedback from the professor, and (4) submission of a final paper of at least 6,000 words exclusive of footnotes, incorporating the professor’s suggested revisions. The paper must use legal forms of citation, where appropriate.

Learning goals for this course:
Familiarity with substance of “Private International Law”; ability to research effectively in the field; to write coherently and present conclusions orally; to understand relationship between international and domestic law.

Recommended: International Law I.

Note: This course requires a paper. Students must register for the 3 credit section of the course 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 1127 v00 Cyber and National Security: Current Issues Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201127%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar will examine legal and policy issues related to cybersecurity – that is, hacking and other intrusions on global computer and communications networks. The primary focus will be the national security implications of cybersecurity and the current challenges that senior lawyers, policymakers, and the private sector face in addressing those issues. The course will look at international and U.S. domestic law and will examine cyber issues both from the perspective of (1) the U.S. government entities that seek to use cyber tools to further military and other national security aims, and (2) the many government and private sector actors who must defend against the use of these tools use by others. The goal of the course is to introduce students to the complex legal and policy issues that senior national security decision-makers must address and to provide insight into the practical challenges they present. The focus of the class is law and policy, not technology. You do not need a technical background to take the course.

Recommended: International Law and/or national security related course.
LAW 1409 v00 Cyber Threats and Technological Insecurity: Emerging Legal, Policy, and Operational Challenges (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201409%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar will focus on significant legal, operational and policy issues arising from evolving global cyber threats and related technological issues, such as the Darkweb, encryption, and cybersecurity. The course will be taught by two instructors who work as federal prosecutors and policy advisors and collectively have hands-on experience investigating cybercrime, providing guidance to law enforcement investigators on technology issues, participating in the interagency policy process, developing and evaluating legislative proposals, and training foreign law enforcement partners. While the course will focus on challenges to federal law enforcement, it will also include in-depth perspectives from other significant stakeholders. Throughout the seminar, students will gain expertise in the legal framework and technical background that is necessary for effective advocacy – whether from a policy or litigation perspective – on the most challenging and controversial issues at the intersection of cyber threats, technology and security.

The course will consist of four components:

1. Technology and Threat Landscape. The current cybercrime threat landscape, with a necessary focus on technological architecture and recent permutations.
2. Legal Framework. The relevant constitutional and statutory legal framework attendant to combatting cybercrime and technological threats.
3. Operational Case Studies. How cybercrime investigations are currently conducted, with a focus on tactics and practical considerations.

Grading will be determined primarily based on a final paper. Significant weight will also be given to an in-class presentation and class participation.

**Prerequisite:** Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

**Note:** Laptops may not be used during class sessions.

LAW 1545 v00 Cyber Threats, Information Security and Technology in the Practice of Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201545%20v00)
J.D. Seminar | 2 credit hours
For all practical purposes, nearly every substantially-sized legal matter presents critical challenges that require attorneys to embrace and understand how to handle significant volumes of data and documents and to advise clients on the security risks threatening that information. Today’s lawyers need to be prepared to handle the increasing levels of vital threats and risks posed against their clients and their data.

This hands-on seminar will take students through an exciting, practical exploration of the ways in which the use of powerful technology-based tools is fundamentally transforming the practice of law as we know it. Data and information security as concerns are creating a ‘new normal’ in terms of how lawyers can be best prepared to help their clients, through an important understanding of technology-based solutions, to augment traditional legal representation.

In this course, we will examine some fascinating dynamics of the legal practice, as shaped by ‘information as risk’ as a new fundamental principle, with a focus on the importance of handling those concerns and evaluating how they could impact client risks and affect case outcomes.

This seminar will visit an expansive range of subtopics including data forensics, data analytics, cyber security, data privacy, Internet of Things, deep/dark web, social media, cloud computing, structured and unstructured data, and the emerging roles of lawyers as data and information-risk experts.

From an exploration of essential electronic discovery principles through non-traditional evidentiary concepts, for in-house, government, and outside lawyers alike, this seminar will prepare students to enter the job market with an enhanced understanding of what organizations require of lawyers, especially from technology and information-risk advisory perspectives.

Through a series of lectures and demonstrations that will feature industry-recognized experts, this seminar will provide valuable insights that will illuminate the fascinating interplay of technology and law, with particular focus on how case outcomes can be shaped by leveraging an understanding of data, security, and technology.

**Recommended:** Evidence; Civil Procedure (or Legal Process and Society).

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

LAW 2052 v00 Cybersecurity Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202052%20v00)
LL.M Course (cross-listed) | 2 credit hours
This interactive lecture course will explore various legal and policy issues related to enabling a safe and secure Internet and protecting government and private sector networks. The topics to be discussed include relevant U.S. legal authorities, cybersecurity roles and responsibilities of government agencies, private sector cybersecurity risk management, information sharing, Internet governance, and the application of international law to nation state activity in cyberspace. Lectures by the professor and occasional guests with relevant expertise will be used to stimulate class discussion. Students will be assigned a reflection assignment following each of a number of in-class table top exercises. There will be a four-hour take-home exam that must be completed during the first week of the exam period.


**LAW 3066 v00 Cybersecurity Law & Policy** *(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203066%20v00)*  
LL.M Seminar (cross-listed) | 2 credit hours  
This seminar will serve as an advanced LL.M. seminar covering topics in cybersecurity law and policy, with a focus on national and homeland security, military, intelligence law and international aspects. The seminar format is a combination of lecture and class discussion. This seminar is intended to serve as a complement to Cybersecurity Law, and students are welcome to take both courses. Grading will be based on a combination of short and/or medium length papers, active class participation and a final class presentation.

**Recommended:** Prior coursework in national security law highly recommended.

**LAW 459 v01 Deals: The Economics of Structuring Transactions** *(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20459%20v01)*  
J.D. Course (cross-listed) | 4 credit hours  
This course examines how attorneys and other professionals create value through transaction engineering. The course is organized in two parts. The first part of the course studies various barriers to transacting, including collective action problems, information problems, risk and uncertainty, and contracting over time, and a range of responses grounded in game theory, contract theory, and decision theory. The second part studies a series of real transactions. Students will be divided into work groups, each of which will be responsible for selecting and presenting a transaction to the class. Grades will be based on an individual problem set, the group presentation, and a take-home final examination.

**Course Objective and Learning Outcomes:** The objective of the course is to understand the proper role of deal lawyers. It forwards the idea of deal lawyers as transaction cost engineers who seek to increase the value of transactions by devising mechanisms to mitigate common barriers to efficient bargains. We study four types of barriers—collective action problems (free rider and holdout problems), information problems (moral hazard and adverse selection), risk and uncertainty, and contracting over time—and a number of responses (contractual and other mechanisms) grounded in game theory, contract theory, and decision theory. By the end of the course, I expect students to (i) have a good understanding of these barriers and the responses that deal lawyers have devised to overcome them and (ii) demonstrate the ability to recognize these barriers in different transaction contexts and to fashion solutions to them.

**Prerequisite:** Corporations.

**Recommended:** Prior or concurrent enrollment in Securities Regulation.

**LAW 1708 v00 Death Penalty Litigation Practicum** *(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201708%20v00)*  
J.D. Practicum | 4 credit hours  
This is a project-based practicum that will involve students in ongoing death penalty cases and teach them the legal framework for death penalty litigation. Professor Sloan has been active in death penalty litigation and representation, including two recent Supreme Court victories on behalf of a death row inmate in Texas: Moore v. Texas, 137 S. Ct. 1039 (2017) and Moore v. Texas, 139 S. Ct. 666 (2019).

In their project work, students will work on legal research related to ongoing death penalty litigation on behalf of death penalty defendants and inmates. Students also may have the opportunity to draft, or contribute to, briefs and motions related to ongoing death penalty litigation. Students will work with organizations and practitioners litigating death penalty cases. Among the organizations and individuals that have partnered with this practicum are the Southern Center for Human Rights, the Florida Center for Capital Representation, and individual death penalty litigation practitioners. Other organizations and individuals are likely partners as well.

In the seminar, students will develop an understanding and appreciation of the ongoing debates on death penalty issues—both broad jurisprudential issues (such as the meaning of the Eighth Amendment and relevant state constitutional provisions) and specific doctrinal topics (such as intellectual disability, insanity, and mitigating evidence in the death penalty litigation context). It also will be helpful to students to understand the experiences of death penalty litigators. Readings on these subjects will be woven into the seminar.

**Prerequisite:** Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

**Mutually Excluded Courses:** Students may not receive credit for this course and Capital Punishment Seminar or The Death Penalty in America Seminar.

**Note:** This is a four-credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for the 10 hours/week of project work. Both the seminar and project work will be graded.

Students who enroll in this course will be automatically enrolled in both the seminar and practicum 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 Learning. 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. Default attendance rule for all practicum courses (unless the professor indicates otherwise): Regular and punctual attendance is required at all practicum seminars and fieldwork placements. Students in project-based practicum courses are similarly required to devote the requisite number of hours to their project. If a student must miss seminar, fieldwork, or project work, he or she must speak to the professor as soon as possible to discuss the absence. Unless the professor indicates otherwise, a student with more than one unexcused absence from the practicum seminar (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.
LAW 134 v00 Decedents’ Estates (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20134%20v00)
J.D. Course | 4 credit hours
This course addresses intestate succession; wills, their execution, revocation, and contest; will substitutes; the nature, creation, and termination of trusts; and the interpretation and legal consequences of dispositive provisions, including problems involving future interests, class gifts, powers of appointment, and the rule against perpetuities. Modern planning for incapacity and the fiduciary responsibilities of trustees are discussed.

Recommended: Prior or concurrent enrollment in Property.

Mutually Excluded Courses: Students may not receive credit for both this course and Wills & Trusts.

LAW 134 v01 Decedents’ Estates (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20134%20v01)
J.D. Course | 4 credit hours
This course deals with intestate succession; wills, their execution, revocation, and contest; will substitutes; the nature, creation, and termination of trusts; and the interpretation and legal consequences of dispositive provisions, including problems involving future interests, class gifts, powers of appointment, and the rule against perpetuities. Modern planning for incapacity and the fiduciary responsibilities of trustees are discussed.

Recommended: Prior or concurrent enrollment in Property.

Mutually Excluded Courses: Students may not receive credit for both this course and Wills & Trusts.

LAW 003 v02 Democracy and Coercion (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20003%20v02)
J.D. Course | 5 credit hours
What is democracy? What would be required to realize aspirations to democracy in a country like the United States, with a history of enslavement, dispossession of Native peoples, highly unequal application of the criminal law, and more broadly persistent inequality? How has constitutional law shaped controversies over the terms of democratic life in the United States? What role should criminal law enforcement play in a democratic society and how, if at all, should constitutional law inform the criminal process? This course will explore these questions regarding democracy, coercion and constitutionalism, in both historical and contemporary perspectives, with particular attention to U.S. constitutional law and constitutional criminal procedure.

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

LAW 969 v00 Derivatives Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20969%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Derivatives, including virtual currencies, are a large, dynamic and rapidly evolving part of the world’s financial markets. The size and importance of these markets alone would make derivatives regulation a worthy part of law school study, particularly for those interested in financial markets. Add to that a significant change in the regulatory framework on a scale unseen since the 1930’s and it is clear that there has never been a better time to study the legal issues and operational challenges for market participants. This course will focus on the regulation of derivatives under the Commodity Exchange Act, as amended by Dodd-Frank, and as implemented by the Commodity Futures Trading Commission. This course is designed as a “Derivatives 101” equivalent, providing a broad overview of the regulation of derivatives. No prior knowledge of derivatives is required to succeed in this course. The course will include an in-depth look at the new regulatory requirements and issues with respect to (i) market transparency and integrity, such as preventing market manipulation, disruptive trading practices, and so-called excessive speculation; (ii) the increasing use of automated trading systems and high-frequency trading in commodity markets; and (iii) the interplay between Congress, the federal market regulators, and the entities subject to financial market regulation. Students will be presented with the same questions of law confronting attorneys advising entities trading in derivatives markets, regulators, and the courts.
This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 29, 2021 at 3:00 p.m. After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

**Note:** This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This course will use recent transactions involving infrastructure projects (domestic and international) to illustrate the legal techniques and financial issues involved in project development and financing. The course will address case studies involving energy projects, telecom, toll roads, mining, ports, airports, other infrastructure and professional sports facilities. Class discussion will include analysis of how project risk analysis is done and review of key documents used to develop, construct and finance projects. Students will participate in simulated contract negotiation and drafting exercises representing designated parties to a transaction. Coverage will include different sources of financing, including banks, capital markets, ECAs and multinational entities. There will be both a final examination (open-book) and a short drafting exercise that will be graded. Classes 11/12 will be a Special Negotiation Workshop, for which the class will be divided into groups to negotiate a financing term sheet for a model transaction. Depending on pandemic conditions, this may take place during regular classes, or may be done in person on a specified Saturday from 8am-1pm.

The required course textbook is:


Additional case studies, such as Henry A. Davis, ed., *Project Finance: Practical Case Studies, Second Edition* (two volume set: Volume I – Water and Power, and Volume II – Resources and Infrastructure), and other materials not in the above publication will be provided.

**Learning objectives:**

The course is based on four major themes and aims to teach students to analyze issues in light of each theme: (i) allocation of risk, (ii) non-recourse or limited recourse arrangements, (iii) effective contract structures, and (iv) financeability. The class will focus on both theory (risk analysis and mitigation) and practice (critiquing and drafting agreements). Both the written assignment and the workshop will focus on practical matters relating to practice issues.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Domestic and International Project Finance & Development: Case Studies; or the J.D. course, International Project Finance; or International Project Finance and Investment and Project Development and Finance.

**Note:** Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
Section 10 will have in-class negotiation exercises and drafting exercises with the assumption they represent designated parties to a transaction.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Domestic and International Project Finance & Development: Case Studies; or the J.D. course, International Project Finance; or International Project Finance and Investment and Project Development and Finance.

**LAW 1704 v00 Digital Taxation Seminar**

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

This course will introduce students to the debates surrounding the taxation of the so-called digital economy. Over the past few years, several countries have introduced new taxes that are intended to target "digital companies," including Google, Apple, Facebook, and Amazon (or "the GAFAs," as they are known in Europe). In response to at least one such tax, President Trump and the U.S. Trade Representative have threatened to impose tariffs. This seminar will set out the background to these debates and provide a greater context to these taxes, introducing students to debates within the United States about sales taxes and debates both inside and outside the United States about the future of the international tax system. Readings will focus on the general question of whether the digital economy can be separated from the rest of the economy as well as specific proposals to tax the digital economy from individual countries, the European Union, and the OECD. Students in the two-credit section will be required to submit eight response papers of 3-5 pages, and a maximum of six students will be permitted to take this as a three-credit class in which they will also write a writing requirement paper.

**Prerequisite:** Federal Income Taxation.

**Note:** 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 131 v02 Disability Discrimination Law**

J.D. Course | 3 credit hours

This course covers the Americans with Disabilities Act, its amendments, regulations, and interpretive guidance as they relate to discrimination against people with disabilities in employment, the programs, services, or activities provided by government entities, and public accommodations. The course will take a pragmatic approach to exploring the rights and responsibilities arising from this law and will focus on such issues as defining disability, the concept of qualified persons with a disability, reasonable accommodations, medical exams and disability-related inquiries, program access, and public accommodations.

**LAW 3082 v00 Dispute Settlement in International Trade: A Comparative Examination of WTO, Regional & Bilateral Systems**

LL.M Course (cross-listed) | 2 credit hours

This course involves an in-depth look, in a seminar-type setting, at different state-to-state dispute settlement systems in the international trade area. Although the principal focus will be WTO dispute settlement, the course will also examine the new or re-invigorated mechanisms in regional agreements (e.g., RCEP, CPTPP) and bilateral trade and investment agreements of the United States (USMCA, CAFTA) and the EU (Korea FTA, CAl with China).

It will also look at the special case of the UK/EU TCA, and at investor-state dispute settlement, which is currently subject to significant reform proposals, as a point of comparison with state-to-state mechanisms. In addition to examining the treaty provisions themselves, the course will involve the close reading of arbitral decisions, as a medium to examine real-world systemic issues regarding dispute settlement, such as the function of terms of reference, approaches to treaty interpretation, confidentiality, coherence between different bodies of international law, the role of precedent, standard of review, the scope of appellate review, implementation and compliance, and remedies. At the same time, students will gain familiarity with some of the leading substantive issues in international trade law.

**Recommended:** Background in international trade law and in public international law generally.

**Strongly Recommended:** A introductory course in international trade law is strongly recommended.

**LAW 1501 v00 Doing Business in Europe: Basics of Private International Business Law**

J.D. Course (cross-listed) | 1 credit hour

This course will provide an overview of the European legal landscape from the perspective of an external, i.e. non-EU – typically: a US – entrepreneur. Special attention will be given to the field of private international law, comprising notably adjudicatory jurisdiction and conflict of laws. We hope to inspire class participants to develop essential skills and methods, which, if followed-up with independent further research, should eventually enable them to give legal advice on transatlantic business.

**Note:** Withdrawals are permitted up until the last class for this specific course.
This seminar will provide students with a ring side seat in the arena of judicial decision-making. Students will not only have the benefit of reading 13 trial judges’ stories, but they will also have the opportunity to dialogue with each author who will appear in the class that focuses on her/his story.

Learning Objectives:

By analyzing thirteen poignant stories written by trial judges who struggled with difficult cases, seminar participants should come away with valuable insights about the litigation process and the art of judging. Hopefully too, students will become enthused and empowered to become effective trial advocates and perhaps judges. Besides reading 13 stories written by judges about real life difficult cases, each student will select a judge and interview that jurist about his or her decision making process in a tough case or class of cases. The semester will culminate with written by judges about real life difficult cases, each student will select a judge and interview that jurist about his or her decision making process in a tough case or class of cases. The semester will culminate with

Prerequisite: Civil Procedure (or Legal Process and Society) or Criminal Justice (or Democracy and Coercion) or Criminal Procedure.
**LAW 919 v00 Drafting Partnership & LLC Agreements** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20919%20v00)

LL.M Course (cross-listed) | 1 credit hour

This course applies practical approaches to assist students in understanding the tax and business arrangements of joint ventures, limited partnerships, and limited liability companies, ranging from the common to the complex. The course also presents and analyzes the drafting techniques necessary to actually implement such arrangements by concentrating on the tax and business provisions in term sheets and limited partnership/limited liability company agreements.

**Prerequisite:** Federal Income Taxation (formerly Taxation I), prior or concurrent enrollment in Taxation of Partnerships (recommended prior enrollment in Taxation of Partnerships).

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. While the first two days of this course meet during the Fall add/drop period, a student may only drop this course without a transcript notation prior to the start of the second class session by submitting a written request to the Office of the Registrar. After the start of the second class session, a student must seek permission from an advisor to withdraw.

**LAW 1102 v00 Drug Law and Policy Seminar: A Critical Perspective on the War on Drugs in the Americas** (http://curriculum.law.georgetown.edu/course-search/?Keyword=LAW%201102%20v00)

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

This seminar will explore the policy of prohibition on drug production, distribution and consumption that embodies the long-standing hemispheric “war on drugs”. It will examine the legal regime that underpins current policies on drug trafficking (international, transnational and domestic regulations) related to criminalization but also to arms’ sales and money laundering. We will reflect on the economic and social consequences that drug-trafficking prohibition has had in countries and communities situated on different sides of the global drug trade. Our focus will be primarily on the United States, Mexico and Colombia. The seminar will explore the dominant “law and order” criminalization paradigm and contrast it with other potential approaches that focus on public health and economic development. We will conclude by considering a range of potential policy alternatives to the current model.

**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.

**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.
Human rights advocacy can be an uphill battle, even in the best of times. And these are not the best of times. Progress is possible, but the problems we tackle need serious, hard-nosed strategies and activists with the skills to execute them. In this course we will explore and analyze key elements of successful human rights advocacy campaigns—goal-setting, messaging/communications, coalition-building, resource allocation—and develop the practical skills advocates need, especially in today’s politically polarized environment, to win.

The course will be grounded in real-world examples. We will explore and evaluate different theories of social change and study how those work (or don't) in practice. Each week we will do a deep dive into a different element of successful campaign strategy.

**Student Learning Goals:**
As a result of completing this course, students will be able to draft a strategic campaign plan for an issue or policy campaign. Students will learn how to evaluate advocacy strategies and how to choose which advocacy techniques are likely to succeed in which campaign. Students will learn how to evaluate advocacy strategies and will be able to draft a strategic campaign plan for an issue or policy campaign.

In addition, students will be alerted to opportunities for participating in human rights activities and events outside of class. Students interested in a career in human rights will gain a richer understanding of the theories of change and the portfolio of advocacy tactics used successfully by practitioners in the field.
LAW 195 v05 Election Law: Voting, Campaigning and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20195%20v05)
J.D. Course | 3 credit hours
This course examines federal and state law regulating the conduct of elections and the financing of campaigns. Included are aspects of federal and state constitutional law on speech, association, and equal protection; and particularly problems of apportionment, gerrymandering, race-conscious districting under the Voting Rights Act, and barriers to voting. With respect to campaign finance, we consider how much and what kinds of legal regulation are constitutionally appropriate regarding parties, candidates, independents, political action committees, corporations, unions, and individuals.

LAW 1703 v00 Elements of Clinical Pedagogy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201703%20v00)
LL.M Seminar | 2 credit hours
Required for completing the LLM in Advocacy, the Elements of Clinical Pedagogy seminar is a year-long program for clinical fellows that is taught by the fellowship program’s Co-Directors as well as members of the law school’s clinical faculty. During the two-day orientation and monthly seminar meetings, fellows are introduced to the theoretical and practical foundations of experiential pedagogy, supervision, and scholarship.

Note: This course is only open to clinical fellows and is not open to enrollment or audit by other JD, LLM, or SJD students. Clinical fellows or others with questions should contact Patrick Griffith, Assistant Dean for Clinical Programs (patrick.griffith@georgetown.edu).

LAW 219 v00 Emerging Growth Companies and Venture Capital (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20219%20v00)
J.D. Course | 2 credit hours
This course covers the legal and business issues that arise in the context of representing emerging growth companies and the venture capital investors who provide an important source of capital to such companies. In particular, the course will focus on the legal issues typically encountered by private companies at formation, financing, operation and key corporate events, including acquisition transactions and public offerings. Topics covered include corporate formation and governance, venture capital financing, employment and equity compensation matters, protection of intellectual property, securities laws compliance and exit strategies through merger, acquisition or initial public offering. The course will offer an introduction to these topics through the eyes of attorneys who practice in a Silicon Valley-based law firm active in the East Coast technology and life sciences market and will also include guest presentations by industry participants, such as venture capitalists, angel investors and entrepreneurs. The course will include a practice exercise designed to introduce students, working in practice teams, to the process of structuring and executing venture capital transactions.

Prerequisite: Corporations.
Mutually Excluded Courses: Students may not receive credit for both this course and Structuring Private Equity Funds and Transactions.

LAW 769 v00 Emerging Issues in U.S. Financial Services Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20769%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
From meme trading to cryptocurrencies to climate change disclosure, U.S. financial services regulatory issues are increasingly generating headlines. How do regulators address new and emerging issues? What happens when those issues do not fit neatly into the existing framework? This course will provide an overview and practical insights into how U.S. financial services regulation continues to evolve and adapt to address new challenges.

The course begins by describing how different pieces of the U.S. financial services regulatory framework fit together - including the roles of particular agencies and their varying missions - in order to set the stage for later classes. It will also introduce themes that will be explored throughout the course, such as tensions between investor protection and the facilitation of economic growth, and areas where there are both gaps in regulation and conflicts between regulators over who is responsible for certain products and activities.

The course is designed to make complex concepts accessible and to appeal to students new to financial services regulation, but also to be useful to those with prior coursework in securities regulation. Each segment will begin with an overview of a topic area followed by an exploration of current issues. For instance, the segment on the regulation of financial advice will begin by identifying the roles of the relevant players - including broker-dealers, investment advisers, and self-regulatory organizations - and then will delve into current debates, such as efforts to harmonize business conduct standards through Regulation Best Interest and the opportunities and dangers of app-based trading.

As another example, the segment on investment companies will first describe different types of funds - such as mutual funds, exchange-traded funds (ETFs), and private funds - and then explore current issues such as the emergence of ESG investing and the exposure of individual investors to exotic types of assets and strategies.

The course will similarly explore other topics including: struggles to regulate cryptocurrencies and digital assets; similarities, differences, and tensions between securities and futures regulation; debates over how to expand private offerings while protecting Main Street investors; the financial crisis of 2008 and the failure to understand the risks created by combining asset-backed securities and derivatives; historic struggles to separate investment and commercial banking; and current efforts to protect the financial system from systemic risk, including concerns related to cybersecurity and business continuity.

As in previous iterations of this course, the professors will bring in guest speakers from government, law firms, and the financial services industry.

Grading: The course is structured to provide maximum support to ensure that students develop familiarity with the themes and questions raised in the course. Grading is based on class participation, a short practical assignment, and a final paper. To help with class participation, the professors will assign a question to each student ahead of each class to help focus discussion. Students will also work with the professors to choose a practical assignment that implements the concepts explored in class (such as making a slide presentation or writing a 1-2 page comment letter in response to a proposed regulation).

Strongly Recommended: Securities Regulation, which may be taken prior to this class or concurrently.
LAW 1197 v00 Emerging Law Governing Digital Information [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201197%20v00]
J.D. Seminar (cross-listed) | 2 credit hours
This course responds to the compelling need for lawyers to help companies navigate the rules for managing and governing digital information assets in the 21st century. Students will explore the growing portfolio of laws and regulations that control how digital information assets and systems are developed and maintained, as well as the impact of digital records on the ability of companies to operate within existing legal frameworks. Readings, discussions, and student contributions will illuminate the strategies required for navigating through legal, technology, and compliance risks. Both domestic and international legal materials will be examined, to enable the comparative challenges of global online business.

Topics include the structure and governance of information systems and markets; the corporate duties to preserve digital information; the regulation of information systems and networks; information sharing and security between the private and public sectors; and future trends in information governance.

The course is highly interactive, emphasizing in-class student analyses, rapid-fire group collaboration, and the use of innovative visual tools enabling students to navigate the complexity of legal and technology rules. In completing this course, students will have enhanced their abilities to work in diverse career tracks, including in-house compliance, risk management, and regulatory counsel roles.

The grade will be based on class preparation and participation, as well as a final take-home examination.

**Prerequisite:** Prerequisites: Contracts or Bargain, Exchange, and Liability (or for foreign-educated LL.M. students, Foundations of American Law, Introduction to U.S. Legal Methods or a Contracts equivalent course from the home country).

**Recommended:** One or more of Evidence, Commercial Law: Payment Systems, or Commercial Law: Sales Transactions.

No special technology background or experience is required; however, students will be expected to prepare and submit work electronically.

**Note:** 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 on February 25, 2015. 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. Courses that start after the Spring add/drop deadline (January 20, 2015) have until the beginning of the second class session to drop the course.

LAW 1337 v00 Empirical Analysis for Lawyers and Policymakers Seminar [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201337%20v00]
J.D. Seminar (cross-listed) | 2 credit hours
This seminar is intended to help students become better consumers of empirical work in the law and social sciences. By the end of the semester, students should: (1) understand the basics of some common empirical methodologies; (2) see how empirical work can inform public policy; and (3) have a better sense of the limits and problems inherent in empirical work.

Each week, we will cover one or more policy-relevant empirical papers that students will be expected to read. Students will submit a 1-2 page analysis of an assigned paper before class. Each paper will introduce students to a particular empirical methodology, or show how it might be applied in a particular policy setting.

Topics will be drawn from a variety of areas, including criminal law, education, health, development, and labor. For example, we might study questions like: what is the impact of education on earnings? How do 401(k) plans affect people's savings decisions? How does a change in the minimum wage affect labor supply? Do minimum drinking ages reduce drunken driving deaths? What are the benefits and limits of randomized controlled trials?

Toward the end of the semester, students will be asked to write an 10-12 page paper that analyzes in detail an empirical paper of their own choosing. If there is time, students will be asked to present their analysis to the class in a final presentation.

Grades will be based on the short 1-2 page analyses, the 10-12 page final paper and presentation, and classroom participation.

**Recommended:** Some background in statistics or econometrics is helpful but not required. More important is a willingness to engage with unfamiliar material and a deep interest in learning.
LAW 3011 v00 Employee Benefits Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203011%20v00)
LL.M Seminar (cross-listed) | 4 credit hours
This course will focus on the practical application of ERISA principles as applied to qualified and non-qualified retirement plans, health and welfare plans and executive compensation. Students will draft plan documents and summary plan descriptions; review employee communications; draft memos and responses to participant inquiries; conduct legal research; conduct due diligence with respect to employee benefits in corporate transactions; negotiate and draft the asset purchase provisions of corporate transactions; negotiate and draft vendor contract provisions; review Securities & Exchange filings with respect to employee benefit plan footnotes and executive compensation disclosures; review the principles of employee benefits in bankruptcy; review principles of labor law as it impacts employee benefits in collective bargaining; review the avoidance and management of ERISA litigation; consider the legal ethics with respect to representing various parties in an ERISA dispute; and other practical considerations in dealing with employees, government agencies, participants, insurance companies and other vendors and plan sponsors.


If you do not have any experience or knowledge about employee benefits, you need Professor approval to take this class.

Mutually Excluded Courses: Survey of Employee Benefits Law

Note: Required for the Employee Benefits Certificate.

Course open to J.D. students who possess significant ERISA experience and only with professor permission - no exceptions. Interested students should contact Ellis Duncan via email at ged5@law.georgetown.edu between August 1 - August 30, 2021 for permission to take this class.

LAW 3004 v00 Employee Benefits: Executive Compensation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203004%20v00)
LL.M Course (cross-listed) | 2 credit hours
This class will focus on the tax aspects associated with nonqualified deferred compensation, including the tax doctrines of constructive receipt and economic benefits, as well as the three different income tax regimes set forth in section 409A, section 457A and section 457(f), and the employment tax regime under section 3121(v). In addition to exploring the various rules and the Federal tax consequences under these and other Code sections, including sections 162(m), 280G and 4960, consideration will be given to the tax policy issues driving the varying treatment and the design, drafting and implementation of many types of executive compensation arrangements, including equity compensation awards, traditional nonqualified deferred compensation plans, SERPS, excess benefit plans, rabbi trusts and top hat plans. This class will also provide an introduction to the registration and reporting requirements under the Securities Act of 1933 and the Securities Exchange Act of 1934, respectively, regarding executive compensation arrangements.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for this course and Taxation of Nonqualified Deferred Compensation.

Note: This course is required for the Employee Benefits Certificate.

This course is open to J.D. students by professor permission. Interested students should contact Ellis Duncan via email at ged5@law.georgetown.edu between August 1 - August 30, 2021 for permission to take this class.

LAW 3003 v00 Employee Benefits: Health & Welfare Plans (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203003%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course focuses on the tax and ERISA aspects of employer-sponsored health and welfare benefit plans. The tax discussion will concentrate on the conditions for favorable tax treatment of health and welfare benefits (and other statutory fringe benefits), the cafeteria plan rules, the applicable nondiscrimination requirements, and the special rules applicable to funded welfare benefits. The ERISA discussion will focus on plan design, reporting and disclosure, claims procedures, and fiduciary duty rules. The course will integrate the tax and labor aspects of the Affordable Care Act.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for this course and Health and Welfare Benefit Plans: Tax & ERISA Aspects.

Note: This course is required for the Employee Benefits Certificate.

This course is open to J.D. students by professor permission. Interested students should contact Ellis Duncan via email at ged5@law.georgetown.edu between August 1 - August 30, 2021 for permission to take this class. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
will consider in actually utilizing these laws to represent clients. Also discuss the strategic and tactical approaches a practicing attorney with perspectives from psychology, sociology, and economics. We will consider in actually utilizing these laws to represent clients.

This course addresses the basic structure, operation, and requirements for establishing and maintaining tax-qualified pension, profit-sharing, and 401(k) plans under section 401(a) of the Internal Revenue Code and related provisions of ERISA, including plan document, coverage, accrual, vesting, nondiscrimination requirements, taxation of distributions and related fiduciary obligations.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for this course, Retirement Plan Qualification Requirements, Retirement Plans - Design and Taxation, or Retirement Income: Taxation and Regulation.

Note: This course is required for the Employee Benefits Certificate.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Recommended: Prior or concurrent enrollment in Evidence and Professional Responsibility.

This course explores the legal mandate for equal employment opportunity in relation to race, color, religion, sex, national origin, age, disability and other traits. The focus is principally upon Title VII of the Civil Rights Act of 1964 and also includes the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Post Civil War Civil Rights Acts, and state analogues to Title VII, such as the District of Columbia Human Rights Act. The course also discusses the evolution of employment discrimination law to address such traits as sexual orientation and transgender status. The course examines the doctrinal and theoretical aspects of employment discrimination law through a rigorous analysis of court decisions, statutes and regulations; explores the public policy issues underlying the law of employment discrimination; and discusses the strategic and tactical approaches a practicing attorney will consider in actually utilizing these laws to represent clients.

Recommended: 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).

This course surveys the law regulating the fundamentals of the employee-employer relationship and examines a variety of public policy questions relating to employment standards regulation. The subjects covered may include: the common law doctrine of at-will employment and the development of contract and tort exceptions to that doctrine; statutory efforts to protect employees from wrongful discharge; the law of work-related invasions of privacy (e.g., drug-testing, genetic screening, polygraphs, etc.); the National Labor Relations Act; the regulation of employment compensation (e.g., Fair Labor Standards Act, prevailing wage laws); the regulation of workplace health and safety (e.g., Occupational Safety and Health Act). This course may also cover the Worker Adjustment and Retraining Notification Act, the Family Medical Leave Act, and workers compensation.

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 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.

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.
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 federal 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 and legal developments along the production-transmission-distribution continuum. A special emphasis is placed on environmental considerations and technical innovation. Introduction and analysis of smart grid, demand response, low carbon goals, and other growing initiatives will be presented to connect recent 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.
LAW 1737 v00 Entertainment Disputes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201737%20v00)

J.D. Seminar | 2 credit hours
This course examines the types of disputes that generally arise in the entertainment industry and the various methods by which such disputes are resolved such as litigation, arbitration, or other forms of alternative dispute resolution (ADR). The course will incorporate a mix of “hands-on” assignments, written and oral, that will endeavor to provide actual advocacy, negotiation, and courtroom/arbitration/mediation experience. Finally, we will be joined in a few classes by special guest lecturers with expertise on these issues.

Prerequisite: Copyright Law or Entertainment Law.

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

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

LAW 137 v03 Entertainment Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20137%20v03)

J.D. Course | 3 credit hours
This course will explore legal and business issues that arise in connection with the development, production and exploitation of entertainment product, with a primary focus on theatrical motion pictures, television and digital content. Topics will include contracts and contractual relations in the entertainment industry; individual and publicity rights; protection of literary material; the protection of ideas; representation of clients in the entertainment industry; issues raised by exploitation of entertainment works in the distribution chain; the roles of agents, managers and creative executives; and so-called “backend” participation accounting. We will explore how digital innovation and technology has dramatically transformed the production and distribution of content and how relevant law, public policy and business principles apply to this industry (including the role of copyright and antitrust throughout the history of the business). The class will strive to emphasize real-world lawyering and how to advance a client’s interests through careful business analysis, the crafting of contract language and legal interpretation.

Class participation is encouraged and will form some part of the grade.

Recommended: Copyright Law and/or Trademark and Unfair Competition Law.

LAW 656 v00 Entrepreneurship and the Law: Evaluating Client Business Plans and Growth Strategies (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20656%20v00)

J.D. Course (cross-listed) | 2 credit hours
This two-credit course will focus on the processes and challenges of entrepreneurship and the legal and strategic roles that a lawyer plays as an advisor to early-stage and rapid-growth companies. Topics will include: the entrepreneurial mindset, capital formation, resource management, forecasts and projections, leadership and team building, the entrepreneur-attorney relationship, leveraging intellectual capital and related growth strategies. Students will work in teams on midterm assignments and a final assignment that will include analyzing a business plan. The goal of these exercises is to develop the skills that are essential to the evaluation of business plans and strategic growth of companies and to build an advisory skill set. Guest speakers will include entrepreneurial leaders, accountants, investment bankers and others involved in the entrepreneurial advisory process. Students who are interested in representing and advising entrepreneurs and start-up companies or in becoming entrepreneurs themselves will benefit from this class. This class also will be beneficial for JD/MBA joint degree students.

Prerequisite: Corporations.

Recommended: Corporate Taxation (formerly Taxation II).

Mutually Excluded Courses: Students may not receive credit for both this course and Entrepreneurship: Scaling a Business from Inception to Exit or Entrepreneurship: The Lifecycle of a Business.
LAW 1489 v00 Entrepreneurship: Scaling a Business from Inception to Exit

J.D. Seminar (cross-listed) | 1 credit hour
Entrepreneurship: Scaling a Business from Inception to Exit is a class for law students taught by entrepreneurs who formerly were lawyers. For those students interested in starting or working for an early-stage company at some point in their careers, this course will equip them with practical information and strategies that will prove useful throughout the entrepreneurial process. The curriculum will focus on all aspects of entrepreneurship, including: idea generation and business plan creation; forming a company; recruiting a team of key employees and advisors; developing a product/service; raising capital; business development/sales/marketing; Board and investor relations; and fostering a strong business culture. The course will conclude by focusing on a host of issues surrounding exit transactions.

The course will be broadly applicable to students interested in entrepreneurship. It uses a real-world approach to learning, leveraging heavily off the extensive experience of the two professors who themselves have engaged in multiple entrepreneurial ventures, as well as guest speakers with particular expertise in certain topics covered by the course.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Entrepreneurship and the Law: Evaluating Client Business Plans and Growth Strategies or Entrepreneurship: The Lifecycle of a Business.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.

LAW 1617 v00 Entrepreneurship: The Lifecycle of a Business

J.D. Course (cross-listed) | 2 credit hours
This course is targeted towards law students who are interested in participating in an entrepreneurial venture at some point in their career, whether in a business or legal role (i.e., as internal or external advisor). To be clear, it is a business class, not a traditional law class, although legal issues will be highlighted and addressed throughout, as they would be if taught to business students since business and legal issues are always closely intertwined. The primary objective of this course is to give students an understanding of and appreciation for the primary and critical steps in the lifecycle of a start-up, from inception to raising capital to scaling/business execution to exit.

The course takes a real-world approach to learning, leveraging heavily off the extensive experience of the Professor, who has successfully executed two entrepreneurial ventures, as well as guest speakers with particular expertise in certain topics covered by the course and a simulation group exercise involving a real-life start-up scenario. This perspective should help prepare students for the real-life challenges — and rewards — of engaging in entrepreneurship and business building. This course is aimed at law students who are interested in participating in an entrepreneurial venture at some point in their career, whether in a business or legal role (i.e., as internal or external advisor).

Course Goals / Student Learning Outcomes:

- At the end of the class, students will understand how to, among other important topics:
  - start and structure a business with the right team and idea;
  - draft an effective business plan and raise capital from different sources;
  - build a collaborative company culture and infrastructure for scalability; and
  - exit the business while maximizing value.
- The goal is to give students an understanding of and appreciation for the primary steps in the lifecycle of a start-up, from inception to raising capital to scaling/business execution to exit.
- Students will gain an appreciation for the practical requirements and challenges (and rewards) of starting and building a business, as well as the attendant legal issues at each step in the start-up process.

Recommended: Corporations.

Mutually Excluded Courses: Students may not receive credit for this course and Entrepreneurship and the Law: Evaluating Client Business Plans and Growth Strategies or Entrepreneurship: Scaling a Business from Inception to Exit.
LAW 1702 v00 Environmental Advocacy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201702%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
In a warming world, environmental advocacy is more important than ever. This course explores an array of discourses — from art, literature, and religion, to science, economics, and law — and an array of strategies — from direct action, to community building, to lawsuits — environmental advocates might embrace in pursuing their cause. We will explore the potential contributions of non-legal environmental discourses and strategies to legal argument, and the potential contributions of law to non-legal discourses and strategies. A basic aim of the course is for students to see the possibility that progress on environmental protection might come through discourses other than law and through strategies other than lawsuits, while also appreciating the profound role law has played (for good and ill) in shaping the environment we have today. To give this rather sprawling subject a tangible core, the focal point for our discussions throughout the course will be the protection of forests and trees.

Recommended: Recommended but not required: Prior or concurrent enrollment in environmental law, natural resources law, or international environmental law.

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

LAW 1277 v00 Environmental Dispute Resolution Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201277%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
The Environmental Dispute Resolution Seminar is an advanced practice course for students considering a career in any facet of environmental law or related regulatory fields. It explores the characteristics of environmental disputes and, through simulations, sharpens students’ skills in client communication, persuasive writing, oral advocacy, as well as negotiation and litigation strategy. The Seminar centers 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 these practical applications, students evaluate the utility and limitations of various approaches to resolution. The Seminar further develops each student’s understanding of the key strategic decisions an attorney must make during various phases of dispute progression and resolution, including pre-enforcement determinations regarding compliance counseling. Students will ultimately 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: 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 1274 v01 Environmental Justice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201274%20v01)
J.D. Seminar (cross-listed) | 2 credit hours
This two-credit course will introduce the concept of Environmental Justice in a variety of contexts, along with the specific legal challenges and remedies that arise from constitutional rights, statutory requirements, or executive actions.

No pre- or co-requisites are indicated for this course, so please do not hesitate to register regardless of your prior experience with environmental and/or constitutional law.

Learning Objectives:
The following outcomes are identified for this course.

1. Develop a Working Definitions of Environmental Justice
2. Key Questions to be Addressed
   • What is the “environment”?
   • What are environmental problems or issues addressed by the law?
   • What is environmental law?
   • What are methods for environmental problem identification, analysis, and resolution?
3. Applications of existing environmental laws and remedies to resolve such problems.
4. Identification of inadequacies of such laws and remedies and their equitable enforcement.
5. Identification of current reform proposals to address such inadequacies.
6. Creative environmental legal problem solving by students that addresses inadequacies of current law and its enforcement.
   • What are methods for environmental justice problem identification, analysis, and resolution? How to identify and/or address environmental justice issues in an area of interest to you (e.g., an issue arising in your hometown or other area that is significant to you).
7. Understand the specifics of Environmental Justice:
   • Federal and selected state constitutional rights and remedies
     • Equal protection
     • Due process (substantive or procedural)
     • Express environmental protection rights under selected state constitutions
     • Substantive rights to environmental quality
   • Federal Statutory Rights and Executive Actions
     • Title VI of the Civil Rights Act of 1964 and implementing regulations.
     • Other federal civil rights statutes and regulations, e.g., Fair Housing Act
     • Federal Executive Order 12898 on Environmental Justice and federal agency policies and procedures to implement the Executive Order.
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 Oil Pollution 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.

This course focuses on legal strategies to regulate and remedy environmental harms. It 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20156%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
Students in this class will have an opportunity to produce publishable scholarship and learn how to comment on the scholarship of eminent scholars in the field. The class will introduce you to some of the best academic scholars in environmental law who will present a work-in-progress for you to comment on. The centerpiece of the course is a series of workshop meetings at which a scholar presents a work-in-progress followed by commentary on that work by a representative from one of the three branches of government with major responsibilities related to environmental law or policy making in Washington, D.C. The class's structure gives enrolled students a unique opportunity to participate in that exchange.

Students can fulfill their upper level writing requirement with an opportunity to produce substantial, publishable legal scholarship on a topic related to environmental or natural resource law, broadly defined, and receive three credits for their efforts. Students who elect to take the course for only two credits will write three papers of no more than five pages each commenting critically on the work of three of the visiting scholars and present those comments orally at a class session to the scholar.

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 754 v01 Epidemiology for Lawyers (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20754%20v01)
LL.M Seminar (cross-listed) | 1 credit hour
Increasingly, lawyers and policymakers are confronted with the need to evaluate scientific research about causes of good or ill health. Should the family of a person who was exposed to asbestos and later died of lung cancer sue? At what level should mercury in tuna violate regulatory standards? What measures can be employed to control the spread of an Ebola outbreak or to prevent obesity? Will mandatory quarantines save lives if a bioterrorist releases anthrax in a major city?

This class will provide students with a basic toolset in public health's empirical methods. Disciplines such as epidemiology, risk assessment, and biostatistics provide ways to systematically evaluate proposed policy and search for answers in the quest for better health. To illustrate how these methods are deployed in practice, we will discuss case studies from the Ebola epidemic in West Africa, Zika virus, Middle East Respiratory Syndrome (MERS), and novel avian influenza, among others. We will also examine US domestic health issues that engage questions of law, policy, and democracy.

Students who successfully complete this class will not be trained to be professional scientists. However, students will be able to:

1. Understand fundamental epidemiological concepts;
2. Interpret health data and research;
3. Critically evaluate empirical claims;
4. Identify when assistance from health experts is required; and
5. Apply learnings to the development of policy and laws.

Lawyers with training in epidemiology will be able to more effectively respond to emerging and persistent issues in our complex society, whether they practice in health law, torts, environmental regulation, law enforcement, or human rights.

Note: Not intended for MPH students. No prior knowledge of Epidemiology is assumed.

WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 1:30 p.m. - 4:50 p.m.
This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 2042 v01 Ethics in Tax Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202042%20v01)
LL.M Course (cross-listed) | 2 credit hours
This course provides students with an opportunity to consider and address the ethical issues that attorneys frequently encounter in different kinds of modern-day tax practice, either tax planning or controversy. Such contemporary issues relate to conflicts of interest, evidentiary privileges and confidentiality duties, tax return preparer penalties, tax opinion standards, tax shelters, federal-court petitions for injunctive relief and for review under the Administrative Procedure Act, and rules governing disciplinary proceedings. To help students to grapple with these issues, both individually and in collaboration with fellow students, this course will provide a legal framework and tools to analyze and address the tax lawyer's legal and professional obligations under the American Bar Association's Model Rules of Professional Conduct, as adopted by state disciplinary authorities, Treasury Department Circular No. 230 (the regulations governing practice before the Internal Revenue Service), and the Internal Revenue Code's penalty provisions.

Prerequisite: For J.D. students only: J.D. students who wish to enroll in this course must first complete a Professional Responsibility course.

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University's COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

LAW 462 v00 EU Law: Selected Topics in ECJ Jurisprudence (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20462%20v00)
J.D. Course (cross-listed) | 1 credit hour
The course examines the role the European Court of Justice plays in the shaping of European private law as it relates to the functioning of the EU Single Market. It focuses on the way in which the court has interpreted the EU Treaty in order to ensure effectiveness of EU law, and analyzes some of the landmark cases in that area. The course also shows how the court has dealt with the interpretation of directives, particularly in the field of consumer protection, and what impact this case law has on national law making.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 10, 2022, through Thursday, January 13, 2022, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed between January 21 and January 28, 2022. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Attendance is mandatory at all class sessions. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 487 v02 EU Tax Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20487%20v02)
LL.M Course (cross-listed) | 1 credit hour
Tax harmonization within the European Union is very difficult to achieve. Most legislative measures of the European Union in this area require the consensus of all 27 member states. The only real engine of harmonization seems to be the European Court of Justice (ECJ). The ECJ itself cannot harmonize the tax systems, however, the Court can force the member states to open their tax systems for tax competition within Europe. The judgments delivered by the ECJ are most of the time very surprising, even to experts.

The course focuses on very recent judgments of the Court of Justice. By analyzing some selected judgments, students should learn about the guiding principles of European tax law, as they have been developed by the ECJ on a case to case basis, and about the approach of the Court and the role the Court plays. Students should get an impression about possible future developments of European tax law.

Prerequisite: Students need to have taken a basic income tax course - either about the US tax system or about the tax system of another country.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 29th through Friday, February 5th, 2021.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 1662 v00 European Constitutional Traditions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201662%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course explores the various constitutional traditions that evolved in Europe in the last two centuries, in search of the continuity (or the discontinuity) that characterises every constitutional context and the particular constitutional culture thereof.

If the British constitutionalism epitomises the continuity across the eleven centuries of its monarchy, both the devolution of powers in Scotland and Northern Ireland affirmed in the last decades and the Human Rights Act 1998 (not to mention Brexit) have challenged a perfectly seamless flow of constitutional coherence. How have these events changed British constitutionalism?

Despite the beheading of King Louis XVI in 1793, French constitutionalism has in fact been identified with a recurring monarchical feature: even the law, that became the expression of the popular will once the yoke of the ancien régime was thrown off, acquired the same omnipotence that used to be conferred to the crown and was subsequently removed from any constitutional adjudication for a long time. Is it possible to recognize this monarchical feature also in the 1958 Fifth Republic Constitution and, if so, where?

What about the discontinuity between the German Weimar Constitution, adopted in 1919 after the deposition of King Wilhelm II, and the 1949 Basic Law? What part did fear of the past play in the drafting of the new German constitutionalism and in setting an example of efficiency and human dignity? Are there any similarities between the German and the U.S. constitutional patriotism?

What about the move in Spain from the national unity imposed by Generalissimo Franco's long tyranny to the 1978 asymmetrical regionalism? Did Catalonia's efforts towards independence comply with the Spanish constitutional norms? And what about the transition of Eastern European countries from socialism to (illiberal) democracy?

Finally, a part of the course will be devoted to the discussion of some judgments issued either by domestic European constitutional courts or the European Court of Human Rights (ECHR): these cases will constitute the basis for a comparison with the U.S. constitutionalism during the classes co-taught with Justice Sonia Sotomayor, with special reference to how judicial review is performed, the relationship between the judiciary and other branches, the countermajoritarian difficulty, the judicial and hermeneutical techniques adopted, the recurrence of analogous petitions before the courts, and the possible cross-fertilisation among them.
LAW 1391 v00 European Law and Policy in Times of Crisis (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201391%20v00)

J.D. Course | 3 credit hours
The course will introduce students to basic areas of law and policy in the European Union (EU), with an emphasis on the changes that have been brought about through the management of three important crises: the euro crisis, the refugee crisis, and Brexit. During the first half of the course, we will focus on understanding the basic institutional and legal architecture of the EU, including basic substantive areas of law such as economic freedoms and fundamental rights. During the second half of the course we will study the causes and effects of this “perfect storm” of crises within the EU, and critically evaluate the EU’s regulatory response. The question of the EU’s future will be an organizing axis for our discussions throughout the course.

The course will allow students:

• To develop a solid understanding of the EU’s basic institutions and functioning
• To develop an understanding of the basic debates surrounding the nature of the EU (Is it a state? Is it a federation? Is it something all together different and new?)
• To familiarize themselves with a selection of important EU legal texts and cases
• To compare styles and forms of legal reasoning (US/EU)
• To develop an understanding of the changes that are currently being brought about through the management of the biggest crises since the EU’s inception
• To develop an understanding of the interaction between legal and political factors in the management of these crises and therefore an understanding of the “law in action” in the context of the EU

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

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 816 v00 European Union Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20816%20v00)

J.D. Seminar (cross-listed) | 2 credit hours
This two-credit course aims to give students a comprehensive introduction to European Union law in the context of ongoing economic and political challenges facing the 28-country bloc – notably, the shadow of Brexit. The first half of the term covers the foundations of EU law, laying out key legal and political themes and principles associated with European integration and surveying the succession of treaties that have led to today’s Union. Next the course examines key features of the EU judiciary and perspectives on the EU legal order from the Court of Justice and national constitutional courts, followed by consideration of the EU’s increasingly important fundamental rights framework and a look at EU citizenship. The second half of the course covers in turn the basics of the EU’s internal market arrangements, data protection and associated law enforcement and security issues, and the law governing the external relations of the Union, before concluding with a look at legal issues stemming from Brexit and the prospects for the EU’s future.

Overall this survey offers a compressed look at the constitutional, administrative, human rights, economic, security and foreign relations law of the European Union, making comparisons to U.S. law as appropriate. The emphasis throughout is on institutional aspects and the relationship between different actors within the EU and between the Union and its member states. The required basic text is Robert Schütze, An Introduction to European Law, 2nd edition (Cambridge University Press, 2015).

Students will be assessed by a mid-term exam, a final paper of approximately 8-12 pages, and class participation.

Mutually Excluded Courses: Students may not receive credit for both this seminar and European Law and Policy in Times of Crisis.
LAW 816 v08 European Union Law: Foundations and International Reach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20816%20v08)
J.D. Seminar (cross-listed) | 2 credit hours
What does the difficult divorce between the United Kingdom and the European Union demonstrate about the centrality of EU law to British life? Why has a new European privacy regulation become a centerpiece of U.S. technology companies’ efforts to rebuild trust in their global products? What authorities, and constraints, bind EU agencies and courts when they confront U.S. multinationals or U.S. government security and surveillance programs? What legal tools can “Brussels” deploy to respond to challenges from Moscow and rein in EU member states that stray from the rule of law? How is the EU adapting to – and precipitating – new worldwide trade and investment trends, including the retreat from investor-state dispute settlement?

This two-credit survey tackles such questions in the course of providing a comprehensive introduction to the scope and operation of the law of the European Union. The first half begins by focusing on the key legal and political dimensions of European integration and the main features of the succession of treaties that have led to today’s Union. We then examine the EU judiciary and its relationship to national constitutional courts, followed by consideration of the EU’s increasingly important fundamental rights and citizenship framework. In the second half, we turn to the EU’s internal market arrangements, the law governing its economic and other external relations, and data privacy and associated security issues. Brexit and other political and institutional developments are addressed throughout the term.

The course is led by instructors with long experience counseling the U.S. government and private sector in Washington and in Brussels on how to engage with and understand the EU and its governing institutions. (Views expressed by the instructors are their own, not attributable to their employers.) Ranging across EU constitutional, administrative, human rights, economic, security and foreign relations law, the course includes comparisons to U.S. legal concepts and cases as appropriate. Students also will gain a political appreciation for how EU bodies interact with each other and with member states and third countries. A research memorandum on a current EU law topic of the student’s choice is the principal form of assessment.

The course has no prerequisites. International Law or related courses may be useful at the margins. Students who have taken European Law and Policy in Times of Crisis are not eligible to enroll.

Learning Objectives:

- Understanding the historical and current context in which European integration has evolved, the legal fundamentals and doctrines that underpin the European Union, and the nature of the relationship between EU institutions and Member States.
- Understanding general structure and specific instruments of EU primary and secondary law, including the text of essential articles in the EU Treaties, as well as how to identify and work with a variety of EU law source materials.
- Connecting and applying legal understandings to current/ongoing political developments involving the EU, member states and third countries, including by producing a professional-caliber legal research memorandum on an EU law topic of personal interest.

Mutually Excluded Courses: Students may not receive credit for both this seminar and European Law and Policy in Times of Crisis.

LAW 1749 v00 Evenings with Outlaws Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201749%20v00)
J.D. Seminar | 3 credit hours
The goal of this (constitutional law and lit) seminar is to see what we can learn from those who, by choice or otherwise, find themselves placed outside the law—literally in some cases, metaphorically in all. These are not figures who are merely challenging the constitutionality of a law or laws; rather, they are demanding a radical overhaul of our very idea of law. For them, law as it exists has been a means to injustice. In each unit below (other than the Conclusion), I have paired background “lit” readings with constitutional readings. The units are: 1) A Covenant with Death?: Our Founding Documents and Original Meaning (paired with Dred Scott); 2) Slavery by Another Name: Prison Lit, Race, and Law (paired with case law interpreting the Thirteenth Amendment); 3) Fighting Fa...
**LAW 165 v01 Evidence**

J.D. Course | 4 credit hours

This course studies the rules of evidence and the reasons underlying these rules. Included are the subjects of relevance, examination of witnesses, privileges, expert testimony, admission and exclusion of evidence, writings, the hearsay rule and its exceptions, presumptions and scientific evidence, among other subjects relating to the regulation of proof at trials.

**Recommended:** Prior or concurrent enrollment in Civil Procedure (or Legal Process and Society) or Criminal Procedure or Criminal Law.

**LAW 165 v04 Evidence**

J.D. Course | 4 credit hours

This course is a study of the Anglo-American rules of proof, focusing on the Federal Rules of Evidence. The scope and function of the rules are examined against the backdrop of problems arising in the trial of issues of fact. Topics include relevance, impeachment, character evidence, hearsay and its exceptions, lay opinion and expert testimony, the best evidence rule and authentication.

In-class final exam.

**Recommended:** Criminal Justice and/or Criminal Law. Students who have a question about whether their prior course in these topics will provide sufficient background may contact Prof. Rostain at tr238@georgetown.edu.

**Note:** Laptop use is not permitted.

In Fall 2021, class will meet for three hours each week, with fourth hour of weekly course content delivered asynchronously.

**LAW 165 v07 Evidence**

J.D. Course | 3 credit hours

This course is devoted to creating in the students a thorough understanding of the Federal Rules of Evidence. While cases interpreting the rules will be studied, emphasis will be placed on creating in the students such a familiarity with these Rules that the students will be able to invoke them instinctively in the mere seconds a lawyer has to object to evidence. Understanding of each rule will be developed by the students applying each Rule to realistic problems. The professor, who was a judge, will attempt to create a courtroom in the class room and to teach the knowledge that a lawyer must have to try a case competently and in accordance with the Federal Rules of Evidence.

**Learning Objectives:**

The learning objectives of this course are: (1) to understand the meaning and application of each of the Federal Rules of Evidence; (2) to appreciate how the courts have interpreted these Rules and what questions of their interpretation remain open and debatable; (3) to understand the restraints imposed upon the receipt of evidence by the constitutional rights to present a defense and to confront the witnesses against one self; (4) to have such a comprehensive understanding of the Rules and their application that the student will be able to object or respond to an objection to the receipt of evidence in the limited time permitted by the reality of trying a case to a jury; (5) to be able to try a case in a federal court competently because of one's knowledge of the Federal Rules of Evidence; (6) to appreciate the ethical requirement of being a competent trial lawyer and (7) to develop the knowledge necessary to be a competent lawyer in any proceeding where evidence is received.

**Recommended:** Civil Procedure (or the equivalent Legal Process and Society) or Criminal Procedure or Criminal Law.

**Note:** NOTE FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

**LAW 165 v08 Evidence**

J.D. Course | 2 credit hours

In this course we will study the basic rules and principles of American evidence law, focusing primarily on federal law (the Federal Rules of Evidence and cases interpreting them). Topics covered will include: relevance, the hearsay rule and its exceptions, character and propensity evidence, examination and impeachment of witnesses, authentication and best evidence rules, privilege, unfair prejudice, and some of the constitutional questions that arise in connection with evidence.

**Recommended:** Prior or concurrent enrollment in Civil Procedure (or Legal Process and Society) or Criminal Procedure or Criminal Law.
LAW 165 v09 Evidence (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20165%20v09)
J.D. Course | 4 credit hours
This course will examine the rules of evidence with a particular focus on how these rules are practically applied by litigators in the courtroom. The course will focus primarily on the Federal Rules of Evidence, with additional consideration given to recent developments in constitutional law. Topics covered in this course will include relevance, hearsay (and its many exceptions), expert evidence, lay and expert opinion, character evidence, and impeachment of witness. We will consider these rules pragmatically with an eye toward crafting the most effective arguments for an audience of judges.

Learning Objectives:
1. Students will analyze case law, including a close reading of cases and apply that law to fact
2. Students will assess advocacy strategies by comparing the usefulness of different arguments in the courtroom
3. Students will practice making and responding to objections with the goal of being able to quickly make such arguments in the courtroom
4. Students will understand the policy arguments underlying the Rules of Evidence with the goal of being able to more fully understand their purpose.

Recommended: Civil Procedure (or the equivalent Legal Process and Society) or Criminal Procedure or Criminal Law.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.

LAW 165 v10 Evidence (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20165%20v10)
J.D. Course | 4 credit hours
This course studies the Federal Rules of Evidence and the application of those rules in litigation. Included are the subjects of relevance, the hearsay rule and its exceptions, examination of witnesses, privileges, expert testimony, presumptions and scientific evidence, among other subjects relating to the regulation of proof at trials.

Learning Objectives:
Provide students with a working knowledge of how the rules of evidence are applied in court so that they can use that knowledge to be better trial attorneys and to better prepare for the bar exam.

Recommended: Prior or concurrent enrollment in Civil Procedure (or Legal Process and Society) or Criminal Justice (or Democracy and Coercion) or Criminal Procedure or Criminal Law.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Monday, July 12.

LAW 1491 v00 Externship I Seminar (J.D. Externship Program) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201491%20v00)
J.D. EXT | 3-4 credit hours
In the J.D. Externship Program, students work under the supervision of a field supervisor attorney to gain substantial lawyering experience that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-j-d-students) for detailed program information.

Identifying a Placement:
Students are responsible for finding their own judicial, governmental, or nonprofit field placements. The Office of Public Interest and Community Service (OPICS) is available, by appointment, to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help students identify an externship placement.

Fieldwork:
Students work for 18.5 or 27.5 hours per week for at least 6 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student’s legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 18.5 hours of fieldwork/week for at least 6 weeks or 3 pass/fail credits for 27.5 hours of fieldwork/week for at least 6 weeks. During the summer session, students are permitted to extern at judicial, government, or nonprofit entities anywhere in the United States.

Note: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last day of summer registration or they will be dropped from the Summer 2021 J.D. Externship Program and companion seminar.

Note: For the 2021 Summer Session, students are permitted to conduct their fieldwork remotely in the J.D. Externship Program.

Seminar:
In addition to their field work, students participate in an interactive, one credit, letter-graded seminar, incorporating multiple opportunities for students performance of various professional lawyering skills and development of professional competencies that are universal to numerous legal settings. The seminar meets weekly (six times total) during the summer session. Attendance is mandatory at all six class sessions.
LAW 1491 v01 Externship I Seminar (J.D. Externship Program) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201491%20v01)
J.D. EXT | 3-4 credit hours
In the J.D. Externship Program, students work under the supervision of a field supervisor attorney to gain substantial lawyering experience that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-jd-students) for detailed program information.

Identifying a Placement:

Students are responsible for securing their own judicial, governmental, or nonprofit field placements. The Office of Public Interest and Community Service (OPICS) is available, by appointment (https://www.law.georgetown.edu/your-life-career/career-exploration-professional-development/for-jd-students/make-an-appointment), to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help students identify an externship placement.

FIELDWORK: Students work for 10 or 15 hours per week for at least 11 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student's legal or policy work. For the Fall 2021 semester, students are permitted to conduct their fieldwork remotely in the J.D. Externship Program. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 10 hours of fieldwork/week or 3 pass/fail credits for 15 hours of fieldwork/week.

Note: Students can begin working toward the hours/week requirement (110 or 165 hours total) from the first day of regular, semester-long classes. Students must complete the total hours requirement by the last day of classes. For the Fall 2021 semester, students are permitted to conduct their fieldwork remotely in the J.D. Externship Program.

Note: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last business day before Add/Drop ends or they will be dropped from the J.D. Externship Program and companion seminar.

SEMINAR: In addition to their fieldwork, students participate in an externship seminar. In the seminar, students develop the tools necessary to fully participate in and learn from their contemporaneous field placement experiences. Additionally, students will become more adept at reflecting on and evaluating their practical experiences to ensure the lessons learned during the externship can assist with the development of future professional goals. Students will participate in a biweekly, interactive seminar, incorporating multiple opportunities for student performance of various professional lawyering skills and development of professional competencies that are universal to numerous legal settings.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-jd-students) for detailed program information.

Identifying a Placement:

Students are responsible for securing their own judicial, governmental, or nonprofit field placements. The Office of Public Interest and Community Service (OPICS) is available, by appointment (https://www.law.georgetown.edu/your-life-career/career-exploration-professional-development/for-jd-students/make-an-appointment), to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help students identify an externship placement.

FIELDWORK: Students work for 10 or 15 hours per week for at least 11 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student's legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 10 hours of fieldwork/week or 3 pass/fail credits for 15 hours of fieldwork/week.

Note: Students can begin working toward the hours/week requirement (110 or 165 hours total) from the first day of regular, semester-long classes. Students must complete the total hours requirement by the last day of classes.

Note: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last business day before Add/Drop ends or they will be dropped from the J.D. Externship Program and companion seminar.

SEMINAR: In addition to their fieldwork, students participate in an externship seminar. In the seminar, students develop the tools necessary to fully participate in and learn from their contemporaneous field placement experiences. Additionally, students will become more adept at reflecting on and evaluating their practical experiences to ensure the lessons learned during the externship can assist with the development of future professional goals. Students will participate in a biweekly, interactive seminar, incorporating multiple opportunities for student performance of various professional lawyering skills and development of professional competencies that are universal to numerous legal settings.

Portions of the seminar will be taught using a flipped classroom model. Students receive one credit for the seminar, which is graded on a letter grade basis.
LAW 1492 v00 Externship II Seminar (J.D. Externship Program)
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201492%20v00)
J.D. EXT | 3-4 credit hours
In the J.D. Externship Program, students work under the supervision of a field supervisor attorney to gain substantial lawyering experience that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-j-d-students) for detailed program information.

Identifying a Placement:

Students are responsible for finding their own judicial, governmental, or nonprofit field placements. The Office of Public Interest and Community Service (OPICS) is available, by appointment, to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help students identify an externship placement.

Fieldwork:

Students work for 18.5 or 27.5 hours per week for at least 6 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student's legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 18.5 hours of fieldwork/week for at least 6 weeks or 3 pass/fail credits for 27.5 hours of fieldwork/week for at least 6 weeks. During the summer session, students are permitted to extend at judicial, government, or nonprofit entities anywhere in the United States.

Note: Students may begin working on their requirement (110 or 165 hours total) from the first day of the Summer Session. Students must complete their hours requirement by the last day of classes.

Note: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last day of summer registration or they will be dropped from the 2021 J.D. Externship Program and companion seminar.

Note: For the 2021 Summer Session, students are permitted to conduct their fieldwork remotely in the J.D. Externship Program.

Seminar:

In addition to their field work, students participate in an interactive one credit, letter-graded seminar, incorporating multiple opportunities for student performance of various professional lawyering skills and development of professional competencies that are universal to numerous legal settings. The seminar meets weekly (six times total) during the summer session. Attendance is mandatory at all six class sessions. Students must be fully eligible to conduct their fieldwork (i.e., security clearances and/or background checks complete) by the last business day before Add/Drop ends or they will be dropped from the J.D. Externship Program and companion seminar.

SEMINAR: In addition to their field work, students participate in an externship seminar. In the seminar, students develop the tools necessary to fully participate in and learn from their contemporaneous field placement experiences. Additionally, students will become more adept at reflecting on and evaluating their practical experiences to ensure the lessons learned during the externship can assist with the development of future professional goals. Students will participate in a biweekly interactive seminar, incorporating multiple opportunities for student performance of various professional lawyering skills and development of professional competencies that are universal to numerous legal settings.
LAW 1492 v02 Externship II Seminar (J.D. Externship Program) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201492%20v02)
J.D. EXT I 3-4 credit hours
In the J.D. Externship Program, students work under the supervision of a field supervisor attorney to gain substantial lawyering experience that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-j-d-students) for detailed program information.

Identifying a Placement:

Students are responsible for securing their own judicial, governmental, or nonprofit field placement. The Office of Public Interest and Community Service (OPICS) is available, by appointment (https://www.law.georgetown.edu/your-life-career/career-exploration-professional-development/for-jd-students/make-an-appointment), to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help you identify an externship placement.

FIELDWORK: Students work for 10 or 15 hours per week for at least 11 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student’s legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 10 hours of fieldwork/week or 3 pass/fail credits for 15 hours of fieldwork/week.

Note: Students can begin working toward the hours/week requirement (110 or 165 hours total) from the first day of regular, semester-long classes. Students must complete the total hours requirement by the last day of classes.

Note: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last business day before Add/Drop ends or they will be dropped from the J.D. Externship Program and companion seminar.

SEMINAR: In addition to their fieldwork, students participate in an externship seminar. In the seminar, students develop the tools necessary to fully participate in and learn from their contemporaneous field placement experiences. Additionally, students will become more adept at reflecting on and evaluating their practical experiences to ensure the lessons learned during the externship can assist with the development of future professional goals. Students will participate in a biweekly, interactive seminar, incorporating multiple opportunities for student performance of various professional lawyering skills and development of professional competencies that are universal to numerous legal settings. Portions of the seminar will be taught using a flipped classroom model. Students receive one credit for the seminar, which is graded on a letter grade basis.

LAW 611 v01 Extradition Simulation: International Law, Human Rights, and Effective Advocacy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v01)
J.D. Course | 1 credit hour
This course is designed to complement the rest of the 1L curriculum in several ways. First, it will expose you to selected elements of international and foreign law, beyond the usual concentration on the U.S. domestic law system. Second, our focus will be principally upon treaty texts, rather than judicial decisions, within a system that does not rely upon binding precedents in the same ways you have already encountered. Third, we hope to nurture your sensitivity to facts, as much as to law, as key elements in legal practice. Finally, through a series of collaborative simulation exercises, we intend to engage you in active, experiential learning in a direct, powerful way.

The four-day simulation is based upon a hypothetical attempt by the United States to secure the extradition of two accused terrorists, who have been indicted in federal court for participating in terrorist acts on U.S. soil, but who are currently resident in Russia and in France. The leaders in those countries appear willing to return the two suspects to the United States, but the effort may be blocked by those countries’ membership in the European Convention on Human Rights, which may bar extradition in cases where the accused would face the prospect of capital punishment or indefinite detention in harsh conditions.

Students will be assigned the role of counsel for one of the defendants or one of the governments, and will work in small teams on two primary tasks. The first exercise is to prepare for and conduct a fact-gathering interview of one of the clients. The second exercise is to plan, practice, and conduct a simulated hearing before the European Court of Human Rights. Throughout, students will be guided by the instructor and by a team of teaching fellows in the development of essential lawyering skills, including fact development and analysis, problem solving, strategic planning, and effective oral advocacy.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2020, through Thursday, January 9, 2020. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who are enrolled through a lottery process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information, see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, December 2, at 3:00 p.m. After that point, permission to drop from the course professor and Assistant Dean for Experiential Learning is required. Students who are enrolled but do not attend the first class session will be withdrawn from the course.
**LAW 173 v01 Family Law I: Marriage and Divorce**

[http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20173%20v01](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20173%20v01)

J.D. Course | 3 credit hours
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This course examines the domestic relationships of adults, married and unmarried. Topics covered include marriage and other intimate relationships, divorce, custody disputes, alimony, child support, and division of property.

**Prerequisite:** Civil Procedure (or Legal Process and Society).

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

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**LAW 173 v03 Family Law I: Marriage and Divorce**

[http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20173%20v03](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20173%20v03)

J.D. Course | 3 credit hours
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This course examines the legal regulation of the domestic relationships of adults, married and unmarried. Topics covered include marriage and other intimate relationships, divorce, custody disputes, alimony, child support, and division of property. We will also spend some time thinking about the big theoretical and policy questions of the field, especially in regards to Assisted Reproductive Technologies and their potential for changing traditional notions of the family.

Please note that there is a midterm examination for this course, which consists in a divorce negotiation exercise. The midterm counts for 50% of your final grade. For the purposes of the exercise you will be required to meet once outside of classroom time with your partner in preparation for the negotiation and once more with your partner and opposing counsels in preparation of the final settlement agreement.

The course will be divided into smaller modules and students will be required to complete several individual and group assignments throughout the semester, which will count towards their grade. The course has been re-designed to accommodate the hybrid version of teaching that Georgetown is planning for the fall. Please do not hesitate to contact me at pt96@law.georgetown.edu with your questions. Looking forward to seeing you in the fall!

**Note:** There is a graded midterm exercise in this course.

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**LAW 174 v01 Family Law II: Child, Parent, and the State**

[http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20174%20v01](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20174%20v01)

J.D. Course | 3 credit hours
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This course examines decision-making within diverse family structures. It considers the relational distribution of power and responsibility among child, parent, and the state. It will consider these broader questions through the study of selected topics including procreative decision-making, informed consent within the family unit, child abuse and neglect, reproductive technologies, and adoption. These topics address some of the most current, multi-faceted, and dynamic areas of modern family law to study. These areas are changing rapidly and profoundly in law, society, and politics. This course intersects with many other areas of law in complex ways, such as Torts, Contracts, Constitutional Law, and Professional Responsibility and provides great depth and breadth in job opportunities and law reform initiatives.

By the completion of this course, you should be able to:

- Analyze legal issues governing decision-making within family structures;
- Contextualize family decision-making using multi-faceted lenses grounded in social, economic, and policy considerations and recognizing the implications of legal frameworks across cultures, communities, and diverse family structures;
- Construct persuasive client narratives to achieve specific client goals;
- Advise clients regarding their rights and responsibilities as parents;
- Read and interpret statutory provisions regulating the family unit and analyze their constitutionality, their policy implications, and their effect on prospective clients.

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

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**LAW 174 v00 Family Law II: Child, Parent, and the State**

[http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20174%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20174%20v00)

J.D. Course | 3 credit hours
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This course examines who makes decisions. It considers the the distribution of power and responsibility among child, parent, and the state through the study of selected topics, including procreation, education, medical decision making, child abuse and neglect, emancipation, and adoption. Family Law I is not a prerequisite.

**Recommended:** Prior or concurrent enrollment in Constitutional Law II: Individual Rights and Liberties.
This course examines the regulation of financial intermediaries. The stated goal of regulation is to ensure systemic stability and to pursue consumer protection. We will ask how well the balance between systemic stability and consumer protection had been maintained before the crisis of 2008. The course is devoted to federal regulation of banks, bank holding companies, financial holding companies and their affiliates. Topics include restrictions on activities of banks, holding companies and their affiliates, the history of and policy rationales for geographic restrictions on banking; special antitrust regulation of banks, debates about the role of capital adequacy requirements, community reinvestment requirements, bank supervision, and failed banks. With the market and legal changes of the past decade, the traditional market barriers between commercial banks and other financial institutions were largely dismantled. We will ask, did the federal response to the crisis produce a new paradigm for financial regulation? If it did not, why not?

The global financial crisis of 2008 provides a fertile laboratory for examining the fractured financial regulatory system, and the proposals for reform. The course will examine selected topics from the legislative agenda for reforming the financial regulatory system. These topics include among others, the role of subprime home mortgage lending and mortgage-backed securities in creating systemic risk, the consumer regulatory responsibilities of the Federal Reserve. We will identify some questions arising from the role of private credit rating agencies and securitizations in the financial collapse. and the competing claims of fairness, executive compensation and systemic risk, global financial responses.

The course begins with the basic overview of concepts applicable to financial intermediaries and ends with an assessment of the framework for future reform. We will pay special attention to the role of predatory consumer lending in sparking the collapse of banks. We will look at the fate of proposals to create a Consumer Financial Protection Agency, with independent rule making authority.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Financial Services: Regulation in the Age of Disruption or Financial Crises.

**Note:** All students are expected to attend class regularly.
This course addresses the constitutional and statutory provisions, as well as the jurisdictional doctrines and concepts, that shape and limit the role played by the federal courts in the governmental process. Representative topics include Congressional power to curtail federal jurisdiction, limitations on the ability of the federal courts to enjoin state court proceedings, federal common law, state sovereign immunity, federal habeas corpus, and the prerequisites for Supreme Court review of state court judgments. The primary emphasis of the course is on a critical analysis of these jurisdictional doctrines, although some time is spent on litigation aspects.

**Recommended:** Constitutional Law II: Individual Rights and Liberties.

**Mutually Excluded Courses:** Students may not receive credit for this course and the graduate course, U.S. Income Tax: Policies and Practices.

This is an introductory course in federal income taxation which considers the principles and policies of the Internal Revenue Code regarding the taxation of individuals and businesses. Major topics include the definition of income, deductions and exclusions, assignment of income, accounting, and issues of timing. Emphasis is placed on the use of the Internal Revenue Code and administrative and judicial material.

Professor Brown’s section has a primary focus on individual taxation issues.

**Mutually Excluded Courses:** Students may not receive credit for this course and the Federal Indian Law Seminar.

This seminar examines the body of law dealing with the status of the Indian tribes, their special relationship to the federal government, and the governmental policies underlying it. It will also focus on the legal interrelationships among tribal, state, and federal governments, tribal gaming and economic development, and tribal rights to natural resources.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the Federal Indian Law Seminar.

This seminar examines the body of law dealing with the status of the Indian tribes, their special relationship to the federal government, and the governmental policies underlying it. It will also focus on the legal interrelationships among tribal, state, and federal governments, tribal gaming and economic development, and tribal rights to natural resources.

**Mutually Excluded Courses:** Students may not receive credit for both this seminar and the course, Federal Indian Law.
LAW 1166 v00 Federal Litigation Practice: Litigating Challenges to Federal Agency Decisions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201166%20v00)

J.D. Seminar | 3 credit hours

The majority of civil cases involving the federal government arise from challenges to agency decisions ranging from contractor selection by government procurement officials to project approvals by both civilian and military agencies under various regulatory schemes implementing the nation’s health, finance, and environmental laws. This one-semester, three credit course will provide students with the opportunity to learn in a variety of factual contexts how to litigate federal cases challenging agency decision making on the administrative records prepared by agencies to support their decisions. Each class will focus on a particular stage in the litigation process. Students will be given reading and related litigation exercises that will be carried out in class. The class will culminate in arguing a motion for summary judgment on the administrative record in a courtroom setting.

This class is designed for students who are interested in gaining practical experience in litigating for or against the federal government. It will be of special help to students who are seeking internships or careers working for the Department of Justice, agencies, or private firms that focus on litigating over government regulatory decisions. This class is open to upper-level students who have taken Civil Procedure. Completing a class involving administrative law is helpful but not required.

Learning Objectives:

Develop and enhance analytical, writing, and oral argument skills associated with litigating on behalf of or against federal agencies.

Prerequisite: Civil Procedure (or Legal Process and Society).

Recommended: Administrative Law.

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

LAW 635 v00 Federal Money: Policymaking and Budget Rules (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20635%20v00)

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

Ostensibly neutral budget rules have come to dominate Federal policymaking; indeed, the budget procedure is arguably more crucial to a proposal's success in the Congress or the Administration than a majority of the votes or the support of a Cabinet member. Unfortunately, the budget process is poorly understood by most observers, advocates and even the Members of Congress themselves. This course will survey the fundamentals of budget process and the uses and abuses of it. Topics will include Federal grants funding, entitlement spending, "tax spending," and "off-budget" spending, as well as the budget aspects of current controversies such as health reform, tax policy, Social Security, defense spending, and economic stimulus spending.

Note: No accounting or budget background is needed.

LAW 1631 v00 Federal Practice Seminar: Contemporary Issues (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201631%20v00)

J.D. Seminar | 2 credit hours

This seminar will explore selected topics in Civil Procedure, Federal Courts, and Administrative Law in depth. The seminar will focus on topics that have recently gained attention in the Supreme Court or that may arrive in the Supreme Court in the near future. Each class will relate to only one or two such topics. Examples of possible topics include representative proof in class actions, personal jurisdiction in federal court on extraterritorial claims, the standing of States, congressional power to create standing, the status of prudential standing, nationwide injunctions, Chevron deference, Auer deference, the major questions doctrine, the constitutional status of ALJs, and the constitutional status of independent agencies. Depending on the topic, we may read Supreme Court decisions, scholarly literature, or Supreme Court briefs. There will be one major writing assignment, a paper of approximately 20-25 pages in length that addresses a topic in civil procedure, federal courts, or administrative law. The grade in the course will be based on the final paper, but that grade may be adjusted upward or downward one-half grade based on class participation.

LAW 386 v01 Federal Prosecution (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20386%20v01)

J.D. Seminar | 2 credit hours

We examine decision-making by federal prosecutors over the life of a federal case, from investigation through prosecution, through class discussion of articles and cases, and through guest speakers. We focus not just on legal, but also on organizational, cultural, and ethical factors that influence and constrain prosecution decisions.

Learning Objectives:

Students are expected to acquire a working familiarity with:

• The organizational environments within which federal prosecution takes place;
• The statutes governing violent crime and racketeering;
• The investigative tools used by law enforcement agencies and prosecutors;
• The practical significance of modern discovery obligations; and
• The range of federal criminal legal practice.

This is not a course in federal criminal trial advocacy; it is instead a survey of the entire process of federal prosecution, with an emphasis on the decisions that prosecutors have to make.

Prerequisite: Prior or concurrent enrollment in Criminal Law.

Recommended: Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Anatomy of a Federal Criminal Trial: The Prosecution and Defense Perspective.
LAW 765 v00 Federal Taxation of Bankruptcy and Workouts (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20765%20v00)  
LL.M Course (cross-listed) | 2 credit hours  
Provides a basic background in tax issues that arise under the Bankruptcy Code. The course will emphasize the treatment of tax claims in bankruptcy and the litigation of tax liabilities in bankruptcy court. Additionally, the course will cover the tax consequences that can flow from transactions while a case is pending under Title 11 or when a taxpayer engages in an insolvency workout. This includes discharge of indebtedness, carryover of net operating losses, and corporate reorganizations in bankruptcy cases. The focus is on Chapter 11 proceedings and corporate debtors. However, there will be some discussion of the tax effects on individuals and partnerships.

**Prerequisite:** Federal Income Taxation (formerly Taxation I).

**Recommended:** Prior or concurrent enrollment in Corporate Income Tax Law I or Corporate Taxation (formerly Taxation II).

LAW 455 v00 Federal White Collar Crime (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20455%20v00)  
J.D. Course | 4 credit hours  
This advanced criminal law course covers selected substantive and procedural areas of importance in “white-collar” criminal practice. A portion of the class will be devoted to the study of certain statutes and their applications, including examinations of mail and wire fraud, conspiracy, false statements and money laundering prosecutions. We will also study the United States Sentencing Guidelines and will explore the principles governing entity liability. The balance of the class will be devoted to an examination of subjects of particular concern to prosecutors and defense counsel in “white-collar” or business crime cases, including investigative and grand jury practices, privileges applicable in a corporate setting, immunity, plea bargaining, cooperation agreements, and the interplay between civil and criminal proceedings.

Students will be required to complete a number of short written assignments relating to the application of the Sentencing Guidelines, and the class will conclude with an examination.

**Prerequisite:** Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

**Recommended:** Criminal Law.

**Mutually Excluded Courses:** Students may not receive credit for this course and White Collar Crime and Securities Fraud.

**Note:** Students may take this course and Advanced Criminal Procedure, but it is not recommended.

LAW 455 v02 Federal White Collar Crime (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20455%20v02)

J.D. Course (cross-listed) | 3 credit hours  
This is an advanced course for the serious student interested in this area of law. It will cover procedural, substantive and practitioner oriented “tactical” considerations of “white-collar” criminal law. A student should have prior demonstrated interest in the subject area by having taken courses such as Evidence; Criminal Procedure; Constitutional Law or participated in one of the many GULC litigation clinics. The class will cover the principal federal “white collar” statutes, e.g., mail fraud, conspiracy, securities law, false statements, obstruction of justice and money laundering. Corporate criminal liability will be a course focus, covering necessarily related subjects, e.g., attorney-client privilege issues; “internal” investigations; government sponsored “Voluntary Disclosure” programs; litigation under the False Claims Act (Qui Tam); grand jury practice, document production, immunity, plea bargaining, co-operation agreements, discovery, and the interplay between civil and criminal proceedings, i.e., “parallel proceedings”. The class size is limited to maintain active class participation of interested students.

The class will conclude with a take home examination.

**Prerequisite:** Criminal Justice (or Democracy and Coercion), or Criminal Procedure.

**Recommended:** Criminal Law and Evidence.

**Mutually Excluded Courses:** Students may not receive credit for this course and White Collar Crime and Securities Fraud.

**Note:** J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.

LAW 455 v07 Federal White Collar Crime (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20455%20v07)

J.D. Course (cross-listed) | 3 credit hours  
This advanced criminal law course covers selected substantive and procedural areas of importance in “white-collar” criminal practice. A portion of the class will be devoted to the study of certain statutes and their applications, including examinations of mail and wire fraud, conspiracy, false statements and money laundering prosecutions. We will also study the United States Sentencing Guidelines and will explore the principles governing entity liability. The balance of the class will be devoted to an examination of subjects of particular concern to prosecutors and defense counsel in “white-collar” or business crime cases, including investigative and grand jury practices, privileges applicable in a corporate setting, immunity, plea bargaining, cooperation agreements, and the interplay between civil and criminal proceedings.

Students will be required to complete a number of short written assignments relating to the application of the Sentencing Guidelines, and the class will conclude with an examination.

**Prerequisite:** Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

**Recommended:** Criminal Law.

**Note:** Students may take this course and Advanced Criminal Procedure, but it is not recommended.
LAW 1514 v00 Federalism in Practice: The Role of Governors and State Executives in Advancing Public Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201514%20v00) (Fieldwork Practicum)
J.D. Practicum | 5 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course explores the legal and practical dimensions of policy making at the state level, with a focus on the role of governors and other state executives (e.g., attorneys general, legislators, secretaries of state). Students will participate in a two hour/week seminar and also undertake 15 hours/week of fieldwork with the National Governors Association, National Association of Attorneys General, National Conference of State Legislatures, or other state and local stakeholder group.

SEMINAR: This seminar will provide an overview of the constitutional underpinnings of federalism and the legal frameworks applicable to policy development and implementation (e.g., in healthcare, homeland security, emergency response, infrastructure and transportation); case studies on the challenges and opportunities of federal, state, and local cooperation; and practical guidance on the operation of governors’ offices and state agencies. It will also examine the role of the “Big Seven” associations in driving state and local interests at the federal level, and in facilitating the adoption of best practices across government. Students will be trained in written and oral communication for an audience of policymakers, and become skilled at distilling complex legal issues into actionable recommendations for executives. During the semester, students will hear from guest speakers who serve or have served in governors’ offices and state agencies, or who otherwise offer unique insight and expertise in topical issues. By the end of the course, students will understand how “good” public policy (ethical and effective) happens in the real world and the practical ways in which research/science, politics, ideology, tradition, and the law help to shape it.

FIELDWORK: Depending on students’ interests and the organization’s needs, students may be placed in NGA’s Center for Best Practices (Homeland Security & Public Safety Division) or one of the other “Big Seven” state/local associations, such as the National Conference of State Legislatures, National Association of Attorneys General, National District Attorneys Association, or Council of State Governments. Students will work with the organization’s staff and state officials to resolve legal questions and develop recommendations for state policymakers, such as: (1) writing a model cyber vulnerability disclosure policy for state agencies; (2) providing guidance on the legal implications of health reform; (3) constructing a model framework for addressing citizen privacy in homeland security policy; (4) identifying and analyzing novel legal issues raised by the deployment of the National Public Safety Broadband Network; (5) updating legal and procedural guidance for governors’ legal counsel; and (6) developing advocacy strategies for federal legislation that affects state interests. For the Fall 2021 semester, students are permitted to conduct their practicum fieldwork remotely.

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).

Recommended: No other courses are required, but background coursework in constitutional law, administrative law, and statutory interpretation may be helpful.

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

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

LAW 175 v00 Federalism Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20175%20v00)
J.D. Seminar | 3 credit hours
The so-called “federalism revolution” of the past 30 years, reflected in a series of controversial Supreme Court decisions, has engendered reams of commentary and provoked widespread litigation challenging a range of federal statutes under constitutional provisions including the Commerce Clause, the Spending Clause, and the Tenth and Eleventh Amendments.

Rarely has so complex a body of interrelated law developed so quickly. The seminar will trace the development of the Court’s recent federalism jurisprudence both from a doctrinal perspective and as a study in the dynamics of judicial decision-making. A critical aim of the course will be to understand the values underlying the federalism debate, and to observe judges and justices of all persuasions seeking to reconcile those values with other priorities and with the institutional limitations of the courts. We also will consider the extent to which the Court’s recent jurisprudence actually has altered the dynamics of federal-state relations and whether future decisions are likely to do so.

We will use the developing nature of the federalism jurisprudence as an opportunity to develop advocacy skills. Students will satisfy the writing requirement by writing a 25-page appellate brief in one of the cutting-edge cases designated on the syllabus or comparable academic paper. We will work closely with each student in developing the structure and argument of the brief or paper, and in moving from draft to final product. To develop oral advocacy skills and liven our discussions, the seminar will include a number of informal moot courts and debates.

LAW 189 v05 Feminist Jurisprudence Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20189%20v05)
J.D. Seminar | 3 credit hours
This seminar focuses on the role of law in the subordination of women and the potential and perils of using law to challenge or end that subordination. We will look at various areas of law— including criminal law, constitutional law, torts, and contracts—from a range of feminist perspectives, including liberal feminism, radical feminism, cultural feminism, African-American feminism, and post-modern feminism.

This class satisfies the Upperclass Legal Writing Requirement.
**LAW 189 v06 Feminist Legal Theory Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20189%20v06)
J.D. Seminar | 2-3 credit hours

This seminar will provide students with an opportunity to take a deep dive into different strands of feminist legal theory and examine closely emerging discourses in more modern feminism(s). During the first few weeks, we will read several classics in feminist thought, analyzing their basic pre-suppositions about sex, sexuality, gender, power relations, and the role of law in constructing them. From the beginning, we will pay particular attention to the ways in which feminist theory and activism within the legal field were often informed and limited by the specific class and race positions of their participants.

The emphasis of the seminar is on theory because theory is the lens through which we view and therefore act in the world. However, students will have an opportunity to write their papers on topics of their own choosing, which may involve a specific case or controversy related to feminist causes/ideas/themes within the legal field, or even outside. We will also be discussing specific feminist controversies throughout the seminar, after we have covered some of the different strands of feminist legal thought.

The seminar will be graded on the basis of class participation and a final paper. Class participation has three components. It includes participation in classroom discussions, a 500 word post engaging with one of the week’s readings (each student expected to post once during the semester), and a concrete contribution to the seminar’s Annotated Lexicon and Bibliography on #MeToo. The Annotated Lexicon and Bibliography will be a collective, collaborative enterprise by seminar participants. It will reflect our collective effort to reflect on and understand the relationship between older strands of feminism and the emerging feminist discourses after the #MeToo movement.

The final paper will either be a 4000 word paper for the 2 credit option or a final paper that meets the requirements of the J.D upper class legal writing requirement. The Law Center’s policy for such papers requires the submission of an outline, first draft and final paper. Both the first draft and final paper must be at least 6,000 words long (approximately 25 double-space pages) excluding footnotes. Students will write on topics of their own choosing, after discussing their topics with me. The final paper may be an extended discussion of materials introduced during the course of the semester or it may be a researched project.

A background in feminist theory may be helpful but is not a requirement, as we will cover some classic readings and build from there.

**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.

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**LAW 271 v00 Finance of Real and Personal Property** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20271%20v00)
J.D. Course (cross-listed) | 3 credit hours

This general survey course covers the basic elements of financing commercial real estate and income-producing assets, with an emphasis on income-producing commercial real property. The financing concepts covered include the basic elements and techniques of financing, the lender-borrower relationship, and the role of capital markets in financing of commercial real property and other assets. The emphasis is on large commercial real estate financing transactions. Substantial attention is given to mortgages/deeds of trust, indentures and other security devices, priority rights between lenders and occupancy tenants, pre-foreclosure enforcement rights, post-foreclosure redemption and deficiency limitations, prepayment and defeasance, leasing as a method of financing, alternatives such as joint ventures, mezzanine loans and preferred equity, and creditor’s rights. Attention is also given to the basic economics of commercial financings, tax advantages of depreciable investment property, yield and cash flow analysis, loan syndications, special purpose entities, nonrecourse “carve-out” guaranties, environmental laws, recording and title insurance, the broker’s role, resolution of troubled/defaulted financings, construction loans, and purchase and sale agreements. This course will review complex financing techniques and will not emphasize math, but rather practical understandings and concepts involving the business and legal framework for financing real and personal property.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Introduction to the Capital Markets and Financing of Income-Producing Property.

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**LAW 271 v01 Finance of Real and Personal Property** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20271%20v01)
J.D. Course (cross-listed) | 3 credit hours

This course introduces the basics of secured commercial debt financing transactions through which businesses borrow funds to finance the acquisition of real and personal property. We will first cover the basic lending transaction, followed by an examination of the laws governing secured transactions by considering, in parallel, real property mortgages and personal property security interests under Article 9 of the Uniform Commercial Code. In doing so, we will consider the creation and perfection of liens, maintaining their perfection, lien priority and the exercise of remedies following a borrower’s default. We will also consider other property financing techniques and issues including leasing, mezzanine and subordinated debt, personal property security interests outside the UCC and the impact on lending and borrowers of loan syndications and securitization. The course will not emphasize math, instead focusing on practical understandings and concepts involving the business and legal framework for financing real and personal property and the role of lawyers in such transactions.

**Recommended:** Prior or concurrent enrollment in Corporations is recommended, but not required.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Introduction to the Capital Markets and Financing of Income-Producing Property.
LAW 2040 v00 Financial Derivatives Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202040%20v00)
LL.M Course | 2 credit hours
Examines the income tax issues associated with the taxation of financial products found in the modern securities markets. The course will involve discussion of products resulting from the unbundling of traditional securities, such as stocks and bonds, into their separate components; the recombination of unbundled pieces of traditional security interests into new financial products; and products, such as swaps, caps, collars, and floors, which allow the hedging of, or speculation in, the risks associated with commodity prices, interest rates, and currency exchange rates. Class participation is expected.

**Prerequisite:** Federal Income Taxation (formerly Taxation I).

**Note:** DISTANCE STUDENTS REGISTER FOR CRN#: 35369. This course is open to both on campus and distance students. However, only students enrolled in the Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, and the MSL programs may take this course on a distance basis. All resident LL.M. students may not enroll in this course on a distance basis.

LAW 2044 v00 Financial Market Reform and Innovation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202044%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course examines the ever-evolving regulation of financial markets, institutions, and innovative financial products. We will evaluate the emerging regulatory issues and reform of over-the-counter derivatives markets, analyzes changes to federal banking laws (including systemic risk regulations, new capital and margin requirements, resolution authorities and the Volcker Rule), and explores enhanced consumer protection rules. The course will also explore advances in financial technology (commonly referred to as ‘FinTech’), specifically virtual currency. We will examine how virtual currencies are used by financial market participants and evaluate major developments in the regulation of virtual currencies, such as Bitcoin, Ether, Ripple, Litecoin, and others.

This course also provides a comprehensive overview of the Wall Street Reform and Consumer Protection Act of 2010 ("Dodd-Frank Act") and its ongoing implementation efforts by Federal financial regulators. The Dodd-Frank Act is the most consequential reform of the financial services industry since the Great Depression. We will analyze financial market reform efforts emerging regulatory issues that are intended to increase transparency in financial markets, reduce systemic risks, increase the safety and soundness of the financial system, and enhance protections for consumers.

**Learning objectives:**
By the end of this course, I hope you will have a comprehensive overview of the implementation of the Dodd-Frank Act. You will gain a sense of the genesis and policy developments underpinning the Dodd-Frank legislation, an overview of fundamental aspects of financial reform in Dodd-Frank, its basic requirements, its overarching goals, and its upsides and downsides. You will not learn every detail of financial services regulation or every part of Dodd-Frank, but you should grasp the nature and structure of the central tenants of federal oversight of the financial services industry and its market participants.

Another aim of the course is skills-oriented. By participating in class discussions and preparing and presenting the Comment Letter Group Project, I hope you will hone your skills in speaking fluently and comfortably about legal issues. The Comment Letter Group Project is designed to give you real-world experience/exposure to what regulatory lawyers actually do in private and government practice in the financial services space. I want students to be able to identify an issue, think critically about how to solve it, employ legal reasoning to defend their approach, and practice legal writing. My specific expectations for the comment letter project are set out in the “Comment Letter Group Project” section of syllabus.
The global financial crisis of 2008 resulted in massive human suffering: 9 million unemployed in the U.S. alone, and millions lost their homes. It also fundamentally altered financial regulation and American politics and reshaped social and economic dynamics—for example, the crisis led to the formation of the Tea Party, contributed significantly to political polarization and increased economic inequality.

In 2020, the coronavirus pandemic, which has caused even greater human suffering, triggered economic and financial consequences that almost led to another financial crisis. The reforms implemented after 2008, as well as the implementation of emergency programs used in 2008, were likely the reasons we did not have another financial crisis.

Why did the 2008 crisis happen? Why, throughout our history, have we periodically experienced financial crises? What does this history teach us about the adequacy of financial regulation, and whether regulatory failures contribute to financial crises?

We will begin by briefly reviewing the historical development of the United States banking industry, and the regulatory structure governing it, to get an appreciation of the economic and political forces that have shaped the regulation of our financial system. This will include reviewing past financial crises—the Panic of 1907 and the Great Depression and the responses to them, including the development of the Federal Reserve System, deposit insurance and other major reforms.

We will then focus on the 2008 financial crisis. We will examine the forces that produced the complex financial system of the early 21st century, including the rise of the shadow banking industry and the growth of derivatives. We will examine the response to the crisis, which included drawing on emergency powers that were first created by Congress in response to earlier financial crises, as well as new authorities created in response to the events of 2008. We will look at some of the difficult choices faced by government officials in responding to the crisis, as well as the role of individual accountability for behavior that contributed to the crisis. We will also examine the reforms implemented as a result of the crisis.

We will then turn to the pandemic, and look at its economic and financial consequences. Why was there a risk of another financial crisis? Did the reforms of 2008 help prevent a crisis? How was the government’s emergency response to the financial stresses similar to or different from the 2008 response?

Finally, having started the course with a look at the beginnings of the American financial system, we will end with what many predict is the future: cryptocurrencies and central bank digital currencies, the development of which has been accelerated by both the 2008 crisis and the pandemic. Will central bank digital currencies replace cash? If so, will they make our financial system more or less stable? Can they make it more inclusive?

The course will include sessions with guest speakers who have been responsible for some of the critical policy decisions that we will discuss.

**Strongly Recommended:** Corporations.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. courses: Financial Regulation and Financial Crises; Financial Reporting and Accounting; Financial Restructuring and Bankruptcy; Introduction to Corporate Banking; Introduction to Antitrust Law; and Securities Regulation.

**Learning objectives:**

Upon completion of this course, you will have a fundamental understanding of the basic architecture of financial reporting and a working knowledge of the federal regulatory framework for public companies, as administered primarily by the U.S. Securities and Exchange Commission. You will learn the history of this framework, its primary goals, and its basic requirements. You will see how basic principles of administrative law regulate the financial reporting of public companies. You will become familiar with the structure of a Balance Sheet and Income Statement and the essentials of Generally Accepted Accounting Principles.

**Prerequisite:** Prior enrollment in Securities Regulation.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. courses: Accounting Concepts for Lawyers; Accounting for Lawyers; Introduction to Accounting; or the graduate courses: Accounting for Securities Lawyers; or Basic Accounting Concepts for Lawyers.
LAW 193 v01 Financial Services: Regulation in the Age of Disruption
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20193%20v01)
J.D. Course (cross-listed) | 2 credit hours
This two-hour lecture and discussion course covers regulation of financial services providers, from traditional banks to fintech innovators, investment banks, payment providers and data aggregators. The course offers an overview of the history of banking in the United States and an introduction to the bone structure of the business – the balance sheet, the role of insured deposits, and the purpose of capital and liquidity. We then study the regulation and supervision of these institutions, including rules designed to promote safety and soundness, privacy and cybersecurity, consumer protection, and international consistency. We examine the 2007-09 Global Financial Crisis – its causes and effects and how it transformed modern-day regulation – and its implications for subsequent economic crises like the COVID-19 pandemic. Grades in this course are determined by the final take-home examination.

Recommended: Prior or concurrent enrollment in Administrative Law and Corporations.

Mutually Excluded Courses: Students may not receive credit for both this course and Federal Banking Regulation: Modern Financial Institutions and Change, or the LL.M. course, Financial Regulation and Financial Crises.

LAW 1744 v00 FinTech and Financial Democratization Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201744%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
“Fintech” often refers to the use of modern technologies and novel methods in offering financial services. This burgeoning sector has significantly disrupted the financial marketplace, challenging the conventional roles of banks, other financial institutions, regulators, and policymakers. Legal scholars often evaluate how the novelties of Fintech fit or do not fit within existing legal regimes, and how such regimes should be modernized in response. Fewer scholars examine what might be the most transformative promise of Fintech – whether it does or can democratize the financial marketplace and how the law might facilitate (or frustrate) that aim. This seminar examines just this.

Seminar readings will illuminate the relationship between the financial marketplace and oft-marginalized communities and allow students to assess whether effective solutions to certain inequities lie in Fintech, fundamental policy reforms, or both. This course covers topics such as payment systems, credit markets, financial advising, savings, and security investing. It focuses on the U.S. marketplace, but will occasionally reference trends in international markets for comparative analysis. Readings are primarily drawn from legal, economic and sociological research, regulatory and legislative reports, cases, and popular news media.

The goal of this seminar is for students to develop views on the purpose and role of Fintech, the objectivity of financial markets and regulation, and whether financial democratization is a necessary or achievable aim for market providers. Students will further hone their critical analysis, research and writing, and public speaking skills.

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

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 1442 v00 Fintech Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201442%20v00)
J.D. Course (cross-listed) | 2 credit hours
Technology-driven disruption has upended many industries – retail, entertainment, transportation, to name just a few – and now we are seeing it redefine financial services. The rise of Fintech is perhaps the most interesting industry transformation to study from a legal perspective because of the way it impacts complex financial services regulations. Regulatory frameworks that were created decades ago are being challenged by the rise of Internet and mobile-driven financial services providers. This course will hone in on a few areas where the US financial regulatory structure is being challenged by technological innovation and may require fresh thinking.

Financial services can be broken down into three distinct subsectors: 1) Insurance; 2) Retail Banking; and 3) Investment/Advisory Banking. This course will focus on how technology is transforming both retail and investment/advisory banking. Retail banking law was designed for a world of brick and mortar banks that accepted deposits and leveraged those deposits to provide commercial and personal loans. Investment/advisory banking law was designed for a world of a relatively small number of sophisticated investors. This traditional schema is being transformed, rapidly.

The smartphone is replacing the retail bank as the method by which a small business or consumer conducts their day-to-day banking activity. A 2015 report by Goldman Sachs found that 33% of millennials do not think they will need a traditional bank in the next five years. In fact, 73% of millennials reported that they are more excited about new offerings in the financial services space from the likes of Google, Apple and Amazon. Moreover, in the financial services industry lines are blurring – financial tech companies are expanding financial services ecosystems and traditional financial services companies are expanding their digital capabilities. New business models are being created that leverage the data and capabilities afforded by the Internet, and seemingly diverse industries ranging from telecom to traditional banks are competing over similar financial services activities.

Crowdfunding, mobile payments, online lending, robo-advisors, and Bitcoin are new phenomenon that challenge existing regulatory structures. The SEC, Treasury Department, Office of Comptroller of Currency, Financial Industry Regulatory Authority, Federal Deposit Insurance Commission, Federal Reserve Bank, Consumer Financial Protection Bureau, and Federal Trade Commission are just a few of the regulatory bodies that are increasingly exploring Fintech developments. Moreover, the courts have been faced with challenges to several federal and state laws that were written before modern technological innovations took hold and challenged existing concepts of Federalism. This class will focus in on these particular challenges, will question existing regulatory bodies, approaches and standards, as well as discuss the practicalities of alternative regulatory structures and rules.

The class will proceed in 4 parts. Part 1 will be an introduction to retail banking law and disruptions that are occurring due to Fintech. Part 2 will be an introduction to investment/advisory banking law and disruptions that are occurring due to Fintech. Part 3 will address cross-cutting horizontal disruptions. And, finally Part 4 will involve a high-level assessment of regulatory structures and approaches for Fintech. After this course, students should have a strong baseline knowledge of the myriad of legal and policy issues that exist in the Fintech arena.

LAW 1660 v00 First Amendment Law in a Digital Age (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201660%20v00)
J.D. Course | 2 credit hours
How should we think about the First Amendment in today’s world? From social media and the radical changes in the news industry, to increasing calls for censorship and retribution in light of identity politics, the issues at the core of freedom of the press and free speech and have never been more prominent. Despite historic protections for speech, platforms potentially protected by the First Amendment can be used by foreign actors to undermine and destabilize democratic systems and by insurgent organizations to radicalize and recruit members. Yet does this give the government, and the Courts, the right to remove content from these sites? It would be hard to find an age in which Free Exercise of Religion and the Establishment Clause were more relevant than today.

Although the expressive rights in the amendment have attracted the most attention, moreover, it is the right to petition that the Framers considered one of the most important protections for the people. Traditionally, it surpassed speech, press, and assembly in importance, allowing individuals to seek redress for wrongs and allowing them to generate attention to their concerns. Anti-federalists attacked the Constitution in part precisely for failing to protect this right, which incorporates active political engagement, directed at a particular body of persons, demanding action in response, and not diluted through representative government. This course provides a primer on First Amendment Law in a Digital Age. It begins with the origins of the First Amendment, examines its evolution, and raises along the way the most pressing questions today that evoke First Amendment concerns. The doctrine is unprepared for a digital age. It will be taught in a more traditional lecture/Socratic style.

LAW 1208 v00 Food Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201208%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar introduces students to the laws and regulations that govern our food. The seminar will primarily cover law at the federal level, including but not limited to such topics as the legal definition of food, rules on food labeling, standards for food safety, and regulation of genetically modified organisms. Beyond the law itself, we will consider the scientific, economic, and ethical principles implicated by legal decisions concerning food.

Prerequisite: Administrative Law or the first-year course, Government Processes, or the first-year electives, The Regulatory and Administrative State, Congress and the Administrative State, Legislation and Regulation, or The Regulatory State.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
This course focuses on the evolution of U.S. foreign intelligence collection, taking into account the history and evolution of the law as well as the pressing and difficult questions posed by technology. Discussion will draw on Georgetown Law Library’s Foreign Intelligence Collection, which houses nearly 100 declassified FISC/FISCR opinions and 300 orders in the public domain, as well as the more than 130 FISA-related cases in ordinary Article III courts. The course emphasizes the NSA, FBI, CIA, and NCTC targeting, querying, and minimization procedures and the required annual reporting, as well as special reports detailing prominent use of FISA authorities in investigations during the 2016 Presidential election. The class will examine other intelligence collection conducted under Executive Order 12333, National Security Letters, SIGINT and DoD Directives, Attorney General Guidelines, and other associated documents, providing students with a comprehensive understanding of foreign intelligence law. It will pair a deep understanding of the different forms of intelligence collection with constitutional and statutory law. With the advent of the Internet of Things, next generation social media, 6G networks, artificial intelligence and machine learning, the landscape is about to again shift. Accordingly, the course will delve into new and emerging technologies, looking at how they fit – or fail to fit – current law.

Law 3093 v00 Foreign Investment & National Security: The Committee on Foreign Investment in the United States (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203093%20v00)

LL.M Course | 2 credit hours
This course will explore foreign direct investment in the United States from the national security perspective through an analysis of the Executive Branch inter-agency body known as the Committee on Foreign Investment in the United States (CFIUS). Students will review the evolution of CFIUS from the Exon-Florio amendment, to the Committee as it exists today, including, but not limited to, the relevant authorities, policy implications, case law, and transactional risk analysis frameworks upon which CFIUS. The course will also examine current events in the national security space to determine how those events have informed recent legislative action taken by Congress with respect to CFIUS and how those legislative changes are implemented by the committee in regulation.

Recommended: National Business Law, National Security Regulation, National Security Law and the Private Sector

Law 089 v03 Foreign Relations Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v03)
LL.M Course (cross-listed) | 2 credit hours
This is an advanced course on constitutional principles bearing on U.S. foreign relations: primarily, separation of powers, federalism and judicial review of Executive acts and congressional legislation. It focuses on some of the most challenging issues that have divided the American polity from the inception of the Republic and continue to do so today, e.g., the allocation of foreign affairs power between the Executive and Congress; the scope of Presidential power to protect the nation in times of danger; and the proper role of the courts in deciding legal issues relating to national security. We will study historical materials that inform the legal arguments on both sides of current controversies over Presidential and Congressional power and discuss foreign relations issues under judicial review in 2020. We also study the power to make treaties and executive agreements, the Supremacy clause and application of customary international law by U.S. courts.

Recommended: There are no prerequisites, but familiarity with basic principles of U.S. government is important.

Mutually Excluded Courses: Students may not receive credit for this course and the J.D. courses, Constitutional Aspects of Foreign Affairs Seminar or U.S. Foreign Relations and National Security Law.

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

Law 089 v04 Foreign Relations Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v04)
J.D. Course (cross-listed) | 2 credit hours
This course addresses the constitutional issues that arise in the conduct of U.S. foreign relations. Topics include: Congress’ power to legislate with respect to foreign relations; the respective roles of the President and Congress in initiating and conducting war and other uses of force; the President’s power to conduct diplomatic relations; the scope of the power to make and enforce treaties and other international agreements; the status of treaties and customary international law as United States law; the role of the States in foreign relations; and the role of the courts in foreign relations.

Prerequisite: Constitutional Law I: The Federal System.

Mutually Excluded Courses: Students may not receive credit for this course and the J.D. upperclass course, Constitutional Aspects of Foreign Affairs Seminar, or the graduate course, Foreign Relations Law.
LAW 052 v01 Fourteenth Amendment Seminar
This seminar is designed to encourage students to think critically and creatively about the appropriate constitutional role for the principles of equality and liberty and, more broadly, about the manner in which Supreme Court functions as an institution. These goals will be accomplished by "reinventing" fourteenth amendment jurisprudence, free from the constraints imposed by the actual decisions of the Court. At the beginning of the semester, students will be assigned to individual "courts," which will meet to decide cases assigned every other week throughout the semester. The "courts" will be expected to vote on how the cases should be decided and to prepare written majority, dissenting, and concurring opinions as appropriate. Each student will be graded in part on the basis of the quality of any opinion that the student agrees to sign. By citing as authority only those cases previously decided by that court, each court will develop a body of hypothetical case law over the semester that must be distinguished, amplified, or, if necessary, overruled in dealing with the next set of cases. Students will be encouraged to remain in role and to attempt to develop a consistent judicial philosophy. Every two weeks, two of the "courts" will become "law firms," which will analyze the case law developed by a third court, write briefs, and conduct an oral argument before the third court. Although little reading will be required for this seminar, students will be expected to produce a substantial amount of written work and to devote a substantial amount of time to meeting with other members of their court.

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

Students are not permitted to withdraw from the course after the first class, except for students who receive permission to withdraw from the professor.

LAW 832 v00 Fraud and Fiduciary Duties Under the Federal Securities Laws
A survey of the law of securities fraud with particular emphasis on litigation under Rule 10b-5. Explores the changing standards of fraud under the federal securities laws and the application of those standards to participants in the securities market, such as underwriters, broker-dealers, investment advisers, corporate officers, tender offerors, and persons engaged in insider trading.

Prerequisite: Securities Regulation.

Note: DISTANCE STUDENTS REGISTER FOR CRN#: 13630. This course is open to both on campus and distance students. However, only students enrolled in the Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, and the MSL programs may take this course on a distance basis. All J.D. students and resident LL.M. students may not enroll in this course on a distance basis.

LAW 196 v03 Free Press
"Congress shall make no law . . .," the First Amendment commands, "abridging the freedom . . . of the press." But Congress, the Executive Branch, and the courts have promulgated a host of laws governing both print and electronic media. This survey of mass media law explores such current topics as prior restraints on publication, defamation, privacy, newsgathering liability, media liability for unlawful conduct of third parties, compelled disclosure of sources, and access to information. Practical aspects of representing media clients are examined along with public policy implications of existing legal doctrines and proposals for change. Much of the course is discussion-based, and students will be expected to make meaningful contributions to that discussion, with class participation forming the basis for one-third of the grade for the semester.


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

LAW 196 v02 Free Press Seminar
"Congress shall make no law . . .," the First Amendment commands, "abridging the freedom . . . of the press." But Congress, the Executive Branch, and the courts have promulgated a host of laws governing both print and electronic media. This survey of mass media law explores such current topics as prior restraints on publication, defamation, privacy, newsgathering liability, media liability for unlawful conduct of third parties, compelled disclosure of sources, and access to information. Practical aspects of representing media clients are examined along with public policy implications of existing legal doctrines and proposals for change.


Mutually Excluded Courses: Students may not receive credit for both this seminar and the course, Free Press.
**LAW 1272 v00 Gender and Sexuality** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201272%20v00)

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

This course will provide an introduction to the legal contexts and theoretical debates surrounding sex, gender, sexuality, and their intersections. We will explore the way gender and sexuality have been debated, defined, and redefined in the contexts of gender identity and performance, sexual pleasure, reproductive rights, sexual violence, marriage, family organization, work, and education. In these contexts we will consider the evolution of the law, the discursive effects of law, and the ways feminist and queer theorists have challenged and reimagined prevailing legal rules and cultural norms. In short, the class will probe the ways that law is gendered, sexualized, and raced, and with what overall effects on social institutions and practices.

Key topics will include:

- The Mutual Influence of Identitarian Politics and Law
- Constitutional Law of Sex Equality, Liberty, and Religious Objection
- Regulation of Sexual Conduct
- Regulation of Reproduction
- The Evolving Meanings of Marriage & Family
- Sexual Harm & Consent
- Gender & Sexuality at Work, School and other Institutions

**Strongly Recommended:** Constitutional Law II.

**Mutually Excluded Courses:** Students may not receive credit for this course and Sexual Orientation and the Law: Selected Topics in Civil Rights.

**LAW 1624 v00 Gender and the Political Economy Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201624%20v00)

J.D. Seminar | 2-3 credit hours

This seminar will examine the relationship between the regulation of gender and the political economy of liberal states. The goal of the seminar is to help students acquire tools that can illuminate the economics and distributional consequences of regulating gender, especially in a global context.

In the first part of the seminar we will study different theories of gender and gender relations, focusing especially on feminist and post-modern perspectives. We will also develop a basic understanding of economic theories and their implicit or explicit understanding of gender, especially in regards to the family and its regulation. Finally, we will look at the emergence of the basic legal split between the family, the market and the state in a historical perspective. In the second part of the seminar we will delve deeper into selected topics that will help us observe some of the theoretical ideas about gender and the political economy in action. Topics will include: the regulation of paid and unpaid care work, the family business, the organization of the welfare state, sex work and human trafficking, reproductive markets, gender in economic development.

**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 2065 v00 Gender and U.S. Foreign Policy** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202065%20v00)

LL.M Seminar (cross-listed) | 2 credit hours

"In recent years, the U.S. has developed a comprehensive policy framework that recognizes gender equality as a pillar of U.S. foreign policy and international law. This class will introduce and analyze these policies, including the U.S. National Security Strategy; the Women, Peace and Security Act of 2017; the U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally; State Department and USAID policy guidance on gender. We will examine the legal basis for women’s human rights, as well as the body of evidence linking women’s advancement to development, prosperity, and stability. Issues covered will include gender and economic growth, peace and security, political participation, development, gender-based violence, and international institutions and treaties. This class will feature prominent guest speakers in the field."
In the ensuing decade and a half, prosecutions of corporations for foreign bribery have become perhaps the most important prosecutorial priority for the Department of Justice ("DOJ") and Securities & Exchange Commission ("SEC") and certainly the most financially lucrative U.S. prosecution initiative. Transnational investigations have become a staple of these prosecutions. All 10 of the largest FCPA prosecutions have occurred since 2008; of these, eight have involved foreign corporations.

This course will cover the development of U.S., international, and foreign initiatives against public-official bribery. Because (at least in the US) most of these cases have been resolved without litigation, we will focus on critical, unresolved issues, such as the FCPA’s definition of a foreign “instrumentality” and a “foreign official,” as well as the scope of U.S. extra-territorial jurisdiction. In addition to addressing the substance of foreign and international laws and conventions, we will explore the critical issues that arise from the growing trend in trans-national investigations and prosecutions, including double jeopardy, res judicata, and international data collection.

We will explore these issues through fact-based, real-world scenarios drawn, in large part, from the “Bonny Island” case, which involved a scheme by four international corporations to bribe three successive Nigerian presidents (as well as a constellation of lower-ranking officials) to secure multi-billion dollar contracts for the construction of an LNG facility in Nigeria. We will use this factual setting to frame class discussions of how lawyers and social scientists have approached this question. The course will then identify the environments that typically enable corruption to flourish, including natural resource economies and countries that are in economic and political transition. It will also assess the debilitating impact that corruption has on overall economic performance, inequality, poverty, political stability and national security.

Taking into account the above considerations, the course will identify the key ingredients of an effective anti-corruption strategy, emphasizing the importance of a holistic approach that includes not only effective criminalization and prosecution but also comprehensive regulatory and administrative reform. While legal obligations and best practices have been established at the international level that include many of these ingredients, evidence indicates that meaningful change only takes place when domestic conditions for reform are in place, which are often precipitated by a crisis. In that context, the course will include case studies of reform based, inter alia, on the experience of the IMF, focusing on the anti-corruption program implemented by Indonesia. Importantly, the course will also assess international efforts to address both the “supply” side of corruption (the provision of bribes to public officials by large corporations) and the problem of “concealment” (when banks in major jurisdictions assist in the laundering of the proceeds of corruption of foreign officials). These issues will be addressed through a close study of the OECD's Anti-Bribery Convention and the 40 Recommendations on Anti-Money Laundering and Combating of the Financing of the Financial Action Task Force. Corruption within the political system will also be examined, including explicit bribery of politicians, conflicts of interests, and private financing of political campaigns (sometimes referred to as "legalized corruption"). Finally, the course will assess the merits of proposals to establish an International Court on Corruption.

Learning Objectives:

We have the following expectations of learning outcomes:

1. We expect each student to achieve mastery of the basic concepts underlying the US Foreign Corrupt Practices Act, including the basic statutory terms, the elements of the various offenses, and the scope of U.S. jurisdiction. In our experience, it is impossible to fully understand and discuss more challenging questions about the scope or application of the statute without mastery of the fundamentals.

2. We expect each student to gain an understanding of the roles and policies of the U.S. enforcement authorities, the Department of Justice and the Securities and Exchange Commission, and the manner in which FCPA cases are investigated, prosecuted, and defended, as well as how the U.S. enforcement agencies would approach a problem and what outcomes are likely to result.

3. We expect each student to gain an understanding of the global enforcement landscape for anti-corruption. Students are expected to achieve a basic understanding of the OECD Convention on Bribery, other international anti-bribery conventions, and the leading state laws, including the Brazil Clean Companies Act, the UK Bribery Act, and the French Sapin II. Students will also gain an understanding of the role of the World Bank and other multi-lateral development banks in the worldwide scheme.

4. We expect students to learn the basic principles of anti-corruption laws, including the UN Convention Against Corruption. Students will learn about the key elements of the most relevant anti-corruption conventions and international best practices, including the UN Convention Against Corruption. They will also gain an understanding of how lawyers and social scientists have approached this question.

5. We expect students to have an opportunity to discuss with IMF staff past and ongoing cases of corruption of foreign officials. These issues will be addressed through a close study of the OECD's Anti-Bribery Convention and the 40 Recommendations on Anti-Money Laundering and Combating of the Financing of the Financial Action Task Force. Corruption within the political system will also be examined, including explicit bribery of politicians, conflicts of interests, and private financing of political campaigns (sometimes referred to as "legalized corruption"). Finally, the course will assess the merits of proposals to establish an International Court on Corruption.

Learning Outcomes:

By the end of the course, students will have gained an understanding of those crimes that the international community does (and does not) generally accept as constituting corruption - and why there continues to be a debate on this important definitional question. They will also gain insight into the political and economic circumstances that most typically give rise to corruption and the debilitating impact that this problem can have on society. In terms of the design and implementation of an anti-corruption strategy, students will learn about the key elements of the most relevant anti-corruption conventions and international best practices, including the UN Convention Against Corruption. They will have sufficient knowledge to discuss in depth both the efficacy and limitations of these instruments, taking into account the importance of the domestic political environment. Students’ understanding of these issues will be enhanced by in-depth case studies of corruption reform efforts, including explicit bribery of politicians, conflicts of interests, and private financing of political campaigns (sometimes referred to as "legalized corruption"). Finally, the course will assess the merits of proposals to establish an International Court on Corruption.
**LAW 531 v01 Global Cities and Urbanization Seminar: Mixed Income Housing Development**  
J.D. Seminar | 3 credit hours  
Community Economic Development is the work of revitalizing communities to assist poor, unemployed, underemployed, and otherwise marginalized populations through the development of low income housing, integrated social services, microbusinesses, workforce training, and community job growth. Having its roots in social movement and community empowerment initiatives in the sixties, community economic development provides a unique opportunity to integrate social theory and practice within the context of real grassroots efforts to serve marginalized communities.

This course is designed for students interested in learning more about or perhaps someday working in the field of community economic development, as lawyers and/or consultants on a fulltime or pro bono basis. The skill sets developed cut across the business/legal divide and expose students to substantive subject matters ranging from startup ventures, real estate finance and development, and regulatory frameworks for micro lending, affordable housing, and new market development. Student papers will focus on problems encountered by entities engaged in community economic development, providing a unique opportunity to understand the industry from the inside out. Community activists and various economic development experts in law, business, and public policy will be invited to discuss their work across the semester, affording students the opportunity to develop and/or expand their networks in the field.

This class satisfies the Upperclass Legal Writing Requirement.

**Recommended:** Previous exposure to community organizing and economic development is helpful but not required.

**LAW 733 v00 Global Commerce and Litigation**  
LL.M Course (cross-listed) | 2 credit hours  
This survey course covers both basic and advanced concepts in the evolving rules governing modern international sales, distribution and investment transactions. The conduct and structure of international litigation that can arise from these transactions, as well as ways to avoid such international litigation, are also examined. Emphasis is on practical problem solving. Specific areas to be covered will include INCOTERMS, the U.N. Convention on Contracts for the International Sale of Goods, payment mechanisms for international sales, international electronic commerce, the structure of international acquisitions, U.S. and European merger notification controls, foreign ownership restrictions, export controls, corruption, and cross-border litigation and arbitration. There will be an open book final exam.

**Prerequisite:** Contracts (or the equivalent Bargain, Exchange, and Liability) or for foreign-educated LL.M. students, Foundations of American Law, Introduction to U.S. Legal Methods or a Contracts equivalent course from the home country.

**LAW 726 v00 Global Competition Law and Policy**  
LL.M Seminar (cross-listed) | 2-3 credit hours  
This seminar will examine the development of antitrust law around the world, starting with a basic understanding of U.S. and EC competition principles and then reviewing the application of those principles in developing and transition economies including China, India, Africa and Latin America. Particular emphasis will be on merger control and regulation of dominant firm conduct (monopolization/abuse of dominant position). We will also consider the role of competition policy in economic and political development generally. Grading will be based on a paper and an assessment of class participation.

**Prerequisite:** For J.D. students: Antitrust Law or Antitrust Economics and Law. LL.M. students should have some previous work experience or coursework in U.S. antitrust law or competition regulation in other jurisdictions; otherwise professor's approval required before enrolling.

**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 for JD students. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.

**LAW 726 v01 Global Competition Law and Policy**  
LL.M Seminar (cross-listed) | 2 credit hours  
This seminar will examine the development of competition laws around the world, differences in substantive standards among the major enforcement jurisdictions; the role of historical, political, and economic forces that affect those differences; and the possible consequences of those differences. We will start with a basic understanding of U.S., Canadian, and EC competition principles, and then compare and contrast these with the principles applied in developing and transition economies, such as China, Mexico, India, and South Africa. Particular emphasis will be on current issues and trends including the role of antitrust in a digital economy, multi-jurisdictional merger control, and regulation of dominant firm conduct. We will also consider the role of competition policy in economic and political development generally.

**Prerequisite:** For J.D. students: Antitrust Law or Antitrust Economics and Law. LL.M. students should have some previous work experience or coursework U.S. antitrust law or competition regulation in other jurisdictions; otherwise professor’s approval required before enrolling.

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For more information, visit [curriculum.law.georgetown.edu/course-search/?keyword=LAW](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW).
LAW 2007 v02 Global Cybercrime Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202007%20v02)
LL.M Seminar (cross-listed) | 2 credit hours
This course will examine the key legal and policy issues associated with cybercrime – i.e., crimes in which computers and the Internet serve as targets, as storage devices, and as instrumentalities of crime – as a global phenomenon. As the Internet has become a truly global medium for commerce and communication, nations are gradually recognizing that new technology can not only expand the reach and power of traditional crimes, but foster new forms of criminal activity as well, throughout the world. The course will adopt an explicitly comparative legal approach to the problem of cybercrime, focusing principally on nations in North America, Europe, and Asia, and address pertinent international legal issues where appropriate. It will first address basic issues in comparative criminal law, as well as background information on computing and Internet technology. It will then address some of the most prominent topics in the substantive law of cybercrime (e.g., pornography and obscenity, “hate speech,” cyberstalking, hacking, fraud, intellectual property offenses such as software piracy and economic espionage, and other issues associated with privacy and anonymity on the Internet). It will then turn to major issues in the procedural law of cybercrime (e.g., surveillance technologies such as Carnivore and legal standards for interception of electronic communications). Given the rapid pace of developments in computing and Internet law, the course will incorporate the most current materials available online and in hard copy. Students will be expected to use the Internet for intraclass communications and access to certain course materials, but need not have a detailed knowledge of computing or the Internet.

Prerequisite: Criminal Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. seminar, Computer Crime Seminar, or the J.D. course, Computer Crime.

LAW 3028 v00 Global Drug Law and Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203028%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Globalization and the international trade of drugs and medical products have progressed beyond any single regulatory authority's ability to effectively ensure the quality, safety, and effectiveness of these products. In the U.S., the importation of foreign sourced products has increased tremendously, accounting for over 80% of the active pharmaceutical ingredients. However, varying drug regulations have resulted in gaps in oversight causing differing views on the acceptable level of risk in public health leading to drug quality related deaths and other serious harms. One clear reason for this compromised system is the differences in how these products are regulated from country to country. Nevertheless, the pharmaceutical and related industries are thriving in the global marketplace. This course is intended to be the first comparative survey into the regulatory frameworks of certain key countries, both developed and developing markets, along with international institutions, such as the World Health Organization, involved in promoting the access and development of safe, effective and quality medical products. This course will also identify the major international non-governmental stakeholders, and the multi-lateral schemes and treaties in which they operate that are intended to assist in the convergence of pharmaceutical laws and regulations.

Recommended: Prior Enrollment in Food and Drug Law
**LAW 493 v01 Global Health Law** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20493%20v01](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20493%20v01))  
LL.M Seminar | 3 credit hours  
Global Health Law is the flagship course for Georgetown University Law Center’s O’Neill Institute for National and Global Health Law. This course is open to both Georgetown JD and LLM students and is a compulsory unit in the National and Global Health LLM and the Global Health Law and Governance LLM.

No longer an emerging field, global health law encompasses international law and policy that directly or indirectly affects global health, including treaties, regulations, global strategies and other non-binding standards, and national and international jurisprudence. The field of study includes both legal instruments designed to protect public health as well as the interaction between legal instruments from other international legal regimes and public health considerations and concerns. This course provides a strong foundation in these laws and policies, including governance of the World Health Organization, the International Health Regulations, and the WHO Framework Convention on Tobacco Control.

In examining the application and effectiveness of global health law, this course provides a normative foundation for global health issues including infectious diseases (such as COVID-19, HIV/AIDS, tuberculosis, malaria, and influenza) and noncommunicable diseases (such as diabetes, cancer and cardiovascular disease and their causes, including obesity, tobacco, and alcohol).

In this course, students will hear from leading voices in global health and the law and benefit from the expertise of Georgetown Law's O'Neill Institute.

**Recommended:** Prior enrollment in International Law I.

**Note:** Required for the Global Health Law LL.M.

Class will meet for two hours each week, with third hour of weekly course content delivered asynchronously.

**LAW 594 v00 Global Health Law: An Intensive, Problem-Based Exploration** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20594%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20594%20v00))  
J.D. Seminar (cross-listed) | 2 credit hours  
In this intensive course, students will work with faculty and fellows at the O’Neill Institute for National and Global Health Law to gain an in-depth understanding of global health law through intensive examination and role play of one or more major problems in global health. Potential problems could include a naturally occurring infectious disease epidemic such as extensively drug resistant tuberculosis; a future epidemic such as pandemic influenza (A) H5N; an intentional introduction of a lethal pathogen such as anthrax; and/or major chronic diseases caused by obesity or tobacco use. Students should come to this course with a basic level of understanding of global health law, including the major international health treaties and governing structures. When studying and role playing these kinds of problems, students will be asked to construct innovative methods of global health governance, drawing upon existing international health law and institutions, along with a vision for more ideal models. The course will also capitalize on materials developed in collaboration with faculty from the School of Nursing and Health Studies for use in the “health care situation room”.

Full attendance and participation is required at all sessions. Class sessions will consist of a combination of lecture, case simulations, and discussion. Grades are based on student participation, a daily journal to be kept by students, and a final paper.

**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.

**ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS.** Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar, a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 900 v01 Global Indirect Tax: The VAT (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20900%20v01)
LL.M Course (cross-listed) | 2 credit hours
During this century, the United States has raised revenue chiefly through the income tax, which is a per capita or direct tax. In many other countries, fiscal authorities rely far more heavily on indirect taxes. With the pace of globalization accelerating, U.S. tax professionals increasingly advise foreign clients, for whom indirect taxes may constitute a large percentage of aggregate tax liability. A basic knowledge of how these taxes work is thus a valuable asset for any lawyer doing corporate or international tax work.

This course will introduce students to indirect taxation, exemplified by the European Union’s Value Added Tax (“VAT”) and Canada’s Goods and Services Tax (“GST”), two of the fastest-growing indirect taxes globally. The course will examine the economic and policy rationales for such taxes and study in detail how different types of value added taxes work, including tax calculations and cross-border aspects. Finally, the course will compare the VAT with the retail sales taxes imposed by many U.S. state and local governments and will consider the feasibility of adopting some version of a VAT in the United States. At the end of the course, students will have a broad technical understanding of indirect taxes and an appreciation of the policy concerns that animate legislative and academic discussion of this important subject.

This two-credit course will be divided into nine 3-hour class sessions. All sessions will be taught by global indirect tax professionals from KPMG’s Washington D.C. office.

Prerequisite: Federal Income Taxation (formerly Taxation I).

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

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

LAW 191 v02 Global Law of Work (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20191%20v02)
J.D. Course | 3 credit hours
The law of work is an increasingly important aspect of the global economy. Knowledge of this subject is useful in representing companies, unions, employees, governments and non-governmental organizations. Themes developed in the course also are central to understanding the relationship between law and globalization more broadly. We will study hard and soft law in the various forms in which it operates trans-nationally, including domestic law with foreign effects; public and private international law, such as human rights and trade law; and private codes of corporate social responsibility. The International Labor Organization (ILO), which is a touchstone in the course, is an especially interesting institutional case study. It is the world’s oldest international organization, with 180 member countries giving it near-universal representativeness, and its inclusion of governing roles for civil society groups – unions and employer associations – makes it unique among international institutions. Attention will be given to subordination of documented and undocumented migrants, women, and child laborers.

LAW 1726 v00 Global Law Scholars 1L Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201726%20v00)
J.D. Seminar | 0 credit hours
This year-long non-credit seminar meets approximately ten times a semester. Generally, this seminar aims to acquaint incoming GLS participants with the wide variety of practice areas in international and transnational law through presentations by faculty and practitioners. This also includes practical sessions with upper level law students related to navigating law school.

Note: This course is open only to first year Global Law Scholars.
LAW 661 v00 Global Law Scholars Seminar I: Building an International Skill Set (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20661%20v00)
J.D. Seminar | 1 credit hour
This one-credit (7 session) seminar is designed to provide participants in the 2L year of the Global Law Scholars program with a concrete introduction to some of the specific skills used by practitioners in the fields of international and transnational law. Sessions are presented by a mixture of Georgetown Law faculty and outside practitioners. In addition to an overview of the basic features of international negotiation, arbitration and litigation, and an introduction to comparative law, emphasis is given to research, technical writing, fact-finding and advocacy skills. Skill development is taught through a variety of mechanisms (i.e., case studies, workshop style methods, role-playing, etc.). Student preparation for the various sessions includes readings on both skills and theoretical background. Student evaluation at the end of the course is based on class participation and completion of a short piece of technical writing (i.e. white paper).

Learning goals for this course: Ability to research and write/present a substantive legal topic. Ability to work together as a group on an advanced level topic. Awareness of relationship between international and domestic law.

Prerequisite: This course is open only to second and third year Global Law Scholars.

Note: This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit. This class meets for seven sessions in the fall semester. Dates to be announced.

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

LAW 662 v00 Global Law Scholars Seminar II: Applying an International Skill Set (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20662%20v00)
J.D. Seminar | 1 credit hour
This one-credit (7 session) seminar is designed to build on the experiences of the fall 2L GLS seminar ("Building an International Skill Set") by affording participants an opportunity to apply the specific skills used by international and transnational lawyers in the context of a specific substantive area chosen by them. For 2013/14, the 2L GLS focused on constructing an international trade mechanism to promote corporate accountability in developing countries, specifically addressing environmental and human rights concerns. For 2014/15 the 2L group wrote an assessment of corporate compliance W.R. of 1502 of Dodd Frank in the area of conflict minerals. For 2015/16, the group conducted an in-depth analysis of implementation review mechanisms (CIRMs) in multilateral agreements. In 2016/17 the chosen topic was on use of armed force in outer space. Preparation for the group sessions includes background readings on the theoretical, practical and legal aspects of the relevant issues. Under the guidance of Georgetown faculty, participants determine in advance the goal of their work (for example, an analytical "white paper" on a particular substantive issue, a conference involving noted academics and experts, an advocacy effort, etc.). Student evaluation at the end of the course is based on class participation, contribution to the chosen goal, and completion of a short piece of technical writing.

Prerequisite: This course is open only to second and third year Global Law Scholars.

Note: This course is offered on a mandatory pass/fail basis. This course does not count toward your seven credit pass/fail limit. This class will meet for seven sessions in spring semester. Dates to be announced.

Note: Withdrawals are permitted up until the last class for this specific course.
LAW 068 v01 Global Revolutions, Civic Activism, and Civil Society  
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20068%20v01)

J.D. Course (cross-listed) | 1 credit hour
This class covers the international legal framework for civic activism. We'll study laws governing protests, social justice movements, and nonprofit organizations. We'll also examine how civic space is affected by national security, authoritarianism, and digital technology.

We'll take a global tour, comparing approaches in the US, Europe, Asia, Africa, the Middle East, and Latin America. We'll discuss current events, play the role of UN Ambassadors, and help countries draft laws.

This class will provide skills and contacts to help you pursue a career in international human rights law. Past classes have spoken with UN officials, a lawyer for a group allegedly engaged in terrorism, and human rights defenders around the world.

Internships are also available for eligible students at ICNL (https://www.icnl.org), which works on the legal framework for civil society and democracy in 100 countries.

**Learning Objectives:**

By the end of the semester, you should have the ability to:

1. Analyze international law governing the freedoms of association, assembly, and expression;
2. Evaluate the extent to which national legislation complies with international law;
3. Craft arguments to bring national legislation closer to international law and good practice;
4. Communicate effectively with diplomats, government officials, and civic activists;
5. Analyze ethical aspects that arise in crafting laws that affect the freedoms of association, assembly, and expression; and
6. Assess the impact of law on nonprofit organizations, social movements, and protests.

**Note:** Space is limited.

**ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS.** Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety, or to make suitable alternative arrangements with the professor, may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 750 v01 Global Securities Offerings  
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20750%20v01)

LL.M Course (cross-listed) | 2 credit hours
In this course, students will learn how to structure and execute global securities offerings. The course begins with a brief examination of the process of an SEC-registered offering in the U.S., and the ongoing requirements of SEC reporting companies, and then continues by examining how to conduct offerings, both domestically and internationally, outside of SEC registration. Topics include the registration requirements of 5 of the Securities Act, the various exceptions from registration, including Sections 4(a)(1), 4(a)(2) and 4(a)(7) of the Securities Act, the safe harbors pursuant to those exemptions, including Regulation S, Regulation D, Rule 144, Rule 144A, and the changes to certain of those rules and regulations by recent legislation, including the JOBS Act and the FAST Act. In addition to a thorough review of the rules and regulations in the course materials, this course seeks to give students insight into how those rules and regulations are used in practice, and into the mechanics of conducting various types of securities offerings, so that upon completing the course students are better prepared to address these topics in practice. The course was jointly developed by a senior SEC staffer and a private practitioner. Note that there is no pre-requisite for this course.

LAW 1646 v00 Global Tech Law: Comparative Perspectives on Regulating New Technologies  
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201646%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
From AI to robots to social media, countries around the world are racing to regulate new technologies. Regulation is the principal mechanism to bring technology within an enforçable ethics framework. Will international competition create a race to the bottom to promote innovation at the expense of consumer protection? How can nations nurture their own Silicon Valleys consistent with their ethical values? We will examine how the same technology—from internet platforms, to algorithms, to drones, to self-driving cars, to smart cities, to sharing platforms—is regulated in various jurisdictions across the world. As countries across the world race to become the world’s leader in artificial intelligence, how are they modifying their laws for a world of automated decision-making? What can countries or states or cities learn from each other? Just as there are technological network layers, there are regulatory layers: What is the proper regulatory layer for any particular technology or activity—the nation, the region, or the globe, or even city or state? In an era of unprecedented technological change, how do we choose to regulate technology is more important than ever.

**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 565 v00 Globalization, Work, and Inequality Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20565%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
A backlash against globalization has emerged in advanced economies as a result of job loss, wage stagnation, precarious work and economic insecurity for the middle class. The liberal globalization of the last three decades is under attack for the unequal distribution of its gains and its failure to provide better opportunities for ordinary working people. Reimagining the global economy will require placing work front and center. This seminar will explore the changing nature of the workplace due to global competition and technological change. It will examine important policy debates about how best to create jobs, improve working conditions, and promote economic growth and well-being. We will analyze how a variety of factors, such as new modes of production and technologies, increasing participation of women in the economy, widespread migration flows, increasing global trade and capital mobility, and the rise of informal economies challenge the assumptions underlying traditional labor and employment regulation in both developed and developing countries. We will consider an array of innovative attempts – national, international, transnational, public, private and mixed – to improve workplace conditions and assure employment opportunity consistent with economic growth and stability. We will also inquire about the moral and political commitments associated with various approaches.

There are no prerequisites. All students are welcome.

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.

LAW 572 v00 Good and Evil Seminar: The Role of Law in Shaping Character and Behavior (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20572%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will explore some extremely thorny moral and psychological issues: why do people behave altruistically or cruelly? What separates the law-abiding citizen from the criminal? Does "character" determine most behavior, or does environment trump character in some—or most—situations? What's the best way to understand the role law plays in shaping human behavior? Course readings will be drawn from a wide variety of disciplines, including biology, sociology, psychology, and jurisprudence, and we will look at materials that range from studies of adolescent bullying and war-time heroism to stories drawn from the Rwandan genocide and the interrogation rooms at Guantanamo.

No prerequisites. For students enrolled in the writing requirement section: Students will be required to write one 25+ page term paper and several shorter reaction papers (1-2 pages) throughout the course.

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

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 419 v00 Governance of Nonprofit Organizations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20419%20v00)

J.D. Seminar (cross-listed) | 1 credit hour
This seminar will examine the rapidly developing field of governance “best practices” for nonprofit organizations. Recent crises and resulting reforms at leading nonprofit organizations will be used as case studies and the course will also consider the impact of government legislation and tax policies. Guest speaker participants will include governance experts who have led reform studies for nonprofit organizations and senior executives of local nonprofits.

Learning goals for this course: Give students an overview of the governance challenges faced by nonprofit organizations and how they are resolved. Uses case studies of specific governance crises at a variety of nonprofit organizations.

Prerequisite: Prior or concurrent enrollment in Corporations.

Recommended: Federal Income Taxation (formerly Taxation I).

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 Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

LAW 1434 v00 Governing Automated Decisions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201434%20v00)

J.D. Seminar | 2-3 credit hours
Many important decisions historically made by people are now made by computers. Software influences people's lives in a growing range of contexts, impacts access to basic rights, and mediates core mechanisms of justice. Algorithms control access to welfare and healthcare benefits, target citizens or neighborhoods for police scrutiny, inform bail and sentencing decisions, select taxpayers for IRS audit, and grant or deny immigration visas, among a growing list of other key decisions.

The legal standards and accountability mechanisms to govern decisions like these have not kept pace with changing technology. In this seminar, we will explore how automated decisions are made, the unique governance challenges that they pose, and the emerging suite of legal and policy responses to these new challenges. We will focus on automated decisions that wield state power, because it is in these decisions that the unmet need for public understanding, and democratic governance, is most acute.

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 202 v00 Government Contracts

J.D. Course (cross-listed) | 2 credit hours
This course analyzes the basic considerations in contracting with the federal government, including the sovereign's power to contract, the applicable statutes, regulations and executive orders, and sovereign immunity. Material covers methods of acquisition: sealed bidding or negotiation (competitive proposals); requests for quotations; Multiple Award Schedule (MAS) contracting; the problems of offer, acceptance, and consideration; as well as the authority of government agents to contract. The materials also focus on the problems of contract performance, including changes; delays and suspensions of work; contract termination either for contractor default or for government convenience; and equitable adjustments and allowable costs. There is emphasis throughout the course on the practical as well as the substantive problems, including the dispute procedures before the boards of contract appeals and appeals to the U.S. Court of Federal Claims, as statutorily mandated by the Contract Disputes Act of 1978; extraordinary rights and remedies, including recovery for defective pricing and Public Law 85-804 requests; and bid protest proceedings before the agencies, Government Accountability Office (GAO), and the U.S. Court of Federal Claims. The course also includes a discussion of the changes to the government contracting process, to allow for "commercial item" contracting, as a result of the Federal Acquisition Streamlining Act of 1994 and the Federal Acquisition Reform Act of 1996.

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

LAW 1110 v00 Government Enforcement Investigations: A Study at the SEC

J.D. Course (cross-listed) | 2 credit hours
Government enforcement programs are more vigorous than ever, and lawyers on all sides of an issue need to be able to investigate and understand what happened. Investigative skills are an essential part of the toolkit of any attorney. Fact-finding and analysis are core elements of all legal work, but too often, lawyers are left to develop crucial, practical skills without guidance or training.

Government investigations — such as those into violations of the federal securities laws — require a unique skill set, above and beyond substantive knowledge of legislation and rules. Enforcement attorneys need skills to identify key documents, review large amounts of information, interview witnesses and then summarize their work in writing. The private attorneys representing companies and individuals need to do similar work.

The course attempts to provide practical skills in the context of broader ideas about how to investigate and about how the Securities and Exchange Commission investigates. This will include some substantive law and some academic critique of the SEC, but it will concentrate on practical issues like how to gather information, how to analyze it against substantive law, how to deal with lies, and why lawyers must make themselves comfortable with technical subjects.

Through this course, students will learn about how lawyers investigate through the lens of the SEC Enforcement Division's securities enforcement investigation. Students will consider the life cycle of an Enforcement Division investigation — from the first tips through collecting information through deciding whether a violation has occurred — and gain an appreciation of how to use investigative powers responsibly. The course will rely heavily on publicly-available primary documents, including lawyer work product like subpoenas, transcripts, court orders, complaints and motions. The course will also include case studies for students to try their hand at making decisions.

The course will focus on the goals and tools of law enforcement, including how to start, plan and conduct an investigation. It will contrast those investigations with similar efforts by journalists, investors, and other government agencies. It will also examine investigations from the perspective of defense lawyers — both conducting their own investigations and responding to the government — so that students may learn how to act on behalf of private clients. We want students to think about and prepare for the investigations that they'll do in their careers.

Recommended: We do not assume students have taken any other classes. Prior or concurrent enrollment in Securities Regulation may give you some familiarity with issues covered in this class, but it is not necessary.
LAW 1432 v00 Government Lawyering (D.C. Advantage Practicum) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201432%20v00)
J.D. Practicum | 9 credit hours
In a D.C. Advantage practicum course, students participate in a weekly seminar and work for either 25 or 30 hours/week in a related placement they have secured themselves. This D.C. Advantage practicum is designed to teach law students to take their academic knowledge and adapt it to a practice of law in the federal government. Representing the government, either in litigation or in a regulatory or transactional practice, carries with it unique advantages and challenges. This course explores doctrinal topics from a government perspective and discusses some of the ethical challenges that face government lawyers. This course will give students a window into being a government lawyer, as well as enhance research, writing, and oral advocacy skills. Although the professor's background and experience is largely in litigation, the class will cover topics that any government lawyer will face in his or her position.

SEMINAR: This seminar will focus on topics with which professionals working in government lawyering jobs must be familiar. Topics will include setting professional goals, identifying the government lawyer's "client," government privileges, cultural competence, Freedom of Information Act and the use of online communications in legal practice, ethics, litigating against the government, and work-life balance. Students will also produce a paper on a topic closely related to their fieldwork, and will present to the class on that topic. Students will earn 3 graded credits for the seminar.

FIELDWORK: Students in this program will work for either 25 or 30 hours per week, for at least 11 weeks, in a law-related government placement, and must be closely supervised by an attorney from that office. Students are responsible for finding their own placements, and must have the placement offer when applying to the program. They will earn either 5 pass/fail credits for 25 hours of fieldwork or 6 pass/fail credits for 30 hours/week of fieldwork.

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).

Required co-requisite: Every student taking a D.C. Advantage practicum must concurrently enroll in at least one additional course that relates to the fieldwork he or she will be doing.

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

This course is mutually exclusive with all other D.C. Advantage practicum courses and the externship program (that is, a student may do only one D.C. Advantage practicum while at Georgetown Law and may not do both a D.C. Advantage practicum and an externship during his or her time here.) Students who completed one externship before Fall 2016 (when this rule went into effect) are eligible to take this course. Under no circumstances may participants in this course concurrently or subsequently enroll in an externship.

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

Students must apply to this program through an online application that will be made available during the Fall 2016 semester. We will update this page with a link to the application as soon as it is available.

Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. A student wishing to withdraw from the course will be withdrawn from both the seminar and fieldwork components.

Default attendance rule for all practicum courses (unless the professor indicates otherwise): Regular and punctual attendance is required at all class sessions.

LAW 1432 v01 Government Lawyering (Fieldwork Practicum) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201432%20v01)
J.D. Practicum | 9 credit hours
In fieldwork practicum courses, students participate in weekly seminars and perform fieldwork at outside organizations. This fieldwork practicum course is designed for students who will be working for either 20, 25, or 30 hours/week in a government lawyering placement that they have secured themselves and who wish to take an intensive three-credit companion seminar on government lawyering. Every participating student must also enroll in an additional course that relates to the fieldwork s/he will be doing.

SEMINAR: Representing the government, either in litigation or in a regulatory or transactional practice, carries with it unique advantages and challenges. This course explores doctrinal topics from a government perspective and discusses some of the ethical challenges that government lawyers face. This course will give students a window into being a government lawyer, as well as enhance research, writing, and oral advocacy skills. Although the professor's background and experience is largely in litigation, the class will cover topics that any government lawyer will face in his or her position. Students will produce a paper on a topic closely related to their fieldwork, and will present to the class on that topic. Students will earn 3 graded credits for the seminar. Attendance is mandatory at all class sessions.

FIELDWORK: Students will work for either 20, 25, or 30 hours per week, for at least 11 weeks, in a law-related government placement, and must be closely supervised by an attorney from that office. Students are responsible for finding their own placements, and must have the placement offer when registering for the course. They will earn either 4 pass/fail credits for 20 hours of fieldwork/week, 5 pass/fail credits for 25 hours of fieldwork/week, or 6 pass/fail credits for 30 hours/week of fieldwork/week.

1. Students can begin working toward their hours requirement (220, 275, or 330 hours over the semester) from the first day of regular, semester-long classes and must complete their hours requirement by the last day of classes.
2. Students must be fully eligible to start work at their field placement (i.e., security clearances and background checks complete) by the day before Add/Drop ends or they will be dropped from the course.

Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. A student wishing to withdraw from the course will be withdrawn from both the seminar and fieldwork components.

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: This course is mutually exclusive with all externship courses; that is, you may not do an externship before or after taking this course. This course is also mutually exclusive with all D.C. Advantage practicum courses.

Students may not concurrently enroll in this course and a clinic, fieldwork practicum, or other externship course.

Note: This course is open to JD students only.

Students are responsible for securing their own government lawyering field placements. Students must be closely supervised by a licensed attorney (or someone otherwise qualified to supervise). Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. The Office of Public Interest and Community Service (OPICS) is available, by appointment, to discuss
LAW 008 v03 Government Processes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20008%20v03)
J.D. Course | 4 credit hours
This course examines the various instruments the legal system has to deal with social problems. It seeks to identify the advantages and disadvantages of each instrument as a means of dealing with social problems and to provide students with an understanding of why one rather than another instrument is chosen. Upon analyzing the various options, the course will then undertake an in depth analysis of the regulatory state. The emphasis will be on institutional analysis, exploring the institutional roles of public and private actors in the regulatory state and the procedural framework within which those various institutional actors operate.

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

LAW 341 v02 Great Philosophers on Law, Human Rights, and Obligations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20341%20v02)
J.D. Course | 2 credit hours
The course has a double purpose. It is designed to provide historical information about the developments in the meaning of “law” within the system of major philosophers and to offer the opportunity to the students to “do” philosophy in various historical and cultural context. In the first part of the semester the lectures and discussions focus on Antiquity; that is on the doctrine of Plato, Aristotle, Roman and Jewish thinkers, and Aquinas. In the second part they center on Modernity; that is, on the theories of Locke, Kant, Marx, as well as of representatives from the Positivist and Analytical Schools. The lectures intend to show that each of the selected thinkers made significant contribution toward the development of legal philosophy. The discussions and exercises are meant to help the students to find their own legal philosophy and to become philosopher-lawyers; that is, independently thinking advocates of justice – of justice rooted in the rich soil of the wisdom of all ages past and present.

LAW 1527 v00 Habeas Corpus Post Conviction Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201527%20v00) (Project-Based Practicum)
J.D. Practicum | 5 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 practicum will combine policy and litigation, focusing on the doctrinal law and lawyering skills necessary to effectively litigate writ of habeas corpus cases. Students will participate in a two hour/week seminar and carry out 15 hours/week of project work under the direction of the course professors.

Habeas corpus gives those detained in the United States an opportunity to challenge their confinement through a unique mechanism: the imprisoned person sues the warden overseeing his or her confinement. A writ of habeas corpus claims that the government (state or federal) has improperly confined a person against his or her will. “Habeas” refers to the procedural mechanisms that state and federal governments have put into place to enable prisoners or immigrant detainees to challenge their confinement. Habeas is the method by which a convicted prisoner, including a prisoner facing a death sentence, can challenge their conviction and alert a judge to an unconstitutional sentence.

But habeas is a last resort and confusing. Habeas is a tool of civil procedure that alleges that a person has been wrongfully confined against their will. Both immigration detainees and convic ted prisoners may utilize a writ of habeas corpus, but habeas is only available to prisoners after they complete their criminal appeals. Thus, a prisoner may only access the power of a writ of habeas corpus in the late stages of their case. Because habeas is a late-stage tool, is a civil law solution to redress problems in the criminal sector, and is relatively unknown in the popular conception of the justice system, the field of habeas law is both complex and under-utilized.

SEMINAR: In the seminar, students will be introduced to basic aspects of habeas law, a unique field that uses civil law to challenge wrongs in the criminal and immigration sectors of the American legal system. All students will be expected to attend a weekly 2-hour seminar that will introduce basic habeas concepts. The seminar will incorporate hands-on learning to teach the theories of habeas law to prepare students for their work in the practical component of the course. The seminar will have a final paper to address issues in a case study that students will review in the seminar throughout the semester.

PROJECT WORK: Each student will be assigned to a team supervised by an attorney engaged in high-stakes litigation in the areas of capital defense, criminal defense, or immigration. Depending on the posture of the team’s case, students will be expected to provide substantive legal writing. For example, in a capital habeas case in state court, students will likely be heavily involved in the investigation, which will entail reading trial and hearing transcripts, interviewing or reviewing notes from interviews with witnesses, reviewing expert reports, and culling evidence to support legal claims. A student with a case in this posture might be expected to conduct legal research regarding the relevant potential issues to litigate and to prepare a legal memo outlining the anticipated issues, the necessary facts to develop the issues thoroughly, and any anticipated pitfalls. On the other hand, if a habeas case is in federal court, the students will probably be involved in more traditional legal research and assist in drafting briefs before the federal district courts or appellate courts.

Prerequisite: 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).

Recommended: Prior coursework or other experience in criminal
The class requires a paper of approximately 20-25 pages in length.

**Recommended:** Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

**LAW 1511 v00 Health Care in Crisis: Obamacare, COVID, & Beyond**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201511%20v00)
J.D. Seminar | 3 credit hours

Since the Affordable Care Act became law more than a decade ago, it has come under unrelenting legal and political attack. It’s been subject to multiple court challenges. Former President Trump and congressional Republicans sought to “repeal and replace” it. Some Democrats, meanwhile, doubled down, demanding their own, “single-payer” replacement. All this was prologue for COVID-19 and its catastrophic impact on America’s health care system — and our national life. This seminar will examine the oft-bitter battles over “Obamacare” with an eye toward lessons for health law and policy and for American governance more generally. It will then turn to COVID’s extraordinary stress on our medical system and the legal regimes that govern it. We’ll consider potential lessons learned, from the COVID crisis, about the ability of American legal and political governance to cope with health care’s scientific, organizational, and emotionally-fraught complexities.

**LAW 2037 v00 Health Information Technology and the Law**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202037%20v00)
LL.M Seminar (cross-listed) | 2 credit hours

Health care decision-making and innovation are increasingly driven and made possibly by vast stores of data. The importance of data has created an inevitable push-pull dynamic between concerns for confidentiality and demands for medical progress and cost containment. Data is both a privacy risk and a tremendous asset. This course will explore the legal and ethical issues at the intersection of health information, including where data comes from, how it is and should be protected, how it can be used, and risks to its integrity and security. In doing so, this course will cover a range of topics including health information privacy, future use of data assets, and conflicts of interest.

**LAW 627 v00 Health Justice Alliance Law Clinic**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20627%20v00)
J.D. Clinic | 10 credit hours

Please see the Health Justice Alliance Law Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/health-justice-alliance-clinic) for more detailed information about the program.


**Mutually Excluded Courses:** Students may not concurrently enroll in this clinic and an externship or a practicum course.
LAW 2076 v00 Health Law and Regulation

LL.M Course (cross-listed) | 3 credit hours
Beyond health insurance and the delivery of health care, goods and services related to individual and public health are highly regulated in the United States, and often serve as a basis for international regulations. These goods and services are a large and growing part of the U.S. and world economy, with some estimates being that more than one-quarter of U.S. food and medical products are regulated by the FDA alone. This regulation is carried out directly by a variety of State and Federal agencies (such as the FDA, the CDC, and the NIH) as well as indirectly through the purchasing power of federally financed programs, such as Medicare.

This course will include an introduction to the basic legal and regulatory frameworks within public health and an overview of the Constitutional limits and policy choices that have led to current law. The course will then move to a review of several major fields of regulation. From a high-level, this includes the regulation of health professionals, health systems, and medical or food products impacting human health. The course will then conclude with an examination of several contemporary problems, such as the safe and effective use of human drug products, infectious-disease prevention and control, ethical research practices, and rationing and allocation of limited resources.

The primary objective of the course is to teach students about the regulation of public health at the intersection of state and federal levels, recognizing that such regulatory frameworks often become the template for international policies. Students will be called on to learn the basics of two fundamental statutes—the Public Health Service Act (PHSA) and the Food, Drug and Cosmetic Act (FDCA). Students will also be called upon to follow examples of administrative change under these statutes, each year analyzing a new set of proposed regulations and sub-regulatory guidance documents. By the end of the course, students will be able to describe the major means by which goods and services used in both personal and public health are controlled, as well as areas in which future changes are likely.

Currently, there is no text or case book on this subject. The primary readings will be assigned by the professor.

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

LAW 3054 v00 Health Rights Litigation Intensive

LL.M Course (cross-listed) | 2 credit hours
This one-week intensive course offers students an opportunity to develop specialist-level knowledge in litigating health-related rights at the national, regional, and international levels.

During the course, globally renowned experts will lecture on a range of topics, including: regulation of private actors; sexual and reproductive health and rights; rights issues arising in health-care settings; approaches to health-care rationing and factors to consider in assessing the equity impacts of judgments; access to medicines and intellectual property; judicial legitimacy in deciding issues with budgetary and policy implications; and judicial effectiveness and impact of judgments.

The course is highly participatory, and uses case-based teaching and group exercises extensively. Students will be evaluated based on their participation in lectures and group exercises throughout the week, as well as their participation in either the moot court competition or the fundraising pitch on the final day of the course.

Recommended: Prior enrollment in International Human Rights; International and Comparative Law on Women’s Human Rights; Gender, Sexual and Reproductive Health and International Human Rights Law; O’Neill Institute Practicum: Health and Human Rights

Note: This class will meet on the following Summer 2017 dates: 6/26, 6/27, 6/28, 6/29, and 6/30.
will examine potential limitations as well as strengths of using human populations. Throughout the course, as we discuss specific issues, we will examine the conceptual and practical implications of adopting human rights frameworks relating to health policymaking and programs. We will consider human rights discourse and how this determines the relevance of ‘human rights-based approaches’ to addressing the health needs of different populations. Throughout the course, as we discuss specific issues, we will examine potential limitations as well as strengths of using human rights to improve global health.

The course seeks to answer the following questions:

- What are international human rights standards that relate to health?
- What does it mean in practice to set out a "right to health," and how might such a right be implemented?
- What is (and should be) the role of courts in enforcing health rights?
- What are the key elements of ‘rights-based approaches’ in programs and policies, with reference to specific health issues and affected populations?
- How might adopting a rights-based approach to global health issues challenge traditional human rights assumptions and practices?
- How can human rights be used to create meaningful social change in health, and what are the limitations to using human rights frameworks?

LL.M Seminar (cross-listed) | 1 credit hour

Human rights are now the dominant language for claims of human emancipation around the world; human rights theory and practice have permeated many domains beyond the law, including health. Yet the landscape of global health is marked by vast inequities and brutal deprivation, and it is not yet clear how bringing human rights concepts and strategies to bear will change the lives of the millions of people around the globe who are suffering. In this course, we will explore these questions and see how human rights provides not only, but one, critical framework and set of tools through which to advance social justice in health. Nonetheless, the use of human rights to advance social justice faces vexing challenges, including being reduced to rhetoric by powerful actors and becoming overly legalistic.

The class will explore the conceptual and practical implications of adopting human rights frameworks relating to health policymaking and programming, including emphases on accountability, participation and non-discrimination. We will examine how human rights discourses are shaped and contested, and how this determines the relevance of ‘human rights-based approaches’ to addressing the health needs of different populations. Throughout the course, as we discuss specific issues, we will examine potential limitations as well as strengths of using human rights to improve global health.

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Health outcomes and life expectancy increasingly are socially determined. In the United States, for example, life expectancy has dropped three years running, mostly due to diseases of despair (e.g., illicit drug and opioid overdoses, suicides, and depression) among low and middle-income Americans. It will explore how law and regulatory reform can improve health and longevity among all socioeconomic groups.

Part I analyzes the role of law and policy in preventing chronic non-communicable diseases (NCDs) such as cardiovascular disease, cancer, diabetes, and respiratory disease. It explores international instruments, such as the Framework Convention on Tobacco Control, and domestic interventions to reduce use of tobacco, alcohol, and vaping products. Importantly, law and regulatory reform can effectively promote healthy diets and physical activity across the life-course.

Part II examines the social and economic impacts of aging populations, with a focus on legal and policy interventions for healthy aging. It explores social isolation and the importance of recreational spaces, social connectedness, mental health, and prevention of injuries among the elderly (both unintentional and elder abuse). It will also examine “macro” policies such as the social and economic impacts of aging populations, and what governments and societies can do to encourage productivity and manage costs.

Part III covers legal and ethical issues around the concept of a “good death,” including palliative care, end of life decision-making, and voluntary assisted death. Everyone wants to live a healthy life, without major disability. But they also want to die with dignity. How can society be structured to empower people to have a “good death?”

In addition to analyzing population level interventions to promote health and wellness, the course integrates personal, family, and societal health and wellbeing. Students will have the opportunity to reflect on how to keep themselves and their loved ones healthy and balanced, including lifestyles conducive to health, peacefulness, wellbeing, social engagement, and productivity.

NCDs are a global pandemic, representing 70% of all global mortality. Well-structured laws and policies have the power to prevent premature disease, disability, and premature death, and promote health and well-being in ageing societies. This course will educate and actively engage students on the legal issues surrounding disease prevention and health promotion across the life-course and offer analysis of innovative policy opportunities to structure health systems, food systems, and communities that promote individual and public health.

Description of student learning goals:

1. Understand the social and economic impacts of population aging and the global non-communicable disease pandemic.
2. Analyze law and policy as a determinant of health and well-being, with a focus on legal interventions to reduce NCD risk factors (e.g. tobacco use) and promote healthy aging and dying.
3. Compare regulatory approaches to health promotion, including direct regulation, the authority to tax and spend to influence behaviors, and powers to alter socio-economic, informational, and physical environments.
LAW 1500 v00 Hebraic Jurisprudence: From the Bible through the Rabbis

J.D. Course | 1 credit hour

Jewish law is among the most, if not the most, ancient legal systems in the world, which remains active in contemporary times. Moreover, doctrines and principles of Hebraic jurisprudence have had a lasting influence on the Western legal tradition. While some of its innovations have been incorporated into general legal thought to a degree that they seem obvious to most, other conceptions of Jewish law remain unique, and fundamentally diverge from prevailing legal theories. Thus, the contribution of Hebraic jurisprudence is not merely historical; it retains the power to challenge our legal world by exposing new directions in legal thought.

In this course, we will focus on two of the formative periods of Jewish law — biblical law and rabbinic law — as well as the transition between these periods. We will highlight some of the main legal themes which were formed and crystallized during these periods, and which still possess the power to provoke creative legal thought even today. Among the topics we will discuss are the following: the jurisprudential tension between revelation and wisdom; the status of natural law; various theoretical models of legal development; the role of legal pluralism; the difference between a rights-based discourse and a duty-based discourse; and the concept of ownership.

The purpose of the course is to analyze Hebraic jurisprudence on these topics, while comparing it to contemporary jurisprudential theories. In this manner, we shall attempt to provoke new directions of thought on familiar legal issues.

Note: This course will meet on Mondays and Wednesdays, 9:00 a.m. - 11:00 a.m. on the following dates: 1/29, 1/31, 2/5, 2/7, 2/12, 2/14 and Thursday, 2/22 (Monday classes meet on this day).

LAW 311 v01 Higher Education and the Law Seminar

J.D. Seminar | 2-3 credit hours

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

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

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

LAW 216 v02 Historic Preservation Seminar

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

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 60 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: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1410 v00 History of Modern Legal Thought
J.D. Course (cross-listed) | 1 credit hour
Legal thought is influenced by political, intellectual and cultural trends and fashions. The aim of this course is to provide an overview of the history of modern legal thought, in Europe and North America, and link developments in legal thought to political and cultural changes. The first part of the course will focus on the emergence of modern legal thought in continental Europe and England in the last decades of the eighteenth century and the first half of the nineteenth century. Among the topics that will be discussed will be codification, the Historical School of Law, and mid-nineteenth century evolutionary theories of law. Most of the second part of the course will be devoted to the history of American legal thought, discussing late-nineteenth century legal science, early twentieth century anti-formalist approaches, and finally interwar and postwar American legal thought. Grades will be based on class participation and a take-home exam. The course may be taken on a pass/fail basis.

Note: This course will meet in Fall 2016 on Wednesdays and Fridays, 9:00 am - 11:00 am on the following dates: 10/5, 10/7, 10/14, 10/19, 10/21 (class will meet from 9:00 am - 12:00 pm), and 10/26.

LAW 220 v02 Homelessness, Poverty, and Legal Advocacy Seminar
J.D. Seminar | 2 credit hours
This seminar will explore the many facets of homelessness and poverty and the role of legal and community advocacy in addressing its causes and alleviating its consequences. Students will be introduced to the myriad societal problems and individual challenges that intersect in homelessness and will work on developing solutions to those problems and challenges. Throughout the semester, the class will be building towards developing a strategic advocacy plan to address one of these problems/issues. Students will develop the skills needed to lay the groundwork for such plan to become a reality. The course will be very skills focused, exploring the variety of tools in a public interest lawyer’s tool box that stretch beyond traditional notions of legal practice.

Throughout the semester, students will engage in a number of in-class problem solving exercises which will require students to identify a client’s problem(s) or issue(s); define the client’s goals; and develop advocacy strategies to help the client attain those goals.

Each student is required to commit to a brief "service-learning" activity, connecting directly with a person or people who are homeless or at risk of homelessness. This could include serving a meal at a soup kitchen; taking a "Street Sense" vendor to lunch; helping a job-seeker prepare a resume; or another activity which is of interest to the student and well-suited to the student’s talents and gifts.

In lieu of one research paper, students will develop a portfolio of written materials to advance an advocacy strategy centered around a substantive topic of the student’s choosing. The portfolio will include: strategic advocacy plan; sign-on or "dear colleague" letter; advocacy letter; fact sheet; testimony; social media materials; outreach materials and a plan for a community meeting.

Learning Objectives:

Our objective is for students to gain an understanding of the complex legal and social issues that intersect in homelessness, as well as the different ways lawyers can address such issues. We want students to think "outside the box" of a traditional law practice and become familiar with other tools that can help clients achieve their goals. Students will learn about the considerations that go into developing an advocacy strategy and how to prepare the materials needed to implement that strategy, crafting advocacy messages for varied audiences and decision-makers.
LAW 1403 v00 Hot Topics in Antitrust (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201403%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Antitrust is dynamic. In regulating business strategy, competition law is only as effective as its understanding of each industry’s idiosyncrasies. Novel business practices reflect changing technologies, market conditions, and strategies. Antitrust lawyers do not simply master doctrine. Fluent in the basic principles of antitrust law and economics, they understand industry conditions and the enforcement agencies’ agendas. Above all, they stay abreast of cutting-edge developments in the law.

This seminar bestows that understanding. We will discuss today’s most hotly debated antitrust questions, explore how foreign jurisdictions’ competition laws and enforcement ideals deviate from U.S. practice, and delve into the industry-specific issues that arise in fields ranging from healthcare to wireless technology.

Major points of focus include the evolving relationship between antitrust law and intellectual-property rights. We shall discuss post-Actavis issues in the pay-for-delay space, including no-authorized-generic promises by pioneer-drug manufacturers and whether the continuation of infringement litigation immunizes a reverse payment. Outside of the life sciences, urgent questions involve antitrust limits on IP aggregation by patent-assertion entities and practicing firms. Further, when does a "privateering” agreement between a practicing entity and a PAE implicate competition law? Does the owner of a standard-essential patent violate antitrust law in seeking to enjoin a technology user despite its prior assurance to license on reasonable and nondiscriminatory terms? We shall also address antitrust limits on patent licensing and refusals to deal. Agency guidelines overseas, such as in China, and enforcement actions in Asia more broadly hint at the direction of international antitrust in this area.

In the larger field of antitrust and technology, some commentators argue that big data and privacy may implicate competition policy. In 2016, Germany’s Federal Cartel Office accused Facebook of abusing its dominance based on privacy and big-data theories. Do those allegations hold water? A recurring problem in antitrust, which has emerged anew in the pharmaceutical industry, is predatory innovation. A separate development goes to the nature of actionable conspiracies where the lines between vertical and horizontal agreements become blurred. The Apple e-Books saga, which came to an end in March 2016 when the Supreme Court denied cert., has important repercussions for the law in this space. We shall also address the ongoing debate about the reach of Section 5 of the FTC Act, which allows the FTC to reach beyond the Sherman Act to condemn unfair methods of competition. The FTC’s controversial 2015 statement of enforcement principles on Section 5 features here, and we shall ask whether it makes sense that the Justice Department and FTC can subject firms to distinct liability standards. We shall touch on pending legislation, the SMARTER Act, which touches upon those issues. A critical antitrust issue that remains unresolved is the scope of Noerr-Pennington immunity. Finally, we will discuss contemporary issues in healthcare-merger oversight.

Recommended: Prior or concurrent enrollment in a basic antitrust course.

LAW 552 v01 Housing Advocacy Litigation Clinic at Rising for Justice, Law Students in Court Division (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20552%20v01)
J.D. Clinic | 7 credit hours
Please see the Rising for Justice (Housing Advocacy and Litigation Clinic) website (https://www.law.georgetown.edu/experiential-learning/clinics/risingforjustice) for more detailed information about the program.


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

LAW 209 v00 Housing Today: Lawyering Affordable Housing Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20209%20v00)
J.D. Seminar | 2-3 credit hours
This seminar will examine how traditional lawyer skills are utilized and essential to provide affordable housing under today’s federal housing programs. Emphasis will be on the economic and legal problems in producing affordable housing; this course does not cover owner-tenant relations and tenant rights issues. After an overview of current federal housing programs, the seminar examines the litigator’s role in representing owners, and governmental bodies involved in HUD programs. Also examined will be the role of the tax, securities and business lawyer in the syndication of partnership interests in projects that qualify for the low income housing tax credit. The seminar also examines the role of the lawyer-lobbyist in shaping housing legislation, as well as the administrative lawyer in representing clients before the Department of Housing and Urban Development and other federal agencies. [This course is offered in alternate years with the Homelessness and Legal Advocacy Seminar.]

Recommended: Federal Income Taxation (formerly Taxation I); Property.

Note: This course requires a paper. Students must register for the 3 credit section of this course 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.

LAW 1603 v00 How to Regulate (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201603%20v00)
J.D. Course | 3 credit hours
Regulation is pervasive. But, governments routinely over-regulate in some areas, under-regulate in others, and also mis-regulate – by using solutions that really don’t “fit” the underlying problem, or cause more problems than they solve. When it comes to regulation, design details matter – and so does implementation. The result is that not all regulation is good – and some of it ranges from bad to awful. Simply stated, markets fail, but so does regulation. This course systematically evaluates these issues, using a wide array of real-world examples.

Mutually Excluded Courses: Students may not receive credit for this course and the first-year elective by the same name.
The critical claims.

...effectiveness of human rights discourse or to the internal incoherence of the critique of the critique points to either an empirical evidence of the bulk of skepticism in the discourse of human rights within these quarters. The critiques have been so powerful as to create a generalized sense by a new generation of human rights believers/activists. The multiculturalist, the feminist, the libertarian and the anarchist.

We live in an age of Human Rights. Human Rights, as law, discourse, institutional structure, activist organizations, subject activists and local constitutional expressions, can be considered the crowning achievement of Western humanist secular liberalism that has been able to universalize its dictates. And yet, especially since the 90s, critiques of human rights have compounded from those identified with the left of liberalism. Those critiques include: the socialist, the anti-imperialist, the democratic, the multiculturalist, the feminist, the libertarian and the anarchist.

The critiques have been so powerful as to create a generalized sense of skepticism in the discourse of human rights within these quarters especially among an emergent generation of activists, scholars, and public intellectuals. Those critiques have been met by a counter critique by a new generation of human rights believers/activists. The bulk of the critique of the critique points to either an empirical evidence of the effectiveness of human rights discourse or to the internal incoherence of the critical claims.

LAW 1408 v00 Human Genetic Engineering: Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201408%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This two-credit seminar will open a window into the fast-developing world of human genetic engineering. It begins with a review of international and regional efforts to ban or restrict human germline modification (HGM), along with a brief world overview of relevant laws and trends. It then focuses on cutting-edge techniques like CRISPR/Cas9 and organized research efforts, particularly in China, that may nonetheless spark a race to create designer babies within a decade or less, as regulation lags behind technology and human affairs. Next, we examine two more well-established reproductive technologies, mitochondrial replacement and pre-implantation genetic diagnosis (PGD), to identify forces that are likely to guide HGM regulation as relevant technologies become safer and more efficient. We'll study the U.K.'s recent adoption of mitochondrial transfer to reduce birth defects or enhance fertility and then learn about evolving U.S. policy. We'll follow the spread of PGD, initially used to identify embryos bearing genes causing incurable childhood diseases, first to other less serious conditions, then to the creation of "savior siblings" and finally to non-medical uses like sex selection. Then we'll return to HGM and view a sample of public policy proposals and religious views likely to influence the coming debate. Finally, we'll close with an introduction to futuristic impulses to implement theoretically limitless improvements to human capabilities, sometimes balanced by the desire to use HGM to improve human moral character and tempered by doubts regarding the moral status to be accorded new HGM creations.

LAW 1666 v00 Human Rights and Its Discontents Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201666%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
We live in an age of Human Rights. Human Rights, as law, discourse, institutional structure, activist organizations, subject activists and local constitutional expressions, can be considered the crowning achievement of Western humanist secular liberalism that has been able to universalize its dictates. And yet, especially since the 90s, critiques of human rights have compounded from those identified with the left of liberalism. Those critiques include: the socialist, the anti-imperialist, the democratic, the multiculturalist, the feminist, the libertarian and the anarchist.

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LAW 034 v07 Human Rights Fact-Finding (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20034%20v07) (Project-Based Practicum)
J.D. Practicum | 6 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor(s). This project-based practicum course is designed to support students participating in the Human Rights Institute (HRI) Fact-Finding Project. Through this course, students will gain the substantive background and skills needed to carry out a human rights investigation from beginning to end. Each year, the HRI Fact-Finding Project has focused on a policy-relevant human rights issue, including migrants’ rights, children’s rights, and the role of human rights in the global economy. In the fall, students will participate in a weekly two hour/week seminar and carry out 5 hours/week of project work under the direction of the professor. Over Week One, students will travel to carry out a fact-finding investigation. In the spring, students will participate in a two hour/week seminar every other week and carry out 10 hours/week of project work. For this course, students will work closely with the HRI Dash/Muse Fellow and Professor Fanny Gomez-Lugo in conceptualizing and implementing each step of the Project. Professor Gomez-Lugo is currently the Senior Director for International Policy and Advocacy for the Heartland Alliance’s Global Initiatives for Human Rights. Previously, she coordinated the work of the Rapporteurship on the Rights of Lesbian, Gay, Bisexual, Trans and Intersex (LGBTI) Persons of the Inter-American Commission on Human Rights.

SEMINAR: In the fall, the seminar will cover the substantive law and policy relating to the fundamental rights of LGBTI individuals in the Americas, as well as human rights fact-finding skills and methodology. In the spring, seminar classes will meet every other week and focus on the production of a human rights fact-finding report and the conduct of related advocacy. Seminar sessions will be designed to guide students through each step of the human rights fact-finding process.

PROJECT WORK: Students will research a human rights problem in depth, conduct extensive outreach and interviews on the subject, draft a comprehensive report on their findings, and engage in related advocacy. In January 2018, during ‘Week One,’ the group will travel on-site to conduct interviews with relevant stakeholders. Georgetown Law will cover travel expenses. Students will also be expected to meet on their own throughout the academic year.

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).

Recommended: Courses such as International Law I and International Human Rights Law would be helpful to participants, but are not required.

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 course is open to both J.D. and LL.M students.

This practicum course may be suitable for evening students with flexible work schedules. Interested evening students should contact Dash/Muse Fellow Ashley Binetti (ab2242@georgetown.edu) to discuss their particular situation. THIS COURSE REQUIRES HUMAN RIGHTS INSTITUTE PERMISSION TO ENROLL. Applications (comprised of a statement of interest, a resume, and a writing sample) are due by 12:00 noon on Monday, April 10, 2017, the same day that clinic applications are due. Admitted J.D. students will be informed of HRI’s decision on their application before they are required to make a clinic decision. Selected students will be required to accept or decline an offer to join the project by April 26, 2017. Students who have missed this deadline should contact Dash/Muse Fellow Ashley Binetti (ab2242@georgetown.edu) to discuss their particular situation.
LAW 034 v08 Human Rights Fact-Finding (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20034%20v08) (Project-Based Practicum)
J.D. Practicum | 6 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor(s). This project-based practicum course is designed to support students participating in the Human Rights Institute (HRI) Fact-Finding Project. Through this course, students will gain the substantive background and skills needed to carry out a human rights investigation from beginning to end. Each year, the HRI Fact-Finding Project has focused on a policy-relevant human rights issue, including migrants’ rights, children’s rights, LGBT rights, and the role of human rights in the global economy. In the fall, students will participate in a weekly two hour/week seminar and carry out 5 hours/week of project work under the direction of the professor. Over Week One, students will travel to carry out a fact-finding investigation. In the spring, students will participate in a two hour/week seminar every other week and carry out 10 hours/week of project work. For this course, students will work closely with the HRI Dash/Muse Teaching Fellow Ashley Binetti and Professor Melyssa Sperber in conceptualizing and implementing each step of the Project. Professor Sperber is currently the Director of Public Policy & Government Relations at Humanity United and Humanity United Action. She advocates before Congress and federal agencies on policies to combat human trafficking and prevent violent conflict, and she oversees the foundation’s public policy and government relations portfolio. Previously, she was Director of Human Rights at Vital Voices Global Partnership, where she implemented programs in more than 20 countries to combat violence against women, including human trafficking, domestic violence, and sexual violence.

SEMINAR: In the fall, the seminar will cover the substantive law and policy relating to human trafficking, as well as human rights fact-finding skills and methodology. In the spring, seminar classes will meet every other week and focus on the production of a human rights fact-finding report and the conduct of related advocacy. Seminar sessions will be designed to guide students through each step of the human rights fact-finding process, including project design, interviewing, reporting writing, and advocacy.

PROJECT WORK: Students will research a human rights problem in depth, conduct extensive outreach and interviews on the subject, and draft a comprehensive report on their findings, and engage in related advocacy. In January 2019, during “Week One,” the group will travel on-site to conduct interviews with relevant stakeholders. Georgetown Law will cover travel expenses. Students are also expected to meet on their own as a team throughout the academic year.

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). Students may concurrently enroll in this practicum course and a clinic or another practicum course. Students may concurrently enroll in this practicum course and an externship.

Recommended: Courses such as International Law I and International Human Rights Law would be helpful to participants, but are not required.

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 course is open to both J.D. and LL.M students.

LAW 034 v09 Human Rights Fact-Finding (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20034%20v09) (Project-Based Practicum)
J.D. Practicum | 7 credit hours
This project-based practicum course will give students the unique opportunity to participate in the Human Rights Institute (HRI) Fact-Finding Project. Through this course, students will gain the substantive background and skills needed to carry out a human rights investigation from beginning to end. Each year, the HRI Fact-Finding Project has focused on a policy-relevant human rights issue, including migrants’ rights, children’s rights, LGBT rights, and the role of human rights in the global economy. In the fall, students will participate in a two-hour weekly seminar and carry out at least 5 hours per week of project work. Over Week One students will carry out a virtual fact-finding investigation. In the spring, students will participate in a two-hour seminar every other week and carry out an average of 10 hours of project work per week. Students will work closely with the Professor and Dash-Muse Teaching Fellow in conceptualizing and implementing each step of the Project.

SEMINAR: In the fall, the seminar will cover the substantive law and policy relating to health and human rights of migrant and refugee populations, as well as human rights fact-finding skills and methodology. In the spring, seminar classes will meet every other week and focus on the production of a human rights fact-finding report. Seminar sessions will be designed to guide students through each step of the human rights fact-finding process, including project design, interviewing, and reporting writing.

PROJECT WORK: Students will research a human rights problem in depth, conduct extensive outreach and interviews on the subject, and draft a comprehensive report on their findings. In January 2021, during “Week One,” the group will conduct interviews with victims or potential victims of human rights abuses and relevant stakeholders. The fact-finding investigation during the 2020-2021 academic year will be conducted virtually and take place from Monday, January 11 through Thursday, January 14, 2021, with a mandatory orientation on Friday, January 8, 2021. Students will be expected to work both independently and in teams.

Prerequisite: Prior or concurrent enrollment in International Law I: Introduction to International Law or International Human Rights Law no later than the Fall 2020 semester.

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 course is open to both J.D. and LL.M students.

This practicum course may be suitable for evening students with flexible work schedules. Interested evening students should contact Dash/Muse Fellow Melissa Stewart (Melissa.Stewart@georgetown.edu) to discuss their particular situation. This course requires Human Rights Institute Permission to Enroll. J.D. student applications (comprised of a statement of interest, a resume, and a writing sample) are due by noon on Thursday, April 16, 2020. Admitted J.D. students will be informed of HRRI’s decision on their application before they are required to make a clinic decision on April 20, 2020. Selected students will be required to accept or decline an offer to join the project by COB on Monday, May 4, 2020. J.D. students who have missed this deadline should contact Dash/Muse Fellow Melissa Stewart (Melissa.Stewart@georgetown.edu) to inquire whether seats are still available. Selection criteria include but are not limited to: a demonstrated commitment to human rights, experience interviewing or working with individuals affected by human rights violations, ability to work cross-culturally with individuals who have experienced or are experiencing ongoing human rights abuses, and an interest in working on a team throughout the academic year.
LAW 1621 v00 Human Rights Seminar: The Role of Human Rights Defenders (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201621%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
Human rights defenders play a critical role in the protection and promotion of internationally recognized human rights and fundamental freedoms. Their work is essential to achieve the core objectives of the United Nations and its Member States at national, regional, and international levels. This seminar will explore the evolving international legal framework for the protection of human rights defenders. We will consider the realities that prompted the international community to establish norms, create mechanisms and processes, and formulate policies to ensure that human rights defenders can safely engage in their vital work under different political, economic, and social conditions. The seminar will also examine how the norms governing human rights defenders enrich the human rights protection framework as a whole—improving the chances of its implementation at the national level. This seminar will also consider the role and responsibility of key human rights agencies within the international system, such as the United Nations High Commissioner for Human Rights, and how the scope of their mandates accommodates development of the human rights defenders framework.

Note: This course requires a paper. J.D. students must register for the 3-credit section of the course 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.

LAW 1286 v00 Human Trafficking and Modern Slavery in the 21st Century: Legal Perspectives (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201286%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Slavery has been a phenomenon that has existed since before written history, yet it is only in the last 200 years that efforts to abolish it have gained traction. Today, increasing mobility, global supply chains, and continued social discrimination have created the environment for ongoing human exploitation, even though the formal practice of chattel slavery, or the legal ownership of one human being by another, is illegal virtually everywhere. Indeed, some estimate that there are more slaves today than at any other time in human history. Most recently, efforts to eliminate severe forms of human exploitation are being made under the banner of ending human trafficking (or more formally, trafficking in persons).

This course will provide students an overview of the multiple legal perspectives on combating human trafficking and modern slavery. This will include the definitional tensions between different perspectives, alternative approaches to addressing severe human exploitation, and an overview of the current U.S. legal framework for eradicating human trafficking and modern slavery and its weaknesses. Attention will be paid to commonly recognized principles in human rights, criminal and labor law, but also in such areas as corporate responsibility and international humanitarian law. The class will use a range of materials, including international treaties, decisions of international and foreign tribunals, and more familiar U.S. statutory materials and legislative history (such as committee reports).

Learning Objectives:
At the conclusion of the class, students should be able to

- recognize many of the forms of and pervasive nature of human trafficking and modern slavery;
- identify risks of human trafficking and modern slavery in most areas of practice they may choose in the future; and
- have familiarity with emerging issues in the area of human trafficking and modern slavery.

Recommended: A prior course in public international law or international human rights.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Human Trafficking in International and Transnational Law.
**LAW 1672 v00 Human Trafficking: A Labor Approach**

J.D. Seminar (cross-listed) | 1 credit hour

Human trafficking has attracted unprecedented attention in the past decade and has been subject to extensive academic inquiry. Despite this, the diverse legal instruments developed to combat human trafficking, as well as the large body of scholarship dedicated to its research, have generally come short in identifying, elucidating, and targeting the profound institutional structures that enable trafficking and that turn this phenomenon into one of the pressing moral and political challenges of today’s global economy. Common anti-trafficking approaches focus on criminalization of trafficking, border controls, and ex-post measures to assist and protect the human rights of victims of trafficking. The assistance provided through these tools reaches an alarmingly small number of individuals, leaving the rest of the traffickers and trafficked population largely unaffected. In this seminar we will study, explore and develop a complementary anti-trafficking approach: a labor approach to human trafficking. The labor approach focuses on market inequalities between employers and employees, and seeks to devise ways to transform the bargaining playing field. Such transformations can occur through traditional unionization of workers or through other means that address structural causes of inequality and worker vulnerability such as regulation of recruiters, developing corporate responsibility to severe forms of exploitation, and guaranteeing rights of workers in labor sectors vulnerable to trafficking through protective legislation.

In this seminar students will be introduced to the legal concept of human trafficking in international law and the history that led to its current legal formulation, study the most common anti-trafficking approaches and best practices around the world, and focus on a labor responses to human trafficking. **It is important to note that the course will not focus solely on trafficking into the sex industry but rather will look at labor trafficking to various sectors.**

Students will be required to submit a research proposal in advance, actively participate in class, develop a research project and write a final seminar paper that builds on the theoretical tools and concepts acquired in the class.

**Note:** This course will meet on the following Tuesdays and Thursdays, 9:00-11:00 am: 9/24, 9/26, 10/1, 10/3, 10/8, 10/10, and 10/17.

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**LAW 037 v00 Immigration Law and Policy**

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

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

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**LAW 037 v02 Immigration Law and Policy**

LL.M Course (cross-listed) | 2 credit hours

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

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

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

**NOTE FOR THE SUMMER 2021 SECTION:** This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.
**LAW 1519 v00 Immigration Policy across the Branches**

J.D. Seminar | 2-3 credit hours

Who can enter the United States as a visitor or an immigrant? Who will get asylum? Who will wait in a detention center? And when, according to immigration laws passed by Congress, over ten million migrants in the United States are unauthorized, who will actually be deported? American immigration law is the product of Presidential policy, Congressional command, and various discretionary decisions made by executive officials including immigration judges and Border Patrol officers. This course will examine the relationships between these various decision-makers. We draw on examples from immigration policy throughout the years—from the Chinese Exclusion Act to President Trump’s travel ban—to illustrate these issues. We also use case law from the Supreme Court, the Board of Immigration Appeals, and various federal circuits to understand how courts have evaluated these issues. Finally, secondary sources from historians and legal scholars help illustrate how various players the immigration system interact in practice. We will use this information to assess critiques of the immigration system and proposals for reform. These readings also introduce students to immigration related legal concepts including asylum, mandatory detention, and the use of the categorical approach to determining the significance of a migrant’s criminal history. Students will develop a familiarity with immigration practice as well as a more nuanced understanding of the legal and political issues that vex immigration law scholars.

**Learning Objectives:**

- Develop a better understanding of the historic development of immigration law and policy.
- Become familiar with legal concepts concerning asylum, immigration detention, and executive power over admissions and removal.
- Understand different policy-making options and the tension between discretionary decision-making and compulsory enforcement.
- Appreciate the choices and limitations facing various decision-makers in the immigration context, as well as the experience of migrants and asylum seekers in the immigration system.
- Assess separation of powers concerns using examples from the immigration field.
- Make a nuanced assessment of popular news stories and debates about immigration law, paying special attention to the role of various decision-makers at play.
- Summarize and critically analyze various proposals for reform of the immigration adjudications, deportation proceedings, and the asylum process.
- Master a substantive legal issue related immigration by producing a paper and/or presentation on a legal debate in the area. Develop writing and presentation skills by participating in this exercise.
- Practice critical reading of law review articles and cases.

**Recommended:** Immigration Law and Policy.

**Note:** This course requires a paper. Students must register for the 3 credit section of this course 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.

**LAW 939 v00 Immunity Under International Law**

LL.M Course (cross-listed) | 2 credit hours

The attempted extradition of Gen. Pinochet from the U.K. to Spain to account for torture and disappearances in Chile, a tragic car accident in Washington, D.C. in which a sixteen year old is killed by a Georgian diplomat, the alleged expropriation of your corporate client's investment interests by a foreign government, a civil lawsuit against President Mugabe of Zimbabwe during a visit to the U.S., a criminal case in Chicago against a foreign consular officer for aiding and abetting a fugitive – such cases bring into sharp relief the operation of international immunities. This mini-course aims to introduce students to the range of jurisdictional immunities recognized by international law and how they are implemented in domestic law. We will cover diplomatic and consular immunity, sovereign (or state) immunity, the immunities accorded to heads of state and government, and the special status of international organizations and their staff and member representatives, including the United Nations, its specialized agencies and individuals on special missions. Increasingly, practicing lawyers (especially those who represent governments and international organizations or who practice in places where embassies, consulates, missions and international institutions are located) need to be familiar with the reach of these rules and doctrines, and the exceptions thereto. Our focus will be on the practical application of the various international conventions, domestic statutes, and judicially crafted rules which define the law of international immunities.

**Prerequisite:** No prerequisites, but some familiarity with basic international law and the process of civil litigation is strongly recommended.

**Strongly Recommended:** Introduction to International Law

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

**LAW 1032 v00 In-House Counsel: Law and Practice**

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

This course will focus on aspects of the practice of law particular to lawyers serving as in-house counsel in businesses or non-profit organizations, including substantive legal issues and practical considerations relevant to lawyers for whom their employer is their only client. In-house counsel perform tasks that are often different from those performed by outside counsel and have certain advantages over outside counsel as well as different professional responsibility concerns. The seminar will be taught by Russell Stevenson, Jr., who has taught law, been in private practice, and served for twelve years in-house counsel for both public and private business corporations. There will be several guest presentations by general counsel and leading practitioners. The grade for the course will be based on class participation and a research paper. This course is limited to 22 students.

**Prerequisite:** Corporations and Securities Regulation.

**Recommended:** Prior or concurrent enrollment in Professional Responsibility.

**Mutually Excluded Courses:** Students may not receive credit for this course and Corporate Legal Department Practicum.
LAW 1650 v00 Income and Public Benefits
J.D. Course | 3 credit hours
Few areas of law define a society's values more clearly than public benefits for low-income people. Policy judgments in this area connect closely to issues about the distribution of wealth and income, race, gender, and immigration, and personal autonomy, and they will be in mind throughout the course.

Policymakers, advocates, and researchers tend to look at these issues separately instead of viewing them in the intersection which represents the real world. The 1996 welfare law represents dramatically the consequences of making policy decisions without connecting them to a broader framework. American public benefits for low-income people have always been fragmentary, but the 1996 law was a watershed event that hurt millions of the poorest Americans more than any poverty policy decision since the New Deal.

The question now is whether we can heal the injury and build from there. The challenge is to build a more comprehensive understanding and consequently go toward a future that goes in the right direction. To that end, we will read a mix of historical materials, basic social science research and theory, policy analysis, and cases. The course will cover the history of the basic structure of the relevant programs, their current configurations, and ideas for the future.

The heart of ending poverty consists of intersecting policies that include good jobs, job supports, in-kind income, and cash assistance, along with other items including child development, education, health, community development and housing, justice both criminal and civil, support for people with disabilities, many kinds of human services, and more. We will not be able to look in depth of all of that, but it is imperative to know that they are all crucial, and they will be framed in issues of distribution, race, gender, and immigration throughout.

Each student will be expected to write two short reaction papers or one long paper during the course of the term on a topic related to that week's readings. This would help focus discussion for that week.

LAW 854 v00 Income Tax Accounting
LL.M Course | 2 credit hours
Covers accounting methods and accounting periods. The course examines a broad range of subjects concerning the timing of income and deductions under Subchapter E of the Internal Revenue Code. Topics include requests to change methods, inventories (including costing, valuation, and the requirements for maintaining inventories), principles of income recognition, prepaid income, cash equivalency and constructive receipt, special methods involving long-term contracts, depreciation, estimated expenses, prepaid expenses, and expensing versus capitalizing costs. These topics are analyzed from both a technical viewpoint and a tax policy perspective.

Prerequisite: Federal Income Taxation (formerly Taxation I), but a knowledge of financial accounting is not necessary for this course.

Note: This class, Income Tax Accounting, is required for U.S. trained students pursuing the Taxation LL.M. degree. This class is not required for students trained outside the U.S. Please note that J.D. students MAY NOT register for the section of this course with Professor Smiley.

LAW 1629 v00 Independent Defense
J.D. Practicum | 5 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. In this practicum, students will work on all aspects of an innovative litigation strategy, using the First Amendment to fight the pervasive problem of judicial and political interference with public defenders across the country. Students will participate in a two hour/week seminar and carry out 15 hours/week of project work under the direction of the course professors.

SEMINAR: In 2018, Civil Rights Corps (CRC) launched its Indigent Defense Initiative, through which Civil Rights Corps attorneys will fight systemic denials of the right-to-counsel. In this course, we're going to work on federal litigation to fight structural threats to the independence of state and local public defense across the country. To do this, we'll learn about several kinds of legal problems: first-amendment problems, criminal-procedure problems, federal-procedure problems, and problems related to the collective action of defense attorneys. So far, I've set up the syllabus to tackle these problems in that order, but it's probably best to view that as a very tentative plan: if specific issues come up in our practical work, I think we'll want to address those issues during the seminar.

PROJECT WORK: Students will assist in investigating new cases and in all aspects of litigation on CRC's clients' behalf, from drafting complaints, investigating, writing motions, and doing legal research. In weekly seminars, students will prepare for this work by discussing the diverse legal topics that arise in the project's litigation. Topics may include civil procedure, federal courts, and the First Amendment's protection from employment retaliation.

Prerequisite: 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).

Recommended: Prior coursework on Criminal Procedure, First Amendment Law, and/or Employment Law are recommended but not required.

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

Note: This course is suitable for evening students; project work does not need to be completed during business hours.

This is a five credit course. Two credits will be awarded for the two-hour weekly seminar and three credits will be awarded for approximately 15 hours of supervised 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 fieldwork placements. Students in project-based practicum courses are similarly required to devote the requisite number of hours to their project. If a student must miss seminar, fieldwork, or project work, he or she must speak to the professor as soon as possible to discuss the absence. Unless the professor indicates otherwise, a student with more than one unexcused absence from the
LAW 3114 v00 Industry Epidemics: NCDs, Commercial Risk Factors and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203114%20v00)

LL.M Seminar (cross-listed) | 2-3 credit hours
This seminar will examine the role of law and policy in addressing modifiable risk factors that contribute to the rising prevalence of non-communicable diseases (NCDs). Risk factors to be addressed include: tobacco use, unhealthy diets, and the harmful use of alcohol. Materials and discussions will probe questions such as: What are the best regulatory practices to deal with NCDs risk factors? How do transnational corporations contribute to the spread of non-communicable diseases? How different international legal regimes come into play in addressing risk factors? What are the opportunities and challenges of using law & policy to address NCDs' commercial risk factors? Throughout this course we will have opportunities to consider how law and policy shape contemporary legal discussions related to NCDs, such as tobacco plain packaging, alcohol sponsorship, childhood obesity, commercial speech and food labelling, and targeted marketing strategies.

The course will take a global approach grounded in constitutional law and different international legal regimes (WTO, Human Rights Systems – Regional & Universal –, among others). The course will explore how the rise in NCDs prevalence in both developed and developing countries is mainly driven by transnational corporations, globalization and foreign direct investment. Additionally, case studies will explore a variety of examples from jurisdictions spanning the United Kingdom, South Africa, and Latin American countries, including taxes to discourage consumption of unhealthy products, laws restricting advertising and promotion, and laws and policies to promote access to information to consumers.

Students will be equipped with an understanding of specific issues, such as the role of law compared with policy, the strengths and weaknesses of different regulatory strategies and the role and responsibilities of the relevant industries in promoting the right to health. After exploring a series of foundational themes and issues through the first half of the course, the remainder will focus on in-depth case studies and experiences in regulating the risk factors from a comparative perspective and future challenges.

This seminar requires attendance and participation in seminar discussions, preparation for class, writing response posts, and the submission of a final paper (for those taking the course for three credits) or leading a class discussion (for those taking the course for two credits).

Course goals:

- Understanding of the various risk factors contributing to non-communicable diseases (NCDs).
- Understanding of various models of regulation of NCDs risk factors.
- Understanding of complex risk factors regulatory issues across various constitutional systems and international legal regimes.
- Understanding the interaction between regulation of NCDs risk factors and issues like gender and freedom of speech.
- Understanding the role of transnational corporations in the increased prevalence of NCDs.

LAW 3118 v00 Information Operations in the Cyber Age: Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203118%20v00)

LL.M Seminar | 2 credit hours
Russian interference in the 2016 U.S. election, the spread of misinformation related to the COVID-19 pandemic, and the threat of deep fakes have all increased government – and public – attention on the national security threats posed by both State and non-State actors use of information and disinformation. Whether referred to as propaganda, psychological operations, influence operations, or information warfare, States have used information to further their national security interests for many years.

While these activities are not new, cyber capabilities and modern communications technologies have increased both their reach and effectiveness. The use of data to micro-target audiences via social media, leveraging hacked and leaked information, the dissemination of non and misattributed messages to a mass audience, and the potential use of deep fakes all challenge current policy approaches and existing legal norms. This class will examine the U.S. domestic legal and policy issues, as well as the International legal issues, arising from the use of information and disinformation as an instrument of national power.

Learning Objectives

The learning objectives for the course are for students to:

1. Become familiar with how States use information as an instrument of national power, to include past use of propaganda and modern use of disinformation.
2. Appreciate how cyber capabilities have transformed the use of information by States, and the increased threats to national security posed by these activities.
3. Gain an understanding of the domestic and international law governing State informational activities, including the limitations faced by the US Government imposed by the Constitution and US federal law.
4. Understand the role of, and rules applicable to, private actors in monitoring and controlling online communication.
5. Understand how to analyze the different information activities and the applicable legal regimes.

Recommended: International Law course
LAW 342 v02 Information Privacy Law (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%20342%20v02)
J.D. Course (cross-listed) | 2 credit hours
This course examines "information privacy," an individual's right to control his or her personal information held by others. The aim of the course is to understand how courts and the Congress seek to protect information privacy as new technologies and new institutional practices emerge. The course traces the origins of the right to information privacy in American law, through Constitutional law, tort law, and modern statutory law. Case studies of landmark privacy legislation illustrate how expectations of privacy are translated into legal frameworks. The course looks at recent controversies involving domestic surveillance, identification systems, social network sites, DNA databases, locational privacy, and drones. The course also considers the impact of the European data protection law, new business practices and investigative techniques, and the availability of cryptography and other Privacy Enhancing Technologies on the future of privacy law in the United States. Guest speakers include leading privacy officials from government and practitioners from the private sector. More information is available at the Privacy Law and Society website.

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

LAW 342 v03 Information Privacy Law (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%20342%20v03)
J.D. Course (cross-listed) | 3 credit hours
This course provides an introduction to information privacy law both on the books and on the ground. Topics covered include the constitutional, common law, and consumer protection foundations of U.S. information privacy law; the European approach to privacy and data protection; the "life cycle of data," with particular regard to regulatory issues and new challenges posed by algorithmic and/or data-driven practices; and sectoral privacy regimes in national security, employment, health, education, finance, and communications.

Learning goals for this course: Critical mastery of the existing doctrinal, statutory, regulatory, and policy landscapes and the complex interrelationships among them; critical mastery of the privacy compliance considerations that confront both private- and public-sector organizations; awareness of international differences in the treatment of information privacy issues and some comparative exposure to European information privacy and data protection law in particular.

LAW 342 v04 Information Privacy Law (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%20342%20v04)
J.D. Course (cross-listed) | 3 credit hours
This course provides an introduction to information privacy law both on the books and on the ground. Topics covered include the common law, constitutional, and statutory foundations of U.S. information privacy law; information privacy compliance, enforcement, and regulatory practice; international approaches to information privacy law; philosophical bases for privacy protection; and "privacy by design."

In addition to the final take-home exam, there might be a mid-term take-home exam.

LAW 342 v05 Information Privacy Law (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%20342%20v05)
J.D. Course (cross-listed) | 3 credit hours
This course serves as an introduction to the field of "information privacy law." The goal of the course is to equip students with the vocabulary, legal toolkit, and conceptual knowledge to enter the this rapidly-expanding area of law as a practitioner, an academic, or something in between. The course will trace the development and meanings of privacy in American law from the famous 1890 Harvard Law Review article "The Right to Privacy" by Samuel Warren and Louis Brandeis to the modern problems of privacy in the information age. Particular emphasis will be placed upon modern policy problems involving privacy, including privacy and the media, Fourth Amendment law, health privacy, Internet privacy, FTC regulation, emerging technologies, the problems caused by government and private-sector databases, and the prospects of federal privacy reform in 2021. The focus of the course is on US law, but we will necessarily examine the internationalization of the field, including the European General Data Protection Regulation (GDPR) and the "Right to Be Forgotten." Attendance and participation are essential.

Note: Please note that laptop computers are not permitted in class.

LAW 1294 v00 Information Technology and Modern Litigation (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201294%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course builds upon the reality that what a lawyer must know about the influence information technology has had on litigation cuts across the traditional boundaries between law school courses and will deal universally with the impact information technology has had on the management and trial of criminal, civil and administrative cases.

The course will deal with all the topics usually encompassed in so-called e-discovery, such as the meet and confer responsibility, format of production, claw back of privileged information, Rule 502 of the Federal Rules of Evidence, and preservation and sanctions. There will be a particular emphasis on the science of technology assisted review and its relationship to the reasonableness search and the implicit certification a lawyer makes under Rule 26(g) the Federal Rules of Civil Procedure by producing electronically stored information in response to a demand for it.

Throughout the course there will be practical exercises such as mock meet and confer or drafting and responding to a letter demanding the preservation of electronically stored information. The course will attempt to equip students with the practical ability to handle a case involving electronically stored information from its conception to trial.

Finally, the course will deal with the often ignored implications of electronically stored information for criminal cases. The manner in which law enforcement gathers information will be examined with a heavy emphasis on the constitutional implications of the collection of large amounts of data by law enforcement.

Prerequisite: Civil Procedure (or Legal Process and Society).

Recommended: Prior or concurrent enrollment in Evidence.
LAW 295 v00 Information Technology Transactions: Strategy, Negotiations and Drafting (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20295%20v00)
J.D. Seminar | 3 credit hours
This class will consider commercial transactions structured around the transfer of information technology ("IT"), focusing primarily upon the software industry and data-centric businesses. Whereas traditional curricula have approached this subject matter as a species of intellectual property licensing, this course will emphasize the multi-disciplinary approach that tech lawyers must adopt in order to represent tech clients effectively, drawing upon, inter alia, contract law, commercial law/UCC and intellectual property law (but also from corporate law, consumer protection law, privacy law, antitrust, bankruptcy, accounting, export regulation and several international accords). The class is organized around archetypal models of commercial IT transfer; with each such model, students will study the interplay among statutory, regulatory and case law frameworks (as well as industry standard practices) that are relevant to shaping and structuring particular tech deals. At a practical level, key contractual provisions and negotiation strategies will be explored, and class assignments will include contract negotiation and drafting exercises.

Recommended: A basic intellectual property course or Copyright Law.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Legal Writing: Intellectual Property and Technology Transactions.

LAW 773 v00 Initial Public Offerings (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20773%20v00)
LL.M Course (cross-listed) | 2 credit hours
The course will be a "soup to nuts" securities offering course, focusing on the legal aspects of conducting an IPO for a U.S. issuer on a Form S-1 and advising the issuer about its future responsibilities as a newly public company. Young lawyers entering a securities practice often find that their knowledge of securities law principles does not always prepare them for day-to-day challenges of practice in this area. This course is designed to fill those gaps by providing students with an understanding of the securities offering process as well as the tools and skills needed to perform tasks required to work on securities offerings.

The major topics that will be covered include laws relating to securities offerings, listing on the New York Stock Exchange, underwriters and liabilities, underwriting agreements and the agreement among underwriters, financial statements, accounting issues, comfort letters, the securities act registration process (including the SEC comment and review process), law firm opinions and post-closing reporting obligations. The course will also provide an in-depth analysis of certain sections of the Form S-1, including the Management's Discussion and Analysis of Financial Condition and Results of Operations section and the risk factors section.

Prerequisite: Corporations; Securities Regulation.

LAW 1729 v00 Initiating Cross-Border Litigation Simulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201729%20v00)
J.D. Seminar | 2 credit hours
Your phone rings. It is your Colombian client, and he has just been wronged! He needs your help to bring this bad-actor to justice. But not all of the relevant conduct took place in the United States, and you are not a Colombian lawyer. Where do you begin? Do you bring a claim in a Colombian court? Do you file suit in the United States? Does it make a difference? What causes of action can you bring? What law governs? If you do bring suit abroad, can you get information from the United States? As globalization in business increases, the need for cross-border litigators equally increases.

This simulation course, taught around a hypothetical fact pattern, is designed to be a hands-on introduction to initiating and defending against a cross-border litigation. Students will become familiar with topics unique to cross-border litigation, such as what law applies to your client’s claim, where can you bring this claim, and how to obtain discovery in the United States for a legal proceeding abroad. Students will learn practical skills such as factual investigation, legal drafting and reasoning, and oral advocacy.

The course is divided into three parts: Part I will focus on initiating a cross-border litigation, including the strategy motivating where to file and what to allege. The course will begin by giving students an opportunity to interview their “client” and gather factual information to support their client’s potential claims. At which point, the class will be divided into two groups. Group 1 will decide to file their claims in the United States and prepare a Complaint seeking a preliminary injunction while Group 2 will decide to file their claims elsewhere, but still use the U.S. Courts to help with discovery, and prepare a 1782 Application.

Part II of this class will focus on defending against the initiation of a cross-border litigation. Group 2 will prepare a Motion to Dismiss Group 1’s Complaint, and an opposition to the preliminary injunction, while Group 1 will prepare an opposition to Group 1’s 1782 Application.

Part III of this course will focus on oral advocacy. Each student will be required to give an oral argument related to either the Motion to Dismiss the Complaint or the 1782 Application.

Prerequisite: Civil Procedure (or Legal Process and Society).

Note: Attendance Is Mandatory At All Class Sessions. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal.

Due to the nature of this course, it is essential to finalize enrollment after the first class session. As such, students have until 9:00 a.m. on Wednesday, January 19, 2022 to drop the class without penalty. After January 19 at 9:00 a.m., a student who wishes to withdraw from this 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 course would cause significant hardship for the student.
LAW 1612 v00 Innovative Policing: From Theory to Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201612%20v00) (Project-Based Practicum)
J.D. Practicum | 5 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 practicum will focus on innovative efforts to transform policing and our criminal justice system. Students will participate in a two hour/week seminar and carry out 15 hours/week of project work under the direction of the course professors.

SEMINAR: Nationwide, high-profile police shootings and the documentation of patterns of police misconduct have triggered the emergence of broad-based protest and reform movements. Here in Washington, DC, relations between DC’s Metropolitan Police Department (MPD) and the community it serves have been relatively positive compared to many other regions, but MPD nonetheless struggles to ensure its police effectively, fairly and collaboratively in a diverse and changing city. What’s more, even “good” policing is part of a criminal justice system that both reflects and drives racial, ethnic and socio-economic rifts in American society. Through this practicum, students will work with MPD and community groups to transform the training and education MPD provides its officers and new recruits. Students will gain the skills and knowledge lawyers need to play an effective role in the effort to transform policing and our criminal justice system.

PROJECT WORK: Project work will be comprised of three components: 1) student projects, conducted either individually or in groups; 2) once per month leading break-out groups of officer recruits at the MPD training academy; and 3) helping to support and expand Georgetown Law’s Police for Tomorrow Fellowship Program. Through some or all of these components students will have the opportunity to work directly with police officers and community groups to learn their perspectives on policing and our criminal justice system—a critical component of reform efforts.

Student Projects. Student projects will be based on a combination of student interest and Program on Innovative Policing needs. Students may be assigned to work on a project on their own, or with a team of students. Projects may include researching and writing up innovative projects and best practices in policing; developing workshops for the Program on Innovative Policing’s MPD Academy or Police for Tomorrow work; developing and implementing legislative initiatives related to policing; designing law enforcement curricular modules for use at MPD or other departments; and developing and implementing outcome metrics to evaluate innovative police projects.

Police for Tomorrow--MPD Training Academy. Students will lead break-out groups of officer recruits during monthly sessions for recruits and officers in Washington DC’s Metropolitan Police Department on topics such as: implicit bias, race and policing, homelessness, history of policing/DC, use of force, persons in behavioral or mental health crisis, youth and policing, alternatives to arrest, active bystandership and other vital topics. As noted above, some students, as part of their student projects, may help develop workshops and design law enforcement curricular modules for MPD’s training academy.

Police for Tomorrow--Fellowship Program. The practicum will help support and expand the Georgetown Law-MPD Police for Tomorrow Fellowship.

Prerequisite: 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).

Recommended: Prior coursework or other experience on policing, criminal justice, or education is recommended but not required.

LAW 223 v02 Insurance Law: Litigation and Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20223%20v02)
J.D. Course (cross-listed) | 2 credit hours
This course focuses on the law of insurance, the insurance of business, and the business of insurance. Questions concerning property and casualty insurance, including insurance for mass torts, product liability, directors’ and officers’ liability, and natural disasters are examined. The obligations of insurance companies to conduct their business according to state and, to some extent, federal regulation and the law of insurance bad faith are explored. Particular types of coverages that will be studied include homeowners insurance, comprehensive general liability (CGL) insurance, excess and umbrella insurance, D&O insurance, and property insurance (including business-interruption/lost-profits insurance). Students will develop sophisticated skills in analyzing the applicability of insurance to complex loss situations, the duties of insureds and insurance companies, and the ethical questions faced by lawyers sometimes caught in between.

Note: The course does not address life, disability, or health insurance, or ERISA.

Learning Objectives:
In this course, you will learn:

1. Business context and objectives for insurance transactions.
2. How to parse and interpret insurance-policy language.
3. How property-casualty insurance responds to “real world” situations, involving losses to property including from natural disasters, mass tort claims, shareholder claims, and other situations.
4. How courts and law makers create incentives for insurance companies to act in positive ways. This includes questions of insurance company “bad faith” or good faith, the obligation of an insurer to accept a reasonable settlement offer from a plaintiff, obligations of insurers to provide lawyers to defend the insured and the ethical limits on the role of the lawyer, including when the lawyer is selected by the insured rather than the insurance company.
5. Through reviewing excerpts from briefs, students will gain a better appreciation of how to articulate insurance-law points and make appropriate argument.
6. The reading material introduces the wide variety of relevant sources that may assist lawyers, such as cases, articles/treatises, attorneys-general opinions, bar-association ethics opinions, and actual insurance policies.

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

Recommended: Corporations.
LAW 1670 v00 Intellectual Property and Information Policy Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201670%20v00)  
J.D. Clinic | 9 credit hours  
The Intellectual Property and Information Policy (iPIP) Clinic is Georgetown’s newest clinic. The Clinic focuses on strategic counseling for individuals, non-profit organizations, and consumer groups engaged with intellectual property and information policy matters from a public interest perspective. Clinic matters will vary, but each will present cutting-edge or novel questions while also operating as effective teaching vehicles. The Clinic will not engage in litigation, but there may be opportunities to work on amicus briefs. Students do not need any technical background to participate in the Clinic.

The Clinic emphasizes creative, collaborative thinking and reflective lawyering. Students do not need to have any background in engineering or technology law. Through the seminar, students can expect to learn about how substantive intellectual property law (including copyright, trademark, trade secret, and patent) and information policy (such as privacy, right of publicity, Communications Decency Act § 230, Freedom of Information Acts, the Computer Fraud and Abuse Act) intersects with social justice movements, both historically and currently.


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

LAW 233 v01 Intellectual Property and Medicines (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20233%20v01)  
J.D. Seminar (cross-listed) | 2-3 credit hours  
This course examines the special legal and policy issues arising from the use of intellectual property rights in the pharmaceutical and biotechnology fields. The course will cover: (1) U.S. case law impacting intellectual property, patents, trademarks and copyrights in the pharmaceutical and biotechnological arts; (2) the interplay of the regulatory approval process for therapeutic and diagnostic products with intellectual property rights; (3) the Hatch-Waxman Act and its impact on how patent rights for pharmaceuticals are procured and enforced; and (4) major legislative developments affecting the use of intellectual property rights in the drug, biotechnology and medical device fields, such as the Biologics Price Competition and Innovation Act of 2009 and the America Invents Act of 2011. Other topics may be included depending on current judicial or legislative developments. A background in biologics or pharmaceuticals is not required, although completion of a basic patent law or a food and drug law course is recommended.

Students will have the option of taking this course for either two or three credits. The three credit option will require a paper that satisfies the upperclass legal writing requirement in compliance with Law Center regulations. The two credit option will require completion of several shorter legal writing samples on student-selected or assigned topics.

Strongly Recommended: Prior or concurrent enrollment in a basic patent law course or food and drug law course is highly recommended.

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 1295 v00 Intellectual Property Appellate Advocacy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201295%20v00)  
J.D. Seminar | 2 credit hours  
This course combines the study of appellate advocacy with the study of substantive intellectual property law. After an initial introduction to the principles of appellate advocacy and an overview of patent, trademark law and copyright law we will conduct four in-depth case studies (four classroom hours each), of recent Supreme Court and en banc Federal Circuit cases in the areas of patent, trademark and copyright law. For each case, we will study the underlying substantive law and precedent, and how the advocates used that law to make their case, both in writing and at oral argument. Then, with the benefit of hindsight (provided by the decision in the case), we will discuss what the advocates could have done better. The remaining three or four class periods will be devoted to student presentations. Each student will be required to do a case study of a Supreme Court or en banc Federal Circuit case (chosen from a list provided by the faculty), present that study to the class, and then present 15 minutes of oral argument on behalf of the losing side to the class. The case study should be submitted as a draft prior to the class presentation, and in final form by the paper deadline announced by the Office of the Registrar.

Prerequisite: At least one course in Patent Law or Copyright Law, or instructors’ approval.
LAW 1471 v00 Intellectual Property for Start-ups (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201471%20v00)
J.D. Course | 1 credit hour
This course focuses on key concepts of intellectual property law as they pertain to the start-up business environment. We initially cover the basics of patent, trademark, copyright, and trade secret law. We discuss stages of a start-up business cycle and evaluate intellectual property goals relevant to each stage. We review best practices and common mistakes of start-ups in intellectual property. The course also focuses on client communication skills, including the clear articulation of complex intellectual property problems to a start-up client.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course will not fulfill the prerequisite for advanced courses that require prior enrollment in a course in intellectual property.

LAW 226 v00 Intellectual Property in World Trade (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20226%20v00)
J.D. Course (cross-listed) | 3 credit hours
The knowledge, technological inventions, creative works and accumulated experience and expertise of the professional workforce increasingly drives the global economy. Unlike physical capital, this intellectual capital cannot readily be confined to the territorial setting of its origin. The development of cohesive norms to protect intellectual properties on a global basis has thus proven to be an enormous challenge. This course considers this effort by addressing the core international agreements governing intellectual property; norms and norm-making in the international intellectual property rights system; dispute settlement and the enforcement of rights; and tensions arising between intellectual property rights and distinct legal and cultural values.

Mutually Excluded Courses: Students may not receive credit for this course and International Intellectual Property and Development and the graduate course, International Protection of Intellectual Property Through the WTO.

LAW 293 v01 Intellectual Property Litigation: Pretrial Skills (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20293%20v01)
J.D. Seminar | 2 credit hours
The objective of this course is to help students develop the skills necessary to handle intellectual property (patent/trademark/copyright) disputes in the federal courts and administrative agencies. By focusing on pretrial activities, the course provides the opportunity to examine a dispute from its beginning, including the types of investigations and filings that are made and consideration of alternative forums, through discovery and the filing of a summary judgment motion. By covering this period of the litigation cycle, students will have the opportunity to develop both written and oral skills necessary for a trial lawyer. The emphasis on the pretrial aspects of a case is beneficial because most new associates spend far more time in their first few years dealing with these aspects of litigation than they do participating in actual trials. The course includes practice in drafting pleadings, discovery and motions, as well as the opportunity to hone oral skills through taking discovery depositions. Because this course focuses on pretrial activities, it also is a good companion course to the patent trial advocacy course, which focuses on the trial phase of a proceeding.

Prerequisite: Civil Procedure (or Legal Process and Society) and Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Civil Litigation Practice or Civil Litigation Practice: From the Complaint to the Courthouse Steps.

LAW 905 v00 Intelligence Reform and the Modern Intelligence Community (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20905%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course is an introduction to intelligence law as discussed in the context of changes to the Intelligence Community. The course focuses on changes to the law made in response to reviews and reports conducted following the attacks of September 11, 2001, and how those changes have been implemented in policy and practice. Students will examine legislative efforts to enhance information sharing and intelligence collection, such as the creation of the Director of National Intelligence, the modernization of the Foreign Intelligence Surveillance Act, and more recent proposals to reform surveillance laws and policies in the context of global discussions of privacy and civil liberties. In addition, the course will address complexities faced by national security lawyers in protecting classified information, and providing legal advice on intelligence operations, including domestic intelligence activities.

Recommended: Prior or concurrent enrollment in International Law I.
LAW 611 v02 Internal Investigation Simulation: Evaluating Corporate Corruption (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v02)  
J.D. Course | 1 credit hour  
In this Week One simulation, you will act as outside counsel conducting an internal investigation into Santé, an issuer on a U.S. exchange. Santé has uncovered evidence of bribe-like payments made as part of its operations in Africa. It is concerned that these payments may trigger liability under the Foreign Corrupt Practices Act (FCPA), a U.S. statute with a wide extraterritorial reach. Fearing criminal penalties and negative press, the French company has engaged outside counsel—you—to evaluate the potential risks associated with these payments and to consider ways to mitigate those risks. In your role as outside counsel, you will interview key witnesses to gather facts, then assess the risks to your corporate client under the FCPA. You will present your findings and recommendations to Santé’s general counsel, played by Georgetown Law alumni.

The focus of this course is skills exposure and acquisition in a challenging and complex international context. You should expect intensive group work and a highly-participatory environment. You will not only learn about statutory interpretation and the role of the FCPA in corporate transactions, but you will have the opportunity to engage in essential lawyering skills, including fact development, legal analysis, witness interviewing, client counseling, team-building, project management, and problem-solving.

**Note:** FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 11, 2021, through Thursday, January 14, 2021. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 30, 2020 at 3:00 p.m.** After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 2085 v00 International Agreements (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202085%20v00)  
LL.M Course (cross-listed) | 2 credit hours  
The course begins by examining what is an international agreement under international law and distinguishes such agreements from other arrangements between States or international organizations that constitute political rather than legal commitments. Since there is interplay between domestic and international law in the operation of international agreements, it is important to understand how both systems of law work. To provide a domestic law framework, the first half of the course focuses on the treaty law of the United States. It addresses such matters as applicable Constitutional provisions, factors bearing on the decision as to the form in which a particular international agreement will be concluded and the respective roles of the Executive, the Senate, the Congress, and the courts concerning the conclusion, termination, and interpretation of international agreements. Students from other countries are encouraged to explain how their domestic systems handle similar issues, thus permitting the addition of a comparative element to the domestic law discussion. The second half of the course is devoted primarily to the international law rules reflected in the 1969 Vienna Convention on the Law of Treaties to which more than one hundred countries are parties and which is in most respects regarded as representing customary international law. In addition to the Convention, the course materials for the second half include recent cases decided by the International Court of Justice or by treaty-based arbitral tribunals and examples of important developments concerning the law of international agreements that have taken place since the entry into force of the Vienna Convention in 1980.
LAW 2079 v00 International and Comparative Antitrust Law

LL.M Course (cross-listed) | 2 credit hours

More than a hundred countries have enacted competition laws and modeled their laws either on the U.S. or on the EU system. This course will focus on the U.S. and the EU antitrust regimes by comparing and contrasting their principles and procedures. Some other jurisdictions at the center of the international antitrust arena, such as China and Brazil, will also be discussed. This course will start with an overview of the institutional design and of the substantive standards applied by the FTC/DOJ in the U.S. and by the European Commission in the EU, and will then delve into various areas of antitrust law, with particular emphasis on cartels, horizontal and vertical restraints, abuse of dominance, and mergers. This course will also examine process and procedures in the U.S. and the EU, and consider practices that facilitate international cooperation in antitrust investigations.

Learning objectives:

Students attending this course (i) will receive an overview of the international dimension of the various areas of antitrust law (horizontal agreements; monopolization/abuse of dominance; mergers); (ii) will learn to compare and contrast antitrust principles and procedures of the two systems (EU and U.S.) that most have influenced antitrust laws and institutions around the world; (iii) will familiarize with new actors and current challenges of the international antitrust arena. As a result, students will learn how to navigate multi-jurisdictional antitrust matters.

Prerequisite: For J.D. students: Antitrust Law or Antitrust Economics and Law. Prerequisite for LL.M students: None, although it is recommended that LL.M students have some previous coursework or work experience in competition law in the U.S. or another jurisdiction.

LAW 230 v00 International and Comparative Law on Women's Human Rights

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

In many parts of the world, women are discriminated against, abused, treated as property, and even murdered because they are women. But today, there is a substantial body of international and regional human rights law that can be used to change the national laws that permit these practices or fail to protect women against them. In addition, many countries have begun to give women equal rights in many fields. Thus, there is now a body of human rights and comparative law that advocates can use to advance equal human rights for women.

This course provides students with an overview of that law. It introduces them to the many forms of discrimination and violence women still face and teaches them about the major human rights treaties that can help women achieve equality with men. These include the Convention on the Elimination of All Forms of Discrimination against Women; the International Covenant on Civil and Political Rights; and the regional human rights treaties from Africa, the Americas, and Europe. Students study the work of the human rights bodies that measure state compliance with these treaties, including their guidelines and case law on issues affecting women. The course also examines comparative law on human rights issues such as sex-based discrimination in employment, inheritance, and family law rights, domestic violence and female genital mutilation, polygamy and its impact on women and children, and women’s lack of reproductive rights.

National court decisions from countries in both common law and civil law jurisdictions show how courts are using international and regional human rights law to help resolve domestic law issues. As some issues pose difficult conflicts between women’s right to equality with opposing assertions of religious and cultural rights to discriminate, the course also examines how human rights bodies resolve those conflicts and asks how they should be resolved.

Note: For J.D. Students: Students Enrolled in the International Women’s Human Rights Clinic must take this course as a pre- or co-requisite, but it is also open to other J.D. students and to LL.M. students.

LAW 882 v00 International Arbitration

LL.M Course (cross-listed) | 2 credit hours

Examines United States, foreign, and international law and practice relating to international commercial and investment arbitration, including the U.S. Federal Arbitration Act, the New York Convention on the Recognition and Enforcement of Arbitral Awards, the ICSID Convention, the UNCITRAL Arbitration Rules, and the arbitration rules of major arbitral institutions such as the ICC, the AAA and the LCIA. The course focuses on the procedural law applicable to and the practical aspects of arbitration. It will cover such topics as enforcing arbitration clauses, conducting arbitration proceedings, judicial oversight of arbitration, choice of law, enforcing and setting aside awards, and particular issues arising in arbitrations against sovereigns.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); International Business Transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration, Introduction to International Commercial Arbitration, International Arbitration, or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course)
LAW 882 v08 International Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v08)

LL.M Course (cross-listed) | 2 credit hours
Examines United States, foreign, and international law and practice relating to international commercial arbitration, including the U.S. Federal Arbitration Act, the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, and the arbitration rules of major arbitral institutions such as the ICC, JAMS, the ICDR, etc. The course focuses on the procedural law applicable to and the practical aspects of arbitration. It will cover such topics as enforcing arbitration clauses, conducting arbitration proceedings, judicial oversight of arbitration, choice of law, enforcing and setting aside awards as well as drafting dispute resolution clauses.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); International Business Transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration, Introduction to Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

LAW 3035 v00 International Arbitration from the Arbitrator’s Point of View (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203035%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
The course deals with "International Arbitration from the Arbitrator’s Point of View". It describes the arbitrator’s role at each stage of the proceeding, the various relationships that exist and the legal, procedural, practical and even psychological issues that may arise.

The course starts from the proposal and selection of the arbitrator and ends with the notification of the award. Topic covered include: who may be an arbitrator; the first contact and the conflict check; the launching of the proceedings; relations with counsel and the parties' representatives; the relationship among arbitrators; relations with experts; the conduct of the proceedings and, in particular, the hearings; deliberations and the decision; drafting of the award; the relationship with the institution; and the relation with the media.

The course will include both interactive lectures and some practical exercises.

Recommended: Prior or concurrent enrollment in an 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.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students

LAW 1758 v00 International Arbitration in the Middle East (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201758%20v00)

J.D. Seminar (cross-listed) | 1 credit hour
Almost a decade has passed since the uprisings of the Arab Spring swept across the Middle East, causing political unrest and economic instability. These waves of upheaval and their aftermath have caused severe disruption to foreign investment inflows and cross-border business transactions, propagating a number of high-profile commercial and investment disputes and rendering arbitration an essential tool for doing business in the region more than ever.

This course will examine the history of arbitration in the Middle East and its evolution from the Islamic era, through the early colonial twentieth century's oil & gas arbitrations, to the modern-day proliferation of commercial and investor-State arbitration cases. The classes will draw upon a wide range of materials including law journal articles, arbitral awards, regional treaties, domestic arbitration laws and court decisions to discuss and provoke debate over core topics in the international arbitration field, such as the impact of Sharia law on the arbitration process; the internationalization of contract-based disputes; the contribution of the Iran-US Tribunal to the development of international investment law; the role of consent to arbitration contained in domestic laws; attribution and State responsibility in the context of the Arab Spring, enforcement of arbitral awards in the region; and the rise of inter-Arab investment arbitration through the investment treaty of the Organization of Islamic Conference.

This course is designed for students, young scholars, and practitioners who are interested in understanding the unique features of arbitration theory and practice in the Middle East, and appreciating the legal and cultural context within which the current arbitration practice in the region has developed. The course will also provide practical insights and commentary on domestic arbitration regimes of selected countries, and arbitration rules and processes of some of the region's arbitral institutions, including CRCICA, DIAC, DIFC-LCIA, ADGM-ICC, BCDR, and SCCA.

Learning Objectives:

Students will:

- Better understand the origins of the concept of arbitration in Islam, and the role that Sharia law plays in today's arbitration process in the Arab world.
- Develop familiarity with the arbitration practice and its evolution in the region through the lens of landmark cases involving Arab States and assess the contribution of these cases to the overall development of the international arbitration field.
- Gain knowledge of the protections and guarantees afforded to investors by regional treaties and domestic investment laws of Arab countries, including dispute resolution clauses that refer to international arbitration.
- Identify some of the legal challenges faced by investors when attempting to enforce a foreign or international arbitral award in the Middle East.
- Develop familiarity with some of the major regional arbitral institutions and their common structures and procedural rules.

Note: Withdrawals are permitted up until the last class for this specific course.
LAW 802 v01 International Assistance for Global Health

LL.M Course (cross-listed) | 1 credit hour
The overall objective of this course is to explore the present and potential role of international human rights law – and the right to health in particular – in international assistance for global health.

During the first class, we will discuss the recent history and present practice of international assistance for global health. We will discuss tensions between the objectives of development and relief, and between the objectives of promoting ‘health security’ and equity in global health. During the second class, we will explore the concept of equity in global health: how it is central to several definitions of global health, what the practice of international assistance for global health should look like, if the predominant objective of that assistance were equity. During the third class, we will examine the meaning of the right to health, the freedoms and entitlements it generates and the corresponding national and international responsibilities. During the fourth class, we will discuss if and how the right to health can be used to modify/improve the practice of international assistance for global health, taking into account that such assistance serves other objectives as well.

Strongly Recommended: Completion of coursework in the area of international human rights law.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.

LAW 914 v00 International Banking in the United States

LL.M Seminar (cross-listed) | 1 credit hour
Foreign banks have established a major presence in the United States during the last four decades and have acquired substantial market share during that period. In response, the regulation of foreign banks has likewise experienced significant change and growth. This is reflected in law firm practice as advising foreign banks is now a significant component of the financial institutions practice of major U.S. law firms.

This course will analyze the conceptual framework and the laws and regulations governing the U.S. operations of foreign banks, including how foreign banks may enter, operate and expand in the United States. This will include an analysis of the Dodd-Frank Act’s prudential standards for systemic foreign banks in the United States as well as of the International Banking Act and the Bank Holding Company Act. In addition, the course will examine the supervision and enforcement scheme that the U.S. government applies to foreign banks and assess the evolving standards that apply to them, including capital standards under the Basel Capital Accord. Finally, this course will review emerging conflict of law issues that arise in the international banking context and the increasing extraterritorial reach of U.S. laws.

For students to understand the basic conceptual and legal framework that applies to foreign banks in the United States. This understanding allows a student to then select and analyze a topic of interest for purposes of the class paper.

Recommended: J.D. students may take this course after they have completed their first year.

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

LAW 863 v00 International Business Litigation and Federal Practice

LL.M Course (cross-listed) | 2 credit hours
The course explores issues common to litigation in U.S. courts arising from cross-border business transactions, including venue, jurisdiction, service of process, choice of law questions, discovery, evidence from abroad, privilege and ethical considerations, and the recognition and enforcement of foreign judgments in U.S. courts. The course covers the resolution of disputes in litigation, as well as in arbitral proceedings, and through regulatory and other internal investigations, and explores issues such as the Foreign Corrupt Practices Act.

Mutually Excluded Courses: Students may not receive credit for both this course and International Civil Litigation (LAWG/J 734); the J.D. course, International Civil Litigation (LAWG/J 013); and Cross Border International Litigation and Conflicts of Law (formerly International Conflict of Laws) (LAWG/J 735).
LAW 240 v01 International Business Negotiations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v01)
J.D. Seminar | 3 credit hours
This course is structured around a semester-long, simulated negotiation exercise in which the students in this class will represent a US pharmaceutical company (KJH Pharmaceutical Corporation) and the students in a similar class, at the University of Dundee in Scotland, will represent an African agricultural production company (Malundian Cassava Corporation). The two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that uses the cassava produced by Malundian Cassava Corporation. The form of their collaboration could be a joint venture, a licensing agreement or a long term supply contract. The negotiations will take place through written exchanges and through live negotiation via videoconference. Substantive law issues related to the transaction, as well as negotiations strategy and related issues, will be addressed in this class.

The purpose of the course is to provide students with an opportunity (i) to gain an introduction to transactional law and experience the sequential development of a business transaction over an extended negotiation, (ii) to study the business and legal issues and strategies that impact the negotiation, (iii) to gain insight into the dynamics of negotiating and structuring international business transactions, (iv) to learn about the role that lawyers and law play in these negotiations, (v) to give students experience in drafting communications, and (vi) to provide negotiating experience in a context that replicates actual legal practice with an unfamiliar opposing party (here, the students at Dundee).

The thrust of this course is class participation and active involvement in the negotiations process. Students are expected to spend time outside of class, working in teams, to prepare for class discussions involving the written exchanges as well as preparing for the live negotiations. Class discussions will focus on the strategy for, and progress of, the negotiations, as well as the substantive legal, business and policy matters that impact on the negotiations. Grades will be based on participation in the exercises, students’ diaries, and a final paper.

Recommended: Prior or concurrent enrollment in Corporations.

Mutually Excluded Courses: Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240).

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

Due to the coordination with the class in Dundee, Scotland, this class does not cancel even if Georgetown Law is closed. In the event of a weather closing, this class will be held via conference call dial-in.

LAW 240 v02 International Business Negotiations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v02)
J.D. Seminar | 3 credit hours
This simulation course is structured around a semester-long negotiation exercise in which the students on one team of lawyers will be negotiating with students on another team of lawyers. One team will represent an African agricultural production company (Malundian Cassava Corporation) and the other team will represent a multi-national pharmaceutical company (KJH Pharmaceutical Corporation). In the simulation, the two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that requires use of a plant crop (cassava) produced in Malundi and sold by Malundian Cassava Corporation. The form of their business collaboration could be a joint venture, a licensing agreement, or a long-term supply agreement. The negotiations will take place through written exchanges and through online negotiation sessions. Substantive legal topics related to the transactions, as well as to the process of international negotiation and related issues, will be covered in this course.

The goals of this course are (i) to introduce students to transactional law and practice, (ii) to provide negotiations training and experience in the context of international transactional practice, and (iii) to develop legal practice skills. Students will apply their legal and non-legal knowledge in the role of lawyers negotiating an international business transaction, within the controlled environment of the classroom.

This experiential course is built around active involvement in the transactional negotiations process. Students may expect to spend some time outside of the class meetings working in teams to prepare the written exchanges and prepare for the negotiations. Class meetings will focus on the strategy for and the process of the negotiations as well as on many of the substantive legal, business and policy issues that arise in the course of business negotiations. Grades will be based on 1) written self-evaluation “journal” entries and 2) a final paper (see “Course Requirements” below).

Recommended: Prior or concurrent enrollment in Corporations and Contracts.

Mutually Excluded Courses: Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240) or the graduate course International Negotiations (LAWJ/G-3029).

Note: In addition to the 2-hour Monday classes, this class has five Saturday sessions (see times below). These sessions are devoted to the live negotiations. Due to the Saturday sessions, the Monday sessions will end earlier in the semester.

NOTE: In the event of a weather closing, this class may be held via conference call dial-in.
LAW 876 v04 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v04)
LL.M Course (cross-listed) | 3 credit hours
This three credit course is an introductory survey of legal issues that arise in connection with international business transactions. Subjects covered include: (1) laws and treaties involved in cross-border business transactions; (2) core international business transactions, including international sales and letters of credit, non-establishment (agency, distribution, contract manufacturing, franchising, licensing) and establishment (branch, subsidiary, joint venture) forms of doing business, equity and debt/project finance transactions, and mergers and acquisitions; (3) fundamental legal concepts such as choice of law, choice of forum, jurisdiction, investment protection (expropriation), anti-corruption and competition regulation, and dispute resolution, focusing on litigation and arbitration, (4) the transfer and protection of intellectual property, and (5) corporate social responsibility.

The learning outcomes for this International Business Transactions course include: (1) basic knowledge and understanding of (a) substantive and procedural laws concerning international business transactions, and (b) the role of private and public international law in the conduct of international business; and (2) international legal analysis and reasoning, problem solving, professional skills, and written and oral communication in the context of international business transactions.

Recommended: International Law I: Introduction to International Law; a course in Finance or Securities Regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and International Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law.

LAW 876 v07 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v07)
LL.M Seminar (cross-listed) | 2 credit hours
An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Emphasis is given to the actual practice of international business law. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border financings (including letters of credit and bank financings), and international investments including project finance. Litigation topics will be related to the transactional issues covered and will include a special emphasis on contract rights and remedies, choice of law, choice of forum, and international arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I).

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law.

LAW 876 v10 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v10)
LL.M Course | 3 credit hours
An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Emphasis is given to the actual practice of international business law. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border financings (including letters of credit and bank financings), and international investments including project finance. Litigation topics will be related to the transactional issues covered and will include a special emphasis on contract rights and remedies, choice of law, choice of forum, and international arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I).

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law.

LAW 876 v11 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v11)
J.D. Course (cross-listed) | 4 credit hours
This four-credit survey course studies the major legal issues arising in international business, trade and investment activity, taught from a practical, problem-oriented approach. The focus of the course is on the law and practice that is different when business, trade or investment takes place across an international boundary. The principle areas of coverage are: 1) the movement of goods, including the Convention on Contracts for the International Sale of Goods (CISG), contracts for transportation, and financing, including the law of letters of credit, 2) problems of international investment and the transfer of intellectual property, including the international law governing patents, trademarks, copyrights and trade secrets, 3) national and international rules for dealing with imports and exports, including export controls and sanctions and trade remedies (antidumping, countervailing duty and safeguards), 4) public international law disciplines that arise in connection with anti-corruption efforts and norms of corporate social responsibility, and 5) international dispute resolution, including investment arbitration, trade disputes at the WTO, and private international commercial litigation issues, including choice of law and forum issues.

Mutually Excluded Courses: Students may not receive credit for this course and International Business Transactions and Trade Law or International Economic Law or the LL.M. course, International Business Transactions.
LAW 882 v03 International Commercial Arbitration

J.D. Seminar (cross-listed) | 2 credit hours
This course presents an introduction to international commercial arbitration. It examines the nature of arbitration, the procedures used in international arbitration (both institutional and ad hoc) and the enforcement and setting aside of arbitral awards. The course will also cover drafting arbitration agreements, the law applicable to arbitrations (including the New York Convention, the ICSID Convention and various institutional rules), challenges to arbitration, multi-party arbitrations, jurisdiction, preliminary or interim measures and selection of the arbitral tribunal. The course also provides an introduction to arbitration between investors and states. Grades will be based primarily upon short papers addressing current issues in international arbitration.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. seminars International Commercial Arbitration, Introduction to International Commercial Arbitration, or International Arbitration; or the CTLS seminar, International Commercial Arbitration Seminar.

LAW 882 v06 International Commercial Arbitration

LL.M Course | 1 credit hour
In today’s global economy, parties to cross-border commercial transactions increasingly choose to resolve their disputes through international arbitration. This course provides students with an understanding of the law and practice of international arbitration from the perspective of United States law. Among other things, the course will consider the alternatives to international arbitration; the international conventions and U.S. arbitration statute; the arbitration agreement; the role of courts and tribunals in determining issues of arbitrability; international arbitration rules; provisional measures; judicial enforcement of arbitration agreements and arbitration awards; and judicial setting aside of arbitration awards.

Mutually Excluded Courses: Students may not receive credit for both this course and International Arbitration, Introduction to Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 15th through Friday, January 22nd, 2021.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 3033 v00 International Commercial Arbitration with a Foreign Sovereign (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203033%20v00)
LL.M Course (cross-listed) | 2 credit hours
Resolution of disputes between private sector companies and sovereigns arising under international contracts and projects typically are resolved by international commercial arbitration, giving rise to unique challenges, issues, and opportunities.

This class will address the relationship between international arbitration and court litigation, key fora and features that exist in this realm, proper negotiation and mediation techniques, analysis of foreign sovereign immunities, choice law issues, the importance of language and culture in these disputes, interplay with treaty arbitration, issues arising under arbitration clauses, critical trends in case law and arbitral institutions, and enforcement of arbitration awards globally. The course will feature guest speakers, hands-on exercises, use of materials from actual arbitrations, optional field trips to local courts, and a two-class practical moot— all focused on the dynamics and practicalities of dealing with the disputes of sovereigns and private parties.

Recommended: Prior enrollment in a basic course in international arbitration

LAW 1036 v00 International Contracts and Sales Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201036%20v00)
J.D. Course (cross-listed) | 2 credit hours
The course analyzes private law norms regulating international contracts. It focuses on international conventions and uniform rules of law, such as the United Nations Convention on Contracts for the International Sales of Goods (CISG), the UNIDROIT Principles of International Commercial Contracts, the Principles of European Contract Law, INCOTERMS, and others. The course includes some aspects of conflicts of law rules, as well as an analysis of the main international instruments governing international commercial arbitration.

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

Note: This course will meet on Tuesdays and Thursdays on the following dates: 1/18, 1/20, 1/25, 1/27, 2/1, 2/3, 2/8, 2/10, 2/15, 2/17, 3/1, 3/3 and 3/8.

LAW 416 v02 International Courts and Tribunals: Theory and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20416%20v02)
LL.M Seminar (cross-listed) | 2 credit hours
This course surveys existing international courts and tribunals. Over the semester, we will examine courts and tribunals with general jurisdiction (e.g., the International Court of Justice); courts and tribunals with specialized jurisdiction (e.g., the International Criminal Court, WTO, human rights tribunals, and investor-State tribunals); and claims tribunals and commissions (e.g., the Iran-United States Claims Tribunal and the United Nations Compensation Commission). The course seeks to provide a comparative understanding of the international adjudication system through readings and in-class exercises. General knowledge of public international law is required.

Prerequisite: Prior or concurrent enrollment in International Law I.

LAW 790 v00 International Criminal Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20790%20v00)
J.D. Course (cross-listed) | 3 credit hours
In international criminal law, we begin by examining the basics: what criminal law is supposed to do and the fundamentals of international law and jurisdiction. We then study issues relating to transnational application of domestic penal codes, such as extradition and the extraterritorial application of U.S. criminal law and the U.S. Constitution. We may choose a transnational crime—such as money laundering or corruption—as a vehicle for examining the efficacy of transnational application of domestic standards. The focus of the course then shifts to truly international, rather than transnational, law. We examine the history of international tribunals intended to enforce international crimes (Nuremberg, the ICTY, and the ICTR), and delve into the structure and operation of the International Criminal Court. We focus on substantive international crimes such as genocide and crimes against humanity, and may also cover war crimes, crimes of sexual violence, and/or torture. The course closes with a consideration of alternatives to criminal prosecution, such as truth and reconciliation commissions.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. first-year elective or the graduate course with the same title.

LAW 790 v01 International Criminal Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20790%20v01)
LL.M Course (cross-listed) | 2 credit hours
Examines selected issues involving the application of criminal law to international activities and across national boundaries. The course covers both the procedural aspects of international cooperation in criminal matters (including extradition, cross-border investigations, mutual legal assistance, and recognition of foreign penal judgments) as well as the developing substantive international law (e.g., war crimes, crimes against humanity, genocide, cybercrime, and trafficking in drugs, people and firearms). Particular attention is paid to the question of jurisdiction over criminal activities at the international level, in the context of activities such as money laundering, organized crime, and computer crime, including the reach of Constitutional protections to investigations and law enforcement activities overseas. Addresses the structure, jurisdiction, and jurisprudence of the ad hoc criminal tribunals for the former Yugoslavia and Rwanda and the statute and rules of evidence and procedure of the International Criminal Court.

Recommended: Criminal Law, Conflict of Laws: Choice of Law (or the equivalent Conflict of Laws: Choice of Law (International Focus)); International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course with the same title; the J.D. first year elective, Criminal Law Across Borders; or the J.D. seminar International Criminal Law Seminar: Tribunals and Crimes; or the J.D. course International Humanitarian Law; or the J.D. course International Criminal Courts.
Withdrawals are permitted up until the last class for this specific course. Withdrawal from an academic advisor in the Office of Academic Affairs. A student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a drop by contacting the Office of the Registrar; a failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class start of the first class session in order to remain eligible to be admitted and insolvency practice of an international law firm. Our client will be an international commercial bank with a troubled loan to a company in a developing country. Our job will be to provide legal advice and services to our client throughout the loan workout process. During the semester we will also have insolvency practitioners as guest speakers. Our work will include conducting due diligence, recommending a legal strategy, coordinating the creditor group, establishing negotiation strategies (and leverage) for our client, structuring the transaction documents, and closing the deal. The objectives of this simulation are to help students (1) understand the legal framework governing cross-border insolvency and restructuring, (2) debate legal issues affecting cross-border debt restructurings, (3) grasp the principles and best practices of international debt restructurings and insolvency from a practical perspective, (4) develop legal risk analysis and problem solving skills in the context of a troubled international financial transaction, and (5) gain experience with relevant document structuring and cross-border negotiation strategies. A natural consequence is the invariable need to restructure cross-border debt. Such financial restructurings or "workouts" can occur individually with a troubled debtor or on a broader level in systemic crises (e.g., the debt crises involving Asia, Russia, and Mexico in the late nineties, Argentina in the last decade, and the 2008 global financial crisis). In this course we will simulate, from an international lender's perspective, the out-of-court debt restructuring or "workout" of a corporation in distress. The simulation of this hypothetical workout will have role-play and extensive class interaction: we will be members of the restructuring and insolvency practice of an international law firm. Issues that will be addressed in the course include choice of law and jurisdiction, enforcement of creditors' rights in foreign courts, corporate governance, holdout creditors, moral hazard, distress signs in a company, cultural sensitivities, and cross-border negotiation techniques. The course will be taught by Claudio N. Rechden, General Counsel at Deva Capital Advisory and former Lead Counsel for Special Operations in Asia and Latin America for the International Finance Corporation (the private sector arm of the World Bank). Claudio has extensive international finance, cross-border restructuring and litigation experience, and currently is the IFC counsel for several projects worldwide. Evaluations will be done by short reaction papers in groups and by class participation. There will be no exams. 

**Prerequisite:** Corporations.

**Recommended:** Bankruptcy and Insolvency.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a
LAW 1412 v00 International Economic Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201412%20v00)
J.D. Course (cross-listed) | 4 credit hours
This four-credit survey course analyzes the major legal issues in international business, trade, and investment activity in both the private and public sectors. It provides the basic coverage of the wide variety of issues that relate to international trade, investment, and commercial intercourse with which every competent lawyer should be familiar. (In depth coverage of any of these areas should be explored in subsequent specialized courses depending on the students’ particular interests.) The principal areas of coverage are: (1) the movement of goods, including private techniques of contract and financing; (2) import tariffs and customs; (3) international and regional trade and financial institutions, including the World Trade Organization, IMF, World Bank, the North American Free Trade Agreement and the Trans-Pacific Partnership; (4) problems of international investment; (5) the protection of intellectual property; (6) emergency powers, economic sanctions and export controls; (7) formal dispute resolution in trade and investment, including international arbitration and litigation; and (8) the challenges of foreign corruption.

The books for LAWJ 1412-08 and LAWG 1412-08 (International Economic Law) are:

2A. 1 & 2 bundled save about $30; use ISBN 9781454870371.

Prerequisite: Note: There are no pre-requisites, but a course in public international law (at Georgetown or elsewhere) would be helpful.

Recommended: Ideally students will have taken an advanced course in either a) International Trade and Arbitration b) business law (e.g., Securities Regulation, Bankruptcy, International Business Transactions, or International Finance) or c) International Tax.

LAW 1380 v00 International Economic Law & Policy Colloquium (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201380%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
The International Economic Law & Policy Colloquium offers students a new and rigorous research platform for understanding the theory of international economic law and participating in policy analysis. Students will participate alongside graduate students, fellows and visiting scholars at the Institute of International Economic Law at weekly luncheons with outside speakers and help create, and potentially author, research and policy-oriented products for the Institute of International Economic Law.

Students will be expected to 1) write brief response papers for occasional presenters hailing from the academy, government and the public policy community 2) help curate and prepare a monthly “IIEL In the Know” Newsletter for lawyers, regulators and financial authorities and 3) provide one 2-5 page brief on a specific policy issue concerning a relevant matter of international economic law. The best issue briefs will be included for publication by IIEL and distributed to policymakers in Washington D.C. and abroad. Topics covered include international trade, financial regulation and enforcement, monetary affairs and tax.

Recommended: Ideally students will have taken an advanced course in either a) International Trade and Arbitration b) business law (e.g., Securities Regulation, Bankruptcy, International Business Transactions, or International Finance) or c) International Tax.

Mutually Excluded Courses: Students may not receive credit for this course and International Business Transactions or International Business Transactions and Trade Law (formerly International Law II).
LAW 1701 v00 International Economic Law and Institutions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201701%20v00)  
J.D. Course | 3 credit hours  
This course will provide an introduction to the international legal and institutional frameworks that govern economic cooperation among nation states in the key areas: (a) international monetary law, (b) international trade, (c) international capital movements (including foreign direct investment), and (d) international development. A key area of focus will be how these different frameworks interact – and, in some cases, conflict – with each other, as policy makers struggle to both maximize the benefits of globalization and minimize its costs. Considerable emphasis will be placed on the institutional dimension of cooperation, with a comparative review of the relevant international organizations (including the WTO, IMF and the World Bank). The Course will identify the current challenges faced by each of these institutions in an environment where multilateral co-operation, although increasingly urgent, is also increasingly unpopular. The Course will be interdisciplinary, focusing on the legal, political and economic dimensions of these complex problems. Senior officials of a number of the major international organizations will participate as guest lecturers, giving their own perspectives regarding the key challenges facing their institutions.  
The Course will be divided into two parts:  
**The first part** will include an overview of the relevant legal and institutional frameworks, their relationship with each other and some of the key challenges they currently face.  
**The second part** will cover a number of cross-cutting issues that often require effective coordination among these different institutions, including the following:  
- The problem of sovereign debt, and its impact on both economic development and financial stability.  
- The efficacy of “soft law” and “soft institutions”, which are increasingly relied upon in an environment where countries are less inclined to surrender legal sovereignty through the creation of treaty obligations or the establishment of independent international organizations.  
- The impact of economic crime on economic development and financial stability, with a review of efforts by the international community to address this problem.  
- The effectiveness of existing mechanisms to ensure the accountability of international organizations.  
**Note:** This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 1260 v00 International Economic Law Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201260%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 done on behalf of a developing country government, an international organization, an NGO or an SME under the supervision of their professor(s) and in conjunction with expert mentors. This project-based practicum course will focus on international economic law, primarily international trade or investment law. Students will participate in a two hour/week seminar (during some weeks, the seminar meets twice, other weeks, the seminar does not meet and only team meetings take place) and carry out 10 hours/week of project work under the direction of the course professors.  
**SEMINAR:** This practicum offers a unique opportunity to thoroughly analyze international trade and investment law, as well as broader issues of international economic law, and jurisprudence through a combination of practice and theory. The practicum has three goals. First, to enhance students’ substantive legal knowledge of international economic law. They will do so not through traditional in-class teaching but hands-on, by working on a specific legal project, of high practical importance for their “beneficiary.” Second, the practicum aims at improving students’ professional skills to become successful lawyers: the ability to analyze complex legal problems, to apply the law to a set of facts, to interact with beneficiaries, to work in groups with other lawyers across cultures and language barriers, to convincingly make oral presentations, to write legal memos or submissions, and to adapt the explanation of legal expertise to a diverse audience. Third, the practicum aims to stimulate personal skills and aspirations of students: to make them aware of professional opportunities in the international law field; to discover new challenges. Through interactions with other (often foreign) students and a diversity of (often foreign) “beneficiaries”, participants will build inter-personal skills, learn about other cultures, and experience the challenges and needs of a wide variety of stakeholders affected by international economic law, beyond large multinationals.  
**PROJECT WORK:** Students will work in small groups (“project teams”) and under the close supervision of one or more Professors (“Supervising Professors”), invited experts (“Mentors”) and the Teaching Assistant (TA) on specific legal questions related to international economic law (IEL) coming from “real clients” (“beneficiaries”) such as international organizations, governments, SMEs or NGOs. In addition, introductory sessions by Mentors will be held to provide substantive background to the respective topics, as well as sessions to improve research and legal writing skills. At the end of the semester, the groups will submit written legal memos or other work products and orally present their projects in class in the presence of the beneficiary and other invited guests. To get an idea of the types of projects done in previous years, see www.tradelab.org (https://www.tradelab.org).  
The practicum is part of the broader TradeLab network and operates in collaboration with TradeLab (www.tradelab.org) to enable beneficiaries to submit projects, to facilitate the operation of the teams and to promote the completed work to the public. TradeLab is an online platform that allows countries, NGOs and other smaller stakeholders easy and smart access to legal talents in the field of trade and investment law, allowing these actors to reap the full development benefits of global trade and investment rules by making WTO, preferential trade and bilateral investment treaties work for everyone.  
**Prerequisite:** Students must complete a basic trade/WTO or investment law course before applying. J.D. students must complete the required first-year program prior to enrolling (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).
LAW 166 v00 International Efforts to Combat Corruption Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20166%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
International anti-corruption has become an increasingly “hot topic” among lawyers and policymakers: governments, international organizations, and technical experts all identify corruption as a serious impediment to comprehensive economic development. If left unchecked, corruption threatens to undermine the effectiveness of development initiatives in both the public and private sectors. Growing enforcement of legal instruments such as the Foreign Corrupt Practices Act and the UK Bribery Act have placed anti-corruption squarely on the agenda of a wide variety of transnational organizations. With so many variant actors invoking the importance of anti-corruption, lawyers must not only have a working knowledge of what corruption entails, but also understand how the development of an international anti-corruption legal framework is changing the way business is conducted in a global economy.

This course explores the international legal framework of anti-corruption, the scope of anti-corruption instruments, the methodologies employed by international actors enforcing these instruments, and the policy dilemmas implicated by these endeavors.

Given the dynamic nature of anti-corruption initiatives, the course presents an interdisciplinary, interactive approach to the subject matter. The class will introduce and discuss perspectives from academic texts, policy papers and media. It is hoped that this broad-based approach will provide students with a strong theoretical foundation in anti-corruption law, foster a practical understanding of international anti-corruption work, and inspire students to integrate this avenue of study into their future professional endeavors.

Students will complete a research paper 20-25 pages in length.

Learning Objectives:

By the end of this course, students will have a working knowledge of the role anti-corruption policy and political institutions (i.e., FCPA, OECD, and UNCAC) play in the field of anti-corruption. Students will be able to engage in professional discussions on the historical context of international anti-corruption efforts, the state of the current political and international climate, and the future of anti-corruption by making connections between past policy and current events. Students will be able to articulate original views, back them up with research and defend them through strategic thinking by engaging with guest-lecturing practitioners and the final oral presentation. Students will further deepen their knowledge on a particular topic within the field by conducting a research paper in which they will need to provide insightful analysis making connections among historical and current policies, institutions, and governments.

Recommended: Prior or concurrent enrollment in at least one course in private or public international law might be helpful but is not necessary.

Mutually Excluded Courses: Students may not receive credit for this seminar and Global Anti-Corruption Seminar.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. While the first three days of this course meet during the Fall add/drop period, a student may only drop this course without a transcript notation prior to the start of the second class session by submitting a written request to the Office of the Registrar. After the start of the second class session, a student must seek permission from an advisor to withdraw.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.
LAW 145 v00 International Environmental and Natural Resources Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20145%20v00)
J.D. Course (cross-listed) | 3 credit hours
The course focuses on international law applicable to the leading environmental and natural resource issues. It provides a framework for identifying and addressing the legal issues, links international law with relevant national laws, and focuses on ways to strengthen compliance with international obligations. The course covers climate change, ozone depletion, transboundary pollution and hazardous waste disposal; natural resource issues of fresh water (both surface and ground water), marine resources, and biodiversity; the links between human rights and environment and between environment and trade; and the financing of sustainable development. Special attention is given to cutting edge issues, such as synthetic biology and climate intervention.

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 1544 v00 International Environmental Law in Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201544%20v00) (Project-Based Practicum)
J.D. Practicum (cross-listed) | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of Professor Slobodian. This project-based practicum course will involve work with the Environmental Law Institute on international environmental law issues, providing opportunities for students to navigate the reality of international negotiation, dispute resolution, and policymaking. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of Professor Slobodian.

SEMINAR: This practicum offers a unique opportunity to influence global environmental policy. Through this course, students will learn to do the following: (i) understand and formulate positions on specific issues in international environmental law through application of general knowledge and targeted research; (ii) develop and implement influencing strategies for advancement of international environmental law through ongoing global policy processes; (iii) communicate effectively and engage appropriately with an international community encompassing different cultures, approaches, and perspectives; and (iv) consolidate lessons learned to support improvement and inform further work in international environmental law. To help achieve these goals, the seminar will feature visiting experts from the international environmental legal community and discussions on practical approaches to influencing global environmental policy.

PROJECT WORK: Students will work on a specific international environmental process over the course of the semester, providing direct support to a specific international organization, party or observer. Processes might include, inter alia, the regulation of domestic wildlife markets under the Convention on International Trade in Endangered Species; the enforcement of domestic legislation implementing the Montreal Protocol; the development of a concept of water tenure under the auspices of the Food and Agriculture Organization; building a global framework for migration with dignity in the context of the UN Environment Programme; the ongoing negotiation of a new international instrument on marine biodiversity in areas beyond national jurisdiction; development and adoption of resolutions of the IUCN World Conservation Congress; comparative analysis of country-level frameworks to inform decisions at international processes; or consideration of cases before the International Tribunal on the Law of the Sea, the International Court of Justice or other international tribunals.

Students’ specific activities may include preparing background documents and informational materials; following international discussions and participating as appropriate (e.g., in online discussion fora); drafting policy statements, interventions and motions; organizing intersessional meetings or side events; compiling information on commitments (Nationally Determined Commitments, National Biodiversity Strategies and Action Plans, Sustainable Development Goals Voluntary Commitments, etc.); joining (virtually or in person) meetings with members of delegations; and/or developing analyses that result in policy-influencing pieces at the regional and international levels. Under Professor Slobodian’s supervision, students will work with lawyers from the Environmental Law Institute and the World Commission on Environmental Law.

Prerequisite: Prior or concurrent enrollment in International Law I: Introduction to International Law, or prior enrollment in Criminal Law Across Borders or International Criminal Law. J.D. students must complete the required first-year program prior to enrolling (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

Recommended: International Environmental and Natural Resources Law.
LAW 197 v01 International Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20197%20v01)
J.D. Course (cross-listed) | 3 credit hours
In 1970, about 90% of international transactions represented trade in goods and services. On the eve of the last financial crisis, about 90% of international transactions reflected movement of capital unrelated to trade. This course examines aspects of national and international law that govern cross-border capital movements. The goal is to discern elements of an evolving legal regime for international finance.

We will consider current issues in international finance from the transactional, regulatory, and policy perspectives—reflecting the different functions of the law in this area. Beyond basic legal concepts relevant to international banking, securities and currency markets, we will address topics including crisis response, international institutions, government debt, foreign assistance and microfinance. The syllabus assumes no background in finance, economics, banking or securities law. In addition to classroom engagement and a take-home exam, course components include policy and negotiating simulations, and a news blog.

**Recommended:** Federal Banking Regulation, Securities Regulation and International Law I: Introduction to International Law.

**Mutually Excluded Courses:** Students may not receive credit for this course and International Finance and Regulation.

LAW 197 v00 International Finance and Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20197%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course explores some of the key financial transactions that animate the international economy and the global regulatory architecture governing them. Substantive subjects include the global financial architecture, international banking regulation, project finance, derivative products and syndicated lending. The course also addresses the intersection between financial regulation and international monetary law by surveying the 2008 financial crisis, the European debt crisis, the future of the dollar as an international currency and the offshore renminbi market.

**Recommended:** Corporations.

**Mutually Excluded Courses:** Students may not receive credit for this course and International Finance.

**Note:** The first class is not mandatory, though it is highly advised.

LAW 227 v04 International Human Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20227%20v04)
J.D. Course (cross-listed) | 3 credit hours
This course examines the law, institutions, and advocacy strategies designed to protect international human rights. We will analyze civil and political rights and economic and social rights, as well as international humanitarian law, and explore key enforcement mechanisms at the national, regional, and international levels. The evolving role of NGOs and civil society actors in advancing human rights, and the responsibility of corporations, will also be examined. Both progress and enduring challenges in making human rights real “on the ground” will be a focus of this course, together with the need for effective enactment of legal standards, enforcement of those standards, and empowerment of affected communities. Current legal issues and strategies concerning climate change and human rights will also be highlighted.

**Recommended:** International Law I: Introduction to International Law.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the graduate course, International Human Rights Law.

LAW 814 v00 International Human Rights Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20814%20v00)
LL.M Course (cross-listed) | 3 credit hours
This course provides an intensive survey of international human rights law and practice, with a principal focus on interpretation and implementation of human rights obligations, commitments, and norms in the practice of states. The course has three main components: in the first unit, we examine the development of the substantive law of human rights and its sources (including treaties, customary international law, and non-binding international instruments). In the second unit, we examine implementation of international human rights in the international, regional, and domestic systems, focusing on UN organs such as the Human Rights Council and treaty bodies, as well as regional mechanisms. Finally, in the third unit we look at the application of the substantive law and implementation mechanisms in the context of current issues in international human rights, including in the context of atrocities and the refugee crisis. The course highlights selected contemporary ethical problems in international human rights law such as genocide and torture, application of human rights obligations, commitments, and norms to non-state actors (including corporations), universality of human rights and cultural relativism, and the need to protect human rights while countering terrorism, including issues relevant to U.S. law and practice. Along the way we examine issues related to international immunities, impunity, human rights litigation under the U.S. Alien Tort Claims Act and Torture Victim Protection Act, and international criminal tribunals.

**Recommended:** International Law I: Introduction to International Law.

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Human Rights Law, or the J.D. course, International Human Rights.
LAW 814 v02 International Human Rights Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20814%20v02)

LL.M Course (cross-listed) | 3 credit hours
How can the international legal system address some of human kind's greatest weaknesses? This course provides an intensive survey of modern international human rights law and the legal institutions and systems of oversight that support it. Through a mixture of lecture and class discussion, we will look at how and why these mechanisms developed, and critically analyze how they -- as well as States, non-State actors, and individuals -- succeed or fail in practice to promote and protect human rights at the international, regional, and domestic levels. We will cover the foundations of the modern system including the International Bill of Human Rights and the Geneva Conventions, as well as subsequent developments including treaties and declarations regulating the use of certain weapons, prohibiting torture, protecting the rights of persons with disabilities, protecting refugees, promoting the rights of indigenous peoples, eliminating racial discrimination and discrimination against women, and establishing the international criminal court. We will also look at how “soft law” has developed to address emerging human rights-related fields such as corporate social responsibility and data privacy protection. Highlighting contemporary issues in international human rights, we will ultimately ask ourselves how current international human rights mechanisms can address today’s conflicts, including refugee crises, natural resource disputes, and international campaigns against terrorism.

**Recommended:** Prior enrollment in International Law I: Introduction to International Law (or equivalent).

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Human Rights Law and Practice.

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

LAW 1755 v00 International Human Rights: History, Theory, Promise and Critique (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201755%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the philosophical and historical underpinnings of international human rights law. Students will encounter early conceptions human rights protection, alternative visions for the modern human rights framework, the development of international human rights law, and critical perspectives on the evolution and implementation of human rights.

Students will be encouraged to critically examine the successes and failures of the normative framework for the protection of human rights, whether we have achieved the universal realization of human rights, and ways in which the system might be reimagined or strengthened. Particular attention will be paid to the legal framework applicable to the protection of the rights of non-citizens, including migrants, refugees, and stateless persons. Contemporary case studies will be used to illustrate the challenges in resolving protracted situations of statelessness or displacement, and how gaps in international legal protection may exacerbate looming human rights crises, including those related to global climate change.

There are no required prerequisites for this course. However, students may find it beneficial to have taken International Law I: Introduction to International Law and/or the introductory course to International Human Rights.

**Learning Objectives:**

- Students will gain an understanding of the history and theory of international human rights law.
- Students will gain the ability to think critically about our assumptions about the structure of international law and human rights in order to imagine ways in which international human rights can be strengthened towards the universal realization of rights.
- Students will strengthen their written and verbal communication skills through written reflections, papers, and classroom discussion.
- Students completing a paper for the writing requirement will gain mastery over their chosen topic related to international human rights law, enhance the clarity and precision of their writing, and sharpen their skills in conveying their understanding through an oral presentation.

**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 1451 v00 International Intellectual Property and Development
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201451%20v00)
J.D. Course (cross-listed) | 3 credit hours
Intellectual property is increasingly a global phenomenon, as creators seek to distribute their work and inventions across borders, while consumers seek access to creative products and innovations, from books to life-saving medicines. The scope of intellectual property rights set out in international treaties and national laws affect innovation and creativity worldwide. Exceptions to intellectual property rights determine rights to critique and learn. At stake in the balance between rights and exceptions are access to medicines and to knowledge. In an age driven by both technology and fashion, intellectual property is central to the global economy. This course will examine international trade law, national customs law, intermediary liability rules, claims for rights in traditional knowledge and genetic resources, protections for geographical indications, technology transfer, and intellectual property piracy. The central question will be: how can international intellectual property law be designed to help the world’s poor?

Mutually Excluded Courses: Students may not receive credit for this course and Intellectual Property in World Trade.

LAW 1476 v00 International Law and the New Global Political Economy Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201476%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
Recent electoral results in the United Kingdom and the United States have challenged the liberal globalization agenda of the last three decades. The UK is leaving the European Union and the Trump administration has withdrawn from the Trans-Pacific Partnership (TPP), called for a renegotiation of the North American Free Trade Agreement (NAFTA) and advanced an America First foreign policy. Discontent with the effects of global markets includes job losses, wage stagnation, growing income inequality, and downward mobility of the middle class. How are these effects related to the international legal architecture states have set up, including international trade and investment agreements, international tax regimes, financial regulation and labor norms? Can’t these negative results be addressed primarily and more effectively at the national level?

This moment offers a key opportunity to think of an alternative globalization. So far, there are two strong, emerging positions in the global economic debate. On the one hand opposition to globalization, often accompanied by xenophobic and discriminatory rhetoric, blames foreign trade, immigration and racial minorities for the economic foibles of society. On the other hand, there is a defense of existing liberal globalization as the enlightened economic path that needs to be better explained and at the most softened. Can we imagine a different type of globalization? One that recognizes the gains that societies may accrue from integration while addressing seriously the dislocation and negative distributional consequences? Does this require that we re-imagine a different role for the State in the market? Does it entail a reform of our existing global institutional arrangements? What role may international law play in responding to these challenges?

A leading scholar in the field of international law will present a paper each week. The papers represent a wide range of topics and methodological approaches connected to the colloquium questions. Students will be expected to read the papers and write a short critique of five of the papers. You will also have an opportunity to engage in discussion with the paper’s author. In addition to the students enrolled in the colloquium, Georgetown Law faculty and other DC area scholars and practitioners will be invited to participate in the weekly paper presentations. Lunch will be provided.

Note: The first class will meet on Friday, January 24, 2020 in Hotung 5020.

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.
LAW 1362 v00 International Law Colloquium (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201362%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
In this colloquium, a paper will be presented each week by a leading national or foreign scholar in the field of international law. The papers will relate to fundamental theoretical questions or cutting edge issues concerning the international legal system. Students will be expected to read the papers and prepare a short written critique of five of the papers. They will also have an opportunity to present oral comments to the paper’s author. In addition to the students enrolled in the colloquium, faculty members from the Law Center and other area law schools will attend the weekly paper presentations. Lunch will be provided.

Prerequisite: Prior or concurrent enrollment in International Law I: Introduction to International 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.

LAW 235 v02 International Law I: Introduction to International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20235%20v02)
J.D. Course (cross-listed) | 3 credit hours
This course deals with the nature and sources of international law and major developments in the international legal system. It considers such topics as treaties, executive agreements, and customary international law; the recognition of states and governments; jurisdiction over disputes with international elements; foreign sovereign immunity; various methods for international dispute resolution, especially courts and international arbitration; the role of international law in the U.S. legal system and the allocation of foreign affairs powers between the President and Congress; the roles and operations of the United Nations, the World Bank, the International Monetary Fund, and other international and regional entities, such as the European Union and the World Trade Organization; Law of the Sea; International Criminal Law; how the international system protects (or fails to protect) human rights and the environment; and the use of force against other countries, rebellions, or terrorist groups.

Learning goals for this course:

Ability to analyze and interpret treaties, judgments and other international law instruments. Awareness of relationship between international and domestic law, how international law is made and applied, how domestic legal systems differ in their approach to international law.

Mutually Excluded Courses: Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.

LAW 235 v08 International Law I: Introduction to International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20235%20v08)
J.D. Course | 3 credit hours
This introductory course deals with the nature, sources and operation of “public international law,” with some of the most important contemporary challenges to the international legal system, and with the international community’s evolving responses to those challenges. It includes such topics as the law governing treaties and other international agreements; the recognition of states and governments; methods for international dispute resolution including litigation in the International Court of Justice; the United Nations and other international and regional entities; international human rights and international criminal law; law of the sea and international environmental law; and the rules governing the use of force. Some attention is also given to the role of international law in the U.S. legal system; questions of jurisdiction, foreign sovereign immunity and the act of state doctrine; and the allocation of foreign affairs powers between the President, the Congress, and the Judiciary. We will discuss a few of the most pressing illustrations of the operation – or shortcomings – of the international legal system in the context of current problems or crises. As a first-year elective, this course is intended to offer a contrast or a complement to the bulk of the first year curriculum, by exposing students to the substance and style of foreign and international law materials, institutions, and dispute-resolution mechanisms, and to provide a gateway to Georgetown’s rich international law upper class course offerings.

Mutually Excluded Courses: Students may not receive credit for this course and the upperclass course by the same title, or the LL.M. course International Law Essentials: The U.S. Perspective.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 235 v16 International Law I: Introduction to International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20235%20v16)
J.D. Course (cross-listed) | 3 credit hours
This course deals with the nature and sources of international law and major developments in the international legal system, including the interaction of international law and municipal (domestic) legal systems. It considers such topics as treaties, executive agreements, and customary international law; jurisdiction over disputes with international elements; foreign sovereign immunity; methods for international dispute resolution; the role of international law in the U.S. legal system; how the international system protects (or fails to protect) human rights and the environment; and the use of force against other countries, rebellions, or terrorist groups.

Learning Objectives:

This course will expose you to a different legal system – the regime of contemporary public international law governing the conduct of states and international organizations – as well as the way that legal regime is incorporated in the law of the United States. It also serves as a general precursor to other international law courses in the Georgetown Law curriculum.

Mutually Excluded Courses: Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.
LAW 235 v17 International Law I: Introduction to International Law

LL.M Course (cross-listed) | 3 credit hours
This course is a broad introduction to public international law. Students will consider the nature of international law as law, sources of international law including customary international law, and the role of national and international tribunals in international dispute resolution. The course will also cover topics including the fundamentals of treaty law, statehood, recognition of states and governments, jurisdiction and immunity, state responsibility, international humanitarian law, international human rights law, international environmental law, the law of the sea, and international commercial disputes. The course will touch on other relevant topics as time permits.

Mutually Excluded Courses: Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.

LAW 235 v18 International Law I: Introduction to International Law

J.D. Course | 3 credit hours
This course provides a broad introduction to the nature, sources and operation of international law. The aim is to provide you with a solid understanding of the basic principles, instruments and institutions of "public international law," both as a framework for further study and for dealing with the international legal issues you are likely to encounter in practice.

Accordingly, we will survey the law governing treaties and other international agreements, the nature and content of customary international law, the recognition of states and governments, the role and operation of international and regional organizations such as the United Nations and the OAS, issues of state responsibility, international human rights, the law of the sea and outer space, international dispute resolution mechanisms (including the role of the International Court of Justice and other courts and tribunals), and international peacekeeping and principles governing the use of force (including counter-terrorism efforts).

We will also spend some time on the role international law plays in the U.S. legal system as reflected, for example, in concepts of (and restrictions on) civil and criminal jurisdiction, diplomatic and foreign sovereign immunity, and enforcement of foreign judgments.

Without any question, developments during the summer will give us ample opportunity to discuss a number of "hot topics" as they arise (in such areas as international refugee law, rules on the use of force, responding to acts of terrorism, trade relations, cyber warfare, environmental law, cyber-crime, trafficking in drugs and persons, trans-border corruption, UN actions and sanctions, Brexit, etc.).

The course is appropriate for both J.D. and graduate students, both beginners who have never studied international law as well as those who have some prior exposure or experience. We welcome students who received their initial legal training in other countries.

It is important to attend all class sessions, especially the first class session where we will give an overview of the course and explain our expectations for attendance and performance.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course International Law Essentials: The U.S. Perspective.
LAW 1010 v00 International Law in Domestic Courts Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201010%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
How does international law apply in domestic legal systems? When are treaties and customary international law binding in national courts? What are the rules and mechanisms of “incorporation”? Do judges have a responsibility to follow generally accepted rules of international law? This seminar offers students an opportunity to research, write and make presentations about specific issues related to the status of international law in domestic legal systems. The primary focus will be on the U.S. system, but a comparative approach is included and students are encouraged to investigate the treatment of international law in foreign legal systems that directly incorporate customary international law as well as those where international legal rules always require legislative enactment.

These issues arise in varying contexts, from human rights litigation under the Alien Tort Statute to habeas proceedings concerning GTMO detainees, from compliance with ICJ decisions to displacement of state law under ratified treaties and executive agreements, from the impact of rulings by the International Criminal Court to questions of sovereign immunity and Acts of State, from using international law to interpret domestic statutes to the proof of foreign law in civil and commercial cases. More broadly, we will be exploring whether domestic courts can or should act as enforcers of international law, whether domestic courts should be considered part of an emergent “global judiciary,” the importance of transnational cooperation between courts, etc.

This course is open to J.D. and LL.M. students and requires a paper and an oral presentation.

Learning goals for this course:

Ability to research, use, and write about topics at the intersections of international and domestic law; awareness of how different legal systems deal with relevant topics; ability to present orally and in writing.

Recommended: International Law I.

Note: 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 two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1231 v00 International Law Seminar: Poverty Reduction and Accountability (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201231%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar examines efforts to reduce poverty in countries and problems of accountability in doing so, whether in international institutions, national institutions, or the private sector. Considers various approaches to accountability. Covers issues of compliance, good governance, human rights, corruption, environmental sustainability, and experience with various accountability mechanisms in international institutions. Includes two simulations in which students must address accountability issues.

Learning goals for this course: To understand the difficulties of reducing poverty within countries and the legal issues associated with bringing accountability to doing so. Students should be able to develop insights that can be applied in both the public and private sectors.

Recommended: A basic course in public 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 761 v03 International Law, Human Rights & Fighting Impunity**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20761%20v03)

LL.M Seminar (cross-listed) | 1 credit hour

This course will explore the global fight against impunity – specifically, as it pertains to curbing war crimes, human rights violations, grand corruption and looted antiquities – through class discussions, lectures and guest speakers with personal experience in fighting the impunity that is so often associated with war crimes and economic crimes. It is based on the premise that those that are willing to slaughter thousands of innocents, are also willing to steal millions of dollars and loot our collective cultural heritage – and that the fight against impunity includes both war crimes and economic crimes (and often, the international trend to focus on the former, ignores the domestic interest in prosecuting the latter). Over the semester, students in a seminar-size class will be exposed to the basics of international criminal law, international human rights law and international economic crimes, as well how the fight against impunity impacts national security and foreign policy issues.

The class will focus on issues related to war crimes, crimes against humanity, and genocide, as well as the recent global efforts to fight grand corruption and recover looted assets and antiquities, including UN Convention Against Corruption and the new UN-World Bank Stolen Asset Recovery (StAR) Initiative. Students will be allowed to write a paper of their choice regarding international law and the fight against impunity. Class grades will be a combination between class participation (40%) and a seminar paper (60%). Required readings (cases, statutes, articles, book excerpts, on-line treaties, etc.) will be illuminated by lecture and discussion from a professor with first-hand experience in the global fight against impunity through his personal experience with the Slobodan Milosevic, Saddam Hussein and Omar al-Bashir matters, as well his background with the UN war crimes tribunal, the White House, the Pentagon, and the World Bank’s StAR Initiative, and helping recover stolen assets on behalf of various governments. In order to take advantage of Georgetown’s unique position in the intersection of law, politics, and international affairs, the course will feature high-profile guest speakers who will highlight their own personal efforts to fight impunity and how such international efforts impact national security and foreign policy matters.

**Prerequisite:** International Law I or equivalent.

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

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

**LAW 1323 v00 International Law, National Security, and Human Rights**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201323%20v00)

J.D. Course | 3 credit hours

This course will examine how international law deals with the tension between two highly prominent concerns of the early twenty-first century: protecting national security and protecting human rights. We begin with an overview of basic principles of international law, and of U.S. domestic legal authority for national security activities. We then move to the regime of international law that is devoted to the protection of human rights. This includes treaties dealing with human rights in general; those that address specific subjects, such as torture and genocide; and customary international law. Our focus then moves to international humanitarian law, which is the legal regime that governs the use of force. This includes provisions that relate both to when parties may resort to the use of force, and how they must conduct themselves when they do so. We will explore the debate over whether humanitarian law should replace human rights law in situations of armed conflict, or whether the two bodies of law should be applied in ways that reconcile their approaches as much as possible.

The course then turns to national security concerns that serve as a vehicle for exploring the interaction of human rights and humanitarian law, with a focus on terrorism. To what extent should counter-terrorism be seen as law enforcement, in which case human rights law governs, and to what extent should it be seen as armed conflict, in which case humanitarian law provides primary guidance? If it has elements of both, what should be the respective roles of human rights and humanitarian law in regulating counter-terrorism? We will focus in depth on five topics that raise these questions: the incorporation of human rights protections in armed conflict, criminal investigation and prosecution of terrorism, targeted killing, covert action and special operations, and cyber operations. The course will include two review sessions at approximately one-third and two-thirds through the semester. These will be devoted to analysis of problems relating to topics covered in specific units of the course.

We will make extensive use of case studies and problems to explore the complex legal, political, and moral questions that arise with respect to the issues we discuss. We also will also be working with statutes that relate to various types of national security issues. In addition, events in the news are sure to provide constant vivid examples of the significance of the concepts that we will be discussing throughout the course. In these ways, the course will provide students with a practical understanding of international law through an in-depth examination of how it operates at the intersection of two specific fields that are undergoing dramatic changes.

**Learning objectives for the course are:**

1. For you to become familiar with basic concepts in international law, especially with regard to treaties, customary law, and how international law interacts with domestic law in the United States.
2. For you to become familiar with basic concepts in international human rights law, United Nations and European Conventions on basic human rights, and their impacts on domestic law.
3. For you to become familiar with the basic provisions of international law that deal with when states may use military force, and that govern how such force may be used in armed conflict.
4. Based on your understanding of the subjects described above, for you to appreciate how many contemporary national security concerns present challenges for which neither human rights law nor the law on military force is fully adequate – which means that creative thinking is necessary in addressing these concerns.

**Note:** This course is a first-year elective. First-year day students select an elective offered in the spring.
LAW 1639 v00 International Litigation in Europe: Key EU Regulations
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201639%20v00)
J.D. Course (cross-listed) | 1 credit hour
The course will survey key aspects of European Union Law relating to transnational litigation in Europe such as jurisdiction, the coordination of parallel proceedings, and the recognition and enforcement of foreign judgments in international cases in Europe. It will mainly focus on the EU-Brussels I-bis Regulation, which provides for harmonized rules on these issues. The course will provide students with the necessary skills to develop a procedural strategy as claimant or defendant in a cross-border dispute involving European parties.

Special emphasis will be placed on the relevance of these issues from the perspective of non-EU (e.g., U.S.) parties. A comparative approach involving U.S. law will be taken when useful to promote a better understanding of the relevant EU regulatory provisions.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 10, Tuesday, January 11, Thursday, January 13, and Friday, January 14, 2022, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed between January 21 and January 28, 2022. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last day of the second class session as defined for this specific course.

LAW 076 v00 International Migration and Development
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20076%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This course is for students who are interested in acquiring a broader knowledge and a better understanding of research related to international migration and development. Topics covered include: past, present and anticipated future trends in international migration, including the various factors (e.g., economic, social, political) that influence population movements; elements of the normative and legal frameworks upon which migration policies may be based; relationships between international migration and economic development, economic growth and economic competitiveness, poverty alleviation, social networks and social support systems, national and international security, transnational organized crime, and human rights, among other issues; and institutional arrangements that enhance international cooperation to promote safe and orderly migration.

Learning Objectives:
This course offers an overview of the theoretical debates in the field of international migration and the empirical data upon which these debates hinge. Upon completion of this course, students should be able to:

1. Describe recent trends in migration at national, regional and global levels;
2. Compare theories of international migration from different disciplinary perspectives and different units of analysis (e.g., individual, household, national, global), identifying the advantages and disadvantages of each;
3. Analyze the usefulness of current international legal frameworks in defining the rights of migrants and states’ responsibilities to protect those rights;
4. Assess the economic and social impacts of migration on both origin and host societies;
5. Understand and analyze the concept of “brain drain” in describing high-skilled migration;
6. Understand and analyze the concept of “social remittances”;
7. Compare processes of immigrant integration;
8. Understand the ways in which smuggling and trafficking undermine international migration;
9. Understand the ways in which climate change and development projects contribute to migration; and
10. Understand the various mechanisms for managing international migration.

Students should also be able to:

1. Demonstrate critical thinking, research and writing skills;
2. Evaluate empirical evidence; and
3. Articulate and defend findings (real or proposed) from their research papers

Note: Priority is given to students fulfilling the requirements of the Certificate in Refugees and Humanitarian Emergencies and to students enrolled in the Certificate Program in International Human Rights Law.

See the schedule of courses on the Main Campus Registrar’s website (http://registrar.georgetown.edu) for room assignments. Law Center students may register only through the Law Center’s registration system. This seminar requires a paper. J.D. students must register for the 3 credit WR section of the seminar (LAWJ-076-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.
Since time immemorial, migrations have shaped human communities. Migration is in the DNA of Humankind and our history as an animal species is that of a continuous migration towards resources. Migration is a constant of civilisation, and borders, as a very recent concept, are over the long run an ineffective barrier to migration.

During the last centuries, migrations increased considerably, in both distance and numbers. Continents have been populated by external migration, to the detriment of indigenous peoples who had themselves earlier come from somewhere else.

In the past fifty years, this movement has accelerated, due to the democratisation of means of communication and mass transport. States nowadays wish for an immigration that can contribute to economic growth, but fear that migration might increase the poorer part of their population, destabilize ecosystems and multiply political conflicts.

States in the "New World" have adopted broad immigration policies, selecting "the best and the brightest". Source countries are thus losing a good portion of their human capital, a loss which is only partly compensated by the remittances that many migrants send back home.

The European Union has adopted a policy of free movement of capital, goods, services and persons within its common territory, therefore completing an integrated common market. This principle is not applicable to non-European citizens and "Fortress Europe" certainly seems well established, as exemplified by the present "migrant crisis" in Europe.

The 20th century has been that of the refugees. Communism, totalitarianism, decolonisation, cold-war-based conflicts, post-Cold-War ethnic conflicts have all taken their toll on human populations, forcing millions to flee. The legal concept of "refugee" has emerged and a status defined, now monitored by the United Nations High Commissioner for Refugees. A common doctrine of universal human rights has also been developed, applying equally to migrants, despite rampant discrimination against them.

The 21st century will be that of human mobility. Migration happens, whether we want it or not. Push factors (violence and poverty) and pull factors (stability, prosperity, as well as official or unacknowledged labour markets) are at works and borders remain porous, especially democratic ones.

Through permanent or temporary labour migration programmes, highly-qualified migration mechanisms, regional agreements establishing an area of free movement of persons, mobility provisions in free-trade agreements, the inception of a global migration governance regime can be delineated.

Unfortunately, the human rights of migrants are not often a priority, as vulnerable migrants cannot vote, rarely protest and mobilise little, for fear of detection, detention and deportation.

This seminar will examine many aspects of migration and mobility policies as they relate to international human rights law.

**Note:** This course will meet on the following Mondays and Wednesdays, 9:00 am - 11:00 am: 8/29, 8/31, 9/12, 9/14, 9/26, 9/28, 10/11 (Monday classes meet), 10/12, 10/17, 10/19, 11/28 and 11/30.
**LAW 3106 v00 International Negotiations II** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203106%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This simulation course is designed for students who have taken an International Negotiations course and want to further develop the skills introduced in that course. Specifically, in this smaller class environment, students will obtain real world, international negotiating experience based on actual negotiations and international issues. Students will face the same situations experienced negotiators face in the international context and the course will provide students with opportunities for one-on-one interaction with international negotiators during their negotiation simulations.

Through this course, students will:

- Develop and sharpen legal and negotiating skills in the international context by simulating real world negotiations in a real-world setting.
- Gain knowledge in how to prepare, strategize, and conduct a negotiation in the international context. This includes legal, historical, political, diplomatic, and other research necessary to prepare for an international negotiation.
- Come to understand and be able to use an organized theoretical framework in which to analyze the problems of international negotiations.
- Engage in effective problem-solving with respect to the simulated exercises, whether alone or in teams.
- Identify and appreciate ethical considerations related to international negotiations and the importance of credibility, authenticity, and honesty.
- Demonstrate professionalism in interactions with classmates and professors.
- Engage in self-reflection and peer critique, including applying lessons learned in exercises to future performances, and providing constructive criticism to classmates.

**Prerequisite:** International Negotiations or International Negotiations Seminar

Note: For students who have completed International Negotiations Seminar with Timothy Harr (LAWJ-240-05), please contact LLMAS@georgetown.edu to have a prerequisite waiver posted on your account.

**Recommended:** International Law

**Note:** MANDATORY FIRST CLASS ATTENDANCE. 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.

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**LAW 240 v00 International Negotiations Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar seeks to develop skills and knowledge to participate in negotiations and in particular international business negotiations. Approximately a third of the course time is devoted to the negotiating process and analysis of negotiation principles and dynamics. Another third is spent on the cultural, practical, legal and strategic elements of international business transactions. The balance is spent on a series of "mock" negotiations. Students, individually and in groups, experiment with different negotiating techniques and fact situations of increasing complexity. The course requirement is principally satisfied through preparation of a comprehensive negotiated agreement and follow-up memorandum. Heavy emphasis is placed on class participation, including the negotiations. The final negotiating problem requires substantial team work with others, including strategy, analysis, and preparation. Negotiations are carried on both inside and outside normal class time.

**Recommended:** Contracts.

**Mutually Excluded Courses:** Students may not receive credit for this course and the International Negotiations Seminar (LAWJ/G-958) or International Negotiations (LAWJ/G-3029) in the graduate program, or International Business Negotiations.

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

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

**LAW 958 v00 International Negotiations Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20958%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
After introductory lectures on negotiation theory and practice, the seminar students will be divided into teams for a series of simulated negotiations covering government-to-government, government-private and transnational private negotiations. Student performance in these negotiations and class discussions will comprise most of the course grade; no research paper or examination is required.

**Mutually Excluded Courses:** Students may receive credit for this course and International Business Negotiations. Students may NOT receive credit for both this course and International Negotiations or the J.D. course, International Negotiations Seminar.

**Note:** FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
The scramble to secure steady supplies of inexpensive energy to generate electricity and to power industry and transport has defined much of the twentieth and, thus far, twenty-first centuries. Climate change and renewable energy (appropriately) dominate the discussion today, particularly in the developed world, but, absent a major unforeseen technological breakthrough, non-renewable sources such as oil and natural gas are still expected to meet the majority of the world’s energy needs for decades to come (according to the US Energy Information Administration, 82% of energy consumed worldwide will still come from non-renewable sources in 2050).

The oil and gas industry lies at the intersection of global business, international law, geopolitics, the environment and particularly in the developing world, economic development. This seminar will address the international legal norms and public policy principles that have shaped, and continue to guide, this industry. It is designed for students interested in careers in energy, energy policy, project finance, international arbitration, environmental regulation or development – whether for a law firm, energy company, NGO, international organization or government – as well as students simply interested to learn more about an industry that impacts our daily lives in countless ways.

**Note:** NOTE FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

**Recommended:** Contracts; Accounting Concepts for Lawyers; Conflict of Laws: Choice of Law (or the equivalent Conflict of Laws: Choice of Law (International Focus)); Corporate Finance; Corporations.

**Mutually Excluded Courses:** Students may receive credit for only one of the following courses: Developing and Financing Infrastructure Projects; International Project Finance and Investment; International Project Finance & Development: Case Studies; Project Development and Finance or Transacting International Finance.
LAW 928 v03 International Project Finance

LL.M Course | 3 credit hours
This course examines legal, business and policy issues that arise in international project financings, particularly in emerging markets, and analyzes how such transactions are structured and negotiated and related risks are allocated. We consider the typical roles played by parties to such transactions (equity sponsors, lenders, customers, suppliers and host governments), interests associated with such roles, and how competing interests tend to be reconciled. We will focus on how negotiated arrangements are embodied in and supported by typical transaction documentation such as project documents, financing documents and legal opinions. Coverage will include illustrative local law and political risk issues. Selected international investment transactions, both actual and hypothetical, will be used to illustrate recurring themes.

Course requirements include participation in a simulated international project loan negotiation with outside experts serving as clients.

Recommended: International Business Transactions; Conflict of Laws: Choice of Law; Secured Transactions; Corporate Finance.

Mutually Excluded Courses: Students may receive credit for only one of the following courses: Developing & Financing Infrastructure Projects; Infrastructure Projects in Developing and Transition Countries; International Project Finance; International Project Finance and Investment; International Project Finance & Development: Case Studies; Project Development and Finance or Transacting International Finance.

Note: This course has an additional MANDATORY session on Saturday, April 09, 2022, 8:30 a.m. to 12:45 p.m. Location to be announced at the start of the semester.

LAW 928 v02 International Project Finance and Investment

LL.M Seminar (cross-listed) | 2 credit hours
Examines legal and financial aspects of foreign investment projects, especially in developing countries, from the perspective of the investor, lender and the host country. Legal issues related to the structuring of the foreign investment, the arrangement of the private and public financing, and the construction of a project are considered. A significant amount of time will be devoted to analysis of typical international project finance documentation, but the international and host country legal issues applicable to foreign investment, support from national and multinational agencies, noncommercial risk analysis and dispute resolution will also be considered and discussed.

Prerequisite: A course in International Business Transactions, or background in international business or financial transactions.

Mutually Excluded Courses: Students may receive credit for only one of the following courses: Developing Infrastructure Projects, Infrastructure Projects in Developing and Transition Countries; International Project Finance: International Project Finance & Development: Case Studies; Project Development and Finance or Transacting International Finance.

LAW 820 v01 International Protection of Intellectual Property Through the WTO

LL.M Course | 2 credit hours
This course deals with international protection of intellectual property through the World Trade Organization (WTO) and the WTO agreements which cover intellectual property: the TRIPS Agreement, The Paris Convention and the Berne Convention. The course will also cover the General Agreement on Tariffs and Trade (GATT) and the Dispute Settlement Understanding, which are essential in enforcing these agreements.

The course examines in detail the relevant U.S. law and how the extraterritorial application of these laws effects international enforcement of intellectual property. These laws are Section 337 of the Tariff Act of 1930 which prohibits the importation of articles into the United States which infringe U.S. patents, trademarks, or copyrights, and Section 301 of the Trade Act of 1974 which allows retaliation against foreign countries which impose unjustifiable or unreasonable restrictions against U.S. commerce.

The main WTO cases in intellectual property will be read and analyzed. These will include the cases on Sections 337 and 301, which have limited the United States’ ability to unilaterally affect intellectual property law. Other cases will include the U.S. – Cuba Havana Club case, the Indian Pharmaceutical case, the Internet Gaming case, the U.S. Musical Copyright case, the European Geographical Indication (GI) case, the Canada Pharmaceutical patent case, and the China Intellectual Property Violation case. The course will study the Doha Agreement, which allows the compulsory licensing of pharmaceutical patents to fight pandemic diseases particularly HIV/AIDS. Finally, the course will review any significant changes in trade law or existing trade agreements, particularly as relates to intellectual property, that may occur under the Trump administration.

Mutually Excluded Courses: Students may not receive credit for both this course and Intellectual Property in World Trade (LAWG/J-226).
LAW 3006 v00 International Right to Health (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203006%20v00)
LL.M Course (cross-listed) | 2 credit hours
The course provides an introduction to the human right to health and its implementation in a few hot topic issues. Issues covered will include criminalization of drug use and sexual and reproductive health, vulnerable groups, HIV/AIDS, the intellectual property regime and access to medicines, and a critique of the current framework and the challenges that impede the realization of the human right.

Recommended: Introductory course in public international law or human rights, introduction to public international law and/or introduction to human rights

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

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

LAW 509 v01 International Tax (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20509%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course is an introduction to the law and policy of U.S. taxation of U.S. and foreign persons engaged in cross-border activities. The course will address both how individual and corporate foreign taxpayers are taxed by the United States, and how U.S. individual and corporate taxpayers are taxed by the United States on income earned in or from other countries. Topics will include U.S. jurisdiction to tax, allocation of income, withholding taxes, the foreign tax credit, deferral, transfer pricing, and tax treaties. The course will also consider how the U.S. rules in these areas are influenced by developments in other countries. The goal of the course is to provide an overview of the relevant law and policy considerations, with a focus on specific issues that are presently contested as a policy matter. Students should leave the course with an understanding of the basic framework for U.S. international tax law and a sense of some of the policy debates surrounding the current rules.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit both for this course and for U.S. International Inbound Tax (formerly: U.S. Taxation of Foreign Persons in the United States); or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons with Activities Outside of the U.S.); or U.S. Taxation of International Transactions.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.

LAW 509 v02 International Tax (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20509%20v02)
LL.M Course (cross-listed) | 3 credit hours
This course is an introduction to the law and policy of U.S. taxation of U.S. and foreign persons engaged in cross-border activities. The course will address both how individual and corporate foreign taxpayers are taxed by the United States, and how U.S. individual and corporate taxpayers are taxed by the United States on income earned in or from other countries. Topics will include U.S. jurisdiction to tax, allocation of income, withholding taxes, the foreign tax credit, deferral, transfer pricing, and tax treaties. The course will also consider how the U.S. rules in these areas are influenced by developments in other countries. The goal of the course is to provide an overview of the relevant law and policy considerations, with a focus on specific issues that are presently contested as a policy matter. Students should leave the course with an understanding of the basic framework for U.S. international tax law and a sense of some of the policy debates surrounding the current rules.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit both for this course and for U.S. International Inbound Tax (formerly: U.S. Taxation of Foreign Persons in the United States); or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons with Activities Outside of the U.S.); or U.S. Taxation of International Transactions.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.
**LAW 058 v06 International Tax and Business Planning Workshop**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20058%20v06)

LL.M Seminar (cross-listed) | 3 credit hours
The Workshop will use a "case study" approach to address the myriad technical, practical and strategic issues involved in counseling a company as it evolves from a start-up operating out of its founder’s garage (in the first week of the semester) to a Fortune 100 global powerhouse with operations on every continent. Each week's hypothetical case study will consist of a fact pattern, including financial and operational data, presenting a set of business objectives and/or problems to resolve. The class will be divided into separate "law firms" of 4 or so students per firm. Each firm will be asked each week to undertake a new project for the senior partner/client relating to the facts and requests for advice/assistance set forth in the case study. Members of the firm will then collaborate on a brief written product for presentation and discussion during the next week's session. The form, format and audience for the deliverable will vary from week to week—a technical tax law memo for the VP-Tax, a tax/financial analysis for the CFO, a strategic powerpoint presentation to the CEO or Board, an outline for an oral argument in an international tax case before a Federal Circuit panel. The objective of the exercise will also vary from week to week—for example, a pre-filing conference memo aimed at persuading the IRS National Office international rulings personnel to respond favorably if a request is filed on a cross-border spinoff; the executive summary of a Competent Authority request to resolve a withholding tax interpretative issue under an applicable treaty; strategic analysis and recommendations regarding the most tax effective approach to bring products to the EU or APAC market, to finance an international acquisition or to tax-effect losses incurred in a particular country operations. The seminar's final exercise will involve yet another twist in the company's life cycle.

**Prerequisite:** Prior or concurrent enrollment in Corporate Income Taxation I (or the JD course, Corporate Taxation (formerly Taxation II)) and a course in international taxation.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. course Corporate Transactions, or the J.D. seminar Business Planning Seminar.

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

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**LAW 798 v00 International Telecommunications Policy and Regulation**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20798%20v00)

LL.M Course | 2 credit hours
This seminar addresses global information and communications technology (ICT) regulation and policy. In particular, it offers a multi-faceted view of the legal, economic, policy and technological underpinnings of global ICT. We will examine 1) key national and regional approaches to ICT; 2) the roles of key intergovernmental institutions and regional organizations (e.g., the International Telecommunications Union, Internet Governance Forum, the World Trade Organization) in shaping and promoting regulatory policies; 3) the key issues posed by emerging technologies, such as unmanned aerial vehicles; and 4) the challenges posed by new methods of content delivery, such as video streaming and other internet-based services. This seminar will also examine key nations' domestic law, regulations, and policies governing international telecom services, wireless and satellite services, and spectrum management, including the cross-sectoral challenges arising in access to this scarce resource. Specific focus is on the challenges that increased global access to content and new technologies present to established international regulatory approaches and the national regulators. Grading shall be based on the exam and student participation in class discussion throughout the semester; optional class presentations will also be taken into account.

**Recommended:** International Law I: Introduction to International Law (or the equivalent, International Law I).

**Note:** Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 244 v01 International Trade (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v01)
J.D. Course (cross-listed) | 3 credit hours
This three-credit survey course is designed to introduce students to the legal system governing international economic transactions and international economic relations, with a focus on the World Trade Organization (WTO) and its constituent treaty instruments. The primary objective of the course is to give the student an in-depth overview of the world trading system and some exposure to its particular details. The course will cover the basic principles and mechanisms of international trade law, including most-favored-nation (MFN) and national treatment, and relevant law in different substantive areas, including tariffs, quotas, services, intellectual property, trade remedies, and standards. We will also examine the issue of development in the WTO and trade treaties and whether treaty obligations constrain countries’ policy autonomy and hinder their ability to pursue successful development strategies, as well as the tensions between trade liberalization and other values, such as those concerning the environment, health and safety, workers’ welfare, and human rights.

The course will also cover current trends and issues in international trade law. The Uruguay Round established the WTO in 1994 as the premiere forum for negotiating multilateral trade agreements and adjudicating international trade disputes; however, the negotiation and adjudication functions of the WTO currently face significant challenges. Globally, more than 300 regional or bilateral trade agreements have been negotiated, including the recent United States-Mexico-Canada Agreement (USMCA) and Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), with implications for both individual countries and the global trading system overall. The course will include current developments at the WTO, bilateral and regional trade agreements (including U.S.-Europe and U.S.-Kenya negotiations and trade models in other parts of the world like China’s Belt and Road Initiative and the African Continental Free Trade Area), Brexit, and U.S. “trade wars” pursued on national security grounds.

Mutually Excluded Courses: Students may not receive credit for both this course and International Trade and the WTO or International Trade Law or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

LAW 691 v00 International Trade and Health (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20691%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
The objective of this 2 credit seminar is to introduce students to the relationship between international laws governing trade and efforts to protect and promote human health. The course will focus on the impact of the law of the World Trade Organization (WTO) on domestic health measures as well as on international efforts carried out under the auspices of the World Health Organization. Students will learn, and be asked to think critically about, how the international trade regime affects national regulation in the interests of human health.

The course will address the following subject matter:
1. Introduction to ‘trade and health’: issues and underlying theories.
2. The prohibitions and exceptions of the General Agreement on Tariffs and Trade in a health context.
3. Risk regulation, the precautionary principle and sanitary measures (such as import safety measures).
4. International standards and technical barriers to trade, such as labeling measures.
5. Trade in health services, health worker migration and the General Agreement on Trade in Services.
6. Access to essential medicines under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) and TRIPs plus agreements.
7. The fragmentation of international law: cross-fertilization between international trade law and global health law.
8. Policy coherence, legitimacy and participatory governance at the WTO.

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 673 v01 International Trade and Investment Litigation and Strategy
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20673%20v01)

LL.M Seminar (cross-listed) | 2 credit hours
This course will teach students the practical aspects involved in litigation of international trade and investment disputes. Its goal is to prepare students entering either private practice or government service to handle complex litigation in those fields. The course will provide a comparative analysis of the dispute settlement mechanism of the World Trade Organization (WTO) and Investor-State arbitration. While it will focus on procedural issues and case management, the first sessions will provide an overview of the legal framework of the multilateral trading system and investment treaty law. It will identify and analyze each phase of the proceedings of WTO disputes (under the Dispute Settlement Understanding) and of investor-State arbitrations (mainly under the arbitration rules of the International Centre for Settlement of Investment Disputes and Chapter Eleven of the North American Free Trade Agreement). Some of the topics that will be covered include: pre-trial preparation, formal initiation of a dispute, constitution of panels and tribunals, discretionary procedural issues, evidentiary issues, jurisdictional and other preliminary objections, written pleadings, conduct of hearings, use of witnesses and experts, awards and rulings, recourses, implementation and enforcement, and in general case management.

The analysis and discussions in class will be based on treaty text, jurisprudence and the practical, hands-on experience of the professors. Guest-speakers – including practitioners, government officials, or staff from relevant international organizations – will be invited to a few sessions. Students will be expected to participate in class discussions and in simulations.

Recommended: Basic courses in public international law and international trade.

LAW 244 v02 International Trade Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v02)

J.D. Course (cross-listed) | 3 credit hours
In 1995, the World Trade Organization (WTO) was established as a result of the Uruguay Round Trade Negotiations (1986-94). The international trade rules that came into force as a result provide the legal framework for much of international economic relations. This legal framework is analyzed in this course, focusing on the impact of trade agreements, especially the Uruguay Round Agreements, in national legal systems, particularly that of the United States. The course is focused on public international trade law, that is, the trade rules applicable between countries, rather than private international law or commercial contracts between private economic operators, and how that public international law came into being and has been interpreted and applied. The course examines the WTO as an institution and as the base system of rules governing international trade. It will examine in some detail each of the key legal principles and how they operate at both the national and international level, dealing with subjects such as tariffs and tariff negotiations, quotas, most favored nation clauses, regional trading blocs and preferential trade agreements (such as NAFTA, TPP, TTIP, and others), national treatment clauses and exceptions for environmental and other policies, safeguards and adjustment assistance, dumping, anti-dumping duties, export subsidies, countervailing duties, international rules on patents and copyrights, trade in services (such as banking and tourism), technical barriers to trade, rules on plant and food safety, and other topics. The WTO, with its proven and sophisticated dispute settlement system, now has extensive jurisprudence in most of the areas of law covered by the WTO Agreements. This course will also explore this jurisprudence, the public international law behind it, and implications of it for national governments as well as private actors.

The goal of the course is to give a rounded and in depth understanding of the international trade law system and of the interplay between national and international rules as they affect government actions that influence private international transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Economic Law or International Law II or International Trade and the WTO or International Trade Law or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.
LAW 244 v05 International Trade Law

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

Economic interdependence between countries and across production chains has grown exponentially. Yet, today, economic globalization is under attack. In this context, existing rules on international trade, and negotiating fora to potentially change those rules, are key. This course focuses on the rules and institutions established under the World Trade Organization (WTO) as well as selected regional trade agreements. What are the benefits and risks of trade liberalization from legal, economic and political perspectives? How can trade liberalization go hand in hand with pursuing public policy goals such as protecting the environment or labour standards ("non-trade concerns"), job creation or promoting the economic development of poor countries? The course will offer an in-depth, practical knowledge of substantive WTO law drawing heavily on case law from dispute settlement practice. It will address the basic principles of trade in goods and trade in services as well as more specific WTO agreements on, for example, health measures, subsidies, trade remedies and intellectual property rights. The course will also focus on the unique WTO mechanism for the settlement of trade disputes, and especially on how it balances trade liberalization with non-trade concerns as well as how it copes with increasing trade tensions between OECD countries and emerging economies like Brazil, China, India and Russia.

Mutually Excluded Courses: Students may not receive credit for both this course and International Trade or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

Note: There are no prerequisites for this course.

This course will meet 2 times per week in the weeks of August 30 - September 17 and October 11 - October 29. In addition, there will be three classes taught remotely on October 7, November 11 and November 16.

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LAW 966 v01 International Trade Law & Regulation

LL.M Course (cross-listed) | 2-3 credit hours

Examines international trade laws and regulations and World Trade Organization agreements affecting international trade, and the relationship of the General Agreement on Tariffs and Trade 1994 and other international agreements to U.S. law and practice. Considers, in detail, the U.S. antidumping, countervailing duty, safeguards (Section 201) laws and regulations and the WTO agreements that establish multinational standards applicable to the use of those remedies. Examines the WTO agreements on services, intellectual property, and technical barriers to trade. Examines the statutory remedies, particularly Section 301, that are available to address foreign restrictions on U.S. exports of goods, capital, services, and intellectual property. Analyzes the U.S.-China "trade war" and resulting tariffs and agreements. Evaluates the role of Congress, the U.S. Trade Representative, and other U.S. agencies in setting trade policy and overseeing administration of the trade laws. Analyzes the WTO procedures for dispute resolution and key WTO panel and Appellate Body decisions. Reviews free trade agreements, including the U.S.-Mexico-Canada Agreement, as well as bilateral investment treaties. The course includes a weekly discussion of current events affecting international trade law and regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, International Trade or World Trade Organization: Law, Policy and Dispute Settlement.

Note: The 3-credit section of this course meets the "Category 1" requirement for the WTO certificate program. The two-credit class requires a final exam; the three-credit class requires a paper. J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.
LAW 1413 v00 International Trade Liberalization: NAFTA, TPP and Other Regional Trade Agreements (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201413%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This two unit seminar will address a broad range of legal and policy issues relating to regional trade agreements (customs unions and free trade areas), particularly the NAFTA and Trans-Pacific Partnership (TPP), but also others such as MERCOSUR and the ASEAN FTA. With the Doha Round of multilateral trade negotiations now defunct, the most important trade liberalization today is taking place through RTAs (sometimes called “preferential trade agreements”), which now number about 600 with dozens more under negotiation. Increasingly, international lawyers, economists and government officials must be familiar with regional trade agreement rules, such as those in NAFTA, as well as those emanating from the WTO in Geneva.

Course requirements include a term paper and participation in a mock investment arbitration.

The book for LAW J 1413-08 and LAWG 1413-08 (International Trade Liberalization) is:


Prerequisite: Note: There are no prerequisites but a prior course in public international law, international trade law or international business transactions will be helpful.

LAW 898 v01 International Trade Remedies and the WTO (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20898%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
This class is an intensive workshop designed to use case studies of U.S. agency decisions and related WTO jurisprudence to: 1) develop students’ substantive understanding of trade remedy law; and 2) introduce students to the policy and procedural aspects of the various phases of trade remedy disputes in the U.S. and at the international level. The class will include an examination of U.S. law and WTO agreements on antidumping measures, subsidies and countervailing measures, and safeguards. Particular attention will be focused on developing strong oral and written advocacy and presentation skills through issue spotting exercises/mock agency hearings and the final writing assignment.

Prerequisite: International Trade (3 credits), OR International Trade and the WTO, OR International Law II, OR International Economic Law, OR International Trade Law & Regulation OR World Trade Organization: Law, Policy and Dispute Settlement.

Mutually Excluded Courses: Students may not receive credit for both this course and the course WTO: Dumping, Subsidies and Safeguards.

LAW 959 v00 International Trade, Development & the Common Good (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20959%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course will examine the connection between trade law and development (including international and regional trade agreements, comparative law, and diverse areas of market regulation at the national level). It will engage students in ways in which economic law can help encourage sustainable development and deliver impact. It will also assess challenges associated with regulatory capacity and the uneven implementation of laws in practice. Overall, the seminar will highlight the role of law and regulation as a driver for sustainable development and inclusive growth and link broader legal frameworks and policy debates with the needs of individuals and enterprises on the ground. Cross-cutting and inter-disciplinary approaches in the field, such as rule of law, poverty alleviation, human rights, food security, global value chains, social entrepreneurship, and gender and trade will also be discussed throughout the seminar.

The seminar will take place in three phases. In Phase I, the seminar will explore the historical and institutional relationship between trade and development, including international legal frameworks and rule of law. Phase II will cover a number of substantive aspects of economic law and development in depth, all of which impact stakeholders and communities in developing markets and hold greater potential to contribute to the common good. Specific areas of focus include investment and domestic market regulation, sector-specific regulation, non-tariff measures, regulation of services, trade facilitation, labor and environment, intellectual property rights, and digital trade.

Readings will be drawn from a variety of viewpoints and sources – law review articles, white papers, academic journals, newspapers and magazines, and excerpts from books – and will cut across trade and economic law, inclusive economic development, and business. In addition to the readings assigned for each session, optional background readings will be included for students wishing to explore a topic in greater depth (additional background reading is recommended for students who have not taken a trade law course). The readings will highlight different aspects of the legal and regulatory environment in the context of encouraging sustainable development globally and at the grassroots level. Discussion questions are included for each session, which can be used as the basis for class preparation.

The course will also incorporate short, practical case studies that illustrate how different issues in trade, development, and economic regulation can be applied from the perspective of an entrepreneur, country, or community. Seminar members will be asked to assume roles in discussion of these case studies, which will count towards class participation and lay the groundwork for the final paper. Questions to guide the case study analysis will also be provided.

Note:

Only the 3-CR WR section will fulfill the WTO & International Trade Certificate List C requirement.
**LAW 708 v00 International Trade, Intellectual Property Rights, & Public Health** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20708%20v00)

LL.M Seminar (cross-listed) | 2 credit hours

This course will cover the interface between the intellectual property rights, international trade and public health, focusing in particular on the WTO TRIPS Agreement and subsequent decisions. It will provide an introduction to the provisions of WTO agreements relevant to public health (other than TRIPS), and to the law and economics relating to IPRs and public health; it will cover the provisions of the TRIPS Agreement relevant to public health, and discuss the relevant disputes settled in the WTO. It will examine the background, content and implications of the Doha Declaration on the TRIPS Agreement and Public Health and of the subsequent TRIPS amendment implementing compulsory licensing for exports. It will also discuss the relevance of bilateral or regional free trade area agreements to the subject.

The course would study relevant national/regional implementing legislation, for example on compulsory licenses, and discuss use of the WTO export compulsory license provisions, namely the Rwanda-Canada case. In addition to the final paper, students will be graded on class participation, individual presentations and group exercises, an example of the last being a hypothetical case study of exports, with students taking up the role of legal advisors based in either the importing country or the exporting country.

Finally, the course will also cover recent work on trade, intellectual property and public health in other intergovernmental organizations, in particular in the World Health Organization.

**Recommended:** Coursework in International Trade, Intellectual Property Rights, or Public Health.

**LAW 880 v00 International White Collar Crime** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20880%20v00)

LL.M Course | 2 credit hours

This course examines key issues arising from the criminalization of transnational business conduct and attempts to enforce national laws extraterritorially, as well as how to counsel clients to comply with inconsistent or conflicting legal regimes. Topics covered will include: bribery of foreign officials, crime on the internet, economic embargoes and export and reexport controls, securities fraud, money laundering, and price-fixing. Attention will be paid to foreign governmental opposition to U.S. assertions of jurisdiction via "blocking" statutes, secrecy laws, and use of local court injunctions, as well as to mechanisms for resolving jurisdictional conflicts, including international agreements for notification, consultation, mutual legal assistance, "positive comity," and exchanges of confidential information among enforcement authorities. The course will also focus extensively on compliance and ethics issues and on techniques for dealing with government law enforcement agencies.

**Recommended:** International Law I: Introduction to International Law (or the equivalent of International Law I, which is a 3 credit course in public international law).

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Economic Crime and Corruption.

**Note:** Please note, the two sections of this course have different requirements. Please be sure to register for CRN 13649 if you wish to elect the section with a final exam and CRN 24229 if you wish to elect the section requiring a paper. The cutoff date to select either an exam or paper requirement is Tuesday, September 7, 2021.

**LAW 520 v00 International Women's Human Rights Clinic** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20520%20v00)

J.D. Clinic | 10 credit hours

Please see the International Women's Human Rights Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/international-womens-human-rights-clinic) for more detailed information about the program.


**Mutually Excluded Courses:** Students may not concurrently enroll in this clinic and an externship or a practicum course.
This seminar will explore select international women’s human rights issues and the applicable international legal framework, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW.) Guest lecturers with practical expertise in advancing women’s human rights may be invited to join us throughout the semester. Each student will write a paper addressing a significant international women’s human rights issue from a legal perspective, exploring state responsibility under the government’s international human rights obligations, as well as domestic and international responses to the problem.

The course has three objectives. First, the course will familiarize students with the process by which modern copyright law is enacted: the development of a legislative strategy, the formation of competing coalitions, the search for political allies, the drafting of legislation, the negotiation of compromises. Second, the course will attempt to provide the students with a critical perspective on IP policymaking via legislation, particularly in contrast to the more familiar process of case law evolution. Third, the course will provide students with an in-depth substantive understanding of several of today’s most significant copyright issues, underscoring the conflicts inherent in IP policy. These three objectives are interrelated; one can best understand a legal doctrine if one understands how the doctrine evolved. Although the course will focus on copyright legislation related to the Internet, comparisons will be made to patent and trademark legislation. Students will participate in classroom simulations and write several short advocacy papers relating to legislation discussed in the course. Grading will be based on classroom participation and the papers. Students may take the course on a pass/fail basis.

**Recommended**: Prior or concurrent registration in at least one course in intellectual property law is suggested, but not required.
LAW 1626 v00 Internet Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201626%20v00)
J.D. Course | 3 credit hours
Everything we do, we do at least some aspect of it online. From commerce to speech, internet companies intermediate our daily activities. In the process, internet companies are changing how we live. Is the internet a free speech zone protected by the U.S. Constitution’s First Amendment, or does it heed hate speech or political speech regulations from abroad? Can copyright law survive the worldwide copying machine of the internet? Is privacy dead when corporations know where you are and what you are doing nearly 24/7? Focusing on U.S. case law and statutes, this course examines the evolving law regulating internet enterprises.

Mutually Excluded Courses: Students may not receive credit for this course and Digital Law & Policy (CCTP-658-01), which is offered by the Communications, Culture & Technology department on the Main Campus.

LAW 1752 v00 Introduction to Alternative Dispute Resolution (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201752%20v00)
J.D. Seminar | 3 credit hours
This class will survey the various forms of alternative dispute resolution (ADR), including negotiation, mediation, arbitration and hybrid approaches. Students will also participate in a number of simulated practical exercises. Grades will be based on written assignments and class participation.

LAW 2047 v00 Introduction to International Commercial Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202047%20v00)
LL.M Course (cross-listed) | 3 credit hours
This course will introduce the basic concepts of international commercial arbitration from both a theoretical and practical perspective. It will provide a general overview of the subject, and subsequently focus on issues including the agreement to arbitrate, the constitution and duties of the arbitral tribunal, the conduct of the proceedings and the arbitral award. The course will refer to the ICC Rules of Arbitration in discussing many of the practical aspects of these issues.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration (LAWG-882 or LAWJ-882) or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

Note: Please note, the date for the final class session will be announced at the start of the semester.

LAW 1283 v00 Introduction to Military and Veterans Law, 1636-Present (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201283%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This 13-week, 2-credit elective is intended to ground the student in the history and tradition of a separate military and veterans law for members of the armed forces. Each session will contain specific legal concepts relevant to the subject matter. The student may expect to have a broad appreciation for the importance of a separate law and procedure for the armed forces and veterans, and how to analyze issues. The final grade will include class participation, and a final, take home, open book, examination.

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

LAW 511 v00 Introduction to Scholarly Editing Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20511%20v00)
J.D. Seminar | 1 credit hour
This course is designed to prepare law journal members for the significantly different and, in many instances more challenging, nature of their responsibilities in their second year on journal. Its focus is twofold: to help students develop excellent editing techniques in the context of publication, and to help students master other aspects of second year journal membership, including journal management, timely publication, and author-editor interactions. During the course, students will analyze scholarly writing from the editor’s perspective, covering such topics as article selection, large- and small-scale edits, style judgments, and analytical precision. Studying scholarly papers drafted for publication, students will discuss how to edit them to achieve the best balance among the author’s intent, the readers’ needs, and the journal’s production imperatives. Students also will do several individual and group assignments focused on particular editing challenges. The class will meet in four three-hour sessions, and attendance will be mandatory in order to receive credit.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. This course is open to second year students. Priority will be given to students who are members of one of the law journals during the 2021-2022 academic year. Students cannot register or put themselves on the waitlist for this course through MyAccess. Students interested in taking this course should send an e-mail to Anna Selden (Anna.Selden@law.georgetown.edu) indicating their interest in the course and explaining, if relevant, their law-journal-membership status. This course will not be enrolled until after the add/drop period for Spring 2022. Students may not drop another course after the add/drop period in order to add this course. Full-time students will not be able to exceed their maximum credit load by enrolling in this class. Part-time students must pay for this credit when they enroll.

Attendance at all classes and completion of all assignments are required for credit. This seminar may be taken pass/fail or for a grade. Students may elect to take the course pass/fail at the time they are enrolled in the course. If taken pass/fail, the course will count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 514 v01 Introduction to Scholarly Note Writing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20514%20v01)

J.D. Seminar | 1 credit hour
Introduction to Scholarly Note Writing assists students in discovering, understanding, experiencing, and successfully completing the scholarly note writing process. Based on a proven five-stage writing process (Thinking, Preparing, Executing, Refining, and Finishing), this course is designed to take students from idea-development to publication. The class meets seven times during the semester at intervals that track the writing process. Class topics include idea brainstorming, topic selection, and thesis development; scholarly research; organization and drafting; and revision, editing, and polishing. Assignments will include readings on relevant topics, writing assignments related to your scholarly project, and contributions to workshop classes. At least two of the class meetings are designed as works-in-progress sessions for students to give and receive feedback on their scholarly project.

Note: In Fall 2021, this course will meet on the following Fridays, 10:00 a.m. - 12:00 p.m: September 10, 17, and 24; October 15 and 29; November 5 and 19.

THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Priority will be given to students who are members of one of the law journals during the 2020-2021 academic year. Students cannot register or put themselves on the waitlist for this course through MyAccess. Students should email Professor Jessica Wherry (Jessica.Wherry@law.georgetown.edu) by 5:00 p.m. on Friday, September 3, 2021 indicating their interest in the course. The email should include a brief description of the scholarly project the student anticipates working on during the semester. The description should include the type of scholarly project (e.g., note, seminar paper, independent study) and the journal, seminar course, or independent writing supervisor, as well as any known deadlines. This seminar is mandatory pass/fail and will not count toward the 7 credit pass/fail limit.

LAW 384 v01 Introduction to the Capital Markets and Financing of Income-Producing Property (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20384%20v01)

J.D. Course (cross-listed) | 1 credit hour
This mini-course is about money and finance - the basics of pricing and lending; and how people use other peoples’ money and sometimes their own money to make (or lose) money in the capital markets. Special attention will be given to commercial real estate lending and commercial mortgage-backed securitization, how Wall Street generates its profits from the process and the factors which caused the economic turmoil in the capital markets from 2008 to 2011 and slow recovery from the Great Recession. We will discuss economic return, how it is determined, how it is shared by the participants, and how it drives fundamental legal structures and interests. This mini-course will also cover basic concepts of cash flow, leverage, and tax sheltering of income. It will introduce the economics of asset-based financing, including loan-to-value ratios, interest rates, amortization and residual value and how they are incorporated in the business and legal structures. It will cover leasing of personal property as a financing technique and the legal structure of securitized finance, in which loans are pooled and interests in the pools are sold as securities. Emphasis will be given to structuring public and private funding of real estate. This mini-course will be a survey of complex financing techniques and will not emphasize math, but rather practical understandings and concepts involving the business and legal framework for financing income-producing property in the capital markets.

Mutually Excluded Courses: Students may not receive credit for both this course and Finance of Real and Personal Property.

Note: This course meets on seven Mondays in the first half of the Spring 2017 semester on the following days: 1/23, 1/30, 2/6, 2/13, 2/23 (Thursday), 2/27, and 3/6. Withdrawals are permitted up until the last class for this specific course.

LAW 730 v00 Introduction to U.S. Constitutional Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20730%20v00)

LL.M Course | 2-3 credit hours
This course provides an overview of the major constitutional cases over the last 200 years. The first half of the course focuses on how the Constitution affects the fundamental structure of American government. Particular attention will be paid to the critical balances of power between the Federal and state governments (federalism) and among the three branches of the Federal government. The rest of the course will focus on individual rights, with particular emphasis on individual rights in the areas of equal protection, and substantive due process.

Note: This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

For the Fall sections, FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
LAW 1644 v00 Investigating Crime in the Darknet (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201644%20v00)
J.D. Seminar | 1 credit hour
In recent years, several high-profile criminal investigations and prosecutions have focused on activity taking place in the Darknet, the name for websites and services protected by encryption and other technology designed to make the tracking of individual conduct difficult if not impossible. The Darknet houses legitimate and laudable speech and conduct, but it also harbors criminal activity, from the distribution of child pornography to the sale of illicit drugs and weapons. The technical design of the Darknet has posed many types of significant challenges to law enforcement investigators and prosecutors: technological, bureaucratic, and legal. The legal challenges cover the gamut, placing pressure on prior interpretations of statutes, the Constitution, international law, and the Federal Rules.

In this simulation course, students play the role of law enforcement investigators, prosecutors, and defense lawyers, investigating and litigating many of the novel issues that the Darknet raises. The goal for the simulation will be to help students gain insights and strategies for dealing with the clash between technology and criminal investigation and prosecution generally, so the lessons should apply to other technologies, such as the Internet of Things, cell tower simulators, and facial recognition.

This course will meet on two consecutive Saturdays, March 30 and April 6. For the first Saturday, the class will meet for eight hours, excluding breaks, and focus on the technology behind the Darknet, culminating in the preparation of a search warrant application and affidavit and the presentation of these materials to a magistrate judge. At the end of the first day, each student will be assigned the role of prosecutor or defense counsel and will spend the intervening week writing a motion or opposition motion to suppress the information obtained from the Darknet pursuant to the warrant.

During the second Saturday, the class will meet for five hours, excluding breaks, preparing an expert witness for the suppression hearing, examining the witness on the stand, and participating in oral argument before a judge.

**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.

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 the second class meeting.

LAW 3130 v00 Investigating Transnational Criminal Organizations & Cyber Threats to National Security (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203130%20v00)
LL.M Course (cross-listed) | 2 credit hours
As a rule, investigating and prosecuting cybercrime is fraught with challenges. Ephemeral electronic evidence, international evidence-gathering obstacles, and anonymizing technologies can frustrate conventional law enforcement investigative techniques. Recently, distinctions between traditional cybercrimes and crimes committed by foreign actors with national security objectives have eroded, thereby increasing investigative challenges: cybercriminals and national security cyber actors now both steal information for personal financial gain; nation-states have enlisted criminal organizations to act as their proxies to cyber attacks against United States companies; and the tradecraft used by some nation-state actors includes tools commonly used by cybercriminals, such as "botnets" and ransomware. The intersection between conventional cybercrimes and national security crimes with a cyber nexus raises novel legal and policy questions involving the extraterritoriality of criminal statutes, the application of international data privacy regulations, and the boundaries of international legal cooperation. Furthermore, the burgeoning role of private actors, like cybersecurity firms, in data breach response and cyber threat intelligence gathering contribute to confusion over how cybercrime should be investigated.

This course will take a practical look at how U.S. federal law enforcement pursues investigations and prosecutions of sophisticated cyber threat actors using investigative and prosecutorial criminal tools that at times are augmented by national security authorities. It will furnish a background in criminal statutes that are the bedrock of electronic evidence gathering (e.g., the Wiretap Act, 18 U.S.C. § 2510 et seq.; the Stored Communications Act, 18 U.S.C. § 2701 et seq.; and the Pen Register/Trap and Trace Act, 18 U.S.C. § 3121 et seq.), the substantive laws used to indict cyber actors (e.g., the Computer Fraud and Abuse Act, 18 U.S.C. § 1030); the constitutional questions raised by surveillance techniques used to gather domestic evidence against international actors; and national security issues that prosecutors confront when handling hybrid criminal cases (e.g., discovery issues associated with the use of national security authorities). Students in this class will learn how a federal case against transnational cybercriminals and national security cyber actors is built and the legal landmines that can surface while gathering evidence in "cyberspace."

No technical background is required to take this course, but you will be taught the basics of Internet technology to better understand how technology affects the application of certain criminal laws.

**Strongly Recommended:** Criminal Justice, Criminal Law, or Criminal Procedure; Courses in technology-related subjects
In this class we will examine a wide variety of legal issues raised in the various stages of conflict in Israel/Palestine. These will be evenly divided between issues arising inside Israel proper and issues arising with respect to the Occupied Territories. For each issue, there will be some background readings and then presentation of opposing legal positions, often with a U.S. case to give a comparative perspective. Issues covered will involve Israeli civil and constitutional law and international law; areas will include local government, land, water, education, and taxation, as well as more familiar issues around the legality of the occupation and its military framework. Two classes will be devoted to the legal analysis of violent resistance and terrorism.

**Recommended:** International Commercial Arbitration

**Note:** For the Spring section: Student who no longer wishes to remain enrolled will not be permitted to drop the class but may request a withdrawal BY PROFESSOR PERMISSION ONLY.

This course requires a paper. J.D. Students: this will fulfill the J.D. Upperclass Legal Writing Requirement.

**LAW 063 v00 Issues in Disarmament: Proliferation and Terrorism Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20063%20v00)

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

This seminar addresses various issues related to the spread of advanced weapons to diverse countries and non-state actors, considering a set of problems that will raise the most difficult security concerns for the United States and the rest of the world in the post-cold-war era. In the seminar, we will explore a wide range of weapons technologies—including nuclear, chemical, biological, and conventional armaments—and the political and legal mechanisms that constrain them. The seminar will address historical allegations concerning the dissemination and use of these weapons; the rise and fall of various strategic doctrines; the bureaucratic processes of government decision making; and the evaluation of relevant ethical considerations surrounding possession and use. The bulk of the seminar will focus on contemporary legal and political issues such as ongoing treaty negotiations, export controls, verification of compliance, enforcement of treaty commitments, and the dismantling of redundant weaponry. The seminar is particularly recommended for those interested in exploring careers in public international law, but will also be relevant to others interested in the role of the lawyer in influencing United States public policy more generally. Each student will prepare a substantial original research paper and participate in small exercises designed to provide some simulated experience in characteristic legal tasks, such as drafting, analyzing, briefing, etc.

**Mutually Excluded Courses:** Students may not receive credit for this course and Proseminar in National Security Law.
**LAW 254 v02 Japan/US Comparative Legal Study** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20254%20v02)

LL.M Seminar (cross-listed) | 1 credit hour

This course provides a comparison of aspects of the Japanese and US legal systems with the objectives of (a) providing some insight into the Japanese system, (b) demonstrating how legal concepts taken from an established legal system are "reinterpreted" when imported into a different legal system based on a different culture and history and (c) providing a basic understanding of selected Japanese legal topics. Among the substantive law areas which will be compared (after a survey of historical and societal foundations which affect the Japanese and US legal systems) are various aspects of Constitutional Law including Separation of Powers, the Legal System and the Japanese Constitutional provision Renouncing War; the differing views of dispute resolution including Litigation, mediation and other Alternative Dispute Resolution devises and their role in the legal systems of Japan and the US; discussion of the New (1998) Code of Civil Procedure and its potential effects on the future of litigation in Japan; the changing environment of the study and practice of law in Japan, including the 2001 recommendations of the Council on Judicial Reform; Equality and concepts of equal treatment opportunity; Criminal Law and Administrative Law.

**Note:** WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 8, 2018 through Friday, January 12, 2018, 6:00 p.m. - 8:35 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting their academic advisor in the Office of Graduate Programs. Withdrawals are permitted up until the last class for this specific course.

**LAW 249 v00 Jewish Law Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20249%20v00)

J.D. Seminar | 3 credit hours

This seminar compares Jewish and American non-religious law. It examines the concepts, structure, and methodology underlying the Jewish legal system, as found in the Bible and as developed by Jewish courts, legislation, and legal writers down to the present. Particular attention is paid to sources of American legal concepts that may be found in the Jewish legal system; to the analogies between the two systems as they are today; and to the insight which Jewish law provides on contemporary legal issues, such as evidence, privacy, abortion, contracts, property, torts, and legal ethics. Primary source materials in translation are used, as are secondary materials prepared by noted authorities.

**Note:** Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1473 v00 Judicial Review and the Administrative State (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201473%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar will examine the origins, development, and present state of administrative law doctrines that are central to administrative law practice. It will focus on doctrines that require judges to defer to agency interpretations of statutes; that require judges to defer to agency interpretations of regulations; and that guide judicial inquiry into whether agency action is arbitrary and capricious under the APA. Students will read the decisions that gave rise to these doctrines, trace their impact, and consider important scholarly criticisms and defenses of these doctrines.

Grades will be based on class participation, weekly written responses to class readings, and a substantial paper. Class readings will be drawn from a reading packet for the seminar consisting of case decisions, scholarly articles, and excerpts from notable books by administrative law scholars.

The first goal of the course is for students to develop a firm understanding of key administrative law doctrines—how they work, how they were constructed, and why they constructed, as well as important critiques and defenses of them.

The second goal of the course is for students to learn to think, speak, and write critically, fluently, and insightfully about administrative law doctrines and the role of the courts in constructing them. Preparing a substantial research paper for the course will enable them to grasp the "why" behind an important administrative-law doctrine, as well as assess its impact and merits, and develop their skills in legal research and writing.

Prerequisite: Administrative Law or Government Processes or Legislation and Regulation.

LAW 1106 v02 Judicial Review of Military Justice Proceedings: Current Issues and Constitutional Perspectives (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201106%20v02)
J.D. Seminar (cross-listed) | 1 credit hour
This seminar will address the relationship between courts-martial and civilian judicial proceedings, focusing on the allocation of responsibilities in the military justice system to commanders, judges, and lawyers. Specific topics will include the contemporary debates regarding sexual misconduct and combat-related offenses. The assigned readings will utilize materials available on the internet, including judicial decisions, legislative and regulatory materials, and law review articles. The seminar paper will take the form of a draft judicial opinion based upon topics covered in the course. The seminar is designed for students interested in national security, judicial review, and the constitutional allocation of legislative, executive, and judicial powers.

Learning Objectives:
• Identify the key features of military legal practice, the distinctions between military and civilian jurisprudence, and the primary factors considered by Article III courts in reviewing cases arising in the military justice system.
• Assess the impact of congressional legislation and oversight, as well as the role of the President in the military justice system.
• Enhance research skills through analysis of briefs and source materials.
• Enhance writing skills by preparing a judicial opinion.

Recommended: Constitutional Law I and either Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
The seminar will examine:

- The history of the U.S. jury trial system
- Jury selection dynamics
- Factors affecting juror performance during the trial
- Jury management challenges such as increasing juror comprehension in complex litigation and juror privacy
- Current policy debates concerning the jury.

**Learning Objectives:**

By participating in class discussions and role-plays and critically observing a real jury trial, students should better understand the nuances of trial by jury and feel more comfortable about appearing before a jury. By studying the assigned readings and writing an observation report on the jury trial they attended, students will come to understand the do's and don'ts of communicating with juries and the dynamic efforts occurring across the country to bring about improved jury trial management.

**Prerequisite:** Civil Procedure (or Legal Process and Society) and Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

**LAW 1334 v00 Justice and Accountability for International Atrocity Crimes: Bridging Theory and Practice Seminar**

This seminar examines both progress and ongoing challenges in seeking meaningful justice and accountability for serious international crimes, including crimes against humanity, genocide, and war crimes. We'll begin with an overview of the challenges of effective atrocity prevention and an examination of fundamental developments over the last few decades establishing international and hybrid criminal tribunals and other mechanisms of transitional justice, including truth and reconciliation commissions. Building on this foundation, and drawing upon legal scholarship, social science research, and country case studies, we will then explore a range of responses to key justice challenges recurring in a number of countries emerging from conflict. These challenges include: (1) the often complicated relationship between peace processes and justice initiatives; (2) the question of whose justice goals are being pursued and how national, regional, and international stakeholders interact in such efforts; and (3) the complexities of building enduring justice on the ground through meaningful domestic rule of law reform, outreach, cultural engagement, and other means. Students will write a substantial seminar paper within the subject matter scope of the seminar.

**LAW 1246 v02 Juvenile Defense After Sentencing**

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 youth in D.C.’s delinquency system and their access to justice, the right to due process, and the unique role of juvenile defense counsel after youth have been sentenced to the care and custody of a government agency. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction and supervision of the course professors.

**SEMINAR:** When a youth is adjudicated delinquent in the District of Columbia's juvenile justice system, s/he could be committed to the Department of Youth Rehabilitation Services (DYRS). Although youth accused of crime are guaranteed the right to a lawyer at every “critical phase” of a delinquency case, committed youth routinely appear without counsel at numerous administrative meetings and post-sentencing hearings where important decisions are made about their liberty interests and basic needs. Many lawyers are unaware of their ethical obligations to continue representing their client after sentencing and have not been trained on the best practices for post-sentencing advocacy. Other stakeholders, such as DYRS, diverge on whether lawyers must, may, or should appear at meetings and proceedings that take place after commitment.

**PROJECT WORK:** In the 10 hours/week project component, each student will support the defense team for one of the professors’ juvenile clients and will work with that client as a mentor and legal advocate. Students will work in pairs with a specific client. For the majority of the fall semester, the clients will be incarcerated at New Beginnings Youth Development Center, which is the long-term secure juvenile facility for D.C. youth located in Laurel, Maryland. Students will travel as a group to New Beginnings each week and will meet with the clients under the supervision of the professors. STUDENTS MUST BE AVAILABLE ON FRIDAYS FROM 10:30 A.M. - 2:00 P.M. THROUGHOUT THE SEMESTER TO MAKE THESE GROUP TRIPS. Students might also attend reentry planning meetings, discharge meetings, disciplinary hearings, and administrative and/or court hearings as needed for the respective clients. Please note that due to the nature of the work, some periods will be busier than others and there may be times when students will need to work more than 10 hours in a given week. Transportation to New Beginnings will be provided.

**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).

**Recommended:** Professional Responsibility.

**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 practicum course is open to LL.M. students, space permitting.
LAW 532 v02 Juvenile Justice Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20532%20v02)
J.D. Clinic | 9 or 14 credit hours
Please see the Juvenile Justice Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/juvenile-justice-clinic) for more detailed information about the program.


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

LAW 262 v00 Labor Arbitration Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20262%20v00)
J.D. Seminar | 3 credit hours
Arbitration has played a prominent role in American labor relations since its strong endorsement by the Supreme Court in 1957 in the Lincoln Mills decision. The procedure is viewed by many as the mainspring of the collective bargaining agreement, providing a means of dispute resolution without a strike. Sometimes arbitration is used to resolve deadlocked contract negotiations; more frequently, it is used to resolve employee grievances. The customary advantages of the process are speed, economy, finality, and privacy. Although this seminar focuses on labor and employment arbitration, many of the principles and practices apply as well to commercial arbitration. The seminar explores fully the arbitration process—how it works; how arbitrators function and what standards and rules they apply; and whether the customary advantages remain valid. Special attention is given to practice and procedure in the labor arbitration hearing. Arbitration cases or arguments are simulated, and each student participates as witness, counsel, or the arbitrator. Independent of the simulations, a serious research paper is required.

LAW 1714 v00 Labor Law and the Changing US Workforce Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201714%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This is a 2-credit seminar examining modern day labor law interpretation and enforcement, with a particular focus on how the National Labor Relations Act, an eight decade old statute, is being applied to the 21st century workforce. This course will examine the application of National Labor Relations Act (NLRA) to the private sector workforce under Obama, Trump and Biden administrations. This will involve a study of the uniquely described “gig” workforce, joint employer status, independent contractors, graduate students, contingent and immigrant workers and others. The course will explore the impact of working under modern business models, technological advancement, electronic communication and the effect of social media. We will examine the effectiveness of protections afforded to employees exercising their rights to address terms and conditions of employment, through their unions, and in non unionized workplaces by means of employee collective action. We will study how the Boards of several recent administrations applied the NLRA in this modern age. We will also examine how a change in administration has affected the way the NLRA is interpreted and enforced.

The course is organized into general topic areas; in each two- or three-week unit we will focus on a particular issue, such as:

- statutory framework of the NLRA and its rights and limits
- concerted activity for mutual aid and protection.
- the cyber workplace: new technologies & challenges.
- the "gig" economy, students, immigrants, contingent workers.
- identifying who is classified as an employee and employer.

There are no prerequisites although labor law is recommended.

Course Goals

By the end of the semester, students should be able to do the following:

- Demonstrate a general understanding of the impact that modern business models, technological advancement, electronic communication and changing administrations has on how laws are interpreted and applied to the modern workforce.
- Recognize how the NLRB and other agencies charged with providing worker protections have changed over time and understand what has driven those changes.
- Critically assess legal and historical scholarship on the NLRB and courts’ role in interpreting and enforcing the labor laws.
- Critically assess the structure and intent of key elements of the NLRA and its effectiveness in the modern workplace.
- Respond constructively to classmates’ questions, comments, and ideas.

This course surveys the judicial and administrative regulation of labor relations in the United States. After gaining a brief historical perspective, students examine in depth the rights conferred and duties imposed upon employees, unions, and employers by the National Labor Relations Act, as amended. The focus is upon the rights of employees to select a union to represent them in dealings with their employer; rules governing union organizational campaigns; collective bargaining between unions and employers; the economic weapons available to influence the outcome of collective bargaining and the limits imposed by law upon their use (strikes, lockouts, primary and secondary boycotts, etc.); methods of enforcing agreements reached through collective bargaining; and the union's duty to fairly represent all of the employees it has been chosen to represent.

Note: The internet may not be used during class sessions.


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

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

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


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

LAW 272 v00 Land Use Law

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 1751 v00 Law and Culture of Migration Seminar
J.D. Seminar | 2-3 credit hours
Critics of our contemporary border regime are often asked, so then are you in favor of open borders? The question is often a gesture of dismissal rather than genuine engagement. And it is almost always premature. Most of us who live in the United States do not have a very deep understanding of what our immigration policies are, how they came to be, or our relation to those who arrive at our borders. Before we can meaningfully address the question of open borders, we need to unsettle borders, defamiliarize, demystify, and recontextualize them. By “borders,” I am referring not only to lines on the map or the territorial limits of national sovereignty, but the idea of the border, one that governs and contains our political, disciplinary, and normative framing of questions about migration and membership.

There are no prerequisites for this class, but students should be prepared to engage with variety of materials, not limited to legal cases or statutes. This interdisciplinary seminar is intended to offer students a contextualized study of immigration law by engaging literature, film, memoir, and recent scholarship in literature, history, ethnic and migration studies. While the immigrant often appears within immigration law as a “problem” for the state to resolve, this course resitutes the immigrant as the source of knowledge production and political vision. Given the unprecedented numbers of displaced people living in the world and looming climate catastrophe, the contemporary global border regime is ethically and practically unsustainable. And for this reason, it is essential that we learn to expand our political imaginary.

Students will be expected to draft short weekly reflections, to participate in leading our seminar discussion at least once during the semester, and to submit a final paper on a topic of their own choosing.

Note: 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 two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 292 v07 Law and Development
J.D. Course (cross-listed) | 3 credit hours
This three-credit survey course is designed to introduce students to the different dimensions of law and development, integrating legal, historical, academic, and practical models and approaches. The course will cover a range of issues and substantive areas of law, including economic and social development and rule of law approaches; human rights law; comparative law; peace and security; international economic law (including trade, finance, aid, and investment); labor, environmental, and health law; market regulation; institutional models for advancing law and development; gender; and sustainable development. It will also examine the increasing role of technology and data in law and development and the connection between law and the United Nations Sustainable Development Goals (SDGs). Throughout the semester, the course will explore how different areas of law address questions of equity, inclusiveness, vulnerability, and environmental sustainability. There are no prerequisites for this course, and it is intended to be both an introduction to law and development and a complement to other course offerings at Georgetown Law.

The course is divided into three parts. The first part begins with an exploration of the foundations of law and development, including an examination of the issues, debates, and academic literature. This portion of the course will examine the role of governments and institutions in law and development (including the World Bank, WTO, IMF, UN system, donor organizations, regional organizations, and others), as well as how rules are designed and implemented from the perspective of individual and community stakeholders. Part I of the course will also highlight the evolution of different approaches, theories, and models within law and development, including economic approaches (structural change approaches, dependency theory, neoclassical/neoliberal approaches, endogenous growth theory, post-Washington consensus models, and others), promotion and criticism of rule of law approaches (legal pluralism, institutionalism and new institutional economics, constitutionalism, international vs. national law approaches, legal empowerment, informality, and others), and current movements such as law and political economy and TWAIL (Third World Approaches to International Law).

The second part of the course will introduce students to the different substantive dimensions of law and development. This segment will allow students to both understand the legal foundations of different aspects of law and development and explore intersections between different areas of law as they relate to development, highlighting the cross-cutting nature of law and development. Topics will include human rights law, international economic law (finance, investment, and trade), conflict and resource control, gender and development, corruption and development, development assistance, and law and development aspects of health, environment, and climate change.

The third part of the course will focus on issue-based and regional case studies, allowing students to apply what was covered in the first two parts of the course in different contexts and explore ways in which law has been – or could be – a driver for development. Issue-focused case studies will include land tenure and contracts, labor, agriculture and food security, intellectual property rights, and data and development. Regional case studies will include Africa, Asia (with some focus on China and India, among other countries), and Latin America. In this part of the course, students will also assess which law and development approaches have been best suited to different circumstances, economies, cultures, and communities.

Learning Objectives
The course has several interconnected learning objectives:

- Equip students with the knowledge and tools to approach law as a tool for promoting social, economic, and sustainable development.
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LAW 1705 v00 Law and Economic Analysis of the Public Sector Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201705%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
Should government help families to pay for their health care? If so, which level of government: state or federal? What about disaster relief, education, or news that informs instead of simply entertaining? Which governments, if any, should provide those goods?

This course aims to equip students to provide answers to these and other basic questions of legal policy. Our basic approach is economic, but we also engage with other forms of policy analysis. The course provides a general introduction to the economics of government taxing and spending, with a focus on the implications of economic theory for legal problems. Each unit of theory will be paired with a practical policy issue, allowing us to learn and apply the theory in a concrete context.

For example, we will discuss the theoretical challenges of measuring “utility” across a population, and some economic tools for approximating it. We will analyze the basic concept of the “externality” and develop our analysis to the point where we can argue about what it suggests about whether government should provide services to the population, and if so, what kinds of services and what levels of government. In particular, we’ll spend a fair bit of time discussing aspects of “fiscal federalism” -- the question of the optimal allocation of taxing and spending authority between states and the federal government. We’ll touch on the implications of government serving as insurer, particularly as a “social” insurer providing welfare-type benefits. There will be a running debate over whether utility-maximization ought to be the sole criteria for judging good government, or whether other factors, such as fairness, must also play a role. And we’ll briefly cover some of the major economic theories of taxation.

Course Objectives:

• Acquire familiarity with general economic arguments pertaining to why and how government intervenes in the marketplace
• Develop ability to make and analyze economic arguments in a legal and policy context
• Begin thinking about many of the most important controversies confronting government today
• Practice skills of policy advocacy

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 276 v01 Law and Economics Workshop
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20276%20v01)
J.D. Seminar | 2-3 credit hours
The Law and Economics Workshop is a research workshop. In a majority of the class sessions, outside speakers (typically faculty members from other institutions) will present their current work in the field of law and economics. The specific topics considered will vary depending on the interests of the speakers, but the general focus will be the application of economic concepts and tools to legal and regulatory issues. Other class sessions will focus on selected basic topics in law and economics, including methodology commonly used in law and economics scholarship. Students are responsible for preparing brief weekly memoranda that discuss and question the presented papers.

Course Objective and Learning Outcomes: The objective of the course is to expose you to current research in the field of law and economics in order to enhance your ability to: (i) employ economic and statistical analysis and reasoning to make effective legal and policy arguments; (ii) comprehend technical economic and statistical analysis and interact with economic and statistical experts; and (iii) analyze, critique, and engage in academic legal writing.

Note: Students must register for the 3 credit section of the course if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.
LAW 1087 v00 Law and Entrepreneurship Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201087%20v00) (Fieldwork Practicum)
J.D. Practicum | 5 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course explores the role of lawyer as counsel to social and business entrepreneurs engaged in early-stage ventures. Students will participate in a two hour/week seminar and carry out 15 hours/week of fieldwork at the law firm Foley & Lardner.

SEMINAR: The two-hour/week seminar functions like a Social Innovation Incubator. Students will work on one or two social impact concepts presented by the professor and inspired by his community economic development and empowerment work in the DC region. Working in small collaborative groups, students will learn how social impact ventures differ from and are similar to the more conventional for profit ventures they encounter in the practicum’s fieldwork component. The seminar compliments the legal focus of the fieldwork experience with exposure to the business or entrepreneurial side of the Law & Entrepreneurship equation, particularly as it relates to social impact entrepreneurship. Topics covered include: the mindset and goals of the social impact entrepreneur; choice of entity and business structure for social impact work; nonprofit vs. for profit governance issues; public, private social sector partnerships. The bulk of the semester will focus on aspects of the social impact business plan; how to draft compelling mission, vision, values and goals statements for the social impact venture; understanding the value-add of the social impact venture's product and/or service through market research and analysis; project budgeting, funding and financial projections; scaling and growing the social impact venture.

FIELDWORK: In the 15 hour/week field placement, students will work at and be supervised by attorneys at the law firm Foley & Lardner. In this role, students will research issues and advise student entrepreneurs affiliated with the Georgetown Entrepreneurship Initiative, as well as various private ventures and community empowerment and economic development initiatives in the DC area. Students will typically develop a portfolio of three-five projects across the semester.

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 and an externship or a clinic or another practicum course.

Note: This course will be offered during both the Fall 2021 and Spring 2022 semesters. Students will be permitted to enroll in the course for only one semester, i.e., Fall 2021 OR Spring 2022.

THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Anthony Cook (cooka@georgetown.edu) by 5:00 pm on Wednesday, June 9, 2021 for the fall course and Wednesday, October 6, 2021 for the spring course expressing your interest in taking the practicum. This course is suitable for evening students who can commit to attending class and working 15 hours/week, during business hours, on site at Foley & Lardner. This is a five credit course. Two credits will be awarded for the two-hour weekly seminar. Three credits will be awarded for 15 hours of supervised fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The fieldwork must be completed during normal business hours. The two-credit seminar portion of this practicum will be graded. The fieldwork credits are mandatory pass/fail. Students will be allowed to take another course pass/fail in the same semester as the fieldwork. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. After Add/
LL.M Course (cross-listed) | 2 credit hours

Multilateral diplomacy and the international organizations that support much of it have come to play a pervasive role in international relations particularly since the end of World War II. These international organizations serve as instruments of consultation, co-operation and standard setting in almost every sphere of public policy and governmental activity. This may involve broad concerns such the maintenance or restoration of international peace and security, promotion of economic development and stability, advancement of human rights, protection of health, protection of the environment, and the facilitation of trade and investment. Or they may address more specific tasks such as settlement of disputes, codification and progressive development of international law, civil aviation and maritime safety and security, protection of intellectual property, understanding world weather, internet governance, management of the geo-stationary orbit, police cooperation, education and biotechnology. They vary greatly in nature, mission, powers, structure and size. There are inevitable conflicts and frictions in their functioning.

It will examine a number of aspects common to the universe of public, i.e., intergovernmental, international organizations: their legal nature; their need, as the collective instruments of their member states, to remain independent of the individual control of these states, including control through the exercise of some normal state jurisdiction; their immunities and counter-balancing obligations to co-operate; their special body of labor law, including the duties and ethics of the international civil service and the use of international administrative tribunals to adjudicate their employment disputes. The course will examine a sampling of international organizations: how they are governed and financed, how they go about fulfilling their functions, the powers and instruments they use to advance agreed policies, some examples of their output including the development of soft law and hard law instruments and the increasing involvement of civil society in monitoring and influencing their actions. It will also consider the crucial advisory and operational roles lawyers play in a typical international organization, whether as members of the secretariat or of member state delegations.

Students will have the option of preparing a paper that they may elect, after grading, to include in the calculation of their final course grade.

Recommended: Prior enrollment in Public International Law or International Law I.

LAW 289 v02 Law and Literature Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20289%20v02)

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

This seminar examines the contribution to our understanding of law made by the current "law and literature" movement in American law schools. The seminar will pursue three major themes. First, we will read several pieces of classical and modern literature that treat law as subject matter, including (subject to change) Remains of the Day, The Great Gatsby, Bartleby the Scrivener, Go Set a Watchman, Lets Be Free, Jury of Her Peers, and the films Doubt and To Kill a Mockingbird. Second, we will examine the theoretical claim of modern humanistic jurists and legal theorists that the interpretation of law and the interpretation of literature are common enterprises, significantly sharing common problems and potentialities. Finally, we will examine the role of narrative and storytelling in standard legal argument and in legal education.

Mutually Excluded Courses: Students may not receive credit for this seminar and Law and Humanities Seminar.

LAW 289 v05 Law and Literature Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20289%20v05)

J.D. Seminar | 2 credit hours

This course will examine literary texts that engage important questions related to justice theory, criminal law, and public policy decisions. These text range from canonical works (Antigone, Merchant of Venice) to several pieces of classical and modern literature that treat law as subject matter, including (subject to change) Remains of the Day, The Great Gatsby, Bartleby the Scrivener, Go Set a Watchman, Lets Be Free, Jury of Her Peers, and the films Doubt and To Kill a Mockingbird. Second, we will examine the theoretical claim of modern humanistic jurists and legal theorists that the interpretation of law and the interpretation of literature are common enterprises, significantly sharing common problems and potentialities. Finally, we will examine the role of narrative and storytelling in standard legal argument and in legal education.
LAW 977 v00 Law and Measures Against International Terrorism
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20977%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
In the decade since the 9/11 attacks, the United States and most other countries have significantly altered ways in which they respond to international terrorism. Many government measures against terrorism have stretched domestic and international law to their limits. Controversial changes to laws have altered the balance between governments’ interest in ensuring public safety and individuals’ fundamental rights. The class will discuss current events from around the world to explore domestic and international legal bases for counter-terrorism measures such as intelligence gathering, criminal law enforcement, efforts to prevent terrorism financing, and use of military force. Students completing the course will have an overview of laws that apply to governments’ responses to terrorism. The course will be graded by exam.

Recommended: Prior enrollment in International Law and/or International Humanitarian Law

LAW 045 v03 Law and Multiculturalism Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20045%20v03)
J.D. Seminar (cross-listed) | 3 credit hours
The aim of this course is to introduce the students to the ways in which liberal constitutionalism deals with the fact of difference (religious, ethnic, or national). After general theoretical introduction to various issues (such as law, culture and difference, politics of recognition and politics of redistribution, the risks of politics of identity, the liberal and feminist critiques of multicultural politics, the analytical problem of group rights), the course will survey the ways that liberal democracies deal with the claims of several groups within society to be different. We will read cases and materials from the United States, Canada, France, Israel, India, and Germany.

LAW 1713 v00 Law and Neuroscience Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201713%20v00)
J.D. Seminar | 2 credit hours
This seminar will examine legal issues arising at the intersection of law and neuroscience. Advances in neuroscience have led to increased understanding of the brain and its relationship with issues such as behavior, decision-making, reasoning, memory, and emotions. The interdisciplinary field of law and neuroscience (sometimes referred to as “neurolaw”) has been exploring the implications of the science for law and public policy. This seminar will examine cutting-edge issues and proposals currently facing courts, lawyers, legislators, administrative agencies, and other policymakers. The issues explored will likely include assessments of criminal responsibility, insanity and capacity, juveniles, proving pain and other injuries, lie detection, memory, and practical issues in court, among others. No prior background in science is necessary or will be assumed.

LAW 1401 v00 Law and Philosophy Seminar: Crime, Punishment, Injustice
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201401%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
Criminal justice is in disarray, and in recent years crime and punishment have come under searching scrutiny. Specific issues include over-punishment, mass incarceration and its consequences in minority communities, the role of race, the morality of specific punishment practices (long-term solitary confinement, life without parole, adult punishments for juveniles, the death penalty). What are the alternatives to punishment? These raise old philosophical questions in new form: what is punishment for? What are the roles of deterrence, retribution, rehabilitation, and providing closure to crime victims? How should the law respond to genuine evil? These are not only U.S. controversies – there are similar controversies in debates over international criminal justice.

This is a colloquium-style seminar: most sessions will involve distinguished guest speakers presenting their own research. These will include both philosophers and legal scholars. The seminar is offered jointly to law students and graduate students in philosophy. It is a writing seminar that satisfies the WR requirement at the law school. Although most sessions will take place at the Law Center, some will be held on the main campus.

LAW 1658 v00 Law and Philosophy: Hannah Arendt: Evil, Human Rights, and Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201658%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar will focus on Hannah Arendt, one of the 20th century’s great political philosophers. Arendt is best known for the phrase “banality of evil,” which she coined to describe ordinary people who participate in extraordinary evils. Her questions about how the law should respond to radical evil are central to modern international criminal law. Arendt’s writings also include penetrating discussions of nationalism, human rights, personal responsibility under dictatorship, moral judgment, and the nature of political action. A stateless person herself for almost 20 years after she fled Hitler’s Germany, Arendt was one of the first philosophers to analyze the plight refugees. Above all, Arendt was interested in how freedom and pluralism can be preserved in “dark times,” her name for periods of crisis when politics and morality both seem in danger of collapse.

The seminar will focus on Arendt’s writings, but students will be encouraged to link them to current issues, both in class and in their seminar papers. We will explore both the strengths and weaknesses of Arendt’s ideas. Readings will include The Origins of Totalitarianism, Eichmann in Jerusalem, Responsibility and Judgment, selections from Arendt’s other books and correspondence, and writing by other relevant philosophers.

A background in philosophy or political theory is not a prerequisite for this seminar; a willingness to engage with philosophical ideas is essential.
LAW 199 v03 Law and Regulation of Global Health Technologies
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20199%20v03)
J.D. Course (cross-listed) | 3 credit hours
This course explores the legal, regulatory and policy issues that shape the research, development, and commercialization of drugs, biologics, and medical devices in the United States. We will consider the history and role of federal regulation of medical technologies; legal and ethical issues in the development and testing of new therapies; managing incentives for innovation, including patent, regulatory and data exclusivity; tort liability and its function in the regulation of the life sciences industry; and other issues. We will explore these issues using real-world examples, including the government and industry response to the COVID-19 pandemic.

Recommended: Prior or concurrent enrollment in Administrative Law.

Note: This is a required course for the Food and Drug Law Certificate.

LAW 2010 v01 Law and Regulation of Global Health Technologies
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202010%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
Technological advances in diagnostics and therapeutics have the potential to revolutionize health care and improve the lives of millions of people. However, many of these technologies remain out of reach to those who need them, particularly the poor in low- and middle-income countries.

With increased investment and global attention over the last decade, there has been tremendous progress in building a pipeline of candidate medical technologies to meet the health needs of the world’s poorest people. This course will explore the legal, regulatory and policy issues that are shaping the research, development, and delivery of those drugs, vaccines, and diagnostics. Part I of the course will provide an overview of the burden of neglected diseases in low- and middle-income countries and the new institutions and initiatives that have arisen to address that burden. Part II will examine the incentives for global health innovation, including intellectual property management, regulatory and tax incentives, and prizes and advance market commitments. Part III will consider the role of national and international regulation, international clinical trials and the globalization of research, and World Health Organization’s policy processes for ensuring drug and vaccine safety and recommending their use. Part IV of the course will explore the legal, regulatory and policy issues that arise in the delivery and use of global health technologies, particularly supply chain contracting, drug resistance, and post-market surveillance in low- and middle-income countries.

LAW 1433 v00 Law and Religion
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201433%20v00) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course is designed to give students familiarity with the field of law and religion. Students will participate in a two-hour/week seminar and undertake 10 hours/week of fieldwork with organizations that work on issues related to religious freedom. For the Fall Semester 2021, students will be allowed to work remotely for their fieldwork. Please note this is an exception to the usual experiential requirement that fieldwork be done in person.

SEMINAR: President Obama called religious freedom "central to the ability of peoples to live together." Professor Martha Nussbaum observes, "America now contains a religious diversity unparalleled in its history." This seminar will examine society’s ability to enable those with the deepest of differences to live in community peaceably. Substantively, it will promote an understanding of the law that governs the relationship between religion and government, defines protections for the free exercise of religion, and provides the framework for civic life among people of all religions and none. Although law and religion will be the unifying theme of our work, there is a broad range of modalities that we can pursue in this field—litigation in workplace disputes, amicus briefings for the Supreme Court, researching the effect of public policy initiatives—providing a myriad of opportunities to hone professional legal skills.

Seminar participants will gain doctrinal competency in current religious freedom law, engage in a principled examination of religious freedom as an essential Constitutional and basic international human right, and gain experience interacting on a "hot topic" issue in a professional manner by focusing on common ground and building principled consensus.

Interested students who have any questions or would like more information about the seminar or field placements should feel welcomed emailing Professor Inks directly at sci2@law.georgetown.edu.

FIELDWORK: Students will perform legal work under the supervision of an attorney mentor for 10 hours/week with organizations that focus on issues related to religious freedom. For the Fall Semester 2021, students will be allowed to work remotely for their fieldwork. Please note this is an exception to the usual experiential requirement that fieldwork be done in person. Some examples include: the ACLU, the ADL, DOJ, The Interfaith Alliance, Americans United for the Separation of Church and State, Congress, The Christian Legal Society, The Native American Rights Fund, and Alliance Defending Freedom.

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 and an externship, clinic, or another practicum course.

Note: Both enrolled AND waitlisted students are encouraged to e-mail Prof. Inks over the summer (but a CV is not necessary) to let her know if they have any preferences in where they want to work or the kind of work they would like to do. Students are NOT required to find their own work placements. If a student has a specific request or pre-existing relationship with an organization, every attempt to accommodate that will be made. No special previous experience is required for this practicum.

This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission. This course is suitable for evening students who can attend the weekly seminar and conduct related fieldwork.
LAW 1470 v00 Law and Rhetoric Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201470%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will explore in depth how lawyers and judges use language to persuade. Relying on classical and modern rhetorical theory, we will examine a variety of persuasive methods, including categories, metaphor, storytelling, the traditional modes of appeal (logos, pathos, and ethos), and informal logic. We will also study several examples of rhetorical analysis, and students will write an original rhetorical analysis of a law-related argument of their choice. This course requires that J.D. students’ papers satisfy the Law Center’s Writing Requirement. Graduate students may enroll in the course for 2 credits and will write a shorter paper. All students will present their paper to the class at the end of the semester.

Prerequisite: Legal Practice: Writing and Analysis.

Note: Professor permission is not required. FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first and second class sessions in order to be eligible for a seat in the class.

LAW 1388 v00 Law and Social Change Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201388%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course will explore the contemporary strategies used by movements seeking law and social change. An early wave of critique in the analysis of law and social change centered on the distinction between rule change and culture change, and stressed the shortcomings of litigation and reliance on courts in bringing about deep or lasting change. Today, most legal rights organizations have significantly modified the litigation-centric model to adopt a strategy more consistent with multi-dimensional advocacy, an approach to social change that self-consciously uses multiple strategies for change, including litigation, legislation, administrative and policy advocacy.

This class will analyze the role of law in achieving social movement goals. Topics will include both practice-grounded and more abstract questions. In the former category, the class will study the advantages and disadvantages of different institutional venues, approaches to communications, how framing decisions are made and with what consequences, working with allies, and the process of anticipating and responding to limitations of working within the law.

The class will meet as a once-a-week seminar. Students working in teams will take responsibility for proposing discussion questions in advance of class and introducing the material assigned for a given week.

In addition to interviewing one guest speaker, each student will write a paper of approximately 5,000 words in length analyzing how a particular legal campaign has used and/or is using some of the strategies discussed in class and with what results. Papers should

- Situate the legal campaign in the broader legal/political landscape in which it is engaged;
- Describe the strategic and tactical choices being undertaken and the results; and
- Analyze how its experiences illustrate or refute (or both) arguments in the theoretical or social science literature.

Students may select a campaign for either progressive or conservative change, or will be assigned to a particular movement.

Final grades will be based on class participation, including discussion leader sessions, and the paper. (The paper for this course will not satisfy the UCWR.)

Students should leave the course with a much more nuanced understanding of what is involved in working as a lawyer toward “making the world a better place.” They will learn how some challenges recur across issues; how social movements affect law as well as the other way around; and how to bring theoretically informed critical thinking to practice.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Nan Hunter (ndh5@law.georgetown.edu) by 3:00 pm on Monday, August 3, 2020 expressing your interest in taking the seminar.
**LAW 135 v01 Law Firm Economics and the Public Interest: Advancing the Commitment to Pro Bono Publico through Law Firms and Other Legal Institutions**

J.D. Seminar | 1 credit hour

The point of this course is to provide the tools and some of the experience of working in or with a large law firm pro bono practice. We do this through three primary means: lecture (not just from the professors, but also from law firm and legal services leaders in the community); reading current materials on pro bono and the state of the legal market; and role-playing, using our mock law firm, Zimmerman Strasburg & Scherzer. Each student will have a specific role in that fictional law firm, and we will provide access to more firm financial information than you will likely have at any other firm when you start (and certainly more than you would ever have from the outside). Alas, it is fictional – but trust us, it is realistic.

To understand how pro bono works in a large law firm, you first need to be familiar with how a large law firm itself works, both internally and in the market. The beginning of this course focuses on what we broadly call “law firm economics,” but just as well could be called “operations” or “management” or “finance.” We want you to understand these subjects so that you can answer this question – and then argue or defend the answer in the future: how is it that the Top 100 revenue-producing law firms in the United States contribute, on average, about 60 hours of free legal services per attorney each year? What does the donation of 1½ weeks of productivity do to the firm’s bottom line?

Then we will focus on the how and why of pro bono practice. Where did this impulse to provide free legal services come from? How do law firms decide which matters to take, and which to decline? There is a vigorous debate in the law firm pro bono community about “what counts” as pro bono work – there is even a small treatise with that very name (included in the reading materials). Beyond the issue of qualification, how do law firms determine their pro bono priorities? How does pro bono fit within larger law firm management goals?

We will also explore pro bono from other points of view: public interest providers, law schools, corporate in-house counsel and the media. What role do these organizations play in the provision of pro bono legal services, and how do they interact with large law firm pro bono practices?

**Note:** This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

**ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS.** Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

**LAW 1188 v00 Law in a New Media World**

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

In today's world of 24-7 news cycles, cell-phone cameras, blogs, and social media, the race to publish provocative, cutting-edge content has lead to high-profile instances where legal lines have been crossed to get a story, picture, or video. This seminar explores the fundamentals of defamation law, invasion of privacy, and liability for torts and crimes committed in the course of newsgathering activities — and how First Amendment principles have evolved to address these issues in the modern age of electronic media. Through lectures, class discussions, and written assignments, students will not only gain a broad understanding of the substantive law — but also understand the important policy implications for the public, reporters, and the subjects of their stories. The seminar will also feature interactive classroom exercises in which students will research, present, and advocate opposite sides of current issues taken directly from the headlines in real-world media cases, including media shield laws, anti-SLAPP statutes, public vs. private figures, group libel, fact vs. opinion, prior restraints on publication, media liability for torts and crimes committed by third parties, and the liability of Internet Service Providers (ISPs) and administrators of interactive online websites. Practical aspects of representing clients in media matters, including jurisdiction and choice-of-law issues, are also examined.

**Prerequisite:** Constitutional Law I or Democracy and Coercion.

**LAW 045 v02 Law in Multicultural Societies**

LL.M Seminar | 2 credit hours

The aim of this course is to introduce the students to the ways in which liberal constitutionalism deals with the fact of difference (religious, ethnic, or national). After general theoretical introduction to various issues (such as law, culture and difference, politics of recognition and politics of redistribution, the risks of politics of identity, the liberal and feminist critiques of multicultural politics, the analytical problem of group rights), the course will survey the ways that liberal democracies deal with the claims of several groups within society to be different. We will read cases and materials from the United States, Canada, France, Israel, India, and Germany.
This course will examine the legal challenges presented by this conflict in the gray zone. We will examine issues in legal classification of threats and how State and non-State actors employ these strategies to exploit perceived gaps in international and domestic law. Additionally, we will discuss how these actors may also use the law when pursuing their objectives in the gray zone.

Some of the specific topics to be discussed include:

- What is hybrid warfare? Case study, actors, definitions.
- Issues in legal classification of threats, including use of force and armed attack (the Article 2(4)- Article 51 "gap"), determining whether an armed conflict exists and, if so whether it is an international or non-international armed conflict.
- State responses to activities in the gray zone.
- State responsibility for surrogates/proxies.
- Information warfare, psychological operations, and the role of cyber.
- Sovereignty and intervention.
- Economic measures.
- Support to domestic organizations such as civil society and political groups.

**Recommended:** Prior or concurrent enrollment in International Law, Law of War, Foreign Relations Law

**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 3031 v00 Law in the Gray Zone: The Legal Challenges of Hybrid Conflict

LL.M Seminar (cross-listed) | 1 credit hour

State and non-State actors are increasingly pursuing political and economic objectives through the use of aggressive, ambiguous, and integrated multiple elements of power. This strategy, which exceeds the threshold of normal national competition but falls below the level of armed conflict, has been referred to as hybrid, unconventional, asymmetric, and ambiguous warfare. This competition in the gray zone between peace and armed conflict presents significant legal challenges to States responding to these threats.

This course will examine the legal challenges presented by this conflict in the gray zone. We will examine issues in legal classification of threats and how State and non-State actors employ these strategies to exploit perceived gaps in international and domestic law. Additionally, we will discuss how these actors may also use the law when pursuing their objectives in the gray zone.

Some of the specific topics to be discussed include:

- What is hybrid warfare? Case study, actors, definitions.
- Issues in legal classification of threats, including use of force and armed attack (the Article 2(4)- Article 51 "gap"), determining whether an armed conflict exists and, if so whether it is an international or non-international armed conflict.
- State responses to activities in the gray zone.
- State responsibility for surrogates/proxies.
- Information warfare, psychological operations, and the role of cyber.
- Sovereignty and intervention.
- Economic measures.
- Support to domestic organizations such as civil society and political groups.

**Recommended:** Prior or concurrent enrollment in International Law, Law of War, Foreign Relations Law

**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 267 v04 Law of Cyberspace

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

This course examines legal and policy issues arising from the Internet, with an emphasis on three broad areas: (1) the impact of the Internet on traditional legal causes of action; (2) government regulation of the Internet; (3) international aspects of the Internet and the interplay among United States and foreign jurisdictions.

Specific areas that will be examined within this framework include: constitutional issues raised by cyberspace speech and content; privacy issues; torts occurring in cyberspace; contract and other issues related to cyberspace commerce; and the protection of intellectual property in cyberspace.

Course readings rely primarily on cases, pleadings, statutes, and regulations. However, short articles and commentaries will also be used for background and supplementary information. There are no prerequisites for the course, and a computer background is not necessary.

**Recommended:** Property (or Property in Time), Torts (or Bargain, Exchange and Liability), Copyright Law, and Criminal Law.
LAW 936 v02 Law of War (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20936%20v02)
LL.M Course (cross-listed) | 2 credit hours
Surveys the law of armed conflict (LOAC) and customary international law as applied by the United States in warfare. From where does LOAC arise? What is a war crime — and who decides? What is “unnecessary suffering,” and what drives that legal determination? When does LOAC apply and what role do other rules of law, such as domestic U.S. law and International Human Rights Law play in regulating the conduct of armed conflict? Does it cover non-state actors? What are U.S. LOAC obligations, and how are they enforced? How does one distinguish illegal combatants from prisoners of war? Where do military commissions come from, and who may be tried by them? Could the atomic bombing of Nagasaki have been a war crime? Can a superior’s order constitute a defense to war crime charges? What is the U.S. position in regard to laser weapons? Land mines? Non-lethal weapons? Torture? Rendition? Reprisals? The assassination of enemy commanders? What is an illegal order, and what should a soldier do if she receives one? How may battlefield war crimes be prosecuted? Our inquiry will focus on the law applicable to the conduct of U.S. military operations in past and current conflicts, whether or not they be declared, whether they be internal or international. Although primarily focused on the law of land warfare, the law of air and naval warfare, as well as space and information warfare, will be considered.

Learning objectives:
To gain a firm understanding of the law of armed conflict and to consider, through discussion of practical exercise from the textbook, how the law is applied in an operational context.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Law of War, the International Law of Armed Conflict Seminar or War Crimes and Prosecutions.

LAW 936 v03 Law of War (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20936%20v03)
J.D. Course (cross-listed) | 2 credit hours
This survey course covers the law of armed conflict and customary international law as applied on today’s battlefields. Is there really law in combat? When does the law of war apply? Does it apply to non-State actors? What is a war crime, and who decides? How is proportionality determined? What is the difference between a combatant, a terrorist, and a criminal? Is torture ever lawful? Is targeted killing lawful? What constitutes a cyber attack? What is the jurisdiction of military commissions and why is that a difficult question for Guantánamo? Can a superior’s order constitute a defense to war crime charges? Is indefinite detention lawful? Can the U.S. ever lawfully kill a U.S. citizen in a foreign state with which we are not at war? Such questions are the subject of the course. It is not a philosophy course, nor is it national security law, nor human rights law, although those topics are inextricably related. Our focus is on the law applicable in today’s non-international armed conflict battlefields. Military experience is not required to do well in this course.

Recommended: Completion of International Law I prior to enrollment in this course.

Mutually Excluded Courses: Students may not receive credit for both this course and the Law of War Seminar or War Crimes and Prosecutions.

LAW 1141 v00 Law Sagas Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201141%20v00)
J.D. Seminar | 3 credit hours
Starting with personal injury litigation in the 1970s, nonfiction books chronicking specific cases and episodes of complex litigation have increasingly targeted the "trade" audience (as opposed to a primarily academic one). This genre has expanded beyond the boundaries of personal injury litigation, even beyond mass tort actions. Today, all sorts of legal developments become the subject of "law sagas", detailed narratives showing how a legal situation - a settlement, a legislative package, a constitutional amendment, even a career in law - unfolded in its particular context. This seminar, Law Sagas, addresses the broadened scope of a literature that originally focused on more traditional tort litigation (that narrow literature was covered in Tort Sagas, a seminar previously offered at the Law Center).

Examples of law sagas include:
- Chasing Gideon: The Elusive Quest for Poor People’s Justice
- Madison’s Hand: Revising the Constitutional Convention
- What Is Life Worth?: The Inside Story of the 9/11 Fund and Its Effort to Compensate the Victims of September 11th.

Other recently published law sagas focus on a historical legal episode or individual. Examples include:
- Local People: The Struggle for Civil Rights in Mississippi
- The Trial of Susan B. Anthony: An Illegal Vote, a Courtroom Conviction and a Step Towards Women’s Suffrage
- John Marshall and the Heroic Age of the Supreme Court

A single event or historical development can spawn multiple law sagas. One example is the effort to legislate and ratify the Nineteenth Amendment. A few law sagas on the subject:
- There is Power in a Union: The Epic Story of Labor in America
- Mother Jones: The Most Dangerous Woman in America

Law sagas about the same event offer different perspectives and varying information, illustrating the significance of how legal narratives are framed.

Some biographies and memoirs qualify as law sagas, including books as otherwise different as Power Concedes Nothing: One Woman’s Quest for Social Justice in America, from the Courtroom to the Kill Zones and William Blackstone: Law and Letters in the Eighteenth Century. Finally, some professional work product from lawyers approximates the law saga genre, as does “The Freeh Report”, formally entitled Report of the Special Investigative Counsel Regarding the Actions of The Pennsylvania State University Related to Child Sexual Abuse Committed by Gerald A. Sandusky.

Law Sagas will cover most or all of the above referenced works, calling for close reading and student-led discussion of this literature. For paper assignments, students will have the choice of (1) reading and appraising a published law saga (other than those covered in the course) of his or her choosing (subject to professor’s approval), setting it in the context of the genre as a whole and giving particular attention to how well or poorly the book conveys legally significant information to its audience or (2) writing a short, original law saga by examining a case or legal development not previously put in broader context and using the techniques demonstrated in the seminar readings to illuminate the case or legal development. Time permitting, students should expect to make presentations to their classmates in which presenters will introduce their classmates to their preliminary ideas (based on paper outlines or drafts) and classmates will provide suggestions for improvement.
LAW 274 v00 Law, Conscience, and Nonviolence Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20274%20v00)

J.D. Seminar | 2 credit hours
This seminar develops the student's awareness of nonviolence as a personal and political force and examines the law and conscience as exercised by such peacemakers as Gandhi, Dorothy Day, Martin Luther King, Einstein, A.J. Muste, Tolstoy, and others. The course texts include "Strength Through Peace: The Ideas and People of Nonviolence" and "Solutions to Violence." Course topics cover civil disobedience, the death penalty, Gandhian conflict resolution, pacifism and warism, nonviolence towards animals, and the difference between legal violence done by the state (war, executions, habitat destruction) and illegal violence done by an individual (murder, property destruction, stealing). The class is discussion-based, with dissent welcome.

LAW 915 v00 Law, Healthy Lifestyles, and Business Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20915%20v00)

 LL.M Seminar (cross-listed) | 1 credit hour
This course is about legal responses to tobacco use, obesity, poor diet, harmful use of alcohol and sedentary lifestyle – the leading causes of preventable disease in the United States, in high-income countries generally, and increasingly, in developing economies. Cancer, heart disease, stroke, diabetes and tobacco-related diseases (known as "non-communicable diseases" or NCDs) are society's greatest killers, but what can law do – and what should it do – to prevent and manage them?

Unlike other global health threats, NCDs and their risk factors are partly caused by patterns of consumer choices and transactions lived out every day across the country. The challenge of creating healthier lifestyles cannot be separated, then, from the regulation of those businesses that all too frequently have a vested interest in unhealthy lifestyles.

Law's relationship with tobacco, alcohol and food is complex and contested. Nevertheless, governments around the world are experimenting with a wide range of legal strategies to encourage healthier lifestyles. This course places U.S. developments in a global and comparative context, offering comparisons with legal strategies for encouraging healthier lifestyles in Australia and other countries.

During the course, we will confront some important over-arching questions. What are the global determinants of NCDs, and how are these diseases being managed, globally? What do the global solutions look like? To what extent should law intervene to influence the behavior of populations – as distinct from treating lifestyle-related risk factors matters for personal responsibility? Does a regulatory approach to the prevention of NCDs imply coercion? Does it signal the emergence of a "nanny state"? Does progress necessarily depend on motivating people to consciously improve their habits and lifestyles? Is it possible to regulate business without micro-managing or dictating commercial decisions and "legislating the recipe for tomato ketchup?"

Most people want to live longer and healthier lives. Yet no country can achieve this without addressing the preventable risk factors that drive non-communicable diseases. This course gives students the conceptual tools to think powerfully about law's role in the prevention of NCDs, and to participate effectively in debates about appropriate, workable, legal interventions

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 1542 v00 Law, Policy, and Practice of Disasters and Complex Emergencies (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201542%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course is a "disaster law" simulation based on the post Hurricane Katrina legal reforms, particularly the Post Katrina Emergency Management Reform Act. That bill, along with ones passed in response to Hurricane Sandy, reorganized the United States emergency management system and highlighted the particular issues of vulnerable groups.

This simulation course will give students an in-depth experience of working on disaster law issues in the context of a legislative inquiry and hearing. Students will conduct mock interviews, review legislation and legal precedent, and then conduct a legislative hearing to determine whether further changes to the law are necessary. This course present students with the opportunity to work in an emerging area of law, honing their legal skills with a focus on disaster victims and vulnerable populations.

Prerequisite: 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).

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up to the beginning of the second class session. Enrolled students will have until the beginning of the second class session in order to withdraw; failure to attend any subsequent class session in its entirety may result in a withdrawal.

LAW 701 v00 Law, Politics, and Policy in WTO & US Trade Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20701%20v00)
LL.M Course (cross-listed) | 2 credit hours
International trade rules and practice reflect a complex mix of law, politics and policies. This course will examine the major topics covered by World Trade Organization rules (and some looming future issues) from all three perspectives. This is a fast-changing field. Approximately 25-30 pages are assigned per week from international trade agreements; scholarly journals; government records; newspaper articles; websites and blogs. Interactive exercises draw from international trade agreements; national legislation; and national and international tribunals. Among the invited guest speakers may be U.S. and other government trade officials, business people, and scholars.

Recommended: International Trade; International Trade Law and Regulation; International Trade and the WTO; or World Trade Organization: Law, Policy and Dispute Settlement.

LAW 297 v00 Lawmaking and Statutory Interpretation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20297%20v00)
J.D. Seminar (cross-listed) | 1-3 credit hours
This yearlong seminar examines problems of statutory interpretation from the viewpoint of the practicing lawyer when multiple actors with different roles participate in the development or interpretation of the same statutory language in our unique federal legal system. Students consider new issues for lawyers raised by the operation of the competitive global, technological economy in our increasingly complex legal system, anchored in separation of powers. Unlike most of the world's governmental systems, decisions by all three branches are necessary in the United States to achieve legal clarity and closure. In this seminar, we read cases that assist the class in analyzing the gulf between writing and interpreting legislation, the byproduct of our system that often results in controversial federal judicial decisions. We search for ways that legislators, courts, agencies and practicing lawyers can avoid the miscommunication that retards and delays compliance and enforcement of laws and results in often needless and costly litigation.

During the first semester, students discuss readings from various sources, including cases that illustrate the practical and institutional problems lawyers face. Students begin the major seminar project, a final seminar paper, with research and work with the professor on an annotated outline to be produced at the end of the first semester. During the second semester, each student engages in the rigor of writing a first draft for a major final paper on any subject of the student's choosing, sometimes of publishable quality. The paper draws upon one or more seminar concepts developed during the year.

The problem of obtaining legal clarity, at the center of the seminar, is familiar to lawyers and all involved in any aspect of our legal system. Consequently, students often choose paper subjects that involve lively current legal issues. For example, students have submitted papers, appropriately incorporating seminar concepts, on current subjects as disparate as Proposition 8 and same sex marriage in California and the failure of textualist interpretation of statutes to communicate judicial guidance to Congress concerning executive authority to try and detain enemy combatants at Guantanamo. This seminar approaches issues in ways that often are only now being confronted by our system. Today, legal clarity and closure are particularly necessary in a technological and global economy demanding immediate answers from the American legal system. This system, however, has changed little since the 18th century except to grow more complicated and time consuming. Most of the democratic governments of the world are organized with less complexity, are less dependent on court decisions, and are able to respond more rapidly than our separation of powers government. The assumption of the seminar is that lawyers, who are major actors in every part of our system, will inevitably encounter these dilemmas and are particularly well equipped to help resolve them, considering that many of the problems that are generated will need resolution in court or with legal assistance. The underlying issues emerge from seminar concepts well known in the law that students discuss as central to the papers they have chosen to write. The seminar is conducted as a group of peers would operate in a law firm, business, faculty, or other workplace setting. Working with the professor, students bring fresh eyes to raise or ask questions after their classmates give oral presentations on their outlines and first drafts of the final paper. Class participation is therefore important to one of the missions of the seminar: to accustom students to participating and receiving critiques in peer sessions and improving a work product accordingly.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Legislation. Students MAY receive credit for this seminar and the first year elective or upperlevel course, Lawmaking: Introduction to Statutory and Regulatory Interpretation.
LAW 023 v00 Lawmaking: Introduction to Statutory and Regulatory Interpretation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20023%20v00)
J.D. Course | 3 credit hours
In the first year curriculum, you are taught to "think like a lawyer." Because of the predominance of common-law subjects in your first year, this means you are taught to think like a "common-law lawyer." Moreover, you are taught to think this way at the same time that you are also trying to learn the doctrine in those particular areas.

In upper-level courses, however, you will likely turn from common law to law based in statutes and regulations. From tax law to the criminal code, virtually all of modern American law is based on materials produced by legislatures and agencies. Reading and interpreting these materials also requires you to "think like a lawyer," but like a different lawyer—a "statutory lawyer."

The course has three overall goals:

1) To provide you with an understanding of the relationships among legislatures, courts, and agencies. The course will include some basic information on how legislation and regulations get created and on the ways in which power is shared in the "making of law."

2) To teach you the full toolkit of statutory interpretation so that you can diagnose any interpretation question and bring the right tools to bear on answering that question. This toolkit includes elements of the plain text, canons of interpretation, analysis of intent and purpose, and deference to agencies. By unpacking and analyzing these tools used by courts in various decisions, you will learn how to wield them yourself in order to reach different results.

3) To expose you to the theoretical debates around statutory interpretation. The tools that a judge chooses to use often depend on the judge's theoretical position on statutory interpretation. Starting with materials that will frame the theoretical debate early in the semester, you will return periodically to questions about theory as you become more proficient in the toolkit.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course by the same title or the first-year elective, The Regulatory State, or Legislation and Regulations: Law, Science, and Policy, or Statutory Interpretation.

LAW 023 v03 Lawmaking: Introduction to Statutory and Regulatory Interpretation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20023%20v03)
J.D. Course | 3 credit hours
In the first-year curriculum, you are taught to "think like a lawyer." Because of the predominance of common-law subjects in your first year, this means you are generally taught to think like a "common-law lawyer." Moreover, you are taught to think this way at the same time that you are also trying to learn the doctrine in those particular areas.

In upper-level courses, however, you will likely turn from common law to law based in statutes and regulations. From tax law to the criminal code, virtually all of modern American law is based on materials produced by legislatures and agencies. Reading and interpreting these materials also requires you to "think like a lawyer," but like a different lawyer—a "statutory lawyer."

This course is about the method of statutory interpretation generally. You will not learn the doctrine of any specific type of law in this class. You will learn the process of how to approach a piece of statutory text, how to diagnose the interpretive problem in the text, and how to answer that problem. You will practice the observant reading of text; you will get a framework for breaking down and thinking about a legal question in any statutory case; and you will practice deploying interpretive tools to answer a question in the way that best "zealously advocates" for your client. This course will prepare you for a first summer of legal work, as well as for upper-level courses that rely extensively on statutory law (such as tax, securities, environmental law, labor law, copyright law, etc.)

The course has three overall goals:

1) To provide you with an understanding of the relationships among legislatures, courts, and agencies. The course will include some basic information on how legislation and regulations get created and on the ways in which power is shared in the "making of law."

2) To teach you the full toolkit of statutory interpretation so that you can diagnose any interpretation question and bring the right tools to bear on answering that question. This toolkit includes elements of the plain text, canons of interpretation, analysis of intent and purpose, and deference to agencies. By unpacking and analyzing these tools used by courts in various decisions, you will learn how to wield them yourself in order to reach different results.

3) To expose you to the theoretical debates around statutory interpretation. The tools that a judge chooses to use often depend on the judge's theoretical position on statutory interpretation. Starting with materials that will frame the theoretical debate early in the semester, you will return periodically to questions about theory as you become more proficient in the toolkit.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course by the same title or the first-year elective, The Regulatory State, or Legislation and Regulations: Law, Science, and Policy, or Statutory Interpretation. Students MAY receive credit for this course and Lawmaking and Statutory Interpretation Seminar.
LAW 1722 v00 Lawyers as Leaders (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201722%20v00)

J.D. Seminar | 1 credit hour
This 1-credit course will explore various ways in which lawyers act as leaders, showcasing the scholarship and work of the Georgetown Law community. The eight classes will take place on Sundays in the fall, from 1 to 2:30 pm. Each session will feature Dean Treanor engaging in a discussion with a faculty member or members about their work across a wide spectrum of issues, from social justice and policing to the role of corporations in our society. Students will read research and materials and submit questions in advance of each session. At the end of the course, students will draft a reflection paper that engages with the research, the class sessions, and their own personal reflections on leadership and their career aspirations and goals.

Course Goals/Student Learning Outcomes

• Develop critical thinking skills.
• Develop ability to synthesize key ideas across disparate topics.
• Improve analytical and writing skills.

Note: Students can participate asynchronously.

This course is open to LL.M. students. LL.M. students should register using the LAWJ course number (LAWJ-1722-05, CRN 39115). This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. Note for LAWJ-1722-05: This course will have eight sessions on Sundays, 1:00 p.m. - 2:30 p.m. on the following dates: 9/13, 9/27, 10/4, 10/11, 10/18, 10/25, 11/1 and 11/15. Note for LAWJ-1722-09: This section will meet Sundays, 1:00 p.m. - 2:30 p.m. on the following dates: 9/13, 9/27, 10/4, 10/11, 10/18, 10/25, 11/1 and 11/15. This section will also meet on Saturday, 10/3 from 10:00 a.m.-12:00 p.m. and from 1:00 p.m. - 3:00 p.m., and on Sunday, 10/4 from 10:00 a.m. -12:00 p.m. This section requires departmental permission to enroll. New F-1 international students will receive priority. To request permission, email lawcentervisa@georgetown.edu. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 361 v22 Lawyers’ Ethics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v22)

J.D. Course | 2 credit hours
This course will examine critically the law governing lawyers' ethics. The course will address the role of the lawyer in an adversary system, professional ethics and personal morality, the allocation of decision-making between lawyer and client, zealous representation, lawyer-client trust and confidence, conflicts of interest, preparing and examining witnesses, client perjury, prosecutors' ethics, judicial ethics, solicitation of clients, and the ethics of torture. Readings will include the rules and standards of professional conduct, case law, legal scholarship, and anecdotal materials. Class discussion will be based on these materials as well as excerpts from film and television. This course will be of special interest to those interested in criminal law, public interest law, and litigation generally.

Please note: This is not a preparation course for the MPRE. Many of the ABA's Model Rules of Professional Conduct will be assigned, and you will be expected to have a working familiarity with them. However, the Model Rules will not be the focus of the course except in the context of broader discussions of lawyers' professional conduct in an adversary system. The emphasis of the class will be principally, but not exclusively, on litigation in the criminal context. Although differing ethical views will be discussed, the instructor will emphasize a client-centered view of lawyers' ethics, rooted in the Bill of Rights. The examination will be closed-book.
As governments intensify their extensive counterterrorism initiatives, terrorist recruiting continues to evolve and poses a more complex threat than perhaps at any time in history. Terrorists no longer require in-person recruiting to spread their ideology and to inspire attacks in other countries. Domestic and international extremist groups have become more adept at using online platforms and other tools to “crowd source” their recruiting in a decentralized attempt to attract and inspire disaffected individuals by exploiting grievances and offering a sense of purpose, belonging, adventure, and obligation. At the same time, governments and other organizations are themselves using social media platforms to reach audiences in their countries and around the world. They have done so not only to increase public support for their political leaders, but also to attempt to impact public debates on major issues, influence policy formulation, and even to sow discord between groups domestically and abroad. These propaganda efforts have raised questions about whether social media companies, governments, and international organizations should play a larger role in determining how such information is disseminated, and how they can implement solutions without undermining freedom of expression and other legal protections.

In addressing online propaganda, this course will focus on legal and policy challenges and strategies in three main areas: (1) assessing and countering methods to spread propaganda online, including terrorists’ efforts to recruit followers and to inspire attacks; (2) examining innovative NGO and private sector cooperation in developing counter-propaganda initiatives; and (3) utilizing existing law enforcement tools and crafting new governmental and non-governmental prevention and intervention programs to disengage, redirect, and rehabilitate those who are radicalized online.
LAW 1215 v00 Legal Delivery System in Transition: Changes, Challenges, New Models and Opportunities

J.D. Seminar | 1 credit hour
The legal market is undergoing a radical transformation. Several key factors driving change are: (1) financial convulsions following the 2008 economic crisis; (2) global change in legal regulation; (3) information technology; and (4) “unbundling” of legal services. New legal service delivery models are emerging in response.

This course will examine the reasons for and responses to change in the legal vertical market. Professor Mark Cohen, CEO of Legal Mosaic, a Legal Business Consulting Firm, and a Co-Founder and former Managing Director of Clearspire, acknowledged widely as a highly innovative and disruptive law firm and legal service provider, is in the vanguard of that change. He also has a weekly column in Bloomberg Big Law Business. His first-hand knowledge of the marketplace, coupled with readings, class discussion, and individual reflection of students, is intended to identify opportunities open to those who understand the new landscape and who can reposition themselves to navigate its topography by drawing upon their skills and passions.

Note: This class will meet for two days of intensive sessions on the following dates in the Fall 2016 semester: 10/1 and 10/2 from 9:00 a.m. - 4:30 p.m.

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 1435 v00 Legal Ethics in Practice: How and Why Lawyers Get into Trouble

J.D. Seminar | 1 credit hour
This simulation course will teach students through role-play how lawyers may run afoul of ethics rules that govern professional responsibility. During the course’s four days, students will be involved in one or more of the following matters:

- An internal law firm investigation of alleged associate and partner abus ibilling;
- A U.S. Department of Justice Office of Professional Responsibility investigation of allegations relating to the failure of federal prosecutors to produce exculpatory evidence in a criminal trial;
- A disciplinary hearing considering conflict of interest claims against in-house counsel because of her alleged representation of both a university and its president during a criminal investigation.

In each of these situations, students, working in teams, will be representing lawyers or prosecutors under investigation or will serve as investigating or disciplinary counsel. In these roles, students will be assigned responsibility for fact-finding —reviewing documents and interviewing prospective witnesses, researching pertinent ethics rules, and making arguments either on behalf or against those either being investigated or tried for ethical violations. Through these role-playing assignments, students will learn how to analyze rules of professional conduct, engage in fact-finding, and serve as advocates in disciplinary settings.

Note: This course does NOT meet the J.D. Professional Responsibility graduation requirement. For a list of the PR series courses, please see the Legal Profession/Professional Responsibility essay.
LAW 1664 v00 Legal History of the Early Republic: The Age of Marshall (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201664%20v00)
J.D. Seminar | 2 credit hours
Students will read the leading cases of the Marshall Court in their social, economic, and political context. They will also examine major legal topics in the period 1790-1825, including the Alien and Sedition Acts, the trial of Aaron Burr, state slavery legislation, and the Missouri Compromise. Requirements include a 2-4 page reading response paper, to be posted the day before class.

Student learning goals: This course will introduce students to the major legal concepts and debates of the late eighteenth and early nineteenth century. It will familiarize them with the jurisprudence of John Marshall and how that jurisprudence fits into the legal thought of his day. Students should leave the course with a good grasp of major legal events of 1790-1825, and a high-level understanding of the political, social, and economic context of those events.

LAW 611 v13 Legal Innovation: Designing Human-Centered Solutions to Challenges in Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v13)
J.D. Seminar | 1 credit hour
This Week One, project-based simulation course is designed for students who want to learn methods and processes to create new and effective solutions to challenges in the legal industry. Working in teams of four, students will re-imagine how we can deliver some aspect of legal services. To do this, we will bring together principles from design thinking, business strategy, and behavioral science.

Some examples of legal design challenges that teams may take on:

- How might we reduce the rate of default in landlord-tenant court?
- How might lawyers in firms improve the billing process for clients?
- How might we improve the likelihood that consumers will read, understand, and respond to a product recall notice?
- How might we help qualifying pro se litigants take advantage of free filing policies in D.C. Superior Court?

Over four fast-paced, intense days, teams will: map out and study the problem, sketch out competing ideas, turn your ideas into testable prototypes, and validate the key elements you will need if your idea is going to work. At the end of Week One, you will pitch your proposed solution to a key influencer in the legal industry.

**Note:** This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 30, 2020 at 3:00 p.m. After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.
LAW 009 v00 Legal Justice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20009%20v00)
J.D. Course | 3 credit hours
Legal Justice introduces the students to styles of twentieth- and twenty-first century American legal thought. The course begins with classical legal thought and with the challenge posed by legal realism to classical conceptions of rights and legal reasoning. It then considers process theory, law and economics, legal liberalism, and perspectivist approaches to law, including Law & Society, critical legal studies, feminist legal theory and critical race theory. The course ends with units on modern conservative theories and approaches to statutory interpretation. Each week students attend a one-hour overview lecture given to all students in Curriculum B, and two hours of seminar, given in small sections. The aim of the course is to familiarize students with the theoretical and historical underpinnings of the doctrines studied in their other courses, in particular the other Curriculum B courses.

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

LAW 005 v01 Legal Practice: Writing and Analysis (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20005%20v01)
J.D. Course (cross-listed) | 4 credit hours
This course introduces students to the analytical and rhetorical skills used by lawyers in practice. Students receive training in legal research, legal writing, legal reasoning and analysis, and oral advocacy. Throughout this two-semester course, students write, revise, and receive criticism on a number of problem-based research and writing assignments.

Learning goals for this course:

1. Find and use the fundamental sources of U.S. legal research, including constitutions and statutes, cases and digests, secondary sources, updating sources, administrative law, and legislative history.
2. Work comfortably with the analytical paradigms customarily used by U.S. lawyers, which include identifying and presenting legally significant facts, interpreting statutes, deriving rules from cases, synthesizing rules from disparate sources, analogizing and distinguishing cases, and predicting outcomes based on precedent.
3. Create research strategies for using sources for maximum efficiency and accuracy.
4. Identify the demands of the legal reading audience, including purpose, form, tone, accuracy, and depth of analysis.
5. Employ the conventions of the Bluebook for accurate citation and credibility.
6. Practice and review English usage for legal purposes.

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

LAW 005 v02 Legal Practice: Writing and Analysis (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20005%20v02)
J.D. Course | 4 credit hours
Introduces students to the analytical and rhetorical skills used by lawyers in practice. Students receive training in legal research, planning, legal writing, and oral argument. Throughout this two-semester course, students write, revise, and receive criticism on a number of assignments. The course also examines how economic and technological forces have changed the nature of contemporary law practice. The course meets for two hours each week with the Professor.

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

LAW 001 v02 Legal Process and Society (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20001%20v02)
J.D. Course | 4 credit hours
Introduces students to the procedures used in litigation and alternative dispute resolution. A variety of materials will be read, including cases, rules, statutes, social science studies and historical analyses. The course will explore various structures American society uses to resolve legal and political conflict, and introduce the basic doctrinal, constitutional and jurisprudential concepts used to resolve disputes.

Note: This is a required course for Curriculum B first year students only.
Withdrawals are permitted up until the last class for this specific course. This course will reinforce the skills learned in the first-year Legal Practice: Writing and Analysis course. Students will learn how to develop strategies for approaching legal research problems and how to select and use the basic legal sources. Topics covered include the legal research process, statutory and regulatory research, case law research sources and techniques, using secondary sources effectively, legislative history, and understanding the different varieties and uses of legal treatises. In addition, the course will address the advantages and disadvantages of online and print versions of basic sources, and why a researcher might choose one or the other in researching any particular issue. At the end of the course, the student will have gained valuable knowledge and experience in identifying basic legal sources. This basic course provides limited opportunities for completing extensive research problems and, instead, focuses on strategies for approaching these types of problems.

Class will meet for a two hour lecture for half the semester. Grading will be based on a series of assignments due at the beginning of each class and a short exam at the end of the semester.

**Prerequisite:** Legal Practice: Writing and Analysis.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Advanced Legal Research.

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

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

**Learning Objectives for Professor Concepcion:**
- Develop strategies for approaching legal research problems
- Formulate effective search queries
- Evaluate, select, and locate legal resources
- Navigate and use legal resources
- Research under constraints (e.g., time, costs)
- Be familiar with major legal research platforms (Westlaw, Lexis, and Bloomberg Law)

**Prerequisite:** Legal Practice: Writing and Analysis.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Advanced Legal Research.

**Note:** FIRST CLASS ATTENDANCE IS MANDATORY. 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.

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

**LAW 360 v05 Legal Research Skills for Practice** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20360%20v05)

J.D. Course | 1 credit hour

The purpose of this course is to reinforce and further develop the skills learned in the first-year Legal Practice: Writing and Analysis course, plus introduce new research skills to enhance your legal practice. Topics include secondary sources, case law, statutory law, legislative history, administrative law, dockets and court documents, litigation analytics, transactional law, and company information.

Grading will be based on weekly assignments, attendance and class participation, and an exam at the end of the semester.

**Learning Objectives for Professor Concepcion:**
- Research under constraints (e.g., time, costs)
- Be familiar with major legal research platforms (Westlaw, Lexis, and Bloomberg Law)

**Prerequisite:** Legal Practice: Writing and Analysis.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Advanced Legal Research.

**Note:** In the Fall 2015 semester, this class will meet on the following seven Wednesdays: 9/2, 9/9, 9/16, 9/23, 9/30, 10/7, and 10/14. Withdrawals are permitted up until the last class for this specific course.
LAW 360 v07 Legal Research Skills for Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20360%20v07)
J.D. Course | 1 credit hour
This course will reinforce the skills learned in the Legal Practice: Writing and Analysis course. Students will learn how to develop strategies for approaching legal research problems and how to select and use basic legal sources. Topics covered include the legal research process, statutory research, legislative history research, case law research, administrative law research, and secondary sources. At the end of the course, students will have gained valuable knowledge and experience in developing a legal research strategy and selecting and using basic legal sources. This basic course provides limited opportunities for completing extensive research problems. Instead, this course focuses on generally applicable strategies for approaching these types of problems.

Grading will be based on a series of assignments due at the beginning of each class, attendance and class participation, and a take-home exam at the end of the semester.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Legal Research.

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University's COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

This course will be enrolled via waitlist. FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 360 v09 Legal Research Skills for Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20360%20v09)
J.D. Course | 1 credit hour
This course will reinforce the skills learned in the Legal Practice: Writing and Analysis course. Students will learn how to develop strategies for approaching legal research problems and how to select and use basic legal sources. Topics covered include the legal research process, statutory research, legislative history research, case law research, administrative law research, and secondary sources. At the end of the course, students will have gained valuable knowledge and experience in developing a legal research strategy and selecting and using basic legal sources. This basic course provides limited opportunities for completing extensive research problems. Instead, this course focuses on generally applicable strategies for approaching these types of problems.

Grading will be based on a series of assignments due at the beginning of each class, attendance and class participation, and a take-home exam, scheduled during the mini-course exam period.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Legal Research.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
LAW 1547 v00 Legal Spanish: The Traditions, The Culture and Lawyering Tools

This seminar will examine the characteristics that define the Civil Law and the Common Law traditions. Students will learn the roles of different relevant actors of the legal community, establishing contrasts, differences and similarities between legal traditions. The course will expose students to the Civil Law tradition, as well as cultural, linguistic, historical and political traits, that influences the ways in which clients, partners and communities from Spanish-speaking regions understand the law.

The objective of this course is to introduce students not only to the main contemporary legal traditions, but also to encourage them to think about the theory and practice of each tradition, in order to make useful and critical comparisons of the different legal systems. Throughout the class, students will understand the influence that different political events had in shaping the current legal systems of Spanish-speaking countries and will have the opportunity to discover the relations and interactions between domestic legal systems and international legal systems. The comparative law perspective of this course will allow students to explore, for instance, the distinctions between the United States judicial review model with constitutionality control systems in civil law countries.

The seminar will build students’ practical legal concepts and terminology, and written and oral communication skills by introducing them to and reinforcing technical language and concepts in Spanish, in areas such as immigration, criminal law, commercial and civil law (including statutory interpretation and status), labor law, and family law. In-class presentations, written assignments, and readings will give students the opportunity to strengthen speaking, listening comprehension and written communication in legal Spanish.

By the end of the seminar, students will be equipped with an understanding of the different legal traditions, the strengths and weaknesses of current legal frameworks, the role of international human rights law in domestic legal systems, as well as Spanish communication skills in the context of legal practice.

This seminar requires attendance and participation in seminar discussions, preparation for class, and writing response posts. For the 2-credit section, students will be required to write three reaction papers throughout the semester. For the 3-credit section, students will be required to submit a final paper.

Learning Objectives:

• Understanding of contrasts, differences and similarities between the Civil Law and the Common Law systems.
• Understanding of the impact of cultural, historical, and political events in shaping legal systems in Civil Law countries.
• Understanding of practical legal concepts and terminology in different areas of law of Civil Law systems.
• Exposing students to the Civil Law tradition to ensure their successful lawyering with Spanish-dominant clients, partners and communities.

Prerequisite: Intermediate Spanish proficiency.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL.

LAW 536 v01 Legal Writing Seminar: Theory and Practice for Law Fellows

This seminar requires attendance and participation in seminar discussions, preparation for class, and writing response posts. For the 2-credit section, students will be required to write three reaction papers throughout the semester. For the 3-credit section, students will be required to submit a final paper.

Learning Objectives:

• Understanding of contrasts, differences and similarities between the Civil Law and the Common Law systems.
• Understanding of the impact of cultural, historical, and political events in shaping legal systems in Civil Law countries.
• Understanding of practical legal concepts and terminology in different areas of law of Civil Law systems.
• Exposing students to the Civil Law tradition to ensure their successful lawyering with Spanish-dominant clients, partners and communities.

Prerequisite: Intermediate Spanish proficiency.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL.

Please submit the following to all three Professors Cabrera, Reingold, and Serrano Guzman (cabra@law.georgetown.edu; rr951@georgetown.edu; sjs357@georgetown.edu) no later than 5:00 p.m. on Monday, June 9, 2021: (1) resume and (2) short explanation of interest in the seminar. The professors may conduct brief interviews by phone prior to June 16, 2021. After the June 9 application deadline, students who receive professor
LAW 304 v06 Legislation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20304%20v06)
J.D. Course | 3 credit hours
In the first-year curriculum, you are taught to “think like a lawyer.” Because of the predominance of common-law subjects in your first year, this means you are generally taught to think like a “common-law lawyer.” Moreover, you are taught to think this way at the same time that you are also trying to learn the doctrine in those particular areas.

In upper-level courses, however, you will likely turn from common law to law based in statutes and regulations. From tax law to the criminal code, virtually all of modern American law is based on materials produced by legislatures and agencies. Reading and interpreting these materials also requires you to “think like a lawyer,” but like a different lawyer—a “statutory lawyer.”

This course is about the method of statutory interpretation generally. You will not learn the doctrine of any specific type of law in this class. You will learn the process of how to approach a piece of statutory text, how to diagnose the interpretive problem in the text, and how to answer that problem. You will practice the observant reading of text; you will get a framework for breaking down and thinking about a legal question in any statutory case; and you will practice deploying interpretive tools to answer a question in the way that best “zealously advocates” for your client. This course will prepare you for summer legal work, as well as for upper-level courses that rely extensively on statutory law (such as tax, securities, environmental law, labor law, health law, copyright law, etc.)

The course has three overall goals:

1) To provide you with an understanding of the relationships among legislatures, courts, and agencies. The course will include some basic information on how legislation and regulations get created and on the ways in which power is shared in the “making of law.”

2) To teach you the full toolkit of statutory interpretation so that you can diagnose any interpretation question and bring the right tools to bear on answering that question. This toolkit includes elements of the plain text, canons of interpretation, analysis of intent and purpose, and deference to agencies. By unpacking and analyzing these tools used by courts in various decisions, you will learn how to wield them yourself in order to reach different results.

3) To expose you to the theoretical debates around statutory interpretation. The tools that a judge chooses to use often depend on the judge's theoretical position on statutory interpretation. Starting with materials that will frame the theoretical debate early in the semester, you will return periodically to questions about theory as you become more proficient in the toolkit.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course or the first-year elective.

LAW 304 v07 Legislation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20304%20v07)
J.D. Course | 3 credit hours
Much of the “law” that lawyers work with is statutory. This course will examine both how legislatures go about doing their work (that is, legislative process) and how courts and others utilize legislative output (that is, statutory interpretation). We will begin with legislative process, focusing both on how laws are enacted and on the rules structuring legislative debate and behavior, including campaign finance regulation, lobbying regulation, the conduct of legislative oversight, and issues of “due process of lawmaking.” We will then devote substantial attention to theoretical and practical issues in statutory interpretation, including theories of interpretation generally, the canons of construction, and the use of legislative history.

Mutually Excluded Courses: Students may not receive credit for this course and the upperclass course by the same name.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 304 v08 Legislation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20304%20v08)
J.D. Course | 3 credit hours
Lawyers spend a lot of their time analyzing – and sometimes drafting – statutes. In this class, we will focus on the actual process of how a bill becomes a law (e.g., legislative process) but also how those laws are reviewed by courts and other actors (e.g., statutory interpretation). Starting with legislative process, we will take a deep dive into how legislatures go about their work, including the procedural rules that govern debate, with an eye to how laws are enacted and the rules structuring legislative debate and conduct. In addition, the course will examine campaign finance and lobbying rules as well as the “due process of lawmaking.” Later in the course, we will turn to both theory and practice in statutory interpretation, including theories of interpretation generally, canons of construction, and the debate over legislative history. I plan to interweave some of my empirical observations from a career on Capitol Hill, on campaigns, as a lobbyist, and commentator on politics and policy.

Mutually Excluded Courses: Students may not receive credit for this course and the upperclass course by the same name.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.
LAW 1326 v00 Legislation and Regulation

J.D. Course | 3 credit hours
Virtually all contemporary law involves statutes enacted by legislatures and regulatory law produced by administrative agencies. Whatever the body of law—securities, tax, anti-discrimination, telecommunications, consumer protection, intellectual property, employment, education, environmental, energy, labor, tax or criminal justice, to name a few—statutes and regulations provide much if not most of the law. Few constitutional law and federalism issues arise without a regulatory element. Facility with legislation and regulation is hence essential for any lawyer.

The course starts with exploration of why regulation is enacted, the diversity of forms of regulation, and how legislation and regulation relate to law created through the common law process. The course then breaks into three basic units, all of which examine legislation and regulation primarily (but not exclusively) through federal law. The first unit examines congressional process, reasons interpretive challenges arise, and the diversity of interpretive methods and strategies wielded in disputes over statutory meaning. The second unit turns to the pervasive role administrative agencies play in interpreting, implementing and enforcing statutes. This includes coverage of their procedural options, judicial review of agency process, reasoning, and responsiveness, as well as discussion of the role of cost-benefit analysis and White House review in the regulatory process. The last unit links the first two, examining statutory interpretation in the administrative state. The course closes with analysis of regulatory innovations, possible coverage of recent major regulatory developments, and review problems.

The class will use the Manning and Stephenson casebook, Legislation and Regulation (3rd edition) (2017) and supplemental materials. Class method will involve a mix of lecture, questions and answers (via volunteers, questions I'll direct at particular students, and questions students raise), and problem-based analysis.

Mutually Excluded Courses: Students may not receive credit for both this course and Administrative Law with Professor Heinzerling (LAWJ-1349). Students may take other sections of Administrative Law in the upperclass curriculum.

Note: This course is a first-year elective. First-year day students select an elective offered in the spring.

LAW 1484 v00 Legislation and Regulations: Law, Science, and Policy

J.D. Course (cross-listed) | 3 credit hours
This course will enable students to better understand the modern administrative state. Products, technologies, and services that may pose risks to health, safety, and the environment; as well as other technologies that hold promise for improving public health and clinical outcomes, must increasingly cope with a vast array of regulations promulgated by administrative agencies. Meanwhile, certain key businesses once viewed as ‘natural monopolies,’ such as segments of the energy, water, transportation, and other utility sectors, whose rates, terms and conditions were once entirely set by government agencies, are being partially ‘deregulated’ in some jurisdictions. Governmental regulatory power is fraught with controversy; some regard it as unnecessary, intrusive, unscientific, and “job-killing,” while to others, evidence-based regulations are indispensable to ensure that market imperfections are addressed and health and safety is protected.

Students will learn how legislation is drafted by Congress and interpreted by agencies and courts. In addition students will engage with legal, policy, institutional, and analytic considerations that inform the design, scope, stringency, transparency, and enforcement of regulations.

Major themes in the course will include: (1) the legislative process and how agencies and courts interpret statutes; (2) how the regulatory state is structured (issues of jurisdiction, delegation and pre-emption); (3) how agencies set their agendas, make rules, analyze costs and benefits, and involve experts and the public in the regulatory process; (4) how the Office of Management and Budget, Congress, and the courts exercise control over regulatory agencies; (5) how agencies enforce their regulatory mandates “on the ground”; and (6) how different regulatory designs attempt to balance the often-conflicting goals of efficiency, equity, simplicity, and flexibility.

Mutually Excluded Courses: Students may not receive credit for both this course and Lawmaking: Introduction to Statutory and Regulatory Interpretation, The Regulatory State, Legislation and Regulation, or Administrative Law with Professor Heinzerling (LAWJ-1349). Students may take other sections of Administrative Law in the upperclass curriculum.
LAW 1739 v00 Legislation Colloquium: Advanced Topics in Statutory Interpretation

This colloquium provides an exciting opportunity for students to engage with the theoretical debates and methodology underlying the judicial interpretation of statutes. As students in the survey Legislation course learn, the tools that a judge chooses to use when construing a statute often depend on the judge's theoretical position on statutory interpretation. In this colloquium, we will explore in depth different scholarly takes on how courts should interpret statutes, including but not limited to critiques of the U.S. Supreme Court's current approach to statutory interpretation and suggestions for how that approach could be improved.

After roughly two introductory classes discussing the themes of the course, the professor will invite six outside legal scholars to present papers. For each presentation, some or all of the class will write short "reaction papers" analyzing the presenter's work. Students will also work on an independent research paper of their own involving a statutory interpretation topic of their choosing. Please note that the reading load for the course is significant, and students must be prepared for every class session – but it is also a rewarding and fun experience.

Prerequisite: Legislation or the first year elective, Legislation & Regulation.

LAW 3047 v00 LGBTQ Health Law and Policy

Despite significant progress in legal protections for (and the visibility of) LGBTQ and non-binary people over the past decade, LGBTQ communities continue to face systemic obstacles to quality health care such as refusals of care, substandard care, and inequitable policies and practices in many health care settings. These experiences of discrimination correlate with significant health disparities, including greater exposure to sexual and gendered violence, higher rates of tobacco and other substance use, mental health concerns, HIV acquisition, and cancer. These disparities are even more pronounced for LGBTQ people who are also members of other groups that face discrimination because of race, ethnicity, or other aspects of identity—such as people of color, young and older people, people with disabilities, low-income people, and immigrants, among others.

In this seminar, students will learn about LGBTQ health law and policy issues from a variety of perspectives—including medicine, public health, women’s studies, and U.S. foreign policy—and gain a better understanding of the social mistreatment and ostracism of LGBTQ people at both the individual and community level. Topics covered will include LGBTQ-inclusive data collection, clinical and cultural competency, reproductive justice, international human rights law, and health issues facing LGBTQ youth and elders. This course will also examine the ways in which LGBTQ individuals and families are treated under federal, state, and international law and how these policies impact access to health care and contribute to health disparities.

LAW 315 v00 Literacy and Law Seminar

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

Students are required to spend at least one hour per week working with an emergent reader. The placement may be a literacy program at a local school or center (e.g., the Early Learning Center at Georgetown Law), or some other arrangement of a participant's choice, approved by the instructors (e.g., siblings, relatives, or parents/grandparents). The reading sessions may be conducted in person or online. Writing requirements include both a monthly 5-page journal and a short paper. The paper may be a conventional paper or, the more frequent choice, the writing of a children's book that integrates legal and educational issues and which is accompanied by a short analytical essay describing the book's connections between literacy and law. Please contact the professors for more information.
LAW 1169 v00 Litigating at Regulatory Agencies: Roles, Skills and Strategies

J.D. Practicum | 5 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor (and in this case, an outside client). This project-based practicum course will focus on regulatory agency litigation. Students will participate in a two hour/week seminar and carry out 15 hours/week of project work under the direction of the course professor.

Regulatory litigation covers a diverse terrain: from mergers of telecommunications monopolies to benefits for the disabled; from market manipulation by banks to fraud by physicians. It occurs at hundreds of administrative agencies, federal and state, employing thousands of lawyers in diverse roles. They organize proceedings, shape and draft expert testimony, conduct discovery, present and cross-examine expert witnesses, write briefs, draft opinions, defend or attack commission decisions in court, bring or defend enforcement actions, and shape regulatory legislation. Despite this diversity, all regulatory litigation should achieve the same outcome: an agency decision that serves a statutorily-defined public interest and holds up in court. This practicum course teaches students how to be effective participants in regulatory litigation, both as advocates for parties and as advisors to decision-makers. We will address two major questions: (1) What skills are required? and (2) How can lawyers shape the regulatory litigation process to serve the public interest rather than parties' narrow private interests?
We will address these questions through a seminar component and a project component, each informing the other.

SEMINAR: The seminar component will study the complete record of a litigated proceeding; if possible, one pending during the semester. The spring 2015 and spring 2016 classes dealt with the proposed acquisition of the local electric utility Pepco by the holding company Exelon, reviewed by the D.C. and Maryland regulatory agencies. For each stage in the proceeding (application, interventions, discovery, pre-filed testimony, design of hearing procedures, cross examination, settlements, briefing, deliberations, order-writing and judicial review), students will critique actual filings, and prepare their own versions in a simulated context (e.g., preparing discovery questions, conducting cross examination and presenting oral argument during judicial review). Further, using examples from other regulatory proceedings, we will compare litigation procedures and practices, with attention to the centrality of the evidentiary record, parties’ and the agency’s vulnerability to interest group pressures, procedural efficiency and fairness, and the tension between short-term gains and the long-term public interest. Other readings will give insights into the strengths and weaknesses of agency decision-makers—the knowledge of which is essential to litigation success. Practitioners will visit class to answer student questions about technique and strategy.

PROJECT WORK: The project component will consist of one or more of the following activities: (a) working directly with a regulatory litigator or decisionmaker in a pending regulatory action; (b) preparing for an agency client a 15-20 page analytical paper that offers solutions to some suboptimality in regulatory litigation procedure; and (c) observing and commenting on some aspect of a current adjudication at the Federal Energy Regulatory Commission (or other regulatory agency selected by the student), applying the skills and principles studied in class.

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.

LAW 410 v04 Local Government Law

J.D. Course | 3 credit hours
This course surveys the legal environment, political values and policy debates that shape local government in the United States. After completing the course, students will be able to identify many of the key doctrinal principals, and analyze how they apply to the socio-economic context of federalism today. Some of the topics for discussion include: (1) the forms and powers of the various types of local governments (e.g. cities, counties, and special districts); (2) the allocation of power between states and their local governments and the role of local governments in the federal system; (3) the pivotal role of local government in the regulation of private land use; (4) local sources of revenue and limits on borrowing; (5) recent trends in blight, suburbanization, sprawl and redevelopment; and (6) inter-local cooperation and regional governments. The course also will challenge students to explore the tension between the historical movement toward greater local home rule and the modern favor for “smarter growth” and regional solutions. Finally, the course will enable students to exercise and develop skills of particular relevance to local decision-making: statutory interpretation, working effectively in groups, and understanding the dynamics and procedural context of local government proceedings.

Learning Objectives:

This course aspires to empower its students to:

- Recognize and apply several core legal doctrines that enable and constrain the existence of various local government entities.
- Describe how several prominent strains of American political theory have guided the historical development of local government law.
- Apply several constitutional principles and legal standards that regulate local government functions – for example, local taxation and expenditures, land use regulation, education, public safety and the other local services.
- Understand the menagerie local entities and appreciate how alternative forms of governance impact a lawyer’s ethical obligations.
- Explain the predominant funding mechanisms for local government, and analyze how state and local policies can affect the viability of local government.
- Identify several state and federal policies that can impair the sustainability of local government.
- Develop and deliver principled arguments about how socio-economic policy issues relate to legal doctrine, intra-regional wealth, sprawl and alternatives to local government.

Note: Although no prerequisites are required for this course, Professor Gardner strives to highlight connections between the material discussed in class and other substantive legal topics. Third- and fourth-year students will be encouraged to share learning from related courses – for example, civil procedure, constitutional law, administrative law, land use law and other legal subjects. In particular, this course will offer a meaningful segue leading to (and from) courses in land use and administrative law.
LAW 1462 v00 Managing Complex Litigation: Counseling, Strategic Planning and Communications Skills for Lawyers Based on the Vioxx Experience (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201462%20v00)
J.D. Seminar | 2 credit hours
This course will focus on the broad array of skills needed by lawyers to manage complex litigation projects, including advising a board of directors, developing a strategic plan, organizing and managing teams, and communicating with the media. Each week, students will learn and put into practice these skills in the context of the actual litigation involving the drug Vioxx. After the drug was removed from the market in 2004, the pharmaceutical company, Merck, faced claims from over 60,000 individuals after the drug was linked to heart attacks, strokes, and other cardiovascular events after long-term use. Merck’s decision to try these cases in federal and state courts, rather than seek an early settlement, further complicated an already complex legal situation. Using this rich fact pattern and drawing from the professor’s experience as Merck’s former general counsel, students will explore significant phases of this litigation, understanding the challenges faced by Merck’s lawyers “in real time.”
Class discussion and exercises will be based on readings that include instruction and background on the relevant skills, public information on the Vioxx litigation, and hypotheticals drawn from the litigation. Students should expect to prepare approximately six short written submissions, such as slide decks with notes, during the semester. Classes will include student presentations based on these exercises. Grades will be based on the interim written submissions, participation in classroom exercises and discussion, and a final written project.
Prerequisite: Corporations.
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 697 v00 Managing National Security (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20697%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course introduces students to the substance, process, and practice of national security law. The first segment addresses the substance and process of national security decision-making. The second segment covers the tools of national security: intelligence, military, law enforcement, diplomacy, and homeland security. Special attention is paid to the relationship between law and policy and the role of the lawyer in effecting both. Up to 8 J.D. students may enroll in the course for three credits, and prepare a research paper that satisfies the Law Center’s upper-class Writing Requirement (WR). In addition to the final paper, students who select this option must submit an outline and a draft for comment. Both the draft and final papers must be a minimum of 6,000 words (25 pages) and must be supported by substantial independent research. Students may also enroll in the course for two credits. Students electing this option are required to prepare a term-paper approximately 4,800 words (20 pages) on an approved topic.
Recommended: Other national security law courses offered at the Law Center; courses in Constitutional Law; International Law I.
Mutually Excluded Courses: Students may not receive credit for both this course and Challenges in National Security Law: A Seminar for Mid-Career LLMs.
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.
Note: This course will be enrolled via waitlist.

LAW 697 v50 Managing National Security (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20697%20v50)
J.D. Seminar (cross-listed) | 3 credit hours
This course is about the substance, process, and practice of national security law. The course has two segments. The first segment addresses the substance and process of national security decision-making. The second segment covers the tools of national security: intelligence, military, law enforcement, diplomacy, and homeland security. Special attention is paid to the relationship between law and policy and the role of the lawyer in effecting both. Up to 8 J.D. students may enroll in the course for three credits, and prepare a research paper that satisfies the Law Center’s upper-class Writing Requirement (WR). In addition to the final paper, students who select this option must submit an outline and a draft for comment. Both the draft and final papers must be a minimum of 6,000 words (25 pages) and must be supported by substantial independent research. Students may also enroll in the course for two credits. Students electing this option are required to prepare a term-paper approximately 4,800 words (20 pages) on an approved topic.
Recommended: Other national security law courses offered at the Law Center; courses in Constitutional Law; International Law I.
Mutually Excluded Courses: Students may not receive credit for both this course and Challenges in National Security Law: A Seminar for Mid-Career LLMs.
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.
Note: This course will be enrolled via waitlist.
LAW 2050 v00 Managing Political Risk in Emerging Market Project Financings (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202050%20v00)
J.D. Course (cross-listed) | 2 credit hours
The course examines concepts of political risk and the means by which certain political risks can be managed in planning and structuring foreign investments, particularly in international project financings. Classes will be a combination of lecture and guided discussion based on assigned readings. The readings include articles about the issues and related subjects, examples of political risk insurance contracts used by a national government agency, a multinational institution and private insurers, as well as decisions on claims made under political risk insurance contracts. The opportunity to analyze and revise original contract documents will be an additional and more general benefit of the course. The variety of source material will expose students to the public policy issues that underlie the decision to issue such insurance and the consequences of doing so. Some incidental coverage of insurance law, international law, and dispute resolution will also be required.

In addition to an in-class final exam, students, as counsel to an insurer, will draft a memo advising how one of the insurer’s standard contracts would have to be revised to cover a non-standard situation or provide a non-standard coverage and attempt the revision. The insurer will provide a detailed written description of the situation or coverage. Students may work as individuals or form a team (and all receive the team product’s grade).

The course will be taught jointly by Robert C. O’Sullivan, formerly Associate General Counsel for Insurance and Claims at the Overseas Private Investment Corporation (OPIC), and Kenneth W. Hansen, a partner at the law firm of Norton Rose Fullbright and formerly General Counsel of the Export-Import Bank of the United States and Associate General Counsel at OPIC.

LAW 324 v00 Maritime Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20324%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course surveys various principles and aspects of admiralty and maritime law of the United States, including: the historical and constitutional bases for its existence; the admiralty and maritime jurisdiction of the courts; the substantive law of maritime contracts and maritime torts; the application of criminal law at sea; the laws governing carriage of goods and passengers by sea; the public order of the oceans at the national and international levels; protection of the marine environment; and federal-state maritime issues. Consideration is given not only to the current state of the law in these areas, but also to related U.S. government policies and international and comparative law issues.

LAW 1618 v00 Mass Incarceration Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201618%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
This seminar examines the growth and consequences of detention centers, jails, and prisons in this age of "mass incarceration." Nearly 2.4 million Americans are behind bars, roughly one in every 100 adults, far more per crime than any industrialized nation. If we include persons on parole or probation, one adult in 23 is under correctional supervision. With cost taxpayers paying in excess of $75 billion each year and with African Americans and Latinos overrepresented in the American justice system, some scholars, advocates, and policy makers argue that mass incarceration represents one of the greatest social injustices of our time.

The seminar is designed to stimulate students to think critically about contemporary punishment practices, and the serious social and economic consequences of mass incarceration. What accounts for the growth of incarceration, including both prison and jail? What have been the effects of the prison build-up on individuals, their families, and communities? What are the public safety consequences? What happens to individuals when they attempt to reenter society and what barriers do they face? What happens to the children of incarcerated parents?

Course Goals/Student Learning Outcomes

The substantive course goals are to: (1) understand the critical issues facing the criminal justice system; (2) expand awareness of the opportunities and risks facing criminal justice reformers by the crisis of mass incarceration, and (3) identify solutions for policy makers to reduce incarceration at the federal, state, and local levels.

The skills-oriented goals are: (1) by participating in class discussions, you will hone your skills in speaking fluently and comfortably about criminal justice policy issues; (2) by writing a research paper in the course, you will sharpen your skills in policy research and writing.

By the end of the course, I hope you will gain a basic understanding of the legal, social, and policy factors that contributed to the exponential rise of America’s prison population, their consequences for U.S. law and policy, and the emerging alternative approaches to punishment that may reduce our reliance on incarceration. You will not learn every detail about America's criminal justice system, but you should grasp the nature and structure of mass incarceration and have the ability to critically assess and effectively communicate its contemporary policy issues and possible solutions.

Note: Withdrawals are permitted up until the last class for this specific course.
The Summer Session section of this course will be enrolled via waitlist. Students must be in attendance at the start of the first class session in its entirety. Failure to attend the first class session in its entirety will result in a drop. This seminar is an intensive, immersive, skills-oriented course designed to teach the practice and principles of mediation. The course will explore the mediation process from multiple perspectives, including disputants, advocates and mediators. Particular emphasis will be placed on how to be an effective advocate during the mediation process. The course is designed to allow students to develop proficiency in mediation, both from a strategic and behavioral perspective. The effect of culture, power, and individual attitudes toward conflict will be explored. The class will address practical and ethical issues which surround the use of mediation as a dispute resolution mechanism. Hybrid mediation processes and current issues in mediation will also be explored.

Students will be expected to read, write, discuss, critique and participate in simulated disputes. The simulations are designed to familiarize students with the mediation process, to determine when mediation is appropriate, to plan and prepare for a mediation, to participate effectively as both a disputant and advocate in a mediation, to overcome impasse and deal with difficult situations, and to raise practical and ethical issues. Simulations are taken from a variety of practice areas, including community, commercial, environmental, international, litigation and transactional disputes.

The class will meet one Friday afternoon and four weekend days; attendance at all class 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 (25%), the quality of the student’s 7-page journal analyzing and comparing two simulations from the class (25%), and a 14-page client mediation advocacy plan on an issue of the student’s choice (50%).

**Prerequisite:** Completion of all first year courses, except Property and Criminal Justice (or the equivalent Democracy and Coercion or Criminal Procedure), is required.

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

**Note:** ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. If a student is not able to attend the first class session, they must request to be dropped in order to remain enrolled. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course’s in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.
LAW 322 v06 Mediation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20322%20v06)
J.D. Seminar | 3 credit hours
Mediation skills have become essential for attorneys working in all areas of practice, whether in transactional or litigation settings, as clients demand cost-effective ways to resolve problems. Many courts require litigants to attempt resolution prior to trial. In this skills-building course, you will develop an in-depth knowledge of the practice and principles of mediation. Emphasis is on learning the skills used by mediators, but also on becoming an effective advocate for a party in mediation. Students will experience the roles of mediator, counsel, and party in various simulations. Special focus is placed on planning for a mediation, for mediators and attorneys/clients, with takeaway materials to use in practice after law school. Several simulations will devote enough time to practice these skills in a full mediation. Various videos and demonstrations will further illustrate the principles. Emphasis will be placed on the ethical rules and guidelines that bind the mediator and advocate.

Class sessions will be devoted to a combination of lectures, preparation for and participation in mediation simulations, discussions, and videotaped mediation topics. Grades will be based on: (1) the quality of class participation (25%); (2) planning documents and short written assignments (30%); and (3) a 10-12 page final paper evaluating a mediation scenario (45%). Students will be graded on their planning, but not on the outcomes of the mediation simulations.

Due to the extensive use of exercises in which students must participate, class attendance is ESSENTIAL. Only one absence per semester will be permitted. A second absence will require completion of a significant make-up assignment. A third absence will result in failing the course. Class size is limited to 18 students.

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

- Develop an in-depth knowledge of the practice and principles of mediation
- Recognize the settings in which it is appropriate to use mediation (litigation, transactional, etc), and what type of mediator (and mediator styles) is appropriate
- Explain the benefits of the process of mediation and its differences from other forms of alternative dispute resolution
- Learn negotiation skills necessary in mediation
- Master the principles and benefits of interest-based bargaining
- Acquire proficiency in necessary communication skills
- Demonstrate the skills of a mediator, including in co-mediation
- Learn to identify each party's interests, creating value to meet them, and alternatives if mediation is unsuccessful
- Prepare a client to participate in mediation and to understand the differences between the client's role in mediation vs litigation
- Become an effective advocate as a lawyer negotiating on behalf of a client
- Understand the effect of cultural considerations in mediation
- Recognize and handle confidentiality issues in mediation
- Identify and adhere to the ethical rules and guidelines for mediators and for advocates in mediation
- Understand court-ordered and court-annexed mediation

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

Strongly Recommended: Negotiations Seminar.

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

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University's community. **You must be able to attend the class at 9am Eastern Time**.
LAW 275 v01 Medical Judgment, Morals, and Law Seminar

J.D. Seminar (cross-listed) | 3 credit hours
"Into each house I go," the Hippocratic Oath promises, “I shall go only for the good of my patients." We think of doctors as devoted to their patients' well-being, but they increasingly serve social and legal purposes. To control medical costs, physicians ration care, often unbeknownst to their patients. To protect us from foreign enemies, doctors wage war, designing and overseeing the interrogation of terror suspects. When threats to public health loom, physicians make clinical decisions that protect society at their patients’ expense. In our criminal and civil justice systems, medical judgment answers moral and legal questions about the scope of personal responsibility, the reach of civil rights law, and more. And in our politics, medical opinion both masks and imposes moral and cultural beliefs. This Seminar will explore medicine’s myriad social and legal roles, with an eye toward conflict between these roles and physicians’ traditional commitment to their patients’ interests.

LAW 1426 v00 Medical Malpractice Seminar

J.D. Seminar (cross-listed) | 2 credit hours
This seminar covers the doctrinal and empirical literature on medical malpractice and tort reform. We will cover physician and institutional liability, health care quality and medical error, the economics of litigating medical malpractice cases, the causes of malpractice crisis, and the effect of the reforms that have resulted (and been proposed).

LAW 1382 v01 Medical-Legal Partnership: A Collaborative Approach to Health Justice

J.D. Seminar (cross-listed) | 2 credit hours
Medical-Legal Partnership (MLP) is a health care delivery model that recognizes that some barriers to good health have legal remedies. In an MLP, doctors and other healthcare professionals work with lawyers to improve the health and lives of vulnerable populations in a way that neither medicine nor law alone. Thus, for example, the child with asthma who lives in substandard housing may respond more effectively to treatment if her pediatrician and lawyer work together to force her landlord to address the mold, rodent, and roach issues that exacerbate her condition. Beyond direct legal services, MLPs also build institutional capacity to address unmet legal needs and advocate for changes to laws, regulations, practices and policies that impact health.

Using readings, discussion, guest lecturers, community-based work in D.C., and case simulations, we will explore:

• social determinants of health and health disparities, as well as the connections between poverty, health, and law.
• barriers to health faced by specific types of populations/disease groups and how law can reduce those barriers.
• how interdisciplinary collaboration can help lawyers more effectively address legal issues that affect health.

As part of this class you will be involved in projects designed to support the establishment of an MLP at Georgetown. The latter part of the semester will also include joint classes with first-year Georgetown medical students enrolled in a medical school “selective” on MLP. Travel to main campus for those classes will be provided, timing and details will be arranged at the start of the semester. Students will be evaluated based on the quality of their class participation, several short written assignments, and their MLP project. There is no end-of-semester exam.

Required Text
TBA
**LAW 1469 v00 Merger Antitrust Law** ([Link](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201469%20v00))

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

This is a course on identifying and resolving antitrust problems that arise in mergers and acquisitions. Using case studies of contemporary transactions ranging from simple negotiated acquisitions to hard-fought contested takeovers, we will examine anticipating antitrust problems and identifying possible defenses and solutions at the early stage of a deal when information is typically scare, performing more detailed analyses when more information becomes available, organizing the prosecution/defense of a transaction, navigating the DOJ/FTC merger review process, anticipating and structuring consent decree settlements, litigating merger antitrust cases, and negotiating provisions in merger agreements to allocate antitrust risk between the parties. The case studies will include such recent high-profile transactions as Hertz/Avis Budget/Dollar Thrifty, Halliburton/Baker Hughes, Staples/Office Depot, American Airlines/USAir, Comcast/NBCUniversal, Anheuser-Busch InBev/Grupo Modelo, Anthem/Cigna, and Nielsen/Arbitron. The course will be sufficiently self-contained for students interested in business combinations who have not taken an antitrust course. There will be several short graded assignments throughout the course and a three-hour, open book, take-home examination at the end of the course.

**Learning Objectives:**

By the end of the course, a diligent student should be able to do the following:

1. Perform a preliminary merger analysis, spotting at a high-level both potential substantive issues and possible remedies, in common transaction scenarios involving public companies given only publicly available facts.

2. Describe the merger review process from the filing of an HSR premerger notification report through a preliminary investigation, second request investigation, and final arguments to the heads of the investigating agency. If the agency concludes that the deal has antitrust problems, be able to describe the process for negotiating consent decree relief.

3. Understand the major theories of antitrust harm that apply to mergers and acquisitions and the major types of defenses available to the merging parties and be able to apply them to an arbitrary transaction.

4. Structure a merger antitrust challenge (as the investigating staff) and a merger antitrust defense (as defense counsel) before the decision-making officials at the DOJ and FTC.

5. Anticipate and structure a consent decree remedy minimally satisfactory to the DOJ and FTC in light of their expressed concerns about a transaction.

6. Describe the basic considerations and timing implications of litigating a merger antitrust case, the standards for granting preliminary and permanent injunctive relief, what the government and the merging parties each must show to prevail, and the allocation of the burden of proof (both persuasion and going forward) between the two sides, and the strategic and tactical implications of these factors to the prosecution and defense of a merger antitrust case in court.

7. Describe the legal and strategic significance of the antitrust-relation provisions in an Agreement and Plan of Merger (e.g., reps and warranties on antitrust-related consents and approvals, merger control and litigation conditions precedents, general efforts covenants, conduct of business covenants, merger control filing covenants, investigation and litigation cooperation covenants, shift-shifting covenants (including covenants to divest businesses or assets if necessary to avoid an agency challenge or settle a litigation), antitrust reverse termination fees, purchase price

**LAW 434 v02 Mergers and Acquisitions** ([Link](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20434%20v02))

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

This course draws on legal principles and financial economics to understand mergers and acquisitions. The class will cover incentives for deals and constraints on them arising from both law and economic factors. Valuation and judicial review of defensive tactics, for example, are included in the topics to be studied. Individual and team assignments may be included as part of the class.

**Prerequisite:** Corporations.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Takeovers, Mergers, and Acquisitions.
LAW 1145 v00 Mergers and Acquisitions in Practice: Advising the Board of Directors
This intensive one-credit course will take six students through a fast-paced, real-life M&A situation over the course of a single weekend.
Past years have had students represent a hypothetical client that has received an unsolicited takeover, or represent a company in the final days of a public company sale transaction. Students will be informed of the scenario a few days in advance, and provided with the relevant background materials, in order to be ready for the weekend. The students will play the role of associates in a firm that is the outside counsel to the company that is the subject of the scenario. The goal of the course is to simulate through this hypothetical M&A scenario, the legal and practical skills needed to guide a client’s strategic and tactical business decisions in a real-life M&A situation.

This course will be highly interactive. Working in teams and individually over the weekend, the students will finalize legal documents and prepare and deliver presentation materials to the company’s Board of Directors. They will also brief the Board on its fiduciary duties under Delaware law in the context of the scenario, and review the relevant agreements with the Board. The course will begin on Friday evening and continue throughout the course of the weekend, culminating in a simulated Board meeting on Sunday. The students will be allocated tasks throughout the weekend as they would in a real life/real time private practice situation. The students will work with a practicing M&A lawyer from an international New York City firm as the “partner” on the matter who will give out assignments, review written material, and otherwise coordinate the team.

Note that the class will require work to be done Friday evening after the in-class portion concludes at 7:00 p.m.

Prerequisite: Corporations.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students. Note: Students should be prepared to dedicate a significant amount of time to this class over the course of the weekend outside of the scheduled class hours.

LAW 1145 v01 Mergers and Acquisitions in Practice: Advising the Board of Directors
This intensive one-credit course will take ten students through a fast-paced, real-life M&A situation over the course of a single weekend. We will have one class meeting in advance of the simulation to review relevant case law, acquisition structures and the fact pattern. Past years have had students represent a company in the final days of a public company sale transaction. Students will be informed of the scenario a few days in advance, and provided with the relevant background materials, in order to be ready for the weekend. The students will play the role of associates in a firm that is the outside counsel to the company that is the subject of the scenario. The goal of the course is to simulate through this hypothetical M&A scenario, the legal skills needed to guide a client’s strategic and tactical business decisions in a real-life M&A situation.

This course will be highly interactive. Working in teams and individually over the weekend, the students will finalize legal documents and prepare and deliver presentation materials to the company’s Board of Directors. They will also brief the Board on its fiduciary duties under Delaware law in the context of the scenario. The course will culminate in a simulated Board meeting on Sunday. The students will be allocated tasks throughout the weekend as they would in a real life/real time private practice situation. The students will work with a practicing M&A lawyer from an international New York City firm as the “partner” on the matter who will give out assignments, review written material, and otherwise coordinate the team.

Learning Objectives:
We strive to create a real world experience of the last 48 hours leading up to the final board meeting to approve a transaction. The students will learn the cadence of a transaction, manage multiple work streams and gain valuable experience in how to guide a board of directors in the decision making process.

Prerequisite: Corporations.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students. Note: Students should be prepared to dedicate a significant amount of time to this class over the course of the weekend outside of the scheduled class hours.
LAW 1145 v02 Mergers and Acquisitions in Practice: Advising the Board of Directors (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201145%20v02)
J.D. Seminar | 1 credit hour
This intensive one-credit course will take ten students through a fast-paced, real-life M&A situation over the course of a single weekend. Past years have had students represent a company in the final days of a public company sale transaction. Students will be informed of the scenario a few days in advance, and provided with the relevant background materials, in order to be ready for the weekend. The students will play the role of associates in a firm that is the outside counsel to the company that is the subject of the scenario. The goal of the course is to simulate through this hypothetical M&A scenario, the legal skills needed to guide a client’s strategic and tactical business decisions in a real-life M&A situation.

This course will be highly interactive. Working in teams and individually over the weekend, the students will finalize legal documents and prepare and deliver presentation materials to the company’s Board of Directors. They will also brief the Board on its fiduciary duties under Delaware law in the context of the scenario. The course will begin on Friday evening and continue throughout the course of the weekend, culminating in a simulated Board meeting on Sunday. The students will be allocated tasks throughout the weekend as they would in a real life/real time private practice situation. The students will work with a practicing M&A lawyer from an international New York City firm as the “partner” on the matter who will give out assignments, review written material, and otherwise coordinate the team.

Learning Objectives:

We strive to create a real world experience of the last 48 hours leading up to the final board meeting to approve a transaction. The students will learn the cadence of a transaction, manage multiple work streams and gain valuable experience in how to guide a board of directors in the decision making process.

Prerequisite: Corporations.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students. Note: Students should be prepared for several hours of outside the classroom work on Friday evening following the class session to prepare draft agreements for Saturday morning negotiations. Students will be required to draft and revise transaction agreements, negotiate agreements with practicing attorneys, create a board package and present to a board of directors comprised of investment banking professionals, general counsels and law firm partners. Students should be prepared to dedicate a significant amount of time to this class over the course of the weekend outside of the scheduled class hours.

LAW 1317 v00 Military, Veterans and Society (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201317%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 professor.

SEMINAR: Through this practicum, students will learn the Constitutional and statutory underpinnings for the U.S. military personnel system and veterans affairs system. Students will also be exposed to background materials which explain the illustration of these systems. Students in this practicum will also gain experience and expertise in policy analysis, including legal analysis, policy and programming analysis, cost analysis, and political analysis. For most weeks of the course, we will conduct a "deep dive" into one substantive issue or framework issue for the community. The objective of this course is to train students to prepare policy analyses and/or draft legislation focused on veterans and military personnel policy, with the course objective being a written policy analysis or legal analysis, delivered to the seminar with an oral briefing.

PROJECT WORK: Students will work with the professor to develop or support a policy analysis paper, draft legislative proposal, or research contribution that relates to contemporary research on veterans and military personnel issues. Students will select a project within the scope of veterans and military personnel policy (such as by writing a detailed analysis of that issue/bill, complete with detailed recommendations tied to their analysis of the issue). An illustrative example might be veterans' access to care issues, which a student could analyze in the context of available VA population data and expenditures, producing a recommendation for greater use of public-private partnerships and purchased care, accompanied by draft legislation that would amend Title 38, U.S. Code, to enable this recommendation. Another example (from a past class) could be a quantitative and qualitative analysis of military appeals court rulings on the issue of "unlawful command influence" and implications for policymakers and commanders seeking to address sexual assault in the ranks. Students will work directly for Prof. Carter, who directs a research program on personnel and resources at the RAND Corporation, and will also have the opportunity to engage with other policy analysis organizations, veterans service organizations, legislative offices, and advocacy groups throughout this course.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling (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 the Office of the Registrar (lawreg@georgetown.edu) to request admission.

This practicum may be suitable for evening students who can commit to attending class and participating in 10 hours/week of project work. This is a four-credit course. Two credits will be awarded for seminar, and two credits will be awarded for approximately 10 hours of project work per week, for a minimum of 11 weeks. Both the seminar 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
LAW 3092 v00 Modern Ethics and Compliance Concepts in Business
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203092%20v00)

LL.M Seminar (cross-listed) | 1 credit hour
This course will cover the concepts and components that form the basis for an organization to implement a modern ethics and compliance program. This will use current examples on failures in organizations and discuss how an ethics and compliance program could have prevented or minimized the conduct.

By the end of the course, students should:
1) have a mastery of the basic elements of an effective compliance program (see U.S.S.G and OIG 7 elements) along with a basic understanding of how a risk-based assessment guides practitioners in building modern compliance programs; 2) have a basic knowledge of the relevant laws, regulations and guidances (including FCPA, UK Bribery Act, OECD Anti-bribery convention) that enforcement organizations, agencies and/or courts would apply to hold organizations/individuals accountable for ethics/compliance failings; 3) have a basic understanding of the tools used to help organizations implement an effective ethics and compliance program (from assessment frameworks, code of conduct, policies and procedures, to internal investigations, training approaches and hotlines, due diligence and screening tools); and 4) using real-world scenarios and case studies, gain a deeper understanding of the issues faced by modern organizations and how compliance programs are tailored to address current and emerging risks (such as data privacy concerns) and exhibit an ability to combine law, theory and tools to analyze how to mitigate ethical or compliance risk facing an organization.

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

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

LAW 1179 v01 Modern Litigation Theory and Practice Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201179%20v01)

J.D. Seminar | 3 credit hours
This seminar focuses on modern issues related to litigation and dispute resolution as well as the role of private enforcement in our overall system of divided government. In particular, the seminar will dedicate discussion to the doctrinal and litigation history that produced our present litigation landscape, questions of policy and theory that cut across class actions and other litigation alternatives, and questions regarding the role of private enforcement, the judiciary, and the rule of law in our system of government.

The seminar will integrate guest speakers that include some of the leading practitioners, judges, and scholars in the country.

This seminar is intended for students who wish to pursue advanced, in-depth study of our system of litigation and private enforcement. Civil Procedure (or Legal Process and Society), torts, and contracts are prerequisites.

Students will write short response papers on the readings, which—depending upon the particular reading—will be assigned either weekly or bi-weekly.

**Prerequisite:** Civil Procedure (or Legal Process and Society), Contracts and Torts.

**Mutually Excluded Courses:** Students may not receive credit for this seminar and Modern Litigation Theory and Practice Seminar.
**LAW 3053 v00 Money Managers as Fiduciaries**

LL.M Course (cross-listed) | 2 credit hours
Money Managers -- investment advisers, broker-dealers and the like -- serve an important role not only in the financial system of the United States, but also the financial operations of institutions and the financial lives of individuals. Those managers today advise institutional and individual clients (including mutual funds) having aggregate assets under management well in excess of $70 trillion globally. This course focuses on the essential legal obligations placed on money managers in providing services to their clients and prospective clients: complying with a broad variety of fiduciary duties; meeting the terms and conditions of rules adopted by regulatory agencies; and avoiding engaging in fraudulent activities.

The course begins with consideration of the concept of a fiduciary and the manner in which the concept has become imbedded in the federal securities laws applicable to money managers. The course then turns its attention to the concept of fraud as defined in, and interpreted under, those securities laws and how the concept has been employed and expanded by the Securities and Exchange Commission (“SEC”) to set standards for money managers registered under the Investment Advisers Act of 1940 (the “Advisers Act”). The Advisers Act, the Investment Company Act of 1940 (the “1940 Act”) and portions of the Employee Retirement Income Security Act of 1974, as amended (“ERISA”) will be the principal statutory provisions around which the course will be centered. A number of classes during the semester will be devoted to detailed study of rules adopted by the SEC under the Advisers Act and the 1940 Act and by the Department of Labor under ERISA. At least three class sessions during the semester will be practical in nature, designed to enable students to assume the roles of legal practitioners advising money management firms facing various factual situations involving clients of those firms.

**Note:** First class attendance is strongly encouraged for all enrolled and waitlisted students.

**LAW 1606 v00 Motherhood and the Law Seminar**

J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine society’s notions of motherhood and how various laws affect becoming and being a mother. Specific topics include laws that affect reproduction, pregnancy, leave from work following childbirth, parenting decisions, when to legally punish mothers and lastly navigating motherhood and professional identity as a lawyer. Some of the questions that will run through this course include:

1. Given the importance of caring for children, how should the law construct expectations of parenthood?
2. How does the law shape our notions of the responsibility of motherhood?
3. Is there common ground among political opponents on issues related to law and motherhood?
4. What laws should be implemented to better support mothers in the United States?

**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.
LAW 327 v01 Multi-Party Dispute Resolution Seminar: Consensus Building and Other Negotiation Processes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20327%20v01)

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

This seminar will focus on complex, multi-party disputes and the combinations of traditional processes (negotiation) and newer ones (consensus building, reg-neg) that are being used to facilitate settlements. The course will open with review of democratic and process theory from law, political science and philosophy and then turn to some basic skills training in behavioral approaches to negotiation, mediation, facilitation and other dispute resolution processes when there are multiple parties and multiple issues at stake. We will then explore several case studies taken from environmental conflicts, local governance issues, racial and ethnic conflicts, community disputes and international conflicts. We will study group and organizational behavior, coalitions, argumentation and principled bargaining, the role of law in negotiations and mediations, tensions between competition and cooperation as modes of conflict resolution, the differences between secret and public settings for negotiation, the role of power in multi-party cases and the role of different kinds and styles of conflict management and facilitation. We will discuss issues of legality, ethics and legitimacy in the use of these different approaches to conflict resolution. The course will combine reading, lectures, discussions and some role-playing and simulations. Students will write several short papers and one 15 page paper or case study analysis.

Learning goals for this course:

1. skill development in negotiation, facilitation and mediation
2. skill development in group organization, as leaders and as members

Recommended: A prior course in mediation, negotiation or ADR is desirable, but not required.

Note: The course will meet for six days of intensive sessions in Fall 2016 as follows: September 16, 17, and 18, 9:00 a.m.- 5:00 p.m., and October 28, 29, and 30, 9:00 a.m.-5:00 p.m.

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 1757 v00 Multiparty Negotiation, Groups Decision Making and Teams (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201757%20v00)

J.D. Seminar | 3 credit hours

All lawyers work in environments that present opportunities to work and negotiate with multiple parties — whether across the table, behind the table, or as colleagues on a team or in a group. This seminar explores the special challenges and complexities of multiparty negotiation, group decision-making, and working collaboratively in teams. Using simulations, large- and small-group discussion, exercises, lectures, video, and journal writing, the workshop will help students engage with various frameworks, tools, and perspectives that will enable them to become more effective and successful in multiparty settings in the future. Topics addressed will include: the differences between multilateral and bilateral negotiations, coalitional dynamics and strategy, decision rules for groups, preparation methods, process design and management, facilitation, and the role of emotions and identity, among others.

The seminar is intensive (9:00am to 5:00pm) for six session, spread over two long weekends (Friday/Saturday/Sunday), plus a time to be scheduled between the two weekends for videorecording and reviewing one negotiation). Full attendance and participation is required at all six sessions given the complexities of scheduling multiparty simulations and the condensed nature of the course.

Grades are based on the quality of student’s in-class participation, two directed journal assignments, and a 10- to 12-page final paper.

Learning Objectives:

By combining theory and practice, this seminar aims to improve your conceptual understanding of and effectiveness in multiparty negotiations, groups, and teams.

More specifically, the course goals/learning outcomes are:

1. To increase your theoretical understanding about common dynamics at play in multiparty negotiations, groups, and teams by exposing you to:
   • Various frameworks for understanding and analyzing multiparty negotiations and teams;
   • Empirical research findings on behavioral best practices;
   • A common vocabulary to enhance preparation, conduct, and review

2. To enhance your behavioral skills negotiating in multiparty contexts and working in groups and teams:
   While there is no "best" way to negotiate in all dyadic circumstances, it is even harder to offer prescriptive advice in the multiparty context. Nonetheless, you may be able to develop some general guidelines to structure your preparation for, conduct of, and review of negotiations and teams. We will offer our own best advice and encourage you to develop your own prescriptions:
   • To assess the skills you have as a negotiator;
   • To broaden your repertoire of simple, usable, and effective tools and strategies for multiparty negotiations and working in teams;
   • To allow you to practice and experiment with these skills in a low-risk, collaborative learning environment;
   • To work on bridging the gap between theory and practice

3. To increase self-awareness of yourselves as agentic actors in multiparty negotiations and teams:
   • To help you diagnose your own and others’ strengths and weaknesses in multiparty negotiations and teams
   • To help you identify your own and others’ default tendencies in such situations
   • To expand your capacity for taking on different roles in different contexts
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.

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.

Learning goals for this course:

This course is designed to be a discussion-based seminar in which we explore issues of music law and policy from both historical and forward-looking perspectives. During the course of the semester, we expect that you will:

- Gain an understanding of how the music industry is structured and how the law has impacted that structure
- Become familiar with and be able to recognize legal themes and issues that have recurred throughout the history of the music industry in the United States
- Be able to identify potential contractual and legal issues that arise when new technology is introduced for reproducing, distributing, and/or performing music
- Develop in-depth knowledge and critical analysis of a narrow area of music law or policy in connection with the paper(s) written for the course
- Enhance legal research skills by researching and critically analyzing materials relating to current legal issues in the music industry
- Learn how to produce a piece of scholarly writing (whether the longer version required for the Writing Requirement or a shorter version required for students taking the course for 2 credits)
- Gain an introductory understanding of issues that arise in negotiating contracts in the music industry
- Become comfortable raising questions and debating issues in a collegial setting
influence.

within this area such as mitigation of foreign ownership, control and maintenance of facility and personnel clearances, and special issues

Treasury and other agencies of sanctioned and listed entities; and (4)

department's regulation of "dual use" items, and the regulation by

accountable; (3) Export controls issues, including those relating to

and national security; and how the U.S. Government holds contractors

and protests; performance issues, disputes and terminations; torts

contracts issues in national security work, including contract competition

the U.S. government in the national security arena; (2) Government

focusing on: (1) Privatization and insourcing/outsourcing issues for

security capacity and capability. The course will include sections

out of the U.S. government's reliance on the private sector for its national

National Security Business Law explores important legal issues arising

regarding national security issues. We will make extensive use of case studies and problems to explore the complex legal and geopolitical questions that arise in these cases. In addition, we will track events in the news to provide real-world examples of the significance of the concepts that we will be discussing throughout the course. Case studies will involve issues like sovereign airspace management, establishment of no-fly zones, territorial disputes in the South China and East China Seas, the conflict in Ukraine, Saudi-led blockade of Qatar, U.S. Iran Sanctions, international terrorism, and forums for dispute resolution. The course aims to provide students with a practical understanding of international aviation law through an in-depth examination of how it operates in relation to national security.

Students will research and engage in class discussions on a number of problems involving international aviation and national security issues. We will make extensive use of case studies and problems to explore the complex legal and geopolitical questions that arise in these cases. In addition, we will track events in the news to provide real-world examples of the significance of the concepts that we will be discussing throughout the course. Case studies will involve issues like sovereign airspace management, establishment of no-fly zones, territorial disputes in the South China and East China Seas, the conflict in Ukraine, Saudi-led blockade of Qatar, U.S. Iran Sanctions, international terrorism, and forums for dispute resolution. The course aims to provide students with a practical understanding of international aviation law through an in-depth examination of how it operates in relation to national security.

Recommended: Public International Law, National Security Law, Administrative Law

National Security Business Law explores important legal issues arising out of the U.S. government's reliance on the private sector for its national security capacity and capability. The course will include sections focusing on: (1) Privatization and insourcing/outsourcing issues for the U.S. government in the national security arena; (2) Government contracts issues in national security work, including contract competition and protests; performance issues, disputes and terminations; torts and national security; and how the U.S. Government holds contractors accountable; (3) Export controls issues, including those relating to the State Department's regulation of defense items, the Commerce Department's regulation of "dual use" items, and the regulation by Treasury and other agencies of sanctioned and listed entities; and (4) Classified information and the private sector, including the structure of the National Information Security Program, processes for acquisition and maintenance of facility and personnel clearances, and special issues within this area such as mitigation of foreign ownership, control and influence.
LAW 1320 v00 National Security Crisis Law II (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201320%20v00)

J.D. Course | 1 credit hour
During the early part of the term, students enrolled in NSCL II will conduct research and write injects to support the NSCL I simulation. During the week-long simulation, students in NSCL II will serve on the Control Team, writing articles, press releases, and TS/SCI reports and communications. They will also take on governmental and non-governmental roles as the Control Team responds to player decision making and requests for information (RFIs) in response to emerging national security crises.
In preparation for the simulation, students also will take part in a training session on Canadian National Security Law. From Monday through Thursday students will be working intermittently on work for the simulation. On Friday (8:00 am - 6:00 pm) and Saturday (8:00 am - 4:00 pm), students will be expected to be physically present at the law school. Students will act as ambassadors to the students coming to Georgetown Law from Penn Law, as well as the Ministry of Justice in Canada, the University of Ottawa School of Law, and Osgoode School of Law. The course builds on the simulations held over the past seven years as part of the National Security Crisis Law class, which is a prerequisite for participation on the NSCL Control Team.

Prerequisite: National Security Crisis Law.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Donohue at lkdonohue@law.georgetown.edu to request permission to enroll in the course.

Note: This course is mandatory pass/fail.

LAW 849 v00 National Security Investigations and Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20849%20v00)

LL.M Seminar (cross-listed) | 2 credit hours
This seminar will address the law governing national security investigations and related litigation. Topics will include electronic surveillance (e.g., the Foreign Intelligence Surveillance Act), national security letters, mail covers, and the handling of classified information at trial (e.g., the Classified Information Procedures Act). National security law is often inaccessible, and can be particularly hard to follow when divorced from the context of historical tradition, governmental structures, and operational reality in which it functions. The seminar will aim to present the law in context, exposing students as much as possible to the real-world effects of legal standards and rules. Requirements include participation in a four-hour investigative exercise at the end of the semester, submission of two short papers during the course of the semester, and class participation.

Mutually Excluded Courses: Students may not receive credit for this course and the J.D. course, National Security Law: Investigations and Prosecutions or National Security Surveillance.

Note: Grading for this class will be based on three components, each equally weighted: class participation; two short papers; and performance during the final exercise.

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

LAW 1424 v00 National Security in Theory Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201424%20v00)

J.D. Seminar (cross-listed) | 3 credit hours
There is consensus among scholars that National Security Law as a field of study is under theorized. How does the law function in a state in which "national security" is a considerable concern? What is the nature of the "state of exception" that national security law puts into effect? How does "surveillance" of citizens transform the normal functions of the state? When is violence "Islamic"? What is the proper response to a terrorist attack?

This seminar offers students an opportunity to think about national security theoretically by reading texts that adopt critical approaches to the various issues typically discussed within this field of study. These issues include: the state of exception, surveillance, Islamic terrorism, and Drones.

Students will be required to write a paper of 6,000 words minimum (excluding footnotes) to pass the class. Students will be expected to finalize the paper topic after meeting with me by the fourth week of the semester, submit a research outline by the sixth week of the semester, a 6,000 word draft by the tenth week of the semester and the final draft on the date assigned by the registrar for final submission of seminar papers.
The course, taught by the principal founder of the field, is a comprehensive introduction, blending relevant international and national law. It begins with an overview of modern theories about the causes of war including "democratic peace," "deterrence" and "incentive theory." The course then examines the historical development of the international law of conflict management. It takes up institutional modes of conflict management, including the United Nations system and the role of the Security Council. Addressing the lawfulness of using force in international relations, i.e. jus ad bellum, the course discusses aggression, low-intensity conflict, terrorism, intervention, anticipatory defense, and "preemption." It then examines several case studies including the Indochina War, the "secret war" in Central America, the Gulf War, Kosovo, Afghanistan (the War on Terror), and the Iraq War, as well as case studies in United Nations peacekeeping and peace enforcement (including operations in Somalia, Haiti, Rwanda and the former Yugoslav republics). The course examines the norms concerning the conduct of hostilities, i.e. jus in bello, providing an overview of the protection of non-combatants and procedures for implementation and enforcement. It looks at war crimes issues, such as the Nuremberg principles, the new International Criminal Court, and the Yugoslav and Rwanda tribunals. The course briefly discusses American Security Doctrine, then turns to the general issues of strategic stability and arms control, examining nuclear, chemical and biological weapons and their effects, and arms control agreements. The course then examines the institutional framework for the control of national security, including the Authority of Congress and the president to make national security decisions, the war powers, and constitutional issues in the debate on the Anti-Ballistic Missile Treaty. The course further examines the national security process, including the national command structure, and considers the issues of secrecy, access to information, the classification system and homeland security. It reviews intelligence and counterintelligence law, and ends with a review of individual rights and accountability as they interface with national security. Individual Powerpoint modules are offered in the course segments concerning modern theory about the origins of war, jus ad bellum, terrorism, the Vietnam War, Arms Control intelligence law, individual rights vs. national security, the national security process and homeland security. The course typically invites one or more experts to meet with the class to discuss contemporary issues.

**Course Goals/Student Learning Outcomes:**

This course will provide students with exposure to the broad reach of modern national security law in the United States, and the many as-yet unresolved and knotty legal, policy, practical, and moral issues that arise as the Government strives to protect national security, while preserving the generally free and open society that most U.S. persons expect. Students will examine with a critical eye the justifications offered for, and scope of, security-based governmental actions, while considering practical alternatives and results.

The student learning outcomes will be the following:

1. Analyze current and emerging issues in national security law, and understand the policy arguments underlying the balance of ensuring security and protecting individual rights
2. Assess the justifications offered for, and scope of, security-based governmental actions
3. Examine the effects that national security measures have on individual rights of U.S. citizens and non-citizens, and on U.S. institutions, norms, and governance.

**Mutually Excluded Courses:** Students may not receive credit for this course and the graduate course by the same name.

**Note:** LL.M. STUDENTS: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Priority will be given to LL.M. students in the National Security program. Students must submit a resume/ CV and a statement of interest in the course to Professor Huntley (Todd.Huntley@law.georgetown.edu) by 5:00 p.m. on Wednesday, June 9, 2021. After the June 9 application deadline, students will be admitted into open seats on a rolling basis.
LAW 819 v01 National Security Law Through an Immigration Framework (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20819%20v01)

LL.M Seminar (cross-listed) | 3 credit hours
This course will explore the relationship between national security and immigration. The course will first provide a historical backdrop of this issue and continue with threshold national security issues that have immigration implications. Particularly, the current legal framework that surrounds this issue will be explored to include specific provisions in the Immigration and Nationality Act as well as peripheral legal issues such as material support of a terrorist organization. Other national security questions will be discussed to include protecting the borders, criminal immigration prosecutions, and population control. Lastly, this course will explore the conflict between individual rights and national security and attempt to answer the threshold question of whether it is appropriate to use immigration laws as a national security enforcement tool.

This course is oriented toward the practitioner due to the focus this course places on the legal framework and litigation strategies necessary for removing or detaining individuals who are national security threats. At the same time, we will spend time learning how to defend against the government using the immigration statutes as a national security tool. To facilitate this, students will not learn through lectures and group discussions alone, but also through examining real legal documents that have been filed in the United States District Courts and the Courts of Appeals. Students will also have the opportunity to examine a real A-file in order to practice issue spotting.

In the 3-credit version of this class, students will be required to submit a paper proposal, rough draft, and highly researched analytical paper approximately 30-35 pages in length.

Note: The 3-credit section meets the J.D. writing requirement.

Note: The J.D. section will be enrolled via waitlist.

LAW 1151 v00 National Security Lawyering Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201151%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the substantive, ethical, moral, procedural, and practical challenges of practicing national security law in the government. Government national security and foreign affairs lawyers have significant influence on operational and policy decision-making, but generally encounter fewer external checks and less oversight than lawyers in other areas. Because of threshold doctrines such as standing and political question, courts address national security legal questions relatively rarely. There are few timely, formal checks in the area of international law, which develops over time and by consensus and often lacks a direct enforcement mechanism. In addition, much of the subject matter about which national security lawyers provide advice is classified, which can limit the scrutiny of legal analysis by Congress, the press, and the public. Therefore, national security lawyers, who provide advice on what are often extremely high stakes and difficult legal issues, shoulder a great deal of responsibility to carry out their roles ethically and effectively.

The course will use case studies and hypotheticals to explore these important challenges. Students will discuss a variety of issues, including: the players and process of national security legal decision-making; flexibility, constraint, and accountability for the national security lawyer; the challenges in providing balanced advice; whether and when it is appropriate to "push the envelope" on legal advice; the impact of secrecy on legal advice and decision-making; the importance of transparency about national security legal advice and why it is so difficult; prosecution, litigation, and national security; the appropriate role of lawyers and the law in the national security policymaking process; lawyering when the law is not developed; and the challenges and responsibilities of lawyering during war and other national security crises.

Students will be graded on several short reaction papers and one longer final paper. Class discussion will also be considered in grading.

Recommended: International law and/or national security related course.

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 1402 v00 National Security Regulation**

J.D. Seminar (cross-listed) | 2 credit hours
National Security Regulation examines a cross disciplinary area of law mingling international law, constitutional law, statutory interpretation, and administrative law. Areas regulated by the Federal government because of national security concerns are frequently high stakes and high dollar. The government cares a lot about getting the “right” result, and the penalties can be enormous. Unfortunately, knowing what is “right” can be hard. The rules are arcane, formal guidance may not be public or even exist, and case law may be thin or nonexistent. The adjudication process likely involves classified information (which you may not be able to access), and you may have limited due process or appeal options. If you have a career ahead of you in corporate law, you will almost certainly run into national security regulations at some point during your career. This course is designed to help. It surveys some of the most common areas of regulatory interest, as well as some hot issues that will dictate the path of emerging technologies. Areas of law that will be examined include National Emergencies Act, International Emergency Economic Powers Act, cybersecurity, export controls, economic sanctions, and foreign investment.

**Recommended:** Administrative Law and National Security Law.

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**LAW 331 v01 Nationalisms, States, & Cultural Identities Seminar**

J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar is about the phenomena of national and cultural identity formation within states and non-state groups (ethnic, racial, regional, religious, cultural, tribal) and the roles played by law and culture in defining and distributing membership in a collective or “national” community. The course material will provide a foundation in political theories of nationalism and will focus on two different forms of contemporary nationalism: the rise of a new American and predominantly white nationalism (since the 2016 election) and a non-US example of a sovereignty or self-determination movement (such as the Catalan independence movement in Spain). Along the way we will discuss additional and alternative forms of belonging and exclusion, such as monuments and memory, statelessness and diaspora, and postcolonial and cosmopolitan forms of citizenship. This interdisciplinary and comparative seminar is geared toward better understanding how law and culture are used to divide and unify diverse populations, and exploring how democratic, heterogeneous states and communities might find common purpose.

**Note:** First class attendance is mandatory. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

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.

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**LAW 1619 v00 Natural Resources and Energy Law and Policy 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. 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.

5. The course should provide you with a context for evaluating ongoing and fast-changing legal and policy issues and controversies relating to energy and natural resources.

**Mutually Excluded Courses:** Students may not receive credit for this course and Natural Resources Law: Energy, Water and Land Resources.

**Note:** 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 course is 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 would cause significant hardship for the student. A student must formally withdraw from a practicum before the end of the third week of classes. Only students who are granted permission to withdraw will be withdrawn from 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 would cause significant hardship for the student. A student must formally withdraw from a practicum before the end of the third week of classes. Only students who are granted permission to withdraw will be withdrawn from both the seminar and project components and may not take either component separately.

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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. 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.

5. The course should provide you with a context for evaluating ongoing and fast-changing legal and policy issues and controversies relating to energy and natural resources.

**Mutually Excluded Courses:** Students may not receive credit for this course and Natural Resources Law: Energy, Water and Land Resources.

**Note:** 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 course is 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.
LAW 329 v00 Natural Resources Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20329%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course surveys the laws governing the ownership, conservation, exploitation, and preservation of renewable and non-renewable natural resources, such as wildlife, wilderness, parks, rangeland, water, minerals, and forests. The course explores the philosophical, constitutional, historical, and economic underpinnings of natural resource law as well as the role of interest groups in natural resource policy decision-making. Current issues, such as those relating to takings and federalism, are also examined.

LAW 1205 v00 Natural Resources Law: Energy, Water and Land Resources (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201205%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar addresses key elements of natural resource law, with an emphasis on energy (non-regulatory aspects), water, and land resources. Students will study the relevant statutes, case law, and underlying policies relating to these natural resources. The course is primarily domestic in its focus, but some topics and examples of international natural resources law and policy will be included. During the seminar, students will draw on pertinent and practical legislative and administrative materials. The seminar will address the development of energy resources, including coal, oil and gas, and renewable energy. Another focus of the seminar will be water resources, including the laws impacting the allocation and availability of water in the eastern and western United States, water resources and climate change adaptation, and innovative approaches to restoring ecosystems on a watershed or river basin scale. Laws relevant to federal public land management will be examined. Throughout the seminar, we will discuss the successes and failures of natural resources law and policy, the trade-offs between preservation and development, future prospects for effective resource management and conservation, and global approaches to addressing these issues. This seminar is appropriate for students who have not previously taken Natural Resources Law and also for students who have taken the course but wish to delve more deeply into the subject matter.

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

LAW 1207 v00 Negotiating a Joint Venture in China (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201207%20v00)
J.D. Seminar | 1 credit hour
Through a simulation oriented course, students will be exposed to recent economic history of the People's Republic of China, foreign direct investment law of China, and negotiating norms of US and Chinese investors. These various knowledge sets will be brought together as each participant takes on the role of either a Chinese investor or a US investor, negotiating the terms of a China-based joint venture and ultimately reporting back to their respective board of directors. In addition to the negotiations exercises, the course requires a brief quality driven paper on any number of topics relating to China as an economic actor on the world stage.

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

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

LAW 1300 v00 Negotiating a Mergers and Acquisitions Transaction (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201300%20v00)
J.D. Seminar | 2 credit hours
Through experiential, hands-on learning, this course will teach students how to negotiate transaction terms with and against “clients” and each other. Students will be divided into teams and act as lawyers representing the buyer and the seller to draft documents and actively negotiate, demonstrating the various ways in which transactions may progress. Transactions will be based on real life examples and actual transactions from the news will be used as teaching tools. Guests may be invited to join particular classes in order to provide deeper analysis of legal issues in areas such as tax, labor and employment, employee benefits, environmental, real estate, antitrust, FCPA, and intellectual property, tailored to the students’ interests. These guests may play the roles of executives at hypothetical clients, bringing changing facts and positions to a negotiation that must be addressed “on the fly” as in a real life. By the end of this class, students will be able to compare and contrast the different styles and documents used in real life transactions, understand and draft M&A transaction documents, and learn successful negotiating skills. The goal is to expose students to everything they would see in their first six (6) months of private practice as a transactional attorney.

Prerequisite: Contracts or Bargain, Exchange, and Liability.

Recommended: Corporations; prior or concurrent enrollment in Mergers & Acquisitions.
This seminar will focus on negotiation and mediation theory and practice as applied in a variety of legal settings. Students will study multidisciplinary 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 remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.
LAW 1482 v01 Negotiations and Mediation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201482%20v01)

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

All lawyers, irrespective of their specialty, must negotiate. This intensive, interactive seminar will explore the theoretical and practical aspects of negotiating and mediating transactions and disputes in our legal system. The goal is to improve students' understanding of negotiation and mediation as well as their ability to negotiate effectively.

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. 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 v15 Negotiations and Mediation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v15)

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

All lawyers, irrespective of their specialty, must negotiate. This intensive, interactive seminar will explore the theoretical and practical aspects of negotiating and mediating transactions and disputes in our legal system. The goal is to improve students' understanding of negotiation and mediation as well as their ability to negotiate effectively.

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.

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. 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.

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/.

There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.
LAW 317 v27 Negotiations and Mediation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v27)
J.D. Seminar | 3 credit hours
The Negotiations and Mediation Seminar is an intensive, skills-based class that emphasizes the ability to think and write analytically about negotiation and mediation. Readings and class discussions will provide students with a theoretical framework to prepare, conduct, and review negotiations and several strategies to enhance their abilities as negotiators and mediators. The seminar utilizes simulations, instructional readings, and in-class discussions to provide a comprehensive approach to negotiating and mediating in a range of sectors. The interactive nature of this class provides participants with an opportunity to work closely with each other and with the instructors.

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

Note: In Fall 2016, this seminar will meet for six days of intensive sessions on the following dates: 9/23, 9/24, 9/25, 11/11, 11/12, and 11/13.

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.

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. Any absence or lateness may result in a reduced class participation score.

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

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

Recommended: Contracts, Torts, Civil Procedure.

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

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
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 of approximately three hours between the two weekend classes). The simulations are designed to familiarize students with the negotiating process, to plan and prepare for negotiations (both bi-lateral and multi-lateral), to identify and experiment with individual negotiating styles, to deal with impasse and difficult situations, and to raise ethical and practical questions. Simulations are taken from a variety of practice areas, including community, commercial, environmental, interpersonal, litigation, and transactional disputes. The effect of power, culture, and attitude toward conflict will be explored.

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

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

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

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

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. This seminar will meet for four days of intensive sessions, and one simulation between the weekend classes. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

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

LAW 317 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 negotiation preparation memo and analysis of a video recorded negotiation.

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.

- To learn from experience and from each other, so that we all keep improving:
  - To help you apply what you learn so that you can keep improving your practice:
    - To practice a cycle of Prepare Act Review;
    - To work on bridging the gap between theory and practice.

- To allow you to practice and experiment with skills;

- To enhance your skills:
  - To learn from experience and from each other, so that we all keep improving
    - Understanding others' perceptions and reactions;
    - The implicit working assumptions that underlie your behavior;
    - The importance of process (how we negotiate): its effects on the progress of negotiations and the relationship between negotiators.

- To help you apply what you learn so that you can keep improving
  - To work on bridging the gap between theory and practice.
LAW 317 v14 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20317%20v14)
J.D. Seminar (cross-listed) | 3 credit hours
This intensive, interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students’ understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the psychological and ethical dimensions of negotiations, and the importance of planning and choosing negotiation strategies.

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

Grades will be based on:

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

Learning Objectives:

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

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

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

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

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

Enrolled students will be able to add or waitlist this course beginning at 9:30 a.m. Registration for this course will be open to Evening Division students only. Students approved to withdraw will not be enrolled in the course, whichever is later. Students who drop the course must be in attendance at the start of the first class session in order to be eligible for a refund. Note for the Fall 2021 LAWJ-317-05 section: J.D. Students: materials that the Law Center purchases at the faculty’s request on behalf of enrolled students. This additional fee will be placed directly on a student’s account in early June. Students who drop the course will not be charged, but students who are approved to withdraw from the course after add/drop will not be refunded.

LAW 317 v19 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20317%20v19)
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.

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

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

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. Full attendance and participation is required at all six sessions. The schedule is a demanding one, and students who cannot firmly commit to be at all six sessions should not enroll. 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.
LAW 317 v20 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%20317%20v20)

J.D. Seminar | 3 credit hours

According to the American Bar Association's Vanishing Trial Project, 98.2% of civil cases filed in federal courts are resolved without recourse to jury verdict. Anecdotal accounts suggest a comparable statistic for the state courts. Similarly, the U.S. Sentencing Commission reports that 97.1% of criminal cases are resolved through the plea bargaining process. The empirical data underscores the importance of learning to negotiate within the context of litigation and its principal discovery devices.

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 precedential value trump the experience 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 acquiescing 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 the second class session for this specific course.

Students in this course will be charged a course materials fee to cover commercial materials that the Law Center purchases at the faculty’s request on behalf of enrolled students. This additional fee will be placed directly on a student’s account in early June. Students who drop the course will not be charged, but students who are approved to withdraw from the course after add/drop will not be refunded.

LAW 317 v21 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%20317%20v21)

J.D. Seminar | 3 credit hours

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

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

Learning Objectives:

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

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

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

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

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

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course remotely. Students must follow all COVID testing protocol and follow all other safety measures. Students who want to participate in person must be in the University's Mutually Excluded Courses:

Recommended:

Prerequisite:

Complete List of J.D. Courses

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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. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. Because role-play pairings are pre-assigned and depend on the presence of all participants, all enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

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

**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-awareness 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. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

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

LAW 317 v26 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v26)
J.D. Seminar | 3 credit hours
This intensive, interactive seminar is designed to teach participants the theory and practice of effective negotiation and negotiation advocacy so that they may improve their skill in joint problem solving and joint decision making. Negotiation skills are best learned by doing, so this seminar includes numerous opportunities for participants to enact the skills, principles, and approaches learned. The simulations and activities are designed to familiarize students with the negotiating process, help them prepare for entering and conducting a formal negotiation, teach them to identify and engage in the types of informal negotiations that occur every day, allow them to experiment with various styles and techniques, and introduce a variety of practical and ethical problems that they might encounter. Simulations are derived from a range of practice areas, including interpersonal, commercial, transactional, and international disputes, among others. The effects of culture, gender, power, politics, psychology, neuroscience, and personal conflict styles will be examined. Participants will apply their negotiation skills in the real world and evaluate the results. The course will also explore the use of alternative dispute resolution and conflict management systems to break or avert impasse in negotiation and facilitate the constructive handling of conflict.

Participants will learn to negotiate by actively engaging in simulations and discussions, analyzing negotiation exercises, 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.-5:45 p.m.) and four weekend days (9:00 a.m.-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.

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 v28 Negotiations Seminar

J.D. Seminar | 3 credit hours
This intensive, interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students’ understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the psychological and ethical dimensions of negotiations, and the importance of planning and choosing negotiation strategies.

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

Grades will be based on:
- Participation in class (30%)
- Midterm Negotiation/Self-Critique Paper (1-2 pages) (20%)
- Final Paper (10-15 pages) (50%)

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

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

**Note:** NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

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

LAW 317 v29 Negotiations Seminar

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 texts will include Getting to Yes, 3d. Edition 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 video recording 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 (10 to 12 page) paper and an analysis of a video recorded negotiation.

**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;
  - Exposure to methodologies for measuring the efficacy of negotiations.

- To enhance your experience in negotiating:
  - Getting better:
    - To learn from experience and from each other, so that we all keep getting better:
      - 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;
        - Exposure to methodologies for measuring the efficacy of negotiations.

- To enhance your experience in negotiating:
  - Getting better:
    - To learn from experience and from each other, so that we all keep getting better:
      - 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;
        - Exposure to methodologies for measuring the efficacy of negotiations.
LAW 317 v30 Negotiations Seminar

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 texts will include Getting to Yes, 3d. Edition 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 video recording 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 (10 to 12 page) paper and an analysis of a video recorded negotiation.

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.

Prerequisite: Completion of all first year courses, except Property and Criminal Justice (or the equivalent Democracy and Coercion or Criminal Procedure), is required.

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

Note: This course will be enrolled via waitlist.

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

LAW 317 v50 Negotiations Seminar

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 commercial, international, environmental, interpersonal, litigation, and transactional disputes. The effect of culture, power, impasse, and attitude toward conflict will also be explored.

Students learn to negotiate by participating in simulations, group exercises, studying and discussing negotiation theory and principles, analyzing negotiation exercises, and receiving critique, including from self, peers and the professor.

The class meets over two weekends: one Friday afternoon, a full-day Saturday and Sunday, and a second weekend day two weeks later involving only a full-day on Sunday (there is no Friday or Saturday class on the second weekend). To receive credit for the class, students must participate in a virtual negotiation between the two weekends, involving approximately four hours of work outside of class (an hour of preparation, an hour of work with a partner, the negotiation itself and a write-up of the results). Attendance at all sessions as well as participation in the virtual negotiation outside of class time is required to fulfill class requirements and students must attend the first class to be enrolled. Grades will be based on class participation (including the virtual negotiation), the quality of a 7-page journal on two class simulations of the student’s choice (including analysis, application of theory and principles, self-reflection, style, and organization), and a 13-page formal Client Negotiation Advocacy Memo on a topic of the student’s choice demonstrating the student’s ability to apply to a real-life scenario the concepts, practices and principles presented in the class.

Prerequisite: Completion of all first year courses, except Property and Criminal Justice (or the equivalent Democracy and Coercion or Criminal Procedure), is required.

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

Note: This course will be enrolled via waitlist.
LAW 317 v53 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v53)
J.D. Seminar | 3 credit hours
This course will introduce the frameworks and tools critical for effective negotiation. The pedagogy is primarily experiential and interactive. In this course, we will learn from one another. Most class sessions will consist of a brief lecture followed by hands-on simulations, exercises, and group discussions. We will cover myriad topics including but not limited to -- value creation, value distribution, principal-agent tension, dealing with difficult tactics, advanced listening, and facilitating difficult conversations. Critical to success in this course is intentional engagement and robust self-reflection: students rigorously review their performance through in-class discussions, out-of-class journaling, and peer-to-peer feedback. The capstone project will be a final paper.

The seminar is intensive. Full attendance and participation is required at all six sessions.

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

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

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

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

LAW 626 v00 New Deal Legal History Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20626%20v00)
J.D. Seminar | 3 credit hours
The deep recession that commenced in 2007 encouraged many in the United States to look to the past for insight on how the American legal order should respond to severe economic dislocation. Many turned to the first two presidential administrations of Franklin D. Roosevelt. For many years, the New Deal had been Old Hat, reviled by conservatives for its statist excesses and deplored by reformers for its bureaucratic rigidities. Suddenly, the Roosevelt administration’s seemed to speak directly to the present. Then, in November 2016, the election of Donald Trump suddenly provided a new, less flattering perspective on Roosevelt, from which his impatience with legal and constitutional proprieties and his ability to galvanize public opinion through a relatively new medium (radio in FDR’s case; Twitter in Trump’s) suggested disturbing parallels.

This seminar takes up many legal developments from the years 1933-1941: the creation of new federal programs of social insurance, regulation, and public investment; the blazing, by a generation of young law graduates, of a new path into the profession through what had previously been considered a wasteland of government employment; the birth of modern administrative law; a reorientation of judicial activism from the defense of free markets and private property to the safeguarding of civil rights and civil liberties; and a great duel between President Roosevelt and Chief Justice Charles Evans Hughes, known to history as the “Court-packing” plan of 1937. Over the course of the semester, students will read nine historical monographs as well as articles and book chapters. They will write a Review Essay that evaluates one of the books assigned in the course. Most importantly, they will write a research paper that fulfills the Upperclass Legal Writing Requirement. Class meetings will be devoted to lectures, discussions of the assigned readings, progress reports on students’ research and writing, and a concluding, roundtable discussion of the first drafts.

**Note:** Non-degree students must seek professor permission to enroll in this seminar. Please contact Professor Ernst at ernst@law.georgetown.edu to request permission.

LAW 1649 v00 Non-Profit Organizations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201649%20v00)
J.D. Course | 3 credit hours
Advocacy organizations are key players in modern political debate. Many GULC students will go on to work for, with, or against a variety of advocacy groups in their careers. At the same time, traditional charitable entities such as hospitals, churches, and schools make up nearly 1/6 of the U.S. economy. This course addresses the rules of the road for both advocacy groups and charities: how they function, how law empowers and constrains them, how they get and manage their money. In-class exam. No prerequisites.

**Mutually Excluded Courses:** Students cannot receive credit for this course and Non-Profit Organizations Seminar.
Complete List of J.D. Courses

LAW 326 v00 Non-Profit Organizations Seminar
J.D. Seminar | 2 credit hours
This seminar examines the nature, formation, classification, and governance of non-profit organizations under state and federal law. Emphasis is on tax exemption and unrelated business income; powers and duties of officers and directors; tort liabilities of members, agents, officers and directors; legal issues in fiscal management; antitrust implications; and joint ventures with for-profit corporations. Issues that receive special treatment include: lobbying and political activities; First Amendment religion, speech, and association issues; and liabilities for "public interest" service providers. This seminar includes a general overview of tax considerations for non-profit organizations, but not in depth; tax matters are covered in depth in Tax Treatment of Charities and Other Nonprofit Organizations, which is offered in the Graduate Program.

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

LAW 755 v00 Nuclear Non-Proliferation Law & Policy
LL.M Course (cross-listed) | 2 credit hours
This course will provide students with an understanding of the current matrix of nuclear non-proliferation treaties, multilateral arrangements, laws, regulations, initiatives, proposals, and organizations that aim to halt the spread of nuclear weapons and prevent nuclear terrorism. The goal is to examine the full array of tools employed by the United States to address nuclear proliferation, as well as how the Executive Branch brings these tools to bear through the inter-agency process and its joint efforts with Congress and international partners. Virtually every element of the nonproliferation toolbox was deployed to address the nuclear programs of Iran and North Korea, so considerable time will be spent examining these critical cases. We will also examine how the nuclear programs of India and Iraq shook and ultimately altered the nonproliferation regime. Throughout the course, we will consider nonproliferation efforts in the context of great power strategies, alliance obligations, and regional rivalries, on how these factors influence the decision-making of proliferating countries and countries seeking to prevent proliferation. A continuing theme in the course will be the evolution of nonproliferation tools over time and the role of and lawyers in that evolution.

LAW 2099 v00 Nutrition Law and Policy
LL.M Seminar (cross-listed) | 2 credit hours
Proper nutrition is one of the many contributor's to overall health and could be one of the most cost-effective approaches to address many of societal, environmental and economic challenges facing the world today. Increasingly, law and policy has been recognized as a high-impact and robust approach for accelerating progress toward reducing and managing nutrition-related chronic diseases such as obesity, cardiovascular disease, type 2 diabetes mellitus and certain types of cancer. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws and policies, and set funding priorities designed to address food insecurity, hunger, obesity prevention, chronic diseases, among other health and well-being concerns. This course focuses on policies, programs and practices across the globe—at the national, tribal, state and local levels—that improve or hinder healthy eating. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory and judicial aspects. Topics and themes include dietary guidance, food and nutrition assistance programs, food and nutrition labeling, and other environmental and policy strategies to improve access to healthier foods and beverages.

Recommended: Constitutional Law, Property, Contracts, Torts, as well as Food and Drug Law, Introduction to Health Law, and Land Use and Planning.

LAW 2099 v00 Nutrition Law and Policy
LL.M Seminar (cross-listed) | 2 credit hours
This course provides students with an understanding of the current matrix of nuclear non-proliferation treaties, multilateral arrangements, laws, regulations, initiatives, proposals, and organizations that aim to halt the spread of nuclear weapons and prevent nuclear terrorism. The goal is to examine the full array of tools employed by the United States to address nuclear proliferation, as well as how the Executive Branch brings these tools to bear through the inter-agency process and its joint efforts with Congress and international partners. Virtually every element of the nonproliferation toolbox was deployed to address the nuclear programs of Iran and North Korea, so considerable time will be spent examining these critical cases. We will also examine how the nuclear programs of India and Iraq shook and ultimately altered the nonproliferation regime. Throughout the course, we will consider nonproliferation efforts in the context of great power strategies, alliance obligations, and regional rivalries, on how these factors influence the decision-making of proliferating countries and countries seeking to prevent proliferation. A continuing theme in the course will be the evolution of nonproliferation tools over time and the role of and lawyers in that evolution.

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

LAW 755 v00 Nuclear Non-Proliferation Law & Policy
LL.M Course (cross-listed) | 2 credit hours
Proper nutrition is one of the many contributor's to overall health and could be one of the most cost-effective approaches to address many of societal, environmental and economic challenges facing the world today. Increasingly, law and policy has been recognized as a high-impact and robust approach for accelerating progress toward reducing and managing nutrition-related chronic diseases such as obesity, cardiovascular disease, type 2 diabetes mellitus and certain types of cancer. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws and policies, and set funding priorities designed to address food insecurity, hunger, obesity prevention, chronic diseases, among other health and well-being concerns. This course focuses on policies, programs and practices across the globe—at the national, tribal, state and local levels—that improve or hinder healthy eating. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory and judicial aspects. Topics and themes include dietary guidance, food and nutrition assistance programs, food and nutrition labeling, and other environmental and policy strategies to improve access to healthier foods and beverages.

Student Learning Goals:
- Identify key law and policy approaches used across the globe that have been used or have the potential to improve or hinder healthy eating;
- Discuss and debate the historical and contemporary legislative, regulatory and judicial aspects of the key nutrition law and policy approaches during collaborative in-class exercises; and
- Execute analytical and strategic planning for developing, implementing, evaluating, and sustaining a nutrition law and policy approach during in-class exercises and as part of the mid-term and final projects.

Recommended: Constitutional Law, Property, Contracts, Torts, as well as Food and Drug Law, Introduction to Health Law, and Land Use and Planning.
LAW 1209 v01 O'Neill Institute Practicum: Health and Human Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201209%20v01) (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 give students the opportunity to work with Georgetown Law’s O’Neill Institute (http://www.law.georgetown.edu/onellinstitute/index.cfm) and its civil society partners to use international human rights law to advocate for positive health outcomes. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

SEMINAR: In the seminar, students will explore the connections between global health and human rights. We begin by examining the emergence of health and human rights as a distinct field. Following this, we will carefully consider the meaning of the international right to health, stressing the material differences between civil and political rights, on the one hand, and economic, social, and cultural rights on the other. After exploring a series of foundational themes and issues through the first half of the semester, the remainder of the class will focus on in-depth case studies (e.g., HIV/AIDS, mental health, access to essential medicines, reproductive rights). While we will use the International Covenants on Economic, Social and Cultural Rights, and on Civil and Political Rights as the dominant legal instruments in our analyses, our discussions will also reference other international instruments, as well as a variety of national cases, constitutions and legislation. Class time will be devoted to developing practical advocacy and drafting skills to support students in their project work. Students will also learn how to use epidemiological data to support and craft compelling arguments for advancing the right to health.

PROJECT WORK: Students will work with external partners of Georgetown Law’s O’Neill Institute on legal and policy projects related to health and human rights. For example, students may draft alternative reports to UN bodies analyzing compliance with human rights obligations related to tobacco control (e.g., “shadow reports”). A report such as this could analyze the prevailing legal frameworks for ensuring universal access to maternal health services in a particular country and highlight any weaknesses in the statutory and regulatory language. A report such as this would also suggest recommendations for the UN body to consider. By working with the O’Neill Institute, Inter-Governmental Organizations (e.g., PAHO), and civil society organizations, the course will give students the opportunity to use international human rights law to advocate for legal mechanisms to address critical health challenges.

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.

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules.

This is a four-credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be graded.

LAW 1209 v02 O’Neill Institute Practicum: Regulating Alcohol, Tobacco & Food in International and Comparative Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201209%20v02) (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 course explores the challenges and opportunities of using law to address risk factors that contribute to the rising prevalence of NCDs, such as unhealthy diets, tobacco use, and alcohol consumption. By taking an international and comparative approach, it navigates the theory behind the regulation of risk factors to NCDs in relation to concrete examples from around the world, with a particular emphasis on Latin America, where considerable progress has happened in recent years. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

SEMINAR: In every class, students will learn substantive content and develop lawyering skills, leading to a comprehensive understanding of the role of law in relation to risk factors to NCDs, including in policy, advocacy, and litigation. Specifically, students will be introduced to NCDs (definition, risk factors, and global burden); understand the role of corporations as drivers of NCDs; learn about regulations to address NCDs, such as pricing and taxation, labelling and packaging, and restrictions to marketing and advertising; and explore the strengths and weaknesses of regulatory, advocacy, and litigation approaches to NCDs. In navigating these topics, students will develop a set of lawyering skills, including generating and using evidence, monitoring policy, building coalitions, conducting scenario-planning, engaging decision-makers, segmenting audiences, and framing arguments.

PROJECT WORK: On the experiential/field-work side, students will work with external partners of the O’Neill Institute for National and Global Health Law (and the newly created Global Center for Legal Innovation Food Environments) on legal and policy projects related to NCDs and the law. For example, students may draft alternative reports to UN bodies analyzing compliance with human rights obligations related to unhealthy diets, tobacco use, or alcohol consumption (e.g., “shadow reports”). Such a report could analyze the prevailing legal frameworks in a particular country and highlight strengths and weaknesses in the statutory and regulatory language. By working with the O’Neill Institute and civil society organizations, the course gives students the opportunity to use law to address critical health challenges.

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 the Office of the Registrar (lawreg@georgetown.edu) to request admission.

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar 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 Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum course.
This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Withdrawals are permitted up until the last class for this specific course. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

This course will focus on the legal, public health and medical challenges presented by the ongoing SARS-CoV-2/COVID19 pandemic 2019-2021 and the ongoing Ebola epidemics in the DRCongo within the "One Health" paradigm—an integrated 3-part framework that takes into account the health of humans, animals, and the environment.

The course will address the legal response to epidemic disease, focusing particularly on the World Health Organization’s International Health Regulations (IHR) and WHO Public Health Emergency of International Concern (PHEIC) emergency committee advice and decisions by the WHO Director-General 2009-2020 e.g., for COVID-19, Ebola, Zika, MERS, Yellow Fever, polio, pandemic influenza, and more. Prof. Hougendobler has direct experience with WHO from having worked at their headquarters in Geneva for four years.

Prof. Lucey will provide his personal perspective based on on-the-ground work in responding to Ebola, COVID-19, Zika, MERS, SARS Flu, Plague, and more. This work overseas led to his proposal in 2014 to create an Exhibition on Global Epidemics at the Smithsonian Museum of National History. It opened in 2018 and has been extended to 2022 to add COVID-19. The class will include a virtual tour.

This 2021 online course will still be discussion-focused. Online readings, videos, interactive lectures, and classroom outbreak simulation ("tabletop") exercises. During these exercises students will be given a fact pattern and assigned a role (e.g., the WHO Director-General, US Centers for Diseases Control and Prevention (CDC) officials, NGOs, etc.) and asked to negotiate with others and come to resolution.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

No area of the law arouses more controversy than state regulation of the family. This course examines the law of parent-child relations with a focus on constitutional concerns. What, constitutionally speaking, is a family? What is the source of parental authority? What rights do parents enjoy to direct the educational and religious upbringing of their children? What are the limits on such rights? Do children hold rights of their own? Should they? What is the scope of the state’s authority to protect children? We will look at how these questions (and many more) have been answered historically (with some surprising discoveries) as well as the current state of the law, and we will consider what future might await the evolving family. The shifting “settlement” of individual, family, and state interests will lead us to a rich universe of topics and to broader philosophical considerations (questions about the nature of individual and group rights, identity and assimilation, the proper boundaries of civic discourse, etc.)—and a host of questions that are intensely personal and problematic.

Note: This course will be enrolled via waitlist.

This seminar will teach you the mechanics, strategy, and process of filing, briefing, and arguing a patent appeal before the United States Court of Appeals for the Federal Circuit, from the initial notice of appeal through requests for rehearing. We will also provide an in-depth look at the Court, common issues that arise during appeals, and best practices for crafting effective briefs and presenting oral argument. In lieu of an exam, each student will write an appellate brief and present an oral argument before a panel of appellate judges and/or practitioners, for an invaluable hands-on opportunity to practice the skills and theories we discuss. As part of the process, we will meet with you one-on-one to provide feedback on your draft briefs, which will total between 6,500 and 7,500 words and are intended to fulfill the upper-level writing requirement.

Prerequisite: Patent Law; Civil Procedure or Legal Process and Society.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1665 v00 Patent Enforcement in Europe: Practice and Strategy
J.D. Course (cross-listed) | 1 credit hour
Many of the high profile patent cases conducted in Germany concerned European Patents held by US companies (e.g. Qualcomm vs. Apple, Microsoft vs. Google/Motorola, Eli Lilly vs. Ratiopharm, Stada et al.). It is standard procedure for US companies to litigate their European Patents in Germany as the most important venue for patent infringement lawsuits in Europe.

This course is designed to help students advise US clients when they consider filing patent infringement lawsuits in Europe or when they have to defend against allegations of patent infringement on German territory. At the end of the course, students will have acquired a basic understanding of patent litigation in Europe. This course provides an opportunity for students to understand all phases of a patent trial in Germany and before the Unified Patent Court (UPC). It combines elements of lecture and case studies, whereby the focus is laid on case studies.

Initially the course will provide an introduction to the principles of European patent law. A focus will be placed on patent infringement and nullity proceedings regarding European Patents in Germany. Especially the implications of the German bifurcation principle will be explored.

In the second part, the course will conduct an in-depth case study of a recent patent infringement casework which has been tried in Germany. The strategies of German attorneys both in the first instance and on appeal level will be explored. The case study will focus on the strategies of German attorneys acting on behalf of patent holders and/or patent infringers. Issues of material law (literal patent infringement, infringement under the doctrine of equivalence) as well as procedural law (venue, enforcement) will be covered.

In the following, the law relating to the enforcement of standard-essential patents (SEP) in Europe as established by the European Court of Justice and as applied by the national courts will be explained.

The second case study will explore the enforcement of standard-essential patents. Depending on whether the Unified Patent Court Agreement will enter into force (a decision can be expected in the course of the year 2019), a law suit will be considered either before the UPC or a German court. The differences between litigation in Germany and before the UPC will be analyzed and the strategic consequences will be discussed.

Given the range of competencies covered and type of work assigned, this course is recommended for students who intend to practice patent law.

Prerequisite: Patent Law.

Note: WEEK ONE COURSE. This course will meet for one week only, on the following days: Monday, January 6, 2020, through Friday, January 10, 2020, 9:00 a.m. - 11:35 a.m. The course will have a take-home exam that must be completed during the week of January 17th through January 24th, 2020. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain

LAW 332 v04 Patent Law
J.D. Course (cross-listed) | 3 credit hours
The patent law is a regime of private regulation, initiated by individual inventors and resulting in proprietary interests in an increasingly ambitious range of human endeavor. This course provides a thorough review of the requisites of patentability, including eligible subject matter, utility, novelty, nonobviousness and disclosure. It then turns to patent enforcement issues, including claim interpretation, the doctrine of equivalents and remedies. Most inventors seek to obtain proprietary rights in multiple jurisdictions, so the course includes considerable coverage of comparative and international patent law. A traditional technological background is neither required nor recommended as a prerequisite to enroll in this course.

LAW 332 v05 Patent Law
J.D. Course (cross-listed) | 3 credit hours
This course is designed for those who intend to specialize in the intellectual property field. It includes an analysis of trade secret law, inventorship and ownership of inventions, subject matter eligible for patenting, requirements for valid and enforceable patents, patent claim construction and direct and indirect patent infringement. The Advanced Patent Law Seminar is recommended to complete the student’s overview of patent law.

Recommended: A scientific or engineering background is helpful, but not a requirement.

LAW 333 v02 Patent Licensing
J.D. Course (cross-listed) | 2 credit hours
Patent licenses achieve different business objectives in a range of settings. This seminar first covers patent licensing and related agreements in establishing a company’s intellectual property from start-up through later growth phases. We then probe the role of patent licensing to transfer technology in and out of a company or university and in relations with others in the marketplace. We examine the elements of a patent license in detail. Limits on patent licensing and practice imposed by supply chain considerations, antitrust law, misuse, and connections with settlements are analyzed. Finally, we look at legal principles and strategies that impact patent licensing in several sectors of a knowledge-based economy. These sectors include biotechnology, software, standards setting, and patent assertion entities in the secondary IP market. We look at patent licensing in current open innovation and IP-enabled business models too. Guest speakers will also be drawn upon for specific topics. Students will complete an in-class negotiation and license drafting assignment. A cumulative final take-home exam will be given.

Recommended: Prior or concurrent enrollment in Patent Law.
LAW 333 v01 Patent Licensing Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20333%20v01)
J.D. Seminar (cross-listed) | 2 credit hours
Patent licenses achieve different business objectives in a range of settings. This seminar first covers patent licensing and related agreements in establishing a company’s intellectual property from start-up through later growth phases. We then probe the role of patent licensing to transfer technology in and out of a company or university and in relations with others in the marketplace. We examine the elements of a patent license in detail. Limits on patent licensing and practice imposed by supply chain considerations, antitrust law, misuse, and connections with settlements are analyzed. Finally, we look at legal principles and strategies that impact patent licensing in several sectors of a knowledge-based economy. These sectors include biotechnology, software, standards setting, and patent assertion entities in the secondary IP market. We look at patent licensing in current open innovation and IP-enabled business models too. Guest speakers will also be drawn upon for specific topics. Students will complete an in-class negotiation and license drafting assignment. A cumulative final take-home exam will be given.

Recommended: Prior or concurrent enrollment in Patent Law.

LAW 387 v01 Patent Prosecution Practice and Strategy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20387%20v01)
J.D. Seminar (cross-listed) | 2 credit hours
This skills and writing course will focus on the practical and strategic aspects of patent preparation and prosecution before the United States Patent and Trademark Office, and the effects of prosecution decisions on patent enforceability. Claim drafting and responding to Office Actions with an eye towards enforcement will be a primary focus, and both will be addressed with short practical writing assignments. Coverage of the appeal process will include preparing a final written Appeal Brief (in compliance with 37 CFR § 41.37) and making oral arguments before a mock panel of Administrative Law Judges. Among other topics, the strategic use of the post issuance reissue, reexamination and post-grant review procedures, especially in anticipation of litigation, will also be addressed. Given the range of competencies covered and type of work assigned, this course is recommended for students who intend to practice patent or IP law.

Prerequisite: Patent Law.

LAW 334 v00 Patent Trial Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20334%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This course introduces students to the elements of a typical patent trial through mock trial experiences and classroom demonstration and discussion. Topics to be covered include: developing a persuasive and comprehensive theme for your case; opening statements; direct and cross examination techniques; impeachment and rehabilitation of witnesses; qualifying and examining expert witnesses; laying the proper foundation for the introduction of evidence and using exhibits in examination to help present technical information; closing arguments; and preparing for and presenting arguments at Markman Hearings. The course will also introduce students to the use of current computer graphics and information technology in trial. The course will be taught using hypothetical fact patterns common to patent litigation. During the semester students will receive individual feedback on their individual performances.

Prerequisite: Evidence; Patent Law.

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice or Trial Practice and Applied Evidence.

LAW 1217 v00 Persuasion (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201217%20v00)
J.D. Seminar | 2 credit hours
The objective of this course is to build practical persuasion skills. The course is skills-oriented. We will examine techniques of persuasion from classical rhetoric to what modern scientific research tells us about perception, memory, emotion, logic, and how we really make decisions. We will apply this information to improve your presentation skills in multiple ways. By the end of the course, you should feel that you are more effective at public speaking and presentation. You should also feel more comfortable and confident speaking publicly. I hope that you will develop practical checklists of what works and what doesn’t and use this information to refine your own personal presentation style. This course will provide you tools to better organize and present your arguments in a more persuasive manner based on how your audience thinks. We will investigate your (students’) and my (instructor’s) biases, values and beliefs, and perceptions as factors in persuasion. There will be several in-class participation exercises (come as you are, no preparation required), two short presentations, and a brief and oral argument. The course requirements are: participate in the in-class exercises and presentations; maintain a concise journal of your reactions to the materials presented each class session and how you could use them; and practice your presentation skills based on the techniques we will study. There are no prerequisites for this course.
LAW 1720 v00 Police Abolition Seminar

J.D. Seminar | 2-3 credit hours

This course will study policing transformation through an abolitionist framework. The course will first look at abolitionist theory and its application to policing. It will then look at the implications of this framework for immediate and mid-term change-making efforts in policing and beyond. We will explore the interplay between police abolition, the “defund” movement and more “traditional” police reform efforts, critiquing each. We will look at what police currently do and the extent to which current policing promotes, or undermines, public safety. We will question how “public safety” is commonly defined and consider what role law enforcement would play if we were to define public safety differently. We will consider how the role of police (at least as currently constituted) in promoting public safety might be decreased (eliminated?) and how we would protect physical well-being if that were to come about. Throughout this course we will consider whether the police abolitionist framework might help us more effectively address institutionalized racism and entrenched class inequity as we seek to transform policing.

Students may take this course to fulfill Georgetown’s Upperclass Legal Writing Requirement. If you take this class to fulfill your Writing Requirement, you should be prepared to devote a considerable amount of time in the course developing a paper proposal about a conflict, crisis, or controversy within policing; researching your idea in depth; and both drafting and revising a substantial paper of at least six thousand words (exclusive of footnotes) that meets the elements of the Writing Requirement as set out in the Georgetown Law Student Handbook of Academic Policies.

Course Readings

- Chokehold: Policing Black Men by Paul Butler.

Additional Readings will be listed in the course syllabus and will be posted on/linked to in Canvas

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 1750 v00 Police Accountability Seminar

J.D. Seminar | 2-3 credit hours

Alongside newer demands to end our over-reliance on policing to keep us safe, are renewed calls for more effective mechanisms for police accountability. This course will focus on the nuts-and-bolts of police accountability, from exploring the efficacy and costs of the exclusionary rule, prosecutions of individual police officers, and Section 1983 cases, to USDOJ’s reinvigorated pattern-or-practice investigations, civilian oversight, and “front-end” oversight in the form of state and federal regulation of police. Along the way we will consider subsidiary topics like qualified immunity, the Monell doctrine, and even the role of insurance companies in holding police accountable. We will consider how new or pending legislation at the federal, state, and local levels can be expected to improve (or undermine) police accountability, and discuss how this all fits in with efforts to reform, remake, or abolish policing.

Students may take this course to fulfill Georgetown’s Upperclass Legal Writing Requirement. If you take this class to fulfill your Writing Requirement, you should be prepared to devote a considerable amount of time in the course developing a paper proposal about a particular aspect or type of police accountability; researching your idea in depth; and both drafting and revising a substantial paper of at least six thousand words (exclusive of footnotes) that meets the elements of the Writing Requirement as set out in the Georgetown Law Student Handbook of Academic Policies.

Prerequisite: Criminal Justice or Criminal Procedure.

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 1360 v00 Policing in the 21st Century: Law Enforcement, Technology and Surveillance**

J.D. Seminar | 2 credit hours

This seminar will explore the intersection of contemporary surveillance practices with the need to safeguard civil liberties, and investigate how new technologies are being used to manage and control populations of people, in particular racial and religious minorities and immigrant communities. The course will place special emphasis on the evolving right to privacy in an increasingly cyber- and technology-oriented world, the expansion of government surveillance during the Obama and Trump administrations, and the implications of new law enforcement technologies on civil liberty protections. Our texts will include a variety of sources ranging from case law, legal scholarship, government manuals and congressional testimony to congressional letters, TED Talks, and digital publications.

We will investigate a variety of electronic and non-electronic forms of surveillance, including social media monitoring, stop and frisk, license plate readers, drones, suspicious activity reporting, predictive policing, countering violent extremism programs, and NSA data collection. Throughout the course, we will specifically discuss how these technologies can be used to stifle dissent and protest.

We will discuss how judges and legislators have responded to these surveillance technologies, and pay special attention to the legal tools, doctrines, and defenses available to the government in surveillance-related matters. We will simultaneously investigate the different avenues through which today’s surveillance practices can be challenged, including lobbying, litigation, and private industry innovation. Specific reforms that will be discussed include encryption, informed consent, body cameras, diversity, community policing, and abolition.

**Recommended:** Prior or concurrent enrollment in Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

**LAW 508 v02 Policy Clinic (Harrison Institute for Public Law)**

J.D. Clinic | 8 or 14 credit hours

Please see the Policy Clinic website for more detailed information about the program.

For registration-specific supplemental materials, please see the Policy Clinic PDF.

For information about clinic registration generally, please see the Clinic Registration Handbook.

Learning outcomes for this clinic: Students are supervised, evaluated and graded on three skill sets, each of which has explicit evaluation criteria in the clinical program design. 1. **Management and professionalism** – includes “managing up” with supervision meetings, initiating self-evaluation, managing effort and deadlines, collaborating, and expectations in a professional culture. 2. **Research and analysis** – covers legal, policy and strategic analysis. It includes identifying issues that require analysis, learning the context efficiently, using diverse sources to learn efficiently and avoid bias, explaining analytic methods, using a logical framework, and drawing conclusions or options that meet client needs. 3. **Communication, writing and speaking** – includes organizing documents and presentations logically, meeting audience needs for context in the introduction and for decision-making in the conclusion, relating analysis through stories and examples, presenting visual information, and using appropriate language in terms of editing conventions, clarity, tone, and jargon.

**Recommended:** Legislation and Administrative Law. Also, for climate projects: Local Government Law; and for trade or human rights projects: International Law I, International Trade (various titles), World Trade Organization: Law, Policy and Dispute Settlement, and International Human Rights.

**Mutually Excluded Courses:** Students may not concurrently enroll in this clinic and an externship or a practicum course.
LAW 1288 v00 Politics of Litigation and Litigation of Politics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201288%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Many of the most important and intense political disputes in American history have come before the federal courts. From the controversy about the midnight judges reflected in Marbury v. Madison, to the conflict about slavery at the core of Dred Scott, to the rise of interest group litigation by civil rights, religious, environmental, and other organizations, those opposed to prevailing laws and policies have taken their grievances to court. In recent years, a new breed of political litigation has proliferated. Increasingly, the losers in legislative and electoral battles have leapt immediately into the judicial arena, challenging the constitutionality of the laws enacted over their objection or the way elections are run. Increasingly, politicians and the entities they control have deployed litigation as another tool in the partisan arsenal. And increasingly, federal courts have become the arbiters of political disputes between the other two branches of the Federal Government, and between the Federal Government and the States, and between political candidates.

This course will use the legal challenges to the Affordable Care Act as an initial case study of how political disputes play out in litigation, from the trial courts to the Supreme Court. We will follow the pattern of political litigation into the Trump and Biden Administrations, and assess the lessons from the partisan shift in the litigation. We will consider how and why partisan disputes generate litigation and discuss the issues this litigation raises regarding the appropriate role of courts in our democratic system. In large part, the perspective will be practical, as we explore the legal, strategic, and tactical choices advocates make in bringing high profile political cases, in framing the legal issues, in harnessing the rules of procedure, and in managing the political features of the case – both offensively and defensively, and both inside and outside the courtroom. We will discuss the hurdles litigants face in seeking to strike down federal laws, the particular challenges of representing the U.S. Government in defending those laws, and the conflicting pressures that bedevil advocates on both sides of the cases. In some of our sessions, students may be asked to strategize or to argue from the perspective of the plaintiffs or the defendant in the cases.

**Prerequisite:** Constitutional Law I: The Federal System (or Democracy and Coercion).

**Recommended:** Prior or concurrent enrollment in Federal Courts and the Federal System.

LAW 408 v03 Poverty Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20408%20v03) (Fieldwork Practicum)
J.D. Practicum | 8-10 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course is designed for students who wish to work for a public interest law organization that deals with issues connected to poverty. Students will participate in a two hour/week seminar in (both the fall and spring semesters) that focuses on the framework, history, and current issues related to American poverty. Students will also work for a public interest law organization that works on issues connected to poverty; students may work for either 10 or 15 hours/week in both the fall and spring or 30 hours/week in one semester only. In addition, students may work for 10 hours/week in the fall and 15 hours/week in the spring or vice versa.

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

**FIELDWORK:** In the four, five, or six-credit, mandatory pass-fail, fieldwork portion of the practicum, students will work with a public interest law organization that deals with issues connected to poverty. Students may work for either 10 or 15 hours in both the fall and spring, 10 hours in the fall and 15 hours in the spring or vice versa, or 30 hours/week in one semester only. The host organization may work from either a national or a local perspective on issues connected to poverty. Placements might involve a focus on poverty per se or “poverty and...” e.g., civil rights, women, education, housing, health, juvenile and criminal justice, child welfare or immigration. Depending on the organization, activities at placements could include litigation and/or policy advocacy, including governments on all level and in either the executive branch or the legislative. Students may propose and arrange their own placements; these must be approved by Professor Edelman. Alternatively, Professor Edelman is available to assist in finding and setting up the placements. Depending on the number of hours worked, students will earn four, five, or six pass/fail credits for the fieldwork; one grade will be provided at the end of the year.

**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 and an externship or another practicum course. If students complete their fieldwork hours for this practicum entirely in one semester, they may be eligible to enroll in a clinic for the other semester.

**Note:** This course is open to J.D. students only.

This course may be suitable for evening students who can attend seminar and participate in fieldwork during business hours. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. A student wishing to withdraw from the course will be withdrawn from both the seminar and fieldwork components.
LAW 1250 v01 Practicing Law in Another Country Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201250%20v01)
J.D. Seminar | 1 credit hour
This seminar examines the cultural and interpersonal challenges of practicing law in a foreign country. The seminar is open to students who, at the time of the seminar, are working as law clerks, legal interns or summer associates in a country other than their home country. Students will be required to complete reading assignments, participate in class discussions, and complete a 10-12 page reflection paper at the conclusion of their employment term. Students who are working outside of the US in the summer session may only participate in this seminar if they are able to attend all of the class sessions remotely. The seminar is offered on a pass/fail credit basis and will not count against the maximum number of such classes.

Prerequisite: J.D. students must complete a minimum of 28 credit hours before enrolling in this distance learning course.

Note: This course is enrolled only via professor permission. Interested students should email Professor Jose Antonio Rivas and Professor Mary Helen Mourra at jarivascampo@gmail.com and mourra.law@gmail.com with the following information: 1) a brief statement of interest in the seminar; 2) a current resume or C.V.; 3) documentation of a written job offer confirming the start and end dates of employment in the summer session, the number of hours to be worked per week, the job title, and description, and supervisor; and 4) confirmation that the position is in a country that is different from the student’s permanent domicile or home country. Applications will be reviewed and approved on a rolling basis.

This seminar will meet in Hotung 6005. Students who are outside of the D.C. area may participate online using Zoom. Additional instructions will be provided to enrolled students. The seminar is offered only on a pass/fail credit basis and will not count against the 7 credit pass/fail limit. 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. Note: Once enrolled, students who are on an F-1 visa must contact International Student Advisor Tina Zimmerman at lawcentervisa@georgetown.edu before they drop or seek permission to withdraw from this seminar to discuss their work authorization. Please note: Students pursuing opportunities outside of the United States are required to register their travel and to obtain specific Education Abroad Health Insurance. Please see the Law Center’s policy regarding student travel abroad (http://www.law.georgetown.edu/academics/academic-programs/transnational-programs/international-travel) for additional details. Students wishing to travel to countries under a U.S. State Department Travel Warning must first go through an approval process; see the Law Center’s policy governing student travel to countries under U.S. State Department Travel Warning. These policies are administered by the Office of Transnational Programs. Students should contact Cara Morris, Director, Transnational Programs at cara.morris@georgetown.edu or 202-662-9860 with questions.

LAW 1250 v02 Practicing Law in Another Country Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201250%20v02)
J.D. Seminar | 1 credit hour
Globalization of legal services has given rise to the movement of attorneys between multiple jurisdictions within the practice of law. This course will survey the complexities of the international legal industry, from the licensing requirements for lawyers or foreign legal consultants under various national legal systems, to the practice of law in the globalized arena and the growing dilemma of conflicting ethics laws for practitioner. Students will discuss the challenges faced by attorneys practicing law in another country, and will explore the differences and similarities among some of the world’s legal systems, particularly common law and civil law. The course will examine how, in the course of that process, cultures and political systems collide and conflict. Students will also examine the underpinning structures for all of this global movement; the indispensable process of international arbitration, as well as international litigation.

The seminar is open to students who, at the time of the seminar, are working as law clerks, legal interns or summer associates in a country other than their home country. Students who are working outside of the US in the summer session may only participate in this seminar if they are able to attend all of the class sessions remotely.

Students will be asked complete reading assignments, participate in class discussions, and submit a short final paper relating subjects covered in the course to their practical experience.

This course is appropriate for first-year JD students who have not had prior coursework in International Law.

Note: This course is enrolled via professor permission. Interested students should provide the following information by completing the form available at https://georgetownuniversity-kmzbf.formstack.com/forms/practicing_law_in_another_country_2019: 1) a brief statement of interest in the seminar; 2) a current resume or C.V.; 3) documentation of a written job offer confirming the start and end dates of employment in the summer session, the number of hours to be worked per week, the job title, and description, and supervisor; and 4) confirmation that the position is in a country that is different from the student’s permanent domicile or home country. Applications will be reviewed and approved on a rolling basis.

This seminar will meet in Hotung 6005. Students who are outside of the D.C. area may participate online using Zoom. Additional instructions will be provided to enrolled students. The seminar is offered only on a pass/fail credit basis and will not count against the 7 credit pass/fail limit. 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. Note: Once enrolled, students who are on an F-1 visa must contact an International Student Advisor with lawcentervisa@georgetown.edu before they drop or seek permission to withdraw from this seminar to discuss their work authorization. Please note: Students pursuing opportunities outside of the United States are required to register their travel and to obtain specific Education Abroad Health Insurance. Please see the Law Center’s policy regarding student travel abroad (https://www.law.georgetown.edu/academics/transnational-programs/international-travel-policy) for additional details. Students wishing to travel to countries under a U.S. State Department Travel Warning must first go through an approval process. These policies are administered by the Office of Transnational Programs. Students should contact Cara Morris, Director, Transnational Programs at cara.morris@georgetown.edu or 202-662-9860 with questions.
**LAW 1537 v00 Practicum on Helping Pro Se Litigants** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201537%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201537%20v00)) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in a weekly seminar and engage in related fieldwork at outside organizations. This fieldwork practicum course will focus on assisting those representing themselves in divorce, child custody, and child support matters in D.C. Superior Court. Working under the supervision of attorneys with the DC Superior Court Family Court Self Help Center (SHC), students will provide family law related information and community education services to individual and groups of D.C. residents in areas of the city such as Ward 8. Ward 8 is an area with a 36% poverty rate, where its residents largely address their legal problems without the benefit of counsel. Students will give guidance to pro se litigants on preparing pleadings and gathering necessary facts and documents for court hearings. The assistance will be virtual for the Spring 2021 Practicum. Students will also prepare information about family court law and procedure for self-represented parties. Students will participate in a two hour/week seminar and carry out up to 10 hours/week of fieldwork with the SHC.

**SEMINAR:** In the seminar, students will learn about: (i) family law and procedure in the District; (ii) the types of information self-represented parties often need when they have to represent themselves; (iii) the best means for helping self-represented persons in crisis situations; (iv) developments nationally on involving non-lawyers, such as law students, in providing needed information and public education to self-represented parties; and (v) requirements and restrictions set forth in the District’s unauthorized practice of law provisions (DC court of Appeals Rule 49) that governs the services students in the Practicum will be able to provide.

**FIELDWORK:** In the fieldwork component of the course, students will: (i) get referrals and guidance from SHC attorneys and assist pro se litigants in preparing pleadings on DC Superior Court Domestic Relations Branch matters; and (ii) prepare easily understood on-line and print family law public education materials.

**Prerequisite:** 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).

**Recommended:** Prior coursework or other experience in family law is recommended but not required.

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

**Note:** This practicum course is open to J.D students only.

This course is suitable for evening students who can commit to attending seminar and working 10 hours/week during business hours. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks. The two-credit seminar portion will be graded. The two credits of fieldwork are mandatory pass/fail. Students will be allowed to take another course pass/fail in the same semester as this practicum. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork 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. Default attendance rule for all practicum courses (please,

**LAW 741 v00 Pre-Negotiation Strategies for Cross-Border Transactions** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20741%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20741%20v00))

LL.M Course (cross-listed) | 2 credit hours

As economies globalize and organizations increasingly form cross-border relationships, there should be more focus on problems facing legal practitioners caused by cross-cultural differences. While international transactions comprise of distinct phases, the aim of this course is to explore the importance of pre-negotiation phase of international transactions. The legal training in the United States tend to devote far too little time and attention to the pre-negotiation phase than most of our counterparts from other countries. American lawyers generally want to "dispense with the preliminaries" and "to get down to cases" at the negotiation table. For seasoned lawyers and executives, however, this phase of Pre-negotiation is the most important stage to determine whether they want to negotiate at all and, if so, what they will talk about, and how, when, and where they will do it. Without a proper pre-negotiation phase, one may not get to that negotiation table, let alone explore any dispute resolution mechanisms.

Pre-negotiation phase can be characterized by information-gathering efforts to evaluate the parties’ interests and comprises of a process entailing rational choice to pursue negotiation or not. This course, “Pre-negotiation Strategies,” will attempt to introduce an analytical framework for understanding and formulating culturally responsive legal strategies for international lawyers. This highly interactive class will utilize case studies as well as various international agreements to highlight the importance of evaluating and analyzing the negotiating environment before it actually takes place. The course will address the need for practitioners to research and identify certain cultural mores and behavioral patterns in dealing with an unfamiliar culture as well as examine foreign bureaucracies, foreign laws, and multiple currencies in order to develop cross-culturally sensitive strategies in international transactions.

Active in-class participation and simulations will be required.

**Note:** First class attendance is strongly encouraged.
**LAW 358 v00 Presentation Skills For Lawyers Seminar**

J.D. Skills | 2 credit hours
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This seminar focuses on the communication skills lawyers are required to master. The seminar includes work on the preparation and presentation of informational briefings and persuasive speeches to both expert and lay audience from a listening perspective. The seminar does not address trial or appellate advocacy skills. In addition to lecture/discussions of the principles and techniques, students deliver presentations which are video-recorded, analyzed and critiqued by the seminar participants and the professor.

**Learning Objectives:**

Upon completion of this course, students will have an understanding of and enhanced professional skill in creating and presenting listenable presentations.

**Note:** NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol and follow all other safety measures.

The Summer 2021 section of this course will enroll via waitlist. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

**LAW 3131 v00 Preventing, Detecting and Responding to Global Health: The International Health Regulations and the U.S. Government Interagency Process**

LL.M Seminar (cross-listed) | 2 credit hours
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The World Health Organization's International Health Regulations (IHRs) provided a basis for the design of the Global Health Security Agenda. This course will provide students with a general understanding of the way in which the IHRs helped shape the Global Health Security Agenda, and the engagement of the various U.S. Departments and Agencies in the GHSA. It will include those agencies with a clear global health mission, such as the Center for Disease Control and Health and Human Services, as well as other Departments whose work in global health are not as evident, such as the Department of Defense, Department of State, and the Federal Bureau of Investigation. We will examine why issues of global health are a national security issue. The course will also include a simulation where students will have an opportunity to better understand the different roles of the various U.S. Departments, Agencies, as well as the role of the non-governmental sector.

**LAW 1493 v00 Prison Law and Policy**

J.D. Course | 3 credit hours
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This course focuses on the back end of the criminal justice system. In this class, we will be focusing on the law and policy of incarceration. We will study why the United States is so punitive, how government officials manage prisons, and what protections are in place to prevent harm to prisoners while incarcerated. We will also study whether our current penal system is successful in reducing the recidivism rate of those coming out of prison. These topics are particularly urgent given that the United States leads the world in the rate it imprisons its citizens. Topics to be covered include: the history of prisoners' rights litigation; the scope of prisoners' constitutional rights; inmate access to the courts; First Amendment protections for prisoners; the prison disciplinary process; conditions of confinement; medical care; the problems of prison rape and overcrowding. There will also be a focus on legal practice—how lawyers litigate prisoners’ rights suits. There will be a take-home final examination.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the Prison Reform Advocacy and Litigation practicum.
LAW 1181 v00 Prison Reform Advocacy and Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201181%20v00) (Fieldwork Practicum)
J.D. Practicum | 5 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course will introduce students to the prison reform and related fields. Students will participate in a two-hour/week seminar and carry out 15 hours/week of fieldwork at non-profits or agencies that deal with prison reform and related issues.

SEMINAR: Seminar materials will cover substantive law, policy, and practical advocacy skills. Substantive law will comprise the major statutes, regulations, and case law governing the U.S. carceral system. The policy units will cover issues such as privatization and approaches to sexual assault. Finally, the course will touch on practical skills such as interviewing techniques, media relations, and self-care.

FIELDWORK: Fieldwork placements will be at various non-profits and agencies that deal with prison reform and related issues. Depending on the agency and its needs, work will include litigation, individual advocacy, policy development, or legislative advocacy.

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 receive credit for this class and Prison Law and Policy. Students may not concurrently enroll in this practicum and an externship or a clinic or another practicum course.

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

Evening students are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules. This is a 5 credit course. Two credits will be awarded for the two-hour weekly seminar and three credits for 15 hours of supervised fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The fieldwork must be completed during normal business hours. The two-credit seminar portion of this practicum will be graded. The three credits of fieldwork are mandatory pass/fail. Students will be allowed to take another course pass/fail in the same semester as the fieldwork. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork 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 fieldwork components. Default attendance rule for all practicum courses (unless the professor indicates otherwise) is regular and punctual attendance at all practicum seminars and fieldwork placements. Students in project-based practicum courses are similarly required to devote the requisite number of hours to their project. If a student must miss seminar, fieldwork, or project work, he or she must speak to the professor as soon as possible to discuss the absence. Unless the professor indicates otherwise, a student with more than one unexcused absence from the practicum seminar (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 1315 v00 Privacy Legislation: Law and Technology (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201315%20v00) (Project-Based Practicum)
J.D. Practicum | 5 credit hours
Cross-Listed: JD and MLT Programs

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor. This project-based practicum course will focus on privacy policy. Students will participate in a two-hour/week seminar and carry out 15 hours/week of project work under the direction of the course professor.

SEMINAR: The aim of this practicum is to have law students and Master of Law and Technology (MLT) students jointly explore in-depth current issues in privacy policy and to propose policy solutions in the form of legislation that could be adopted by state governments. Our goal is to foster an environment that permits law students interested in a career at the intersection of law and technology to work with technology students on current issues of real gravity to (a) become literate in the technology that drives privacy issues; (b) learn to work with experts from different disciplines; and to (c) learn to work collaboratively with technologists on issues with important technological dimensions.

PROJECT WORK: The practicum will pair law students and MLT students in interdisciplinary teams, each likely consisting of two law students and one MLT student.

Each team will be assigned a specific question of public policy, and over the course of the semester the team will be responsible for preparing a detailed legal assessment of the policy question, the technological frameworks and challenges associated with the policy question, and formulating policy and technological recommendations to address the question in the form of draft state legislation. Among the kinds of questions that students may be asked to address are the following: (a) new, invasive forms of workplace and employee tracking; (b) commercial and police use of face recognition technology; and (c) state efforts to severely restrict flows of local and state government data to Immigration and Customs Enforcement (ICE).

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

Strongly Recommended: Information Privacy Law with either Professor Julie Cohen, Professor Paul Ohm or Professor Marc Rotenberg.

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 may be suitable for evening students who can commit to attending class and participating in 15 hours/week of project work.

This is a five-credit course. Two credits will be awarded for the two-hour weekly seminar and three credits will be awarded for approximately 15 hours of project work per week, for a minimum of 11 weeks. Both the seminar 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. Default attendance rule for all practicum courses (unless
LAW 611 v03 Privacy, Civil Liberties and Face Recognition: Legislating Privacy Protections for 21st Century Tracking Technology (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v03)

J.D. Course | 1 credit hour
For decades, American law enforcement has tracked our technology – our phones, our cars, and our computers. The latest generation of law enforcement technology tracks our bodies. And unlike fingerprint technology – the legacy biometric of law enforcement – the latest generation of biometric technology can be captured remotely and in secret. At the center of that drive is face recognition technology. Recently the FBI revealed that it had access to a network of 411 million photos, roughly a third of which are drawn from state driver’s license photo databases. Meanwhile, private companies are not sitting on the sidelines. Instead, major brick-and-mortar retailers like Wal-Mart are deploying face recognition technology to identify shoplifters, “complainers,” and “known litigious individuals” the moment they set foot inside a store. At the same time, enterprising app developers are bringing this ability to identify anyone with the touch of a button to the hands of private citizens. Despite the advanced deployment, the Supreme Court has yet to recognize a right to privacy in public – and only two of fifty states regulate commercial use of face recognition. If there was ever a time to pass legislation to regulate face recognition, it is now. This Week One simulation will teach students the nuts and bolts of privacy advocacy – with a focus not in the courtroom, but in Congress and in state legislatures around the country. Students will learn about how face recognition technology works and how it is being deployed by both law enforcement and commercial actors. Then, they will debate the evolving Fourth Amendment doctrine around tracking in public and develop amendments to existing state legislation to regulate commercial use. Once the students have established a familiarity with the law and the technology, the core challenge of the course will begin – students will draft legislation and legislative amendments and engage in a prolonged negotiation that mirrors the actual legislative process. In addition to teaching students the law and technology surrounding face recognition, students will learn legislative drafting, strategy, and presentation skills. They will also work collaboratively in teams to complete a time-consuming and complex challenge.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 8, 2018, through Thursday, January 11, 2018. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who are enrolled through a lottery process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information see the Week One website (http://www.law.georgetown.edu/go/weekone). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Friday, December 1, at 3:00 p.m. After that point, permission from the course professor and Assistant Dean for Experiential Learning is required.
LAW 845 v00 Private Equity, Hedge and Other Private Funds (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20845%20v00)

LL.M Course (cross-listed) | 2 credit hours
This course provides you with an in-depth look at the structure of, and law applicable to, private funds, which are pooled investment vehicles not generally available for investment by the retail public. The focus of the course will principally be on private equity and hedge funds.

The course will follow the story of a group of friends/entrepreneurs that decides to form an investment management firm — Whispering Pines Capital Management LLC ("Whispering Pines" or the "Firm") — to manage both a private equity fund — Whispering Pines Capital Partners LP ("WPCP") — and a hedge fund — Whispering Pines Opportunistic Fund L.P. ("WPOF"). We will meet these entrepreneurs as they form Whispering Pines and develop the investment strategies for WPCP and WPOF (collectively, the "Funds"). We will consider their business goals and the challenges presented to the group in establishing and operating Whispering Pines and the Funds. We will look specifically at matters such as: establishing the business role of each member of the group; developing the day-to-day operations of the Firm; formulating the investment strategies that the Funds will follow; marketing interests in the Funds to potential investors; developing compliance procedures and processes for the Firm and the Funds; and responding to external events affecting the Firm and the Funds.

We will see early during the semester that the operation of the Firm and the Funds necessitates a deep appreciation for, and knowledge of, a host of applicable laws. Dealing with all of those laws is well beyond the scope of the course. We will instead focus on what can be considered the central core of the law applicable to the Firm and the Funds.

We will begin our consideration of applicable law by looking at the Investment Advisers Act of 1940 (the "Advisers Act"), which effectively regulates the Funds indirectly through regulating the Firm. The course will then examine the exclusions and exceptions under the Investment Company Act of 1940 (the "1940 Act") potentially available to the Funds and the Firm in trying to operate beyond the reach of the 1940 Act.

The Advisers Act and 1940 Act classes will be in turn followed by a series of classes centered on business, marketing and drafting considerations faced by the Firm when organizing the Funds, including a "practicum" designed to simulate a negotiation of a "side letter agreement" between a prospective investor and WPCP. The next portion of the course will look at operational aspects, including in particular compliance obligations, related to managing the Funds, and the last segment of the course will include two practicums, the first involving an examination by the staff of the Securities and Exchange Commission (the "SEC") of the Firm and the second involving a proposed transaction relating to the Firm and its business.

Prerequisite: Prior or concurrent enrollment in Securities Regulation.
Learning Objectives:

The central objectives are to prepare students to recognize ethical problems when they arise; to identify the pertinent authority—including the ethical code provisions (which we will assume to be the Model Rules of Professional Conduct)—that most likely bear on the matter; and to arrive at a sound resolution.

LAW 361 v01 Professional Responsibility

This course endeavors to provide a practical, and practice-oriented (as opposed to academic, philosophical or jurisprudential), approach to the ethical, moral and social issues that lawyers deal with in the practice of their profession. The central objectives are to prepare students to recognize ethical problems when they arise; to identify the pertinent authority—and in particular the ethical code provisions (which we will assume to be the Model Rules of Professional Conduct)—that are most likely to bear on the matter; and to arrive at a sound resolution. Necessary to these ends will be consideration of the ways in which the ethical codes address the often competing interests involved: those of clients, of opposing parties, of non-parties, of the system of justice generally, and of the lawyers themselves. Although the particular focus of the course is on ethical issues, and on the codes and other authority that govern the resolution of such issues, some attention will be paid to putting the subject in a setting that encompasses both a macroscopic view of the role of lawyers in society and a more earth-bound understanding of the processes, disciplinary and compensatory, by which the professional responsibilities of lawyers are enforced.

Learning Objectives:

The central objectives are to prepare students to recognize ethical problems when they arise; to identify the pertinent authority – and in particular the ethical code provisions (which we will assume to be the Model Rules of Professional Conduct) – that are most likely to bear on the matter; and to arrive at a sound resolution.

LAW 361 v13 Professional Responsibility

This course examines, against the background of the American Bar Association’s Model Rules of Professional Conduct, the ethical obligations of lawyers in the United States. We have responsibilities to clients, the courts, and third parties, and those responsibilities sometimes conflict. Among the topics considered will be paternalism, confidentiality and candor (in negotiation and litigation), fees, conflicts of interest, free speech, and advertising for and solicitation of clients. Professors may also differ in the context chosen to address those (and other) topics: working in government or in a private or public interest law firm; and in the nature of law: civil or criminal.
LAW 361 v54 Professional Responsibility (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v54)
J.D. Course | 2 credit hours
This course approaches Professional Responsibility from a practical and practice-oriented perspective (as opposed to an academic, historical, philosophical or jurisprudential one) and is intended to equip new lawyers to recognize ethical issues as they arise, identify the relevant rules and resources available that address those issues, and provide a framework for thinking about the best resolution while considering the potential consequences for the attorney, client and any other relevant actors who are involved.

The course will: (1) provide an overview of the rules of professional conduct, using the DC Rules of Professional Conduct as a baseline, but discussing variations in other jurisdictions, primarily New York and California, (2) apply the rules to fact patterns intended to highlight common issues attorneys confront in specific contexts, focusing on practice in a large firm environment, and (3) address an attorney’s liability for legal malpractice (and other potential consequences, such as criminal liability) against the backdrop of the rules of professional conduct.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.

LAW 361 v55 Professional Responsibility (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v55)
J.D. Course | 2 credit hours
This two-credit Professional Responsibility course will provide students with a roadmap for analyzing real-world legal ethics dilemmas. We will closely examine the Model Rules of Professional Conduct (MRPC) and consider differences between the MRPC, the DC rules, and those of other jurisdictions. But knowing the rules is only the beginning of ethical practice—because they can be surprisingly difficult to apply to specific situations, we will focus on underlying principles and the ways in which particular rules can conflict with each other and with a lawyer’s instincts and best intentions. We will also discuss lawyers’ duties to the profession, to society, and to their own sense of morality, including representing (or refusing to represent) persons or policies that are unpopular or personally repugnant. Finally, the course will introduce students to the attorney disciplinary process.

LAW 361 v56 Professional Responsibility (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v56)
J.D. Course | 2 credit hours
This course will explore the ethical duties of confidentiality, loyalty, fiduciary obligations, effective advocacy, obligations to courts and opposing counsel and the personal responsibilities of attorneys as illuminated by the American Bar Association’s Model Rules of Professional Conduct. The course will address the policy issues that have affected the development of ethics rules that apply to the American Legal Profession. The course will also consider whether the policies adopted by the Model Rules serve the public interest in an honorable profession or the parochial, self-interested concerns of the organized Bar.

Learning Objectives:

Basic understanding of ethics rules for lawyers.

LAW 361 v57 Professional Responsibility (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v57)
J.D. Course (cross-listed) | 2 credit hours
The basic two-credit Professional Responsibility course examines the professional and ethical obligations and duties of the lawyer in today’s society. It examines the Model Rules of Professional Conduct. We spend considerable time discussing the real-life application of the rules to the practice of law. We examine the relationship of attorney to client as well as the attorney’s ethical duty as a professional in relation to a moral duty to him or her self as well as to society as a whole, including representing (or refusing to represent) persons who are unpopular, guilty, or personally repugnant. The course also introduces students to the attorney disciplinary proceedings and how they work.

Note: NOTE FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

LAW 361 v58 Professional Responsibility (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v58)
J.D. Course | 2 credit hours
This course aims to provide a practical, and practice-oriented (as opposed to academic, philosophical or jurisprudential), approach to the ethical, moral and social issues that lawyers deal with, in practicing their profession. Although the course focuses primarily on ethical issues – and the codes and other authority used to resolve such issues – it will pay some attention to putting those questions in practice contexts that afford both a view of the legal profession in society and a more earth-bound understanding of the disciplinary processes for enforcing the professional responsibilities of lawyers.

Learning Objectives:

To prepare students to:

• recognize ethical problems when they arise;
• identify the pertinent authority – particularly the ethical code provisions (based on the Model Rules of Professional Conduct) – most likely to bear on the matter; and
• arrive at a sound resolution, within the boundaries set by the Rules.

These objectives also require considering the ways in which the ethical codes address competing interests of clients, opposing parties, non-parties, the system of justice generally, and lawyers themselves.
LAW 361 v59 Professional Responsibility (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v59)

J.D. Course | 2 credit hours
This course endeavors to provide a practical, and practice-oriented (as opposed to academic, philosophical or jurisprudential), approach to the ethical, moral and social issues that lawyers deal with in the practice of their profession. The central objectives are to prepare students to recognize ethical problems when they arise; to identify the pertinent authority—and in particular the ethical Rules found in the Model Rules of Professional Conduct—that are most likely to bear on the matter; and to arrive at a sound resolution. Necessary to these ends will be consideration of the ways in which the ethical codes address the often competing interests involved: those of clients, of opposing parties, of non-parties, of the system of justice generally, and of the lawyers themselves. Although the particular focus of the course is on ethical issues, and on the codes and other authority that govern the resolution of such issues, some attention will be paid to putting the subject in a setting that encompasses both a macroscopic view of the role of lawyers in society and a more earth-bound understanding of the processes, disciplinary and compensatory, by which the professional responsibilities of lawyers are enforced.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Monday, July 12.

LAW 361 v02 Professional Responsibility and Small Firm Practice: How to Start and Build a Law Firm (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v02)

J.D. Course | 2 credit hours
A law firm is a business, but its operation is governed by the Rules of Professional Conduct. While a small firm has to do all the things that any other small business has to do – get customers, get paid, provide great service, manage facilities and people – it has to do each of these things with a scrupulous eye toward a lawyer’s unique ethical responsibilities. Small firm lawyers have to tread carefully: construe the Rules of Professional Conduct as prohibiting any marketing and your firm is likely to fail; ignore the Rules and you’re likely to be disbarred. This course will walk students through how to start and run a law firm in the District of Columbia with an eye toward getting clients, creating value for those clients, running a law firm in a way that makes sense, all while meeting the professional responsibilities of an attorney.

The course will focus on the D.C. Rules of Professional Conduct instead of the Model Rules of Professional Conduct. We’ll do this because the orientation of the class is on small firm practice in Washington, D.C., rather than, say, Iowa. Though the general concepts will be the same (and you should always read the rules yourself when an issue comes up in any event).

In the class, we’ll look at one part of running a small firm in each class. We’ll read business books relevant to that problem, and we’ll also read the relevant provisions of the D.C. Rules of Professional Conduct. We will then discuss how a lawyer can solve the problem we’re discussing, consistent with her ethical obligations.

Note: This course meets the J.D. Professional Responsibility graduation requirement. Students may receive credit for only one offering in the Professional Responsibility series. For a list of the PR series courses, please see the Legal Profession/Professional Responsibility cluster essay (https://curriculum.law.georgetown.edu/jd/legal-profession-professional-responsibility). The courses in the PR series are open to only J.D. students.
LAW 361 v16 Professional Responsibility and the Future of the Legal Profession (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v16)
J.D. Course | 2 credit hours
This course will deal with problems of professional responsibility and legal ethics from the standpoint of the practicing lawyer confronted with real-world issues requiring decision-making on the part of the lawyer rather than purely abstract speculation. It will cover such topics as avoiding and resolving conflicts of interest; preserving client confidences; ethical problems arising in civil and criminal litigation, including disclosure obligations to adversaries and tribunals, responding to discovery requests and handling the untruthful client; attorney fees and methods of attracting legal business; and the role and duties of counsel in particular relationships, such as lawyers for the government, inside and outside lawyers for corporations and other entities and public interest lawyers.

The course will also focus on the changes in the legal profession in recent years, such as the rise of mega-law firms, the globalization of law practice, the entry of women and minorities in large numbers into the profession, and the impact of technology, and what they import for the future of the profession. It is designed to help law students in making career choices in the law as well as to become better lawyers.

Recommended: Prior or concurrent enrollment in Civil Procedure (or Legal Process and Society) and Torts (or Bargain, Exchange and Liability).

LAW 361 v28 Professional Responsibility: Advocacy and Ethics in Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v28)
J.D. Course | 2 credit hours
Professional Responsibility: Advocacy and Ethics in Practice is a two-credit course in which through simulation involving interaction with clients, fact-finding, negotiation, and litigation, students will learn how ethical and values dilemmas arise in advocacy and practice settings and how ethical rules and other forms of regulation address them. During the semester, simulation exercises may include:

• A court sanctions hearing relating to alleged abuses in civil discovery;
• A simulation of interactions with a client and opposing counsel during a difficult contract negotiation
• An internal law firm investigation of alleged associate and partner abuses in billing;
• A disciplinary hearing relating to in-house counsel's alleged complicity in his company's fraudulent misconduct; and
• A meeting with a virtual law firm client in which advice is given on how to avoid unauthorized practice of law and marketing restriction in a multi-jurisdiction practice.

Learning Objectives:

1. Knowledge about professional responsibility requirements and ambiguity.
2. Ability to engage in critical strategic thinking when analyzing professional responsibility issues
3. Ability to develop and sharpen creative problem-solving skills
4. Ability to work collaboratively on matters assigned to a team
5. Ability to engage in effective and persuasive oral and written advocacy

LAW 1264 v00 Professional Responsibility: Ethics in Public Interest Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201264%20v00)
J.D. Course | 3 credit hours
Public interest lawyering is counter-cultural in the legal profession, but the substantive law governing lawyers is generally the same regardless of practice area. This course examines the regulation of the legal profession with a focus on the ethical issues most often encountered by public interest lawyers. Most class meetings will be devoted to applying the Model Rules of Professional Conduct and other lawyer law to problems chosen from the text and other sources. Issues will include confidentiality and publicity; allocation of decision-making authority; conflicts of interest between individual clients and the broader client community or particular social justice movement; settlement and fee shifting; and special problems in organizational, class, and mass representation. The course will also examine the history of public interest law, issues confronting the public interest movement, and career options.

Note: This course satisfies the Professional Responsibility requirement for the Public Interest Law Scholars program ("PILS").
**LAW 361 v14 Professional Responsibility: From Model Rules to Role Models - The Theory and Practice of Legal Ethics**

J.D. Seminar | 2 credit hours

In this seminar, students will consider some of the sources of legal ethics, including law, professional codes, model rules, and morals. Having identified these sources, the class will then identify and consider legal role models who exemplify the application of these principles in the ethical and courageous practice of law. The seminar is premised on the belief that ethics and moral courage are better learned and derived from the identification and emulation of positive example than through the avoidance of negative example or promulgation of prohibitions.

This seminar will be participatory with students introducing and then leading the class in discussion of an ethical principle chosen by the student, i.e., a Model Rule, a judicial canon, an oath of service, applicable to the practice of law. In each class, students will consider scenarios in which the rule or principle identified might apply, with emphasis on identifying contexts that test the philosophical and practical boundaries of the principle involved. Students will also be asked to identify a legal actor or historical figure who, in their view, exemplifies the application of the principle or rule at issue — a role model. Depending on enrollment, students will be asked to lead the class discussion, in conjunction with the professor, at least once.

The seminar will require a final paper. Students will be asked to write a paper that: (1) explores an ethical principle regarding the practice of law, its origins, its purpose, its strengths, and its weaknesses; (2) presents the ethical biography of a lawyer or legal actor who acted with exemplary moral courage and the lessons that can be derived from such a life; or, (3) explores an incident or event of ethical note analyzing it from the standpoint of legal ethics asking what went right, what went wrong, and why.

**Note:** This course meets the J.D. Professional Responsibility graduation requirement. Students may receive credit for only one offering in the Professional Responsibility series. For a list of the PR series courses, please see the Legal Profession/Professional Responsibility cluster essay. The courses in the PR series are open to only J.D. students.

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**LAW 361 v05 Professional Responsibility: How and Why Lawyers Get Into Trouble**

J.D. Course | 2 credit hours

Professional Responsibility: How and Why Lawyers Get Into Trouble is a two-credit course in which through simulation students will learn about how situations in practice create ethical and values dilemmas and how ethical rules and other forms of regulation are utilized to address alleged lawyer misconduct. During the semester, simulation exercises may include:

- An internal law firm investigation of alleged associate and partner abuses in billing;
- A disciplinary hearing relating to in-house counsel's alleged complicity in his company's fraudulent misconduct;
- A judicial contempt hearing relating to alleged civil discovery abuses;
- A meeting with a virtual law firm client in which advice is given on how to avoid unauthorized practice of law and marketing restriction in a multi-jurisdiction practice; and
- A Department of Justice Office of Professional Responsibility investigation of allegations relating to the failure of prosecutors to produce exculpatory evidence in a criminal trial.

**Note:** This course meets the J.D. Professional Responsibility graduation requirement. Students may receive credit for only one offering in the Professional Responsibility series. For a list of the PR series courses, please see the Legal Profession/Professional Responsibility cluster essay. The courses in the PR series are open to only J.D. students.
LAW 1187 v00 Professional Responsibility: Problems from Practice
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201187%20v00)
J.D. Course | 3 credit hours
The premise of this course is that studying the legal profession, and particularly its code of ethics, is exciting! May a lawyer rat on her client who is planning to kill someone? Is it permissible for a prosecutor to impersonate a defense lawyer in order to save lives? May a lawyer represent two criminal co-defendants? Must a prosecutor turn in his best friend, a fellow prosecutor who has concealed evidence from a criminal defendant?

In this course, we will read very few judicial opinions. Instead, we will work on about forty ungraded problems, most of which are based on real situations that lawyers faced. Instead of assigning you to read autopsies of cases (that is, appellate opinions), I will provide you with the relevant legal framework (most importantly, the Rules of Professional Conduct) and then ask you to step into the shoes of a lawyer who has to make a critical decision, often caught between conflicting loyalties.

You will use your laptop or internet-enabled mobile phone to cast anonymous votes, to register what you would do as the problems unfold. Class discussions will explore and evaluate the legal, ethical and strategic justifications for each possible course of action. After the discussion of each problem, I will reveal what happened in the real case.

The course will include a unit on the American Legal Profession: its history, the relative advantages of large-firm, small-firm, and public service practice, and how recent economic developments are changing the both the legal profession and the career opportunities for graduates of Georgetown Law.


The professor has created a document with a summary of the learning goals for this course (https://www.law.georgetown.edu/wp-content/uploads/2021/04/Goals.pdf).

Note: This course meets the J.D. Professional Responsibility graduation requirement. Students may receive credit for only one offering in the Professional Responsibility series. For a list of the PR series courses, please see the Legal Profession/Professional Responsibility cluster essay (https://curriculum.law.georgetown.edu/jd/legal-profession-professional-responsibility). The courses in the PR series are open to only J.D. students.

(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v10)
J.D. Course | 2 credit hours
This class considers lawyers’ professional responsibilities through the lens of legal practice in the 21st Century. During the last decade, economic forces and the emergence of new technologies have roiled the legal services market. With the recent recession, individual and corporate clients have rejected traditional models of service delivery. In response, more entrepreneurial lawyers have developed new organizational structures and business models to serve clients more efficiently. In the meantime, new digital technologies have emerged that in some instances enhance the effectiveness of legal representation and in others risk displacing lawyers altogether. This course, which satisfies the professional responsibility requirement, explores what these trends mean for the regulation of lawyers and law as a profession.

Note: Laptop use is not permitted.

LAW 361 v60 Professional Responsibility: The Ethical Lawyer and the Good Life
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v60)
J.D. Course | 2 credit hours
This course explores the legal principles and rules that govern lawyers and law practice. We will use the Model Rules of Professional Conduct as our framework and cover topics that include the regulation of lawyers, the attorney-client relationship, the duties of confidentiality, zealous representation and candor to the court, and conflicts of interest. We will take a problem-oriented approach to help students develop analytical tools to identify and resolve ethical issues. Our approach to solving ethical problems will use traditional methods of legal analysis, real life experiences and theories of decision making that recognize the biases that can lead to error. We will also discuss how adhering to ethical rules can help make a technically competent lawyer into a great lawyer. And we will analyze how being an ethical lawyer can lead to a meaningful professional life and contribute to the public good.

Learning Objectives:

The goals of this course are:

1. to master the core Rules of Professional Conduct and related substantive and procedural law;
2. to recognize ethical issues early before it is too late to resolve them;
3. to learn to make compelling arguments on legal ethics issues and to resolve those issues;
4. to explore how the ethical lawyer can be professionally fulfilled; and
5. to apply insights from the field of psychology to avoid bias in resolving ethical issues and to find happiness in the practice of law.
LAW 2082 v00 Project Development and Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202082%20v00)

J.D. Course | 4 credit hours
This course will provide students with a fundamental understanding of the legal and practical issues involved in the development and financing of domestic and international infrastructure projects – with an emphasis on major energy infrastructure projects.

We will analyze in depth: (i) the structure of a project finance transaction – including the contractual relationships and risk allocation among parties; (ii) the substantive components of the primary project development agreements; (iii) key project financing concepts and documentation; and (iv) implications of environmental, regulatory and compliance regimes.

Classes will involve lectures and interactive discussion based on selected case studies and articles/publications reflecting projects currently in development and recent project financings. In addition, students will have the opportunity to review and discuss issues and negotiated points in actual project development agreements and financing documentation.

Mutually Excluded Courses: Students may not receive credit for both this course and Domestic and International Project Finance & Development: Case Studies; or the J.D. course, International Project Finance and Investment and Developing & Financing Infrastructure Projects.

LAW 007 v01 Property (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20007%20v01)

J.D. Course | 4 credit hours
Examines classical and modern concepts of property, personal property issues, the nature of interests held in real property, the transfer of such interests, the law of landlord and tenant, and private and public restrictions upon the use of real property.

LAW 007 v02 Property In Time (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20007%20v02)

J.D. Course | 4 credit hours
Takes up topics from the conventional Property course including the law of landlord-tenant, servitudes, nuisance, and takings law. Not only will students learn the basic doctrinal rules; they will also understand them in light of the history of American legal thought and some introductory concepts borrowed from the fields of law and economics and critical race studies.

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

LAW 1244 v00 Prosecuting Sexual Violence: Applying Research to Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201244%20v00)

J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This practicum course will provide students with the experience, knowledge, and analytical skills to identify and apply the criminal laws, evidentiary and procedural rules, and case law relevant to the prosecution of sex crimes. Students will participate in a two hour/week seminar and also undertake 10 hours/week of fieldwork at AEQuitas: The Prosecutors’ Resource on Violence Against Women.

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will learn about the prosecution of sex crimes. Rape and sexual assault laws are complex and evolving. The crime of rape originated as a crime against property – not against a person. While these laws have evolved, they still retain vestiges of their archaic origins, resulting in inconsistency and variability in sex crime terminology and elements from state to state, as well as other anomalies. This course is designed to inform students’ evaluation, preparation, and litigation through a course-long review of a complex sexual assault case file. It will also address the prevalence and perpetration of sexual violence in the United States and will explore the commonalities and differences in the barriers to effectively responding to these cases in the United States and abroad. This practicum course will provide students with the experience, knowledge, and analytical skills to identify and apply the criminal laws, evidentiary and procedural rules, and case law relevant to the prosecution of sex crimes. Students will be exposed to research related to victim behavior, sexual violence perpetration, medical and health issues, and forensics in sexual violence cases in their seminar readings, discussion, and fieldwork. Students will be provided with opportunities to apply the relevant research, court rules, and case law to the course case file. The students’ fieldwork will be complemented weekly by a review of relevant case law and literature, class discussion, lectures by the lead faculty member and guest lecturers, and mock pre-trial and trial exercises. Students will develop an understanding not only of the applicable laws but also of common challenges that arise when investigating and prosecuting these crimes. Topics such as alcohol-facilitated sexual assault, violence against sexually exploited women, commonly co-occurring crimes, prosecutorial decision-making, marital rape, issues of force and consent, and more will be studied.

FIELDWORK: In the two-credit, mandatory pass-fail, fieldwork portion of the practicum, students will undertake 10 hours of fieldwork/week at AEQuitas, where each student will be supervised by an Attorney Advisor. Students will be expected to assist AEQuitas Attorney Advisors with daily tasks of providing technical assistance to prosecutors and allied professionals and to prepare for trainings. Technical assistance requests span the continuum and include but are not limited to: information on experts, legal research (statutory and case law based), policy guidance, and more.

Students will also work in pairs to complete a semester-long project related to AEQuitas’s work, focusing on sexual assault prosecution and advocacy. Projects may include:

- Utilizing technology to enhance the prosecution of these cases, such as developing a public service campaign to raise awareness of issues related to prosecution and sexual assault and/or creating short podcasts on relevant topics that feature AEQuitas Attorney Advisors and other justice system experts, etc.
- Developing sample briefs
- Analyzing relevant laws
- Peer review of colleagues’ work

The fieldwork portion of this course will be graded on a pass/fail basis.
LAW 995 v00 Public Health and International Investment Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20995%20v00)

LL.M Course (cross-listed) | 1 credit hour
The objective of this 1 credit course is to introduce students to the relationship between international laws governing foreign investment and efforts to protect and promote human health. The course will examine the extent to which bilateral investment treaties (BITs) and investment chapters in trade agreements limit domestic regulatory autonomy in the field of public health. International investment law is comprised of over 2500 BITs, which govern the acceptance and treatment of foreign investment. BITs impose various rules limiting the freedom of domestic policy-makers, including rules governing national treatment, most-favoured-nation treatment (principles of non-discrimination), so-called fair and equitable treatment and expropriation of property rights. These rules are increasingly being used by foreign investors, including transnational corporations, to challenge domestic regulations such as public health measures. For example, a major tobacco company recently filed arbitration claims challenging tobacco packaging regulations introduced by health authorities in Australia and Uruguay.

The course will address:

1. the theoretical perspectives underlying the international law of investment and the concept of police powers (particularly the power to protect health);
2. the different types of legal tests used to determine the regulatory legitimacy of a measure as well as the impact of varying standards of proof on analysis of this type;
3. rules governing expropriation of property rights and the circumstances in which health and environmental health measures might be considered equivalent to expropriation;
4. rules governing fair and equitable treatment as used in determining the legitimacy of domestic regulatory measures;
5. rules governing non-discrimination and their potential impact on domestic health measures that are non-discriminatory in form;
6. rules governing arbitrary or discriminatory measures; and
7. procedural issues relating to the participation of civil society in the negotiation of investment treaties and the settlement of investment disputes.

Prerequisite: Familiarity with international law or global health law is desirable, but not required.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.

LAW 364 v05 Public Health Law and Ethics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20364%20v05)

J.D. Course (cross-listed) | 3 credit hours
This course is intended to provoke thought and legal and ethical debate over pressing public policy issues surrounding the major health problems facing America and globally—e.g., infectious diseases, smoking, obesity, violence, injuries, and the environment. First, the course will examine the constitutional and historical foundations of public health law in the United States. This section will discuss the constitutional and statutory powers and duties of government to assure the conditions for a healthy and safe population, including the implementation of the Affordable Care Act. Second, the course will examine the conflicts between public health and civil liberties. For example, the course will probe conflicts between: (1) injury and disease surveillance and privacy; (2) labeling and advertising restrictions and freedom of expression; (3) personal control measures (e.g., screening, forced medical treatment and quarantine) and liberty; (4) commercial public health regulation and property rights. Finally, the course will examine the future of public health law. This "Future" includes a careful analysis of biosecurity—both naturally occurring (e.g., Ebola, pandemic influenza, Zika Virus) and intentional (e.g., bioterrorism such as smallpox and the anthrax attacks after September 11, 2001). This course should be important for all students considering careers in health law as well as those simply interested in exploring and debating the state of public health in America. It is a particularly unique opportunity for students given the expertise of Georgetown Law's own O'Neill Institute for National and Global Health Law.

LAW 364 v06 Public Health Law and Ethics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20364%20v06)

J.D. Course (cross-listed) | 3 credit hours
This course explores the interwoven dynamics of legal and ethical aspects of public health issues in the United States and abroad, including infectious diseases, tobacco use, obesity, and the environment, among others. This course will be valuable for students interested in global health law, as well as students looking to broaden and deepen their expertise in preparation for a career in health law more generally.

This course will proceed in three movements. First, it will consider the conceptual foundations of public health law in the United States through the lens of governance, ethics, and human rights, affording particular attention to the statutory and regulatory powers and duties of federal and state governmental entities to protect the health and safety of the population. Second, it will examine the sources of tension between the objectives of public health and civil liberties including, among others: labeling and advertising restrictions and free speech; disease surveillance and privacy; and considerations in personal versus population-based conceptions of health. Lastly, this course will conclude by considering emerging public health issues at the intersection of law and ethics, such as biosecurity, vaccine policy, and the role for public health in broader discussions around health care reform in the United States.
LAW 1319 v00 Public Policy (D.C. Advantage Practicum) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201319%20v00)
J.D. Practicum | 9 credit hours
In a D.C. Advantage practicum course, students participate in a weekly seminar and work for between 20-30 hours/week in a related placement they have secured themselves. This D.C. Advantage practicum course is designed to help law students to take their hard wired academic knowledge and adapt it to the nuanced world of public policy.

SEMINAR: To succeed in the world of public policy, advocates must communicate an idea effectively and succinctly, convince opponents to support them, build a coalition to support their position, use the media to their advantage, testify before Congress, and raise money. These are some of the practical skills learned on the job after graduation from law school, but this course will give students a window into being an advocate before they graduate, the kinds of hands-on skills not otherwise taught in law school. It is designed for students who are simultaneously working in a public policy related field (in a position the student has found him- or herself), and aims to teach competencies that are directly relevant to that work. This seminar will be built around a real-world issue such as immigration or gun control. Class sessions will cover topics such as Congressional procedure, lobbying Congress, building a coalition, political journalism, money and politics, the political Press Secretary, the Committee process, negotiation and leadership, and the Executive Branch. Guest speakers will participate in many of these sessions to provide on-the-ground insights from their work. Students will earn 3 graded credits for the weekly seminar.

FIELDWORK: Students in this program will work for between 20-30 hours per week, for at least 11 weeks, in a public policy-related position (in a Congressional office, with a nonprofit engaged in policy work, etc.) with close supervision by an attorney from that office. Students are responsible for finding their own placements, and must have the placement offer when applying to the program. They will earn 4 pass/fail credits for 20 hours/week of fieldwork, 5 pass/fail credits for 25 hours of fieldwork, or 6 pass/fail credits for 30 hours/week of fieldwork.

Prerequisite: Prerequisites: 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).

Required co-requisite: Every student taking a D.C. Advantage practicum must concurrently enroll in at least one additional course that relates to the fieldwork he or she will be doing.

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

This course is mutually exclusive with all other D.C. Advantage practicum courses and the externship program (that is, a student may do only one D.C. Advantage practicum while at Georgetown Law and may not do both a D.C. Advantage practicum and an externship during his or her time here.) Students who completed one externship before this rule went into effect (Fall 2016) may seek a waiver and are still eligible to take this course. Under no circumstances may participants in this course concurrently or subsequently enroll in an externship. This course is also mutually exclusive with the summer Delaney Public Policy Scholars program.

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

Students must apply to this program through an online application that will be made available during the Fall 2016 semester. We will update this page with a link to the application as soon as it is available.

Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. A student wishing to withdraw from the course indicates otherwise: Regular and punctual attendance is required at all placements. A student with more than one unexcused absence from the practicum will be permitted to take notes in class but may be used when working on writing assignments or making presentations of material in class.

LAW 1613 v00 Public Speaking for Lawyers (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201613%20v00)
J.D. Seminar | 2 credit hours
In this hands-on course, we will use current legal issues to examine public speech from both theoretical and practical perspectives, and you will begin to develop a skill-set essential for success in all law practice types.

Course Goals/Student Learning Outcomes
Whenever lawyers speak professionally, they are engaging in some form of public speaking. This is true inside the courtroom, but is equally true in non-litigation settings—whether speaking to lay groups about various matters of legal controversy; appearing before legislatures, city councils or municipal boards; pitching ideas to colleagues, clients, or potential clients; or conducting media interviews for any variety of reasons.

This course examines communication and interdisciplinary theories and mechanics/strategies needed for effective persuasive public speaking, such as speech study, audience analysis, outlining, documentation, organizational skills, word choice, and presentation. Every speech, including the one of self-introduction, will focus on topics that are legally relevant. Throughout the semester, students will maintain files of articles regarding a legal topic (i.e. legal arguments and theories behind controversial social issues) from which many of their speeches will be derived, including the persuasive speech.

At the conclusion of the course, you will:
1. Know how to speak publicly so your audience will really listen and understand.
2. Develop analytical listening and observation skills.
3. Construct and deliver effective extemporaneous public speeches.
4. Manage speech anxiety and effectively use nonverbal communication to inform, persuade, enlighten, and impact your audience.
5. Be able to produce and employ effective visual aids in your presentations.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first class session in order to be eligible for a seat in the class.

Note: A laptop or tablet will not be permitted to take notes in class but may be used when working on writing assignments or making presentations of material in class.
LAW 3067 v00 Public-Private Partnerships: Law and Governance
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203067%20v00)
LL.M Course (cross-listed) | 2 credit hours
Public-Private Partnerships (PPPs) are a modern means for pursuing social and policy outcomes and have recently served as a key vehicle for addressing the COVID-19 pandemic. When they work, they mobilize the comparative advantages of the public and private spheres to address key challenges. When they fail, critics cite their worst aspects and argue for a retreat into more traditional roles. Their prevalence means that everyone is likely to come across, and be affected by, such a partnership at some point in their careers.

Serving as a lawyer to a PPP provides an exceptional challenge because the tools and strategies that work when counseling in the public sector may be strange or ill fit for purpose in the private sector (and vice versa). Effective PPP lawyers are translators and guides: they ‘speak both languages’ thus positioning themselves to propose innovative, non-obvious solutions and can build trust with, and among, partners and stakeholders. Bridging theory and practice, students will have the opportunity to understand why PPPs have emerged and the theoretical basis under which they operate. They will also receive practical tools and knowledge to allow them to work with or within a PPP and discuss and debate sophisticatedly how they should be managed and governed.

To do this, the course uses a mix of lecture, discussion, video, and experiential learning. It will start by examining and contrasting the key organizational, legal, and governance components of public-sector institutions and corporate entities. Students will then analyze several kinds of PPPs including global health partnerships, innovative finance institutions, and biomedical research consortia. In particular, they will examine applicable international, corporation, and regulatory law and seek to understand the choices these partnerships make in applying a particular mix of public-sector and corporate norms. We will seek to understand the high profile COVID-19 PPPs such as COVAX, Accelerating COVID-19 Therapeutic Interventions and Vaccines (ACTIV) partnership, and Operation Warp Speed. A key feature is a simulation that provides students the opportunity to experience the formation of a PPP using the tools they develop during the semester.

LAW 1352 v00 Pursuing Fraud Against the Government: A Model of Complex Civil Litigation
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201352%20v00)
J.D. Seminar | 3 credit hours
Since the 1980s, the Federal False Claims Act (“FCA”) has been the United States’ primary civil mechanism to stem, recover for, and punish fraud against government programs and in government contracting. It provides for both treble damages and additional statutory penalties. It also establishes a public-private partnership in which whistleblowers are empowered to work alongside or in the name of the United States to prosecute fraud. In return, they receive a portion of the recovery and attorneys’ fees. The FCA has proven so successful in uncovering fraud and recovering tax payer dollars that a majority of states have passed similar statutes. As a result, FCA litigation is a particularly salient example of the complex civil litigation found throughout federal and state courts. It can involve allegations of nationwide fraud requiring extensive discovery, made on behalf of multiple plaintiffs, including multiple independent sovereigns, and for which the potential recovery risks bankrupting the defendant.

This course will use the allegations, discovery, and trial testimony from actual FCA suits to introduce students to the intricacies of and strategic considerations presented by this and other complex civil litigation. The course will follow the development of FCA suits from the under seal investigation of the case through trial with a special focus on utilizing and defending against discovery and driving cases to early resolution. Students will draft portions of complaints, proposed orders, discovery requests, motions, and jury instructions. Class time will be used to critique student work product and strategize responses so that students will be exposed to both defense and plaintiff perspectives and understand the tradeoffs faced by litigants in multi-party suits. Students will also hear from practitioners, including mediators and judges, to understand the techniques they employ and what motivates their decisions. The goal is that at the end of the course students will have experience with all of the tools of complex civil litigation, an understanding of how to take a case from complaint to trial, a familiarity with the central legal doctrines underlying FCA actions, exposure to private-public interest practice, and an appreciation for working with the government and other co-parties.

Students will be evaluated based on their written work product and class participation.

Prerequisite: Civil Procedure (or Legal Process and Society).
Recommended: Prior or concurrent enrollment in Evidence.
LAW 611 v06 Questioning Witnesses In and Out of Court (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v06)
J.D. Seminar | 1 credit hour
This Week One course will introduce students to a critical dimension of lawyering: the law, practice, and ethics of questioning witnesses effectively in non-adversarial and adversarial situations. Through lectures, simulation exercises (i.e., mock depositions, grand jury proceedings, and trials), and oral and written feedback, students gain exposure to the forensic techniques needed to effectively question witnesses in both informal and formal settings, a skill set whose value in the practice of law is not limited to litigation. This course is an excellent introduction to the type of materials covered in upperlevel elective courses such as Trial Practice and Civil Litigation Practice.

The course does not require students to have taken Evidence, but will introduce students to selected key evidentiary issues that they need to understand in order to construct lines of questions and individual questions to elicit responsive answers (or to object successfully to opposing counsel's questions). For class each evening, students will have limited assigned readings before class (which may include fact patterns and mock documents for the next day's exercises), and handle questioning in mini-problems involving witness questioning in both civil and criminal practice. The scenarios are expected to include situations such as: (1) informal interviews of corporate employees and other individuals by outside counsel conducting internal investigations of alleged wrongdoing, such as consumer fraud, economic sanctions violations, foreign bribery, organized crime, and SEC disclosure violations; (2) informal and formal interviews of government employees, government-contractor officers and employees, and other individuals by counsel for a Congressional committee investigating alleged fraud against the government; (3) formal non-adversarial questioning of witnesses in civil and criminal depositions, and in federal grand jury proceedings; and (4) formal adversarial questioning of witnesses in civil and criminal trials. Students can expect to be conducting witness questioning each evening of class and to enhance their and their classmates' learning through a highly participatory and supportive environment.

Learning Objectives for Professor Rusch:
The general objective of the examination exercises in this course is skills exposure, practice, and improvement to ensure that students become familiar with the forensic techniques needed to question witnesses effectively in a variety of contents. Whether or not students eventually take upper-level courses such as Trial Practice or Trial Advocacy, which address a broader array of litigation skills in a full-semester course, this course will provide them with a valuable lawyering skill set whose value in the practice of law is not limited to litigation. That skill set is best developed in a concentrated course like this by keeping in-class mini-lectures brief, overseeing multiple exercises by students, and providing prompt in-class feedback after each exercise is completed.

Learning Objectives for Professors Williams and Brightbill:
Students will develop a stronger understanding through experiential learning of the role of questions in litigation, with specific focus on witness interviews, depositions, direct examinations, and cross examinations.

Note: This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information, please see the Week One website.
LAW 1461 v00 Race and Poverty in Capital and Other Criminal Cases Seminar [course-url]
J.D. Seminar | 2 credit hours
This course will examine issues of race and poverty in the criminal justice system, particularly with regard to the imposition of the death penalty. Topics will include procedures for consideration of the death penalty, prosecutorial discretion, plea bargaining, the right to counsel for people who cannot afford lawyers, jury selection, and racial disparities in sentencing.

Learning Outcomes: Students will develop knowledge and understanding regarding the history of racial bias in the courts and the extent to which race continues to influence outcomes in cases. Students will learn the substantive and procedural law regarding racial discrimination; due process and equal protection guaranteed by the Fourteenth Amendment; the cruel and unusual clause of the Eighth Amendment; prosecutorial discretion; and the right to counsel for poor people accused of crimes. Students will analyze the standards adopted by the Supreme Court in these areas, the evolution of those standards over time, and the practical impact of the Court's decisions on the law in trial courts throughout the country. Students will learn how lack of compliance with procedural rules may bar any consideration of the merits of issues. Students will learn the responsibilities of prosecutors and defense lawyers. Students will learn how to analyze issues and set out their views in writing and orally, supporting their positions with solid legal reasoning and proper citation to the relevant authorities.

Note: In Fall 2021, this course will meet on the following Tuesdays and Thursdays: 8/31, 9/2, 9/7, 9/9, 9/23, 9/28, 9/30, 10/5, 10/7, 10/19, 10/21, 10/26, and 10/28.

LAW 1488 v00 Race and Voting Rights [course-url]
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will examine federal law and policy regarding voting rights, with a focus on requirements for equal treatment of racial, ethnic, and language minorities. Included are federal protections against racial discrimination and vote dilution under the Constitution and Voting Rights Act; aspects of federal law on redistricting and racial gerrymandering; language assistance protections; the racial impact of state-law voter qualifications (including voter identification requirements, documentary proof-of-citizenship statutes, and felon disenfranchisement laws). Students in this seminar will engage with the constitutional, statutory, and doctrinal foundation for racial nondiscrimination in voting, and will also consider the application of that foundation to current legal and policy debates about voting rights and election participation.

Learning Goals
A. Develop an understanding of foundational legal principles. Students will gain a working understanding of voting rights law as it affects the opportunity for equal and nondiscriminatory participation by racial and ethnic minorities, including congressional authority to prohibit discrimination in voting, protection of minority interests in redistricting, regulation of voter qualifications and registration requirements, and protections for language minority groups.

B. Synthesize and apply foundational principles to contemporary problems in voting. In addition to studying the central legal principles established by the Constitution, federal statutes, and key Supreme Court cases, students in this seminar will also develop an understanding of how to synthesize those foundational sources and apply them to current legal debates regarding voter participation and access to the ballot.

C. Refine presentation skills. The class participation and research presentation requirements of this seminar will require students to develop their skills both in speaking about legal issues and in engaging in critical exchanges with classmates about legal issues.


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 1520 v00 Race to Risk Assessment

J.D. Seminar | 2-3 credit hours
This seminar will examine how the law historically and contemporaneously constructs race in America, focusing in particular on the way race has been used (and abused) in the criminal justice system in supposedly scientific methods for measuring risk. We will begin the seminar by examining the explicit constructions of race, including naturalization cases from the 19th and 20th centuries, as well as more notable cases, such as *Dred Scott* and *Plessy*, involving restrictions on the rights of enslaved and formerly enslaved Black Americans. We will then turn our attention to constructions of race in the wake of *Brown v. Board of Education*, particularly the rise of ‘colorblind’ interpretations of the Equal Protection Clause, which limit legal interventions and remedies to incidents of intentional racist acts, rather than facilitating remedies to address systemic manifestations of racial hierarchy.

In the second half of the seminar, we will turn our attention to the criminal justice system and how the colorblind doctrine has facilitated the use of crime as a proxy for race. Specifically, we will examine how risk assessments—predictions of a defendant’s future dangerousness or risk to public safety—can participate in and obfuscate continued constructions of race under the law, and efforts at the local, state, and national levels to ensure these predictions do not replicate the biases we have come to associate with our system of criminal justice.

**Learning Objectives:**

Students will learn how the courts have traditionally been called upon to define race, how these constructions persist into the present, and how interpretations of the Constitution as ‘colorblind’ can obfuscate courts’ continued role and involvement in these constructions. By turning our attention to the criminal justice system, students will be able to assess the nexus between the colorblind rhetoric of the courts and mass incarceration. Students will leave the seminar with substantive knowledge of: the federal Bail Reform Acts of 1966 and 1984, the responsibility of judges to “predict” whether people charged with crimes are a risk to public safety, and increasing concerns from the public regarding the role such predictions play in continued constructions of race.

Beyond the knowledge gained from exploration of the aforementioned laws and cases, students should depart the seminar with a healthy skepticism of the law as inherently neutral or unbiased. Further, through robust class discussion and satisfaction of the writing requirement, students will sharpen their analytical skills, as well as their ability to clearly and concisely articulate themselves in verbal and written formats.

**Note:** This course requires a paper. Students must register for the 3 credit section of this course 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.

LAW 1021 v01 Race, Gender and Criminal Law Seminar

J.D. Seminar | 2-3 credit hours
The course examines the role of race and gender in substantive criminal law and criminal procedure. Selected topics include rape, racial disparities, hate crimes, victimization, race and gender based defenses, including cultural defenses and the “battered spouse” defense, jury selection and participation, prostitution and sex crimes, and racial profiling. Readings will consist primarily of cases and scholarly articles. Possible case books include “Race and Races” (Thompson West) and “Women and the Law” (Thompson West). Selected readings from “Race, Crime, and the Law” (Kennedy) and “Let’s Get Free: A Hip-Hop Theory of Justice” (Butler).

**Prerequisite:** Criminal Law.

**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.

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 1607 v00 Race, Inequality and Progressive Politics: Voting Rights in America

J.D. Course (cross-listed) | 3 credit hours
Race, Inequality and Progressive Politics: Voting Rights in America explores 1) the role of race and inequality in the evolving progressive vision of American democracy 2) lessons learned from successive backlashes to the progressive vision and 3) the implications of this history for the future of progressive politics in America. Tracking the historical evolution of progressive politics from 19th century Reconstruction to 20th century Civil Rights, this course locates the defining characteristics of American Progressive thought in an Ideology of Equality that consists of the following: 1) a critique of entrenched economic, political and social inequality 2) the reconstruction of government’s role in remedying inequality and 3) the development of a community-based, participatory democracy – a robust civil society supplementing the work of progressive government.

**Learning Objectives and Methods:** Over the course of the semester, students 1) develop a working knowledge of how race and inequality impact voter registration, participation and/or representation 2) acquire critical tools to identify and analyze dominant ideologies and narratives reinforcing inequalities and 3) explore innovative public policy and civil society solutions to the inequalities plaguing voting rights and electoral politics in American democracy.
LAW 1335 v00 Race, Inequality, and Justice

J.D. Course | 2 credit hours

Course Organization and Overview
This course explores the law's response to the problem of economic inequality. By 2015, the political and economic conversations have recognized the stark and unacceptable wealth and economic differences that underlie growing political and social instability. We will approach the subject from an interdisciplinary perspective that includes sociology, psychology, history and cultural studies. The course offers an introduction to the work of classic economic thinkers such as Adam Smith, and contemporary economists and legal scholars including Milton Friedman, Gary Becker, Richard Posner and Ian Ayres. The primary focus of the course however will be an exploration of the limits and failures of conventional rational choice approaches to explaining the questions arising from economic inequality for members of groups who have experienced pervasive race, gender and other forms of cultural subordination.

We will explore the conceptual framework of marketplace distribution of commodities, the cultural determinants of market value, and the claims of subordinated communities for economic equality. We will develop an understanding of the silence of the Constitution on questions of economic inequality. We will draw upon the insights of a wide range of social science research to map the consequences of the lack of a coherent legal framework to govern questions of distributive justice.

This course does not require a technical background in quantitative economics. The primary material will be drawn from sociology, history, psychology, narrative economics, and critical race theory.

Theme
The case study for this seminar this year will be the economic and social conditions of the city of Baltimore, Maryland. We will explore the impact of the cumulative economic and social deficits of that city. We will take advantage of our course discussion and research to investigate this dramatic example of economic and social inequality in America. This recent example of the explosive combination of police abuse and the underlying condition of wealth and income inequality is just the most recent example of long term neglect. We will try to figure out what factors surround the anger at the criminal justice process of stop and frisk and the implementation of the "broken windows theory" of police enforcement practices that have created police estrangement from many low wealth communities of color. The Freddy Grey Riots and the long-term political, economic and sociological dynamics of Baltimore provide an important to delve more deeply into the connection between police practices and the economic death of cities such as Baltimore.

We will ask are there important counter examples to Baltimore and Ferguson.

Mutually Excluded Courses: Students may not receive credit for both this course and Race, Inequality, and Justice.

LAW 1335 v01 Race, Inequality, and Justice

J.D. Course | 2 credit hours

Course Organization and Overview
This course explores the law's response to the problem of economic inequality. By 2015, the political and economic conversations have recognized the stark and unacceptable wealth and economic differences that underlie growing political and social instability. We will approach the subject from an interdisciplinary perspective that includes sociology, psychology, history and cultural studies. The course offers an introduction to the work of classic economic thinkers such as Adam Smith, and contemporary economists and legal scholars including Milton Friedman, Gary Becker, Richard Posner and Ian Ayres. The primary focus of the course however will be an exploration of the limits and failures of conventional rational choice approaches to explaining the questions arising from economic inequality for members of groups who have experienced pervasive race, gender and other forms of cultural subordination.

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This course does not require a technical background in quantitative economics. The primary material will be drawn from sociology, history, psychology, narrative economics, and critical race theory.

Theme
The case study for this seminar this year will be the economic and social conditions of the city of Baltimore, Maryland. We will explore the impact of the cumulative economic and social deficits of that city. We will take advantage of our course discussion and research to investigate this dramatic example of economic and social inequality in America. This recent example of the explosive combination of police abuse and the underlying condition of wealth and income inequality is just the most recent example of long term neglect. We will try to figure out what factors surround the anger at the criminal justice process of stop and frisk and the implementation of the "broken windows theory" of police enforcement practices that have created police estrangement from many low wealth communities of color. The Freddy Grey Riots and the long-term political, economic and sociological dynamics of Baltimore provide an important to delve more deeply into the connection between police practices and the economic death of cities such as Baltimore.

We will ask are there important counter examples to Baltimore and Ferguson.

Mutually Excluded Courses: Students may not receive credit for this course and Race, Inequality, and Justice Seminar.
LAW 1719 v00 Race, Law, and Inequality Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201719%20v00)
J.D. Seminar | 2-3 credit hours
The deaths of black men and women at the hands of white police officers in places like Ferguson, Missouri, New York City, North Charleston, South Carolina, and Baltimore has launched a conversation about race in the United States unlike any we have seen in recent decades. Recent debates have focused on racial bias, discrimination and disadvantage, but have largely ignored the effects of law in the racial inequality context. This course looks to correct that omission. It offers students an opportunity to explore the ongoing role that law plays in both shaping notions of race and in fostering structural racial inequality in the United States. Launching an inquiry that emphasizes history, as well as scholarly critique and social science insights, the course invites students to consider the racial contours and function of law in a host of contexts, including criminal justice, education, family, and housing.

Note: 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 two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1389 v00 Racial Capitalism and American Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201389%20v00)
J.D. Seminar | 2-3 credit hours
This course explores the many ways in which law is implicated in histories of racial differentiation and subordination in the United States. Beginning with histories of colonial settlerism, native dispossession, and black bondage, this course will explore the distinctly racial character of capital accumulation, in the United States and now globally. We continue though the revolutions of emancipation, racial segregation, and selective migration, to understand the racialized patterns of economic inequality rooted in our present. Though the readings assigned in this course have been selected to provide students with a richly historical framework for understanding contemporary crises, students are encouraged to introduce questions that concern them most immediately. Students are also encouraged to think critically across intersections of race, class, gender, and sexuality.

There are no prerequisites for this class, but students should be prepared to engage with variety of materials, not limited to legal cases or statutes. Students will be introduced to foundational essays in the critical legal tradition, as well as emerging interdisciplinary scholarship in postcolonial studies, critical indigenous studies, black radicalism, ethnic / American studies, and feminist / queer studies.

Students will be expected to draft short weekly reflections, to participate in leading our seminar discussion at least once during the semester, and to submit a final paper on a topic of their own choosing.

Note: This course requires professor permission to enroll. Please email Professor Munshi (skm67@georgetown.edu) and her assistant Maya Krishnan (maya.krishnan@georgetown.edu) by Wednesday, June 9, 2021 with a copy of your CV and a short statement of interest (1 page or less). Please include whether you want to take the course for 2 or 3 credits. After the June 9 application deadline, students will be admitted into open seats on a rolling basis.

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 two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1753 v00 Racial Equity in Education Law & Policy Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201753%20v00)
J.D. Clinic | 10 credit hours

Mutually Excluded Courses:

Students may not concurrently enroll in this clinic and an externship or a practicum course.
LAW 1728 v00 Reading the Police Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201728%20v00)
J.D. Seminar | 2 credit hours
During this seminar our class will read six recent books about policing in the United States. We will spend two weeks on each book. The first week we will discuss the book with each other. The second week the author will visit the class to discuss the book. Author visits are likely to be via video conference for the entire term.

Through studying these books and speaking with their authors we will learn how theories of policing have changed over time; how policing is influenced by, and in turn influences, law and politics; the role that race, gender, age and socio-economic status have played in shaping how policing happens; the connection of policing to mass incarceration and its attendant harms; and we will probe some of the biggest challenges facing policing currently, such as combatting gun violence and the rise of big data and surveillance technologies.

The books we will read are:

- **Unwarranted: Policing without Permission**, Barry Friedman (2017)
- **Tangled Up in Blue: Policing the American City**, Rosa Brooks (2021)

**Reflection and Summaries:** All students are required to submit a 500 word reflection paper on each book after we have read the book and before we have discussed it with the author. Reflection papers will be submitted via Canvas by noon two days before class so that they can be made available to the authors before our discussion. Reflection papers will be graded Canvas by noon two days before class so that they can be made available to the authors before our discussion. Reflection papers will be submitted via Canvas by noon two days before class so that they can be made available to the authors before our discussion. Reflection papers will be submitted via Canvas by noon two days before class so that they can be made available to the authors before our discussion. Reflection papers will be submitted via Canvas by noon two days before class so that they can be made available to the authors before our discussion. Reflection papers will be submitted via Canvas by noon two days before class so that they can be made available to the authors before our discussion.

**Grading**

Your grade for the class will be based upon: 1) attendance and participation; 2) reflection papers for each book; and 3) weekly reading summaries.

**Prerequisite:** Criminal Justice or Democracy & Coercion or Criminal Procedure or Instructor Approval. (LL.M.s are welcome).

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

All students are required to submit a 500 word reflection paper on each book after we have read the book and before we have discussed it with the author. Reflection papers will be submitted via Canvas by noon two days before class so that they can be made available to the authors before our discussion.

LAW 1718 v00 Real Estate Development Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201718%20v00)
J.D. Course | 2 credit hours
Guest Lecturers:
- Brandon Rule, Rule Enterprises
- Feras Qumseya, Folger-Pratt
- David Bramble, MCB Real Estate

This course teaches the fundamentals of real estate development with considerable emphasis on problem solving and real time engagement of potential development sites. Across the semester, students acquire practical knowledge of the stages of real estate development, as well as the laws and deal structures pertinent to a range of mixed income/mixed use development.

Students whose projects show promise may have the opportunity to join interested professional development teams as interns, continuing their learning experience and involvement on this and/or other projects.

**Learning Goals**

Through class readings, in-class exercises, and guest lectures, students learn to

1. Identify problems and solutions at various stages of the development process: 1) creating and refining a development idea, 2) site selection, evaluation, and control, 3) development and entitlement, 4) construction and tenant occupancy and 5) management of the built project.
2. Navigate the deal structure and most common legal issues in mixed income/mixed use development
3. Research the preliminary feasibility of potential sites and construct a pro forma to analyze business feasibility of those sites
4. Prepare a short prospectus capturing the essentials of site research and pro forma analysis
5. Organize and present a 5-7 min. pitch to industry professionals based on prospectus and pro forma analysis

**Recommended:** This course functions like an incubator for those interested in commercial and multi family real estate development. No prior experience or coursework in development, finance, or real estate law is required, but proficiency with Excel and familiarity with general business and finance concepts could be helpful.

**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students should submit a statement of interest, along with an updated CV to Professor Anthony Cook (mailto:cook@georgetown.edu (cook@georgetown.edu)) by 3:00 pm on Monday, September 21, 2020.
LAW 430 v01 Recent Books on the Constitution Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20430%20v01)
J.D. Seminar | 2 credit hours

This seminar will study six recent scholarly books about constitutional theory and history. The class will spend two weeks on each book. For the second session on each book, the author visits the class in person to discuss the work. This year, the books will be (in this order):

- Randy Barnett & Evan Bernick, The Original Meaning of the 14th Amendment: Its Letter & Spirit (Belknap 2021)
- Ilan Wurman, The Second Founding: An Introduction to the 14th Amendment (Cambridge 2020)
- Stephen Halbrook, The Right to Bear Arms: A Constitutional Right of the People or a Privilege of the Ruling Class? (Bombardier 2021)
- Donald Drakeman, The Hollow Core of Constitutional Theory: Why We Need the Framers (Cambridge 2021)
- Jamal Greene, How Rights Went Wrong: Why Our Obsession With Rights is Tearing America Apart (Houghton Mifflin Harcourt 2021)

Grades will be based on class participation and a 5500 character “thought paper” for each book. In addition, students will submit a one-page summary of the reading — graded pass/fail — for the first and second week’s discussion of each book. All thought papers must be submitted electronically by Monday at noon, so they can be made available to the authors and graded by the following day. Grades for papers submitted late will be lowered.

Prerequisite: Constitutional Law I: The Federal System or Democracy and Coercion in Curriculum B.

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

Note: Internet access on any device is not allowed during class; all laptop use is disallowed (unless necessary to conduct Zoom instruction).

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. The paper requirements of this seminar will not fulfill the Upperclass Writing Requirement.

LAW 440 v04 Refugee Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20440%20v04)
J.D. Course (cross-listed) | 2 credit hours

This course examines domestic refugee law and policy, with particular focus on asylum and other refugee-related claims for protection that arise in the U.S. legal system. Students will become familiar with the key actors in the asylum and refugee law arena, including the U.S. Congress, the Department of Justice, the Department of Homeland Security, the federal courts, and international entities.

The course objectives are: (1) to equip students with an understanding of the principles of refugee policy, asylum law, and the United States’ procedures for refugee protection, and (2) to provide students with a practical appreciation for how refugee policy is formed and a working knowledge of asylum law, which will serve as a foundation for academic research, clinical study, employment, pro bono work, and/or internship opportunities within the U.S. government and the NGO community.

In addition to focusing on the refugee definition as interpreted by U.S. courts, we will examine the processes for adjudicating asylum claims — where the system works and where it fails. We will also seek to understand the limits of asylum law and explore the toughest issues facing asylum adjudicators and policy makers today.

Note: Priority is given to students fulfilling the requirements of the Certificate in Refugees and Humanitarian Emergencies.

LAW 670 v13 Recent Tax Legislative Developments (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20670%20v13)
LL.M Seminar (cross-listed) | 2 credit hours

Each student will select a topic relating to a recently-enacted tax statute or newly-issued interpretation of a tax statute; present an overview of the topic early in the semester; lead a longer discussion of the topic late in the semester; and submit a final paper not later than the paper due date. Professors will give guidance on the topics and paper preparation throughout the semester. Professors also will provide information about the tax legislative process to give context to the paper topics. Students will be graded primarily on the final paper and secondarily on the quality of their discussion/s of their own topic and the value of their comments and suggestions made regarding other students’ topics.

Prerequisite: Federal Income Taxation
LAW 785 v00 Regional Trade Agreements: The Changing Landscape of International Rules and Policies in the Americas and Beyond
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20785%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
The goal of the course is to provide with an in-depth understanding of the most recent regional and bilateral trade agreements in the context of the international trade law system and the interplay of regional arrangements with multilateral rules. Students will acquire knowledge and insights on policies and rules to undertake specialized private practice or government service to handle complex and develop critical thinking regarding the most current trade issues. The course encourages students to develop skills to engage in the preparation and presentation of trade briefings and policy notes dealing with ongoing cases and trade negotiations and disputes.

The course offers students the opportunity to engage in open guided analytical discussions on the major legal and economic issues of regional trade arrangements (RTAs) and trade negotiations with a special focus on the Americas and their links within the Western hemisphere and with other regions around the world.

Special attention is devoted the most relevant negotiations and other global impactful events on the trade fields such as the NAFTA negotiations. The seminar will also discuss the linkages between RTAs and the current trade policy developments (e.g. Asia Pacific, Transatlantic) at the multilateral, regional and national level and how they are affecting trade integration in the Americas and beyond.

Topics that will be covered in this course are trade in agriculture, industrial products, services and investment, market access, trade remedies, intellectual property, competition and dispute settlement and other topics such as environment, labor and digital trade.

The analysis and discussions in class will be based on treaty text, jurisprudence and the practical, hands-on experience of the professors. Guest-speakers — including practitioners, government officials, or staff from relevant international organizations — will be invited to a few sessions.

Students will be asked to participate in class presentations and/or group exercises on the topics covered, for example on a hypothetical case study of exports/imports, taking up the role of advisors based in either the importing country or the exporting country. They are also encouraged to bring to the discussion resources and points of view beyond those recommended.

Students will be required to write a take-home exam of maximum 10 pages long (double space). Class attendance, oral presentation, and class participation will be part of the overall evaluation.

Prerequisite: for J.D. students only: International Law I: Introduction to International Law (or the equivalent of International Law I, which is a 3 credit course in public international law).

Note: This course is limited to LL.M. students and students in the final year of their JD program.

LAW 896 v00 Regulated Money Management: Mutual Funds and Investment Advisers
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20896%20v00)
LL.M Course | 2 credit hours
This course is an introduction to the law and practice relating to two of the best known forms of money management in the United States: mutual funds registered with, and regulated by, the Securities and Exchange Commission; and investment advisers. The course focuses on the regulation of mutual funds and other investment companies under the Investment Company Act of 1940, and investment advisers under the Investment Advisers Act of 1940. The course begins by addressing important threshold questions of who or what is an investment company or investment adviser. The course then moves to an examination of the laws and policies applicable to: registration with, and regulation by, the SEC; disclosure to investors and clients; conflicts of interest faced by money managers; governance of funds and their managers; marketing practices of funds and money managers; fees, charged by funds and advisers; and other aspects of fund and adviser operations. Among the types of investment companies and advisory services that are discussed in the course are: closed-end funds, money market funds, exchange traded funds, private funds, asset allocation programs, and services to retirement plans. Throughout the semester, hot topics of the day including the asset management, business and investment management law are considered such as new legislation, (e.g., the Dodd-Frank Act,) important initiatives in fund disclosure, and potential misuse of material, non-public information.

Note: First class attendance is strongly encouraged for all enrolled and waitlisted students

LAW 1459 v00 Regulation and Deregulation in the Executive Branch Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201459%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
Most federal regulation comes from the Executive Branch. Cabinet departments and agencies issues rules affecting everything from the environment to the workplace, from prisons to highways. Presidents issue executive orders initiating and rolling back areas of regulation. This seminar will address the authority behind such executive branch actions, the legal requirements they must meet, and the limits on their legal effects. It will address underlying constitutional, statutory, and institutional factors, as well as how potential changes to our regulatory system could affect what, when and how the Executive Branch can regulate. This course is open to all 2L, 3L and LLM students.
**LAW 2054 v00 Regulation of Commodities and Derivatives Markets**

LL.M Seminar (cross-listed) | 2 credit hours
Survey of current regulatory and enforcement issues in commodity and derivatives markets; including environmental / climate change commodities, FinTech, energy, securities, forex and related derivatives trading, including swaps, futures, and options markets. Topics include: (1) overview of the history of derivatives and commodity trading generally; (2) the concepts of hedging and speculation; (3) development of derivatives regulation in the U.S. during the 20th and 21st century and the evolution of the Commodity Exchange Act of 1936 (CEA); (4) the current jurisdiction of the Commodity Futures Trading Commission (CFTC) and the Securities and Exchange Commission (SEC) in the post-Dodd-Frank world; (5) application of commodity trading and derivatives statutes and regulations to new products, such as bitcoin, blockchain and other FinTech innovations; (6) analysis of energy and environmental commodity derivatives and markets (cases studies); (7) application of certain securities and banking statutes and regulations to derivative transactions (e.g., the Volcker Rule); (8) registration and regulation of market participants, such as brokers, hedge fund operators, investment advisers, swap dealers; (9) administrative and injunctive enforcement powers involving violations of the CEA; (10) current developments in self-regulatory oversight; and (11) foreign market access to derivatives trading and developments in the EU. After taking this course, students will have a strong understanding of US federal regulation of commodities and derivatives markets as well as awareness of priority areas for likely CFTC enforcement.

**Recommended:** Bankruptcy, banking.

**Strongly Recommended:** Securities, corporations.

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**LAW 1390 v00 Religion and Constitutions in Global Perspective Seminar**

J.D. Seminar (cross-listed) | 2-3 credit hours
All constitutions around the world deal with religion. Some constitutional systems are theocratic, some accommodate religion, while yet others advocate neutrality toward religious institutions or call for a strict separation between religion and the state. This course examines core questions regarding how religion and law interact in constitutional systems globally. We will explore the role of religion and the state drawn from comparative contexts including Asia, the Middle East, and Europe. We will evaluate the challenges faced by the different models of the relationship between the state and the church (or mosque) in our modern world. To what extent is liberal constitutionalism consistent with constitutional designs that privilege a particular religion? Should religion or secularism ever be placed beyond constitutional change, like through constitutional eternity clauses?

We will also consider the individual right of religious freedom and the scope of its protection globally. What counts as “religion” and religious freedom? Who is better placed to make these determinations—the courts, legislature, executive, or the people? We will discuss controversies relating to these questions, such as apostasy, religious conversion, religious symbols, and bans on religious dress like headscarves and burkinis. This course will also explore contemporary issues relating to religion and gender, multiculturalism, religious arbitration, and conscience claims.

**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 1038 v00 Religion and the Work of a Lawyer Seminar**

This seminar requires a series of short reflection and reaction papers which aim to facilitate thoughtful student participation in seminar discussions throughout the course. The final paper is not a research project, but a short engagement (about 8 pages) with a particular set of issues arising from across the range of topics covered in the course. This course does not satisfy the JD Upper Level Writing Requirement.

**Substantive Goals:** For some, the ways in which we think about legal questions, and about our own work as lawyers, are related to our religious or spiritual outlook. The substantive goal of the seminar is to provide students with the opportunity to explore questions such as: is such a connection appropriate only as a private matter, not to be brought into the evaluation of policy questions or even into conversation, except with one’s chosen intimates? Can its importance to our legal thinking be honored in a manner that honors our political commitment to pluralism and freedom of conscience? What is the difference, if any, between religious and secular sources of values? How may one integrate a religious commitment with a career as a lawyer? This is not a seminar on the law of the First Amendment, although it may affect our understanding of some of the controversies.

This course does not satisfy the JD Upper-Level Writing Requirement.

**Skills-oriented goals:**

1. This seminar requires a series of short reflection and reaction papers which provide an opportunity for students to hone the art of brief writing for a professional setting. The final paper is not a research project, but a short engagement (6-8 pages) with a particular set of issues arising from across the range of topics covered in the course.
2. Reflection papers also aid in preparation for thoughtful student participation in seminar discussions throughout the course, and the further opportunity to hone skills in speaking fluently and comfortably, even about difficult or contentious questions.
3. Seminar discussions will not shy away from sensitive, difficult, or even polarizing cultural and religious questions. Frequent breakout groups and exercises in communication aim to help students hone cognitive empathy, a capacity to listen to understand (rather than simply to debate), and agile skills for dialogue across profound difference.

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**LAW 1196 v00 Religion, Morality and Contested Claims for Justice Seminar**

This interdisciplinary seminar will examine theories of justice and the relationship between law and morality in light of religious and theological visions of the good life and accounts of order. Materials and discussions will probe questions such as: What are the moral values underlying the law? How does the law achieve justice or fall short of this goal? How can moral judgments be brought to bear, if at all, in modern, secular legal institutions and in the formation of public policies?

Throughout the class we will have opportunities to consider how morality and ideas of justice shape, and are shaped by, contemporary legal problems such as: the legal regulation of sexual activity and marriage, controversies regarding federally mandated health insurance, abortion, euthanasia and physician assisted suicide, immigration, regulation of financial institutions, and/or other issues which emerge as topics of particular student interest.

Particular attention will be paid to understanding methods for dialogue across differing thought systems and disciplines and to developing the skills for communication across claims that would otherwise tend to generate religious and political polarization.

This seminar requires a series of short reflection and reaction papers which aim to facilitate thoughtful and active student participation in seminar discussions throughout the course. This course does not satisfy the JD Upper Level Writing Requirement.

**Substantive Goals:** This interdisciplinary seminar will examine theories of justice and the relationship between law and morality in light of religious and theological visions of the good life and accounts of order. Materials and discussions will probe questions such as: What are the moral values underlying the law? How does the law achieve justice or fall short of this goal? How can moral judgments be brought to bear, if at all, in modern, secular legal institutions and in the formation of public policies? Throughout the class we will have opportunities to consider how morality and ideas of justice shape, and are shaped by, contemporary legal problems.

Recent topics have included: arguments for and against exemptions, public health and religious freedom amidst the COVID-19 pandemic, euthanasia and physician assisted suicide, migration, environmental justice, and other issues which emerge according to student interest.

This course does not satisfy the JD Upper-Level Writing Requirement.

**Skills-oriented goals:**

1. This seminar requires a series of short reflection and reaction papers which provide an opportunity for students to hone the art of brief writing for a professional setting. For J.D. and L.L.M. students, the final paper is not a research project, but a short engagement (6-8 pages) with a particular set of issues arising from across the range of topics covered in the course.
2. Reflection papers also aid in preparation for thoughtful student participation in seminar discussions throughout the course, and the further opportunity to hone skills in speaking fluently and comfortably, even about difficult or contentious questions.
3. Seminar discussions will not shy away from sensitive, difficult, or even polarizing cultural and religious questions. Frequent breakout groups and exercises in communication aim to help students hone cognitive empathy, a capacity to listen to understand (rather than simply to debate), and agile skills for dialogue across claims that would otherwise tend to generate religious and political polarization.
LAW 1709 v00 Religion, State and Multiculturalism Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201709%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
Religious minorities are seeking accommodations in a variety of forms: exemptions (kosher and halal regulations); recognition (representation quotas); assistance (subsidies, museums); self-government (schools, religious courts, territorial sovereignty) and more. Drawing on the rich experience of countries where such accommodations were granted, the course will inquire into the legitimacy and problems associated with such accommodations. In doing so, the course will draw on modern theories of multiculturalism and religion and state designs. Principal topics will include: Liberal multiculturalism, theory and practice; Group accommodations in a democracy; A survey of religious groups and illiberal practices; Traditional schemes of religious accommodations, with special reference to the Ottoman millet system; The reality of religious accommodations in Western democracies (United States, Canada, France, United Kingdom, Germany); The reality of religious accommodations in the Middle East, with special reference to Israel; the problem of minorities within minorities; essentialism, secularism in divided communities and reform movements.

A student who has successfully completed this course should:

• Understand the justifications for accommodating groups in general, and religious groups in particular
• Understand the problems associated with accommodating religious groups, especially when the particular group endorses illiberal practices
• Have the capacity to identify the legal instruments meant to mitigate the effects of illiberal practices of religious groups
• Be aware of the relevance of the constitutional culture for both the legitimacy of accommodating religious groups and the problems associated with such accommodations.

Note: This course will meet on Tuesdays and Thursdays, 12:30 - 2:30 pm in Spring 2021 on the following dates: 1/26, 1/28, 2/2, 2/4, 2/9, 2/11, 2/16, 2/18, 2/23, 2/25, 3/2, 3/4 and 3/9.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. Students may take this seminar for either 2 or 3 credits. All members of the seminar are required to write a number of short reaction papers. Students taking the seminar for 3 credits are also required to write a research paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.

LAW 1194 v00 Renewable Energy Seminar: Policy, Law and Projects
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201194%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar provides an overview of the policy and legal frameworks driving the growth of the U.S. renewable energy industry (primarily in the wind and solar sub-sectors); the key contractual documents necessary to develop and finance wind and solar power projects; and the legal and market issues facing the renewable energy sector going forward. After becoming familiar with the policy and market landscape for renewable energy projects in the U.S., students (working in groups) will review a set of hypothetical project documents to analyze potential risks and mitigants for a typical project financier. Students will summarize their findings and present to an “investment committee” comprised of practitioners active in the renewable project development and finance industry.

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.
LAW 1019 v02 Renewable Energy, Internet, Uber: Bringing Competition to Historically Monopolistic Industries (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201019%20v02) (Project-Based Practicum) 
J.D. Practicum | 5 credit hours
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 involved electric vehicles, solar energy deployment, interest group, to solve a frontier policy problem in utility regulation. Students will be busier than others and there may be times when students will

LAW 1246 v01 Representing Delinquent Youth from Incarceration through Reentry (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201246%20v01) (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 delinquent youth and their access to justice, right to due process, and the unique role of juvenile defense counsel after youth have been committed to the care of a government agency. Students will participate in a two hour/week seminar and carry out 10 hours/week of work under the direction and supervision of the course professors.

SEMINAR: When a youth is adjudicated delinquent in the District of Columbia’s juvenile justice system, s/he may be placed on probation or committed to the Department of Youth Rehabilitation Services (DYRS). Commitment is theoretically reserved for the most egregious offenders, as determined by the number and severity of the youth’s delinquent charges. Although youth accused of crime are guaranteed the right to a lawyer at every “critical phase” of a delinquency case, youth routinely appear without counsel at numerous administrative meetings and post-disposition (i.e., post-sentencing) hearings where important decisions are made about their liberty interests and basic needs. Many lawyers are unaware of their ethical obligations to continue representing their client after disposition and have not been trained on the best practices for post-disposition advocacy. Other stakeholders, such as DYRS, diverge on whether lawyers must, may, or should appear at meetings and proceedings that take place after commitment.

PROJECT WORK: In the 10 hours/week project component, each student will support the defense team for one of the professors’ juvenile clients and will work with that client as a mentor and legal advocate. Students will work in pairs with a specific client. For the majority of the fall semester, the clients will be incarcerated at New Beginnings Youth Development Center, which is the long-term secure juvenile facility for DC youth located in Laurel, Maryland. Students will travel as a group to New Beginnings each week and will meet with the clients under the supervision of the professors. STUDENTS MUST BE AVAILABLE ON FRIDAYS FROM 10:30AM-2PM THROUGHOUT THE SEMESTER TO MAKE THESE GROUP TRIPS. Students will also communicate with education attorneys, teachers, and family members, in addition to attending reentry planning meetings, discharge meetings, disciplinary hearings, and administrative and/or court hearings as needed for the respective clients. Please note that due to the nature of the work, some periods will be busier than others and there may be times when students will need to work more than 10 hours in a given week. Transportation to New Beginnings will be provided.

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).

Recommended: Courses: Family Law II, Professional Responsibility.

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 practicum course is open to LL.M. students, space permitting. Evening students who work during the day are encouraged to reach out to the professors to discuss whether this practicum course would be compatible with their schedules.

THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students must submit a resume and statement of interest (one page maximum) to request admission.
LAW 1071 v00 Reproductive Health and International Human Rights Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201071%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 professor. This project-based practicum course will focus on the interaction between international human rights law and reproductive health and rights. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

SEMINAR: The seminar will begin by providing an overview of international human rights law as it pertains to reproductive rights. The course will then focus on access to reproductive health from an international perspective, examining States’ obligations on a variety of issues, such as maternal mortality and coerced sterilization. Analyzing recent decisions emerging from regional and international human rights bodies, such as the European Court of Human Rights, the Inter-American Commission and Court on Human Rights and the CEDAW Committee (UN Committee on the Convention on the Elimination of All Forms of Discrimination against Women), the seminar component will provide a solid legal foundation for students to develop their experiential/field placement projects.

PROJECT WORK: Students will work with external partners on legal and policy projects related to reproductive health. Some of the projects may include drafting amicus briefs for cases currently pending before international bodies, and drafting briefs assessing a particular State’s compliance with human rights law regarding sexual and reproductive rights to be filed in front of UN bodies (shadow reports). Through these projects, students will learn how to conduct an analysis of existing legal and regulatory frameworks for sexual and reproductive health from a human rights perspective. Students will also learn how to use epidemiological data to support and craft compelling human rights law arguments for advancing public policy on, for example, maternal mortality and sexual violence prevention and eradication. By working with external civil society organizations, the course will give students the opportunity to develop practical projects using international human rights law to advocate for the advancement of reproductive health rights. In the past, external partners have included organizations working on women’s rights issues, such as: the Center for Reproductive Rights, Women’s Link Worldwide, Human Rights Watch (Women’s Rights Division), IPAS, and Southern Africa Litigation Centre, among others.

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 the Office of the Registrar (lawreg@georgetown.edu) to request admission.

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar 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 both the seminar and project components must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when the student is granted permission to withdraw will otherwise: Regular and punctual attendance is required at all practicum courses (unless the professor indicates otherwise): Regular and punctual attendance rule for all practicum courses (unless the professor indicates otherwise). A student who is granted permission to withdraw will be awarded for the two-hour weekly seminar and two credits will be awarded for the project work (out of a total of 11 weeks of fieldwork or project work). Students who must miss seminar, fieldwork, or project work, may receive a lower grade or, at the professor’s discretion, may be withdrawn from the practicum course.

LAW 1445 v00 Reproductive Justice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201445%20v00) J.D. Seminar | 2-3 credit hours
Reproductive Justice is a concept developed by Black Women activists in the 1990s to provide a different framework to explore how systemic oppression impacts reproductive decision-making. Acknowledging that abortion and contraception were often not the primary reproductive concerns of many marginalized women, including women of color, young women, women with disabilities, undocumented women, and queer women, activists adopted a framework that considers the contexts in which reproductive decisions are made. This approach centers social, racial and economic justice, and focuses as much on the rights to have and raise children as it does on the right to not have them though access to safe and legal abortion care and contraceptive access.

This course will focus on the rights to not have a child, to have a child, and to raise a child. While abortion will be discussed in several of the units in which it is relevant, due to the truncated semester, the course will not focus on abortion or contraception. Students may, however, focus their writing requirement on abortion or contraception. The course will take an interdisciplinary approach to the issues, incorporating various bodies of law (family law, welfare policy, criminal law) along with an historical analysis, social science, and current events.

Note: NOTE FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

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. This course will be enrolled via waitlist.

LAW 3090 v00 Reproductive Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203090%20v00) LL.M Course (cross-listed) | 2 credit hours
This course will explore the history and law of reproductive rights in the United States. The majority of the semester will be spent analyzing the constitutional framework, jurisprudence and federal and state regulations governing forced sterilization, contraception and abortion from the 1920s until today. We will consider the historical, social and religious context of the regulation of reproduction; gender, race and socioeconomic class issues; and the practical impact of the regulations in effect today. This course is primarily focused on reproductive rights in the United States, but we may consider comparative international perspectives.

Please note that this course will not cover regulation of parenting, adoption, foster care, assisted reproductive technologies or related reproductive health topics, or reproductive justice in any meaningful detail.

All students are expected to read the assignments, attend class, and prepare for active discussion every week. Depending on course enrollment, I may assign small groups of students to assist me in leading each week’s discussion of the assigned materials. Short oral presentations on current events or topics of particular interest will likely be assigned during the second half of the semester.

Grading: Class participation, including oral presentations, and/or short reaction papers will represent at least 35% of the final grade. A take-home exam will account for the remaining 65%.

Recommended: Constitutional Law I
LAW 260 v02 Research Skills in International and Comparative Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v02)
J.D. Seminar (cross-listed) | 2 credit hours
This two-credit course will instruct students in understanding the relationship between the sources of public and private international law in a theoretical sense with their actual embodiment in tangible and electronic media. Comparative law bibliography and sources will be covered, as will selected jurisdictions in the civil law tradition. With regard to locating legislation and jurisprudence, students will learn which topics are usually covered in a civil code, and how to deal with problems of language and translation. Separate, in-depth sources will be explored for one or more of the following: international criminal law, international environmental law, international human rights, international trade law and arbitration, commercial law and intellectual property, family law as an international and comparative law topic, and documentation for intergovernmental organizations, chiefly the United Nations bodies, regional organizations, and the European Union. Grading will be based on weekly in-class or homework assignments that allow the student to use and evaluate the various sources; a brief oral presentation on a foreign legal system; and a final research guide on an international law topic or an international organization.

Recommended: International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the International and Foreign Legal Research Seminar or Legal Research and Communication Theory in International and Foreign Law.

LAW 260 v03 Research Skills in International and Comparative Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v03)
J.D. Seminar (cross-listed) | 1 credit hour
This short course will familiarize students with the sources of public and private international law and their embodiment in tangible and electronic media. Comparative law bibliography and sources will be covered, as will selected jurisdictions in the civil law tradition. Students will learn which topics are usually covered in a civil code, and how to deal with problems of language and translation when researching foreign legislation and jurisprudence. In addition, in-depth sources will be explored for a variety of specialized topics, such as international criminal law, international environmental law, international human rights law, international trade law and arbitration, transnational commercial law and intellectual property disputes, and comparative family law. Documentation for intergovernmental organizations, chiefly the United Nations bodies, regional organizations, and the European Union, will be covered as well. Grading will be based on weekly homework assignments that allow the student to use and evaluate the sources discussed in class and on a final project consisting of a research guide on an international law topic, an international organization or the law of a foreign jurisdiction.

Recommended: Prior or concurrent enrollment in International Law I: Introduction to International Law.

Note:

LAW 260 v04 Research Skills in International and Comparative Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v04)
J.D. Seminar (cross-listed) | 2 credit hours
Whether they are representing couples in transnational adoptions or multinational enterprises in cross-border mergers, legal practitioners increasingly are expected to consult international and foreign legal materials. This course will familiarize students with the best tools for researching international law and the domestic law of jurisdictions outside the U.S., enabling them to approach these tasks with confidence, rather than trepidation. Students will learn how to efficiently locate multilateral and bilateral treaties, decisions issued by international tribunals, documentation produced by the United Nations and other international organizations, as well as legislation and case law from selected foreign jurisdictions, including the European Union. Tools for topical research in specialized fields, such as human rights, international trade, and investor-state arbitration, also will be covered. Students will refine their information-gathering skills through a series of in-class research exercises and take-home quizzes based on real world, practice-oriented scenarios. This course will be especially beneficial for journal editors, students participating in the Jessup International Moot Court competition and other international competitions, and for students interested in pursuing careers in international law or in practicing law outside their home jurisdiction.

Recommended: Prior or concurrent enrollment in International Law I: Introduction to International Law.

LL.M Seminar (cross-listed) | 3 credit hours
This course provides an opportunity to explore issues related to the use of humans as research subjects. The course will begin by examining the history of human subject research, including the abuses that led to the creation of our modern legal protections. Following a discussion of the ethical principles of research involving humans, we will carefully explore the legal treatment of human subjects, focusing on US regulations and international instruments. Core sources will include: the Common Rule (45 CFR 46), Belmont Report, Declaration of Helsinki, Nuremberg Code, and CIOMS. After exploring a series of foundational themes and issues through the first half of the semester, the remainder of the class will focus on in-depth case studies. Topics may include: international research, research involving vulnerable populations (children, prisoners, and pregnant women), informed consent, research on subjects with impaired decision-making abilities, genetic/genomic research, risk-benefit analysis, coercion/undue inducement, use of placebos, and IRB governance.

This seminar provides opportunities for participants to engage in a research and writing project related to humans as research subjects. Participants will conduct independent research and scholarly writing on important problems at the intersection of law, policy and ethics.

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 for JD students. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.
LAW 1653 v00 Resolution of International Financial Crises Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201653%20v00)
J.D. Seminar (cross-listed) | 2 credit hours

Overview

While the globalization of private capital markets has generated important welfare gains, it has also been responsible for episodes of financial instability, often with devastating consequences. The Course will analyze the underlying causes of international financial crises and assess the efforts of policy makers to mitigate their impact. The Course will be interdisciplinary in nature, focusing on the legal, financial and economic dimensions of these crises and the relevant policy responses. Key lessons will be distilled from an in-depth analysis of the most important episodes, including the Latin American Debt Crisis, the Asian Financial Crisis, Argentina’s default in 2001 and the crises precipitated by the Great Recession of 2008, including the Eurozone Crisis. We will also conduct a simulation, with students playing the roles of the various policy makers seeking to contain and ultimately resolve the crisis.

The Course will analyze both the common patterns of the previous international financial crises and the extent to which they have differed. In that context, the Course will investigate how the dynamics of these crises have been driven both by the evolution of credit markets (including the transition from bank lending to bond issuance) and changes in the underlying legal framework that supports these markets. The Course will analyze the competing considerations faced by policy makers as they seek to mitigate the impact of a crisis – often with large scale financial assistance – without increasing the risk of future crises through the creation of excessive moral hazard. In that context, the Course will review in some detail the role played by the International Monetary Fund in managing these crises.

Learning Objectives

By the end of the course, students will have gained an understanding of how global financial markets have evolved over the past 40 years and how this evolution has both promoted welfare and created significant financial instability. They will learn how the relevant legal frameworks have interacted with this evolution to shape creditor incentives, with a focus on regulatory design, contractual provisions and litigation strategies. Through in-depth case studies, they will gain insight into how public policy makers have struggled to both contain the impact of these crises while, at the same time, introducing reforms to prevent them from recurring. In particular, they will gain an understanding of the legal, policy and governance framework of the IMF and the role it plays as a financial fire fighter. More generally, they will gain an understanding of the challenges faced by policy makers when addressing a systemic crisis, with a focus on the key actors, namely: (a) the governments of the countries experiencing the crisis, (b) private creditors and (c) the IMF. Existing and former officials will participate in a number of classes to share their own perspectives regarding the key lessons to be distilled from previous episodes.

LAW 611 v18 Restorative Justice: Law and Policy Intersections
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v18)
J.D. Seminar | 1 credit hour

Restorative justice has been part of American law and policy for more than three decades. It exists as an alternative approach to addressing harm across multiple public systems (i.e., juvenile and criminal justice, education, and child welfare) as well as in community-based settings. In the context of harm, restorative justice is a distinct form of conflict resolution that aims to redirect society’s retributive responses. For example, crime, in the context of restorative justice, is not considered just an offense against the state but rather viewed as a wrong against another person and indicative of a broken relationship between the offender, the victim, and the community.

More recently, restorative justice has expanded into mainstream reform conversations—particularly around addressing mass incarceration and securing justice—and gained a new urgency following nationwide protests in response to racial violence and anti-Blackness. The increasing exchange between criminal justice reform and restorative justice cannot be ignored. Proponents and opponents of the expansion of restorative justice in law must think carefully about the existing U.S. restorative justice scheme, to ensure the construction and refinement of restorative justice laws do not yield undesirable state and local practices.

This Week One course provides an introductory examination of restorative justice in U.S. law in an intensive and condensed format. First, it will review the most common uses of restorative justice in the U.S. in public systems. This includes consideration of the application of restorative justice values, frameworks and practices in contrast to retributive theories. Next, using American criminal law as a case study, it will examine contemporary ethical and legal issues emerging from the legalization of restorative justice. The capstone requires application of the course materials in a simulated negotiation, development, and drafting of a restorative justice law.

The course aims to improve students’ effectiveness as future lawyers. The course design promotes learning through the application of knowledge and performance of skills to gain expertise. Students will develop skills associated with legal analysis, legal writing, professional collaboration, negotiation, and self-reflection.

Learning Objectives:

• Familiarity with fundamental restorative justice theories and principles.
• Ability to describe and analyze the application of restorative practices.
• Development of an informed perspective of the nature of restorative justice in public systems.
• Identification of legal and ethical intersections in the U.S. restorative justice scheme.
• Identification and assessment of challenges and possibilities for restorative justice.
• Practice of introspection through experiential exercises.

Note: This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the
LAW 611 v14 Restorative Justice: Theory and Practice in Criminal, Education, and Community Settings (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v14)
J.D. Seminar | 1 credit hour

Restorative Justice is a nonpunitive approach to addressing harm distinct from the retributive response of contemporary criminal legal systems. The latter establishes a framework in which the state defines what acts constitute a crime and those acts are considered offenses against the state. Accountability is seen as the external imposition of consequences for certain prescribed acts. Alternatively, Restorative Justice offers dialogue-based processes for individuals to articulate and be understood for the harm they have acted out or experienced and seek ways to repair that harm, including the rupture of relationships the harm may have created. Accountability is seen as acknowledging the harm and taking relevant action to address it out of an intrinsic sense of responsibility and desire for repair. In addition to those who have harmed or been harmed, Restorative Justice considers impacts on, and involve individuals from, the wider community.

Across the country Restorative Justice has emerged in public systems (i.e., juvenile and criminal justice, education, child welfare) and in community-based settings. This has increasingly placed lawyers (and judges) in various roles: decision-makers regarding the use of restorative justice at different stages of the juvenile and criminal justice process (i.e. pre-trial diversion, deferred adjudication, sentencing, and re-entry); architects of restorative justice (i.e. diversion programs); policymakers implementing and integrating restorative responses into legislation; and practitioners of restorative justice in a variety of settings.

We will be learning about the theory and practice of Restorative Justice—and as it relates to the theory and practice of punitive justice—through the case study of sexual harm on college and university campuses. This lens will be of personal significance to students and has current relevance in the national debate around Title IX reform. This issue is one of the most complex, politically charged, and emotionally sensitive for Restorative Justice to address. We will also discuss the broader history and legal debates around Restorative Justice in the US as it manifests in criminal justice systems, educational systems, and community contexts. As such, we will consider the challenges and possibilities for restorative justice on campus, the DC area, and beyond, ending our final class with a simulated restorative process to gain an experience for what readings and academic discussions cannot offer.

Learning Objectives:

The course objectives are as follows:

- Identify key restorative principles and practices.
- Articulate the problem of campus sexual harm; assess traditional responses to the problem and the legal environment within which they take place; and identify the potential of Restorative Justice in this context.
- Describe the application of RJ in criminal justice, educational, and community settings, identifying and assessing legal challenges and possibilities.
- Apply restorative principles during experiential learning.
- Practice introspection through course exercises.
- Introduce and/or enhance fundamental skills and professional ethics that restorative practitioners need to practice.

The course aims to improve students’ understanding of Restorative Justice in theory and practice. As such, Restorative Justice will be examined through readings, case study analysis, working groups, discussion, and experiential practice, led by the lead instructor and upper class Teaching Fellows. Students in the course will practice or witness hypothetical RJ scenarios, and complete a simulated restorative process.
LAW 1293 v00 Rights of Indigenous Peoples in Comparative and International Law
J.D. Seminar (cross-listed) | 2 credit hours
This seminar focuses on the rights of indigenous peoples from the viewpoint of comparative and international law. We will look into the origins of the laws affecting native peoples, how they have changed over the years, and how differently these issues have been handled in various parts of the world. We will also look into the efforts to create an international law on the rights of indigenous peoples.

In this seminar, students can choose their paper topics from a list provided by the professor or can choose their own with the professor’s approval. Some of the class sessions will be based on the topics students choose for their papers. Each student will do a one-hour presentation of his or her paper and lead the discussion on it.

The professor will also supply a list of books and a few films designed to give students further insight into the issues covered in the seminar. Each student will select one book (or a film and a book) and will lead discussion in class when we are dealing with a related subject.

There will be no written examination. Grade will be based 80% on the paper and 20% on class participation.

LAW 1185 v00 Role of In-House Counsel at a Nonprofit
J.D. Seminar | 1 credit hour
This intensive one-credit course will take students through a fast-paced transaction for a nonprofit to enter into a joint venture with a for-profit company for the digital distribution of a live ballet program in cinemas and beyond. It will take place over the course of a weekend during the school year. The students will play the role of in-house counsel at a nonprofit and the organization’s Chief Digital and Media Officer (also a J.D.) involved with putting together the deal. The goal of the course is to simulate through this hypothetical scenario, the complex array of business, legal and nonprofit governance considerations needed to guide the organization’s decisions in a heavily watched and regulated area.

This course will be highly interactive. Working in teams and individually over the weekend, the students will prepare and deliver to the company’s Board of Directors an analysis of the deal, its risks and rewards, its connection to mission, and its compliance with nonprofit legal and governance expectations and requirements. The situation will also involve a potential conflict of interest which will require the students to prepare a disclosure letter, advise the Audit Committee in light of the organization’s Conflict of Interest policy, and prepare minutes of the Audit Committee meeting. The course will begin on Friday evening and continue throughout the course of the weekend, culminating in a simulated Board meeting on Sunday. The students will work with the General Counsel of Lincoln Center for the Performing Arts and author of Good Counsel: Meeting the Legal Needs of Nonprofits who will give out assignments, discuss roles, review written material, and otherwise coordinate the team. Students should be prepared to dedicate a significant portion of the weekend to the exercise, which will include a combination of instruction, document preparation, board presentation, and legal advising.

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

Recommended: Some exposure to nonprofit law and intellectual property matters is helpful but not required.

Note: This course will meet for one weekend only on the following schedule: Friday, 11/7/14, 4:00 – 6:00 pm; Saturday, 11/8/14 from 9:00 am - 3:00 pm; and Sunday, 11/9/14, from 10:00 am – 3:00 pm. Attendance at all class sessions is mandatory.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.
LAW 386 v00 Role of the Federal Prosecutor (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20386%20v00)
J.D. Course | 2 credit hours
This course will explore the powers and responsibilities of the federal prosecutor with students from several area law schools. Class segments will focus on how decisions are made by federal prosecutors throughout different stages of the criminal justice system, in light of legal, policy, practical and ethical considerations. Using actual cases as well as federal statutes, guidelines, and other materials, the course will discuss the factors that influence the decisions and discretion of the federal prosecutor. The course will also examine the interaction between and among federal, state and foreign jurisdictions, in particular the interests of competing sovereigns in the investigation and prosecution of criminal activity.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure, Criminal Law, and prior or concurrent enrollment in Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Anatomy of a Federal Criminal Trial: The Prosecution and Defense Perspective.

LAW 382 v00 Roman Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20382%20v00)
J.D. Course (cross-listed) | 2 credit hours
The subject matter is classical Roman law as it was born, developed, and reached maturity by about 160 CE. The first half of the semester focuses mainly on constitutional structures; the second part on contracts and tort, including practical exercises on reported ancient cases. Whenever is possible and useful, the expositions and explanations are given in a comparative manner vis-à-vis the common law of English origin. A student who completed this course should have enough knowledge and skill to begin a career of iurisprudent (wise person of the law); that is, they should be considered qualified to assist the Magistrate in his daily work at the Roman Forum; a position similar to that of clerking for an American judge.

LAW 403 v04 Rule of Law and the Administration of Justice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20403%20v04)
J.D. Seminar (cross-listed) | 2 credit hours
This course offers students an opportunity to learn about the expanding field of practice focused on strengthening the Rule of Law. It begins with a review of various definitions of the term, recognizing that many approach the same end through various means. It employs a case study methodology, including specific sessions with U.S. and foreign judges and other legal practitioners active in reform efforts. Topics include: Democracy and the rule of law; access to justice; criminal procedural reform; court administration and case management; commercial court reform; alternative dispute resolution (ADR); judicial independence and accountability; national security and transitional justice; indicators to measure the rule of law; and the role played by legal actors in addressing corruption, both within and outside the legal system. We will consider the rationale behind rule of law reforms by examining experiences, including in the U.S., which seek more competitive market economies, stronger law enforcement, gender equality, or social justice in response to an increase in demand populations, not only formal "users" of justice services. The course will also address the often overlapping or inconsistent agendas of bilateral donors, international organizations (e.g., U.N., World Bank, IMF, USAID, U.S. Military, among others) in the discussion and analysis.

Learning Objectives:

• At the end of the course. Students will have acquired an understanding of the various definitions of ‘rule of law’ and the factors leading to and preventing successful reform efforts.

• At the end of the course, students will have acquired some understanding of the differences and similarities among international financial institutions (IFIs) and their approaches to Rule of Law to be able distinguish varying objectives (e.g. democracy promotion, economic development, human rights and social justice, anti-corruption and law enforcement).

• At the end of the course, students will have acquired a vocabulary and understanding of overlapping (and even inconsistent agendas) to be able to identify the “drivers” of reform and provide inputs for the design or evaluation of Rule of Law reform efforts.

Recommended: International Law I: Introduction to International Law is suggested but not required. Familiarity with international organizations would be useful but not required.

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

LAW 772 v00 S Corporation and LLC Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20772%20v00)
LL.M Course (cross-listed) | 2 credit hours
Examines the business and tax issues encountered when using either an S corporation, a limited liability company, or a combination. Most of the course focuses on S corporation taxation rules including eligibility requirements, elections, revocations and terminations, corporate level taxes, distributions, loss utilization, compensation planning, and merger and acquisition transactions. Regarding limited liability companies (LLC), areas covered are formation and classification, conversions, application of partnership rules, and compensation. Business considerations and practical tax planning opportunities, as well as choice of entity fundamentals, are highlighted throughout the course.

Prerequisite: Federal Income Taxation (formerly Taxation I); Corporate Income Tax Law I; Prior or concurrent enrollment in Taxation of Partnerships.

LAW 960 v00 SEC Enforcement Process (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20960%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course examines all aspects of the SEC's enforcement process, from the opening of an investigation through its resolution, whether by settlement, litigation, or closure without enforcement action. We consider strategic considerations from both the SEC's and defense practitioner's perspective at every critical juncture of an investigation, including whether to self-report and cooperate, whether to assert and how to protect privileges, and how to engage with the SEC before, during, and after the Wells process. We also discuss the overlapping roles of federal and state criminal and civil regulatory authorities. We examine internal investigations, whistleblowers, the ethical obligations of counsel, and review the SEC's current areas of enforcement focus – insider trading, financial fraud, investment advisors, gatekeepers, Ponzi and pyramid schemes, and the Foreign Corrupt Practices Act. We survey the various contexts in which claims under the securities laws may be pursued, including litigation with the SEC and other regulators and class and derivative actions. We use important historical precedents as well as current SEC enforcement developments as the basis for class discussion.

Strongly Recommended: Previous or concurrent registration in Securities Regulation is strongly recommended.

LAW 760 v01 SEC Regulation of Financial Institutions and the Securities Markets (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20760%20v01)
LL.M Course (cross-listed) | 2 credit hours
The securities markets have faced some of the most significant challenges since the creation of the Securities and Exchange Commission; including the recent credit crisis, the implosion of subprime mortgages, the collapse of several of the largest brokerage houses, the failure of auctions for auction-rate securities, the liquidity crisis in asset-backed securities, and the alleged $50 billion Ponzi scheme by Bernard Madoff. These events have altered the landscape of 21st-century Wall Street. This course will cover the operation and regulation of the securities markets, brokerage firms, and other financial institutions. We will study specialized SEC and self-regulatory organization rules that regulate the activities of financial firms in connection with the distribution and trading of securities as well as Exchange Act anti-fraud concepts. We will explore the increasingly complex questions raised as world markets continue to converge, examine recent trends and proposed regulation in this area, consider the appropriate bounds of U.S. regulation when foreign markets, financial institutions, and investors interact, and discuss the securities activities of banks and other financial institutions into the securities business. We will look at each of these issues in the context of the current financial crisis, the collapse of Bear Stearns, the bankruptcy of Lehman Brothers, and the sale of Merrill Lynch.

Recommended: Securities Regulation.

Note: DISTANCE STUDENTS REGISTER FOR CRN#: 35218. This course is open to both on campus and distance students. However, only students enrolled in the Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, and the MSL programs may take this course on a distance basis. All J.D. students and resident LL.M. students may not enroll in this course on a distance basis.
LAW 1369 v00 Secured Transactions Seminar: History and Theory
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201369%20v00)
J.D. Seminar | 1 credit hour
This seminar is designed as an “add-on” to the basic three-credit course on Secured Transactions. The seminar will provide an in-depth examination of the history and theory of the law of secured credit transactions, including the development, enactment, and reform of Article 9 of the Uniform Commercial Code. Discussions of the history of the subject will focus on the origins of the law of security interests in various types of tangible and intangible personal property, focusing on the development of security devices in England and the United States. Discussions of the theory of the subject will focus on various scholarly writings analyzing why security interests exist, their function, their utility, various problems that arise from having them, and possible reform. Two chapters of the course book used in the basic three-credit course are devoted to the history and theory of security devices, and we will focus on the materials in these chapters. Students should expect a lively discussion of the history and theory of secured transactions from a number of different perspectives. Enrollment in the basic three-credit Secured Transactions course concurrent with enrollment in the seminar is required. A seminar paper is also required.

Prerequisite: Concurrent enrollment in Commercial Law: Secured Transactions in Fall 2015.

Note: In the Fall 2015 semester, this course will meet on the following seven Tuesdays: 9/8, 9/22, 10/6, 10/20, 11/3, 11/17, and 12/1.
Students who wish to enroll must email the Office of the Registrar at mailto:lawreg@law.georgetown.edu (lawreg@law.georgetown.edu) no later than 5:00 p.m. on Tuesday September 8. Withdrawals are permitted up until the last class for this specific course.

LAW 860 v01 Securities Arbitration and Mediation
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20860%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
This seminar will introduce students to the specialized legal arena of U.S. securities arbitration and mediation. Though these proceedings are similar in many ways to a traditional court proceeding and/or mediation, they are also distinctly different and offer their own sets of advantages and disadvantages to parties that are seeking to resolve a dispute. This course will discuss the origins of securities arbitration and mediation, how they differ from court proceedings, the various forums for arbitration and mediation claims, and to whom these forums are available. Focusing primarily on FINRA arbitrations, we will cover the procedural steps involved in bringing a claim through the arbitration and mediation process, as well as the substantive types of claims and disputes that can be settled through arbitration and mediation. The course will also review the pros and cons of arbitration and mediation generally, and the remedies available to a party unhappy with the outcome of an arbitration. Students will participate in their own mock arbitration exercise at the end of this course.

Prerequisite: Note for J.D. students only. Prior or concurrent enrollment in Securities Regulation is strongly recommended.

LAW 1392 v00 Securities Enforcement Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201392%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
The seminar will explore some of the issues that arise in securities enforcement. We will begin by brushing up on liability provisions that authorize various enforcement agents — from plaintiffs in securities class actions to SEC enforcement and prosecutors — to initiate an action. The focus will be on SEC investigations and the many interesting issues they raise, including issues that have long raised concerns, such as neither-admit-nor-deny settlements and prosecutions of firms, and issues that became controversial more recently, such as whether and under what conditions should enforcement actions be litigated before administrative law judges instead of in federal district court. In addition to looking at specific legal provisions we will discuss some of the bigger policy questions enforcement raises.

Prerequisite: Prior or concurrent enrollment in Corporations.

LAW 940 v00 Securities Law and the Internet
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20940%20v00)
LL.M Course (cross-listed) | 2 credit hours
The Internet has become more important than ever to today’s investors. Similar to the change ATM machines brought to retail banking, the Internet has now given investors the ability to trade without human interaction. Over the last several decades this change has dramatically reduced transaction costs (commission and time), but securities regulators must constantly play catch up. Consequently, in the area of securities, investments, finance and commerce, the Internet can often seem akin to the Wild West, with the pioneers and entrepreneurs struggling within an uncharted territory of the securities laws. This course focuses on four important areas of concern for the securities lawyer: offerings conducted over the Internet, including via more opaque SPAC vehicles, and the impact of the 2012 JOBS Act; trading facilities and market centers operating over the Internet and the increasingly dark market; giving investment advice over the Internet and the importance of social media; and SEC Enforcement issues and the Internet. This course covers the nuts and bolts of the securities laws in each of the areas, and then applies existing statutes, rules and regulations to ongoing Internet activities.

Prerequisite: Securities Regulation.

Note: NOTE FOR THE SUMMER 2021 SECTION: One of the professors has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.
LAW 396 v01 Securities Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20396%20v01)
J.D. Course | 4-credit hours
This course involves the study of the disclosure philosophy of the federal securities laws and the nature and regulation of the securities markets. The relevant statutes are the Securities Act of 1933 and the Securities Exchange Act of 1934. Among the specific topics covered are registration and exemptions under the 1933 Act and civil liabilities under both the 1933 and 1934 Acts. The class also studies the economics of disclosure and liability rules and the workings of an efficient market.

Professor Langevoort's course is for 4 credit hours.

Prerequisite: Corporations.

LAW 396 v05 Securities Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20396%20v05)
LL.M Course (cross-listed) | 2 credit hours
This course focuses on the federal securities laws and the nature and regulation of the U.S. securities markets. The relevant statutes are the Securities Act of 1933 and the Securities Exchange Act of 1934. Among other topics, the course introduces students to registration requirements and exemptions under the 1933 Act and the disclosure obligations and the liability provisions under both the 1933 and the 1934 Acts. This course covers similar territory as the 3- and 4-credit versions of Securities Regulation, but its primary focus is on the core principles and practical aspects of the registration and disclosure requirements, including their historical background, while devoting less attention to judicial case law and detailed regulatory requirements. This course would be appropriate for foreign-trained lawyers pursuing the LL.M. degree in Securities and Financial Regulation and for J.D. students desiring an overview of this area.

Recommended: Prior or concurrent enrollment in Corporations.

LAW 396 v07 Securities Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20396%20v07)
J.D. Course (cross-listed) | 3 credit hours
In this course we will study the disclosure philosophy of the federal securities laws and the nature and regulation of securities, securities markets and market participants. The primary statutes we will cover are the Securities Act of 1933, or the '33 Act, and the Securities Exchange Act of 1934, or the '34 Act, including recent amendments such as Dodd-Frank and the JOBS Act, as administered primarily by the U.S. Securities and Exchange Commission. Major topics include the registration requirements for securities transactions and exemptions from these requirements, the concept of materiality, issuer reporting requirements under the '34 Act and civil liabilities for securities law violations. At times, our discussions will also touch on relevant economic and policy underpinnings and current events.

Prerequisite: Corporations.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.

LAW 553 v50 Securities Trading Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20553%20v50)
LL.M Course | 2 credit hours
The goal of the course is to provide participants an in-depth understanding of the key themes underlying the regulation of trading in the U.S. Financial Markets. The course will provide students the following: (1) An overview of the current market structure. (2) An understanding trading systems commonly used in today's markets. (3) An in-depth review of the federal securities laws and self-regulatory organization (SROs) rules applicable to order handling and trading in the U.S. Securities Markets. (4) An in-depth review of Regulation NMS.

Prerequisite: J.D. students must take Securities Regulation prior to taking this class. LL.M. students in the Securities and Financial Regulation Program are presumed to have taken Securities Regulation prior to this course. Specifically, students should have knowledge of the basic duties of a broker-dealer under the Securities Exchange Act of 1934.
LAW 1450 v00 Segregation Seminar: History and Future for Education, Housing and Opportunity (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%201450\%20v00)
J.D. Seminar | 3 credit hours
The course will cover segregation in public accommodations, residences and education, historically and currently. Although the workforce, marriage, and access to citizenship and voting were segregated for centuries in the U.S., employment discrimination, anti-miscegenation, immigration and election law are beyond the scope of this course. Students will learn that the US is racially segregated in housing and education and that segregation is discriminatory. They will grapple with the fundamental question of why segregation exists and the role of law in creating and responding to segregation. Students will gain a historical perspective on the ideology of white supremacy that animates segregation. They will learn that the chief consequence of segregation is inequality, for everyone, people of color and whites. Among those consequences are mass incarceration, health and wealth disparities, wasted human capital due to lack of opportunity, racial hostility, militarized policing in certain neighborhoods (Ferguson & all its antecedents and successors), environmental degradation, and urban sprawl. Students will also learn strategies for dismantling segregation and, hopefully, help develop innovative solutions in their research papers.

LAW 373 v00 Seminar on Humanitarian Crises (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%20373\%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This research seminar will provide an opportunity to critically examine a number of humanitarian crises, including Afghanistan, Bosnia, Colombia, Haiti (earthquake -2010), Iraq, Myanmar, Somalia, South Sudan, Syria, Ukraine, West Africa (Ebola-2014), and Yemen. Each of these crises will be analyzed in terms of: their causes; efforts to prevent, respond to and recover from the crisis; the extent to which international legal frameworks were applied and the impact of the crisis on legal principles; the engagement of different actors (from military forces to local faith-based communities); the extent to which humanitarian principles of neutrality, independence, and impartiality were compromised in humanitarian response; the relationship between refugees, internally displaced persons and 'trapped populations' as determinants of international attention; and difficult operational issues around access, negotiations with non-state actors, and the relationship between security concerns and humanitarian response.

Prior to the first class, law students must read the 1951 Refugee Convention and a very short excerpt, pp. 30-39, from a chapter by Andrew Schoenholtz on "Improving Legal Frameworks" in The Uprooted: Improving Humanitarian Responses to Forced Migration (2005).

Recommended: At least one course in Refugee Law, International Human Rights Law, or International Humanitarian Law.

Note: See the schedule of courses on the Main Campus Registrar’s website (http://registrar.georgetown.edu) for room assignments. Law Center students may register only through the Law Center’s registration system.

This seminar requires a paper. J.D. students must register for the 3 credit WR section of the seminar (LAWJ-373-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.

LAW 1085 v01 Sentencing and Pre-Trial Detention: Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%201085\%20v01)
J.D. Seminar | 2-3 credit hours
This seminar will focus on the legal and policy issues related to the sentencing and pre-trial detention of defendants in state and federal courts. The class will address philosophical approaches to detention, incarceration, and other punishments, and how those theories have been implemented under determinate and indeterminate sentencing schemes. Students will study the structure, goals, and application of the Federal Sentencing Guidelines and contrast them with state guidelines and non-guidelines systems. Students will also explore unique issues related to capital punishment. In addition, the class will address the roles and influence of prosecutors, defense counsel, probation officers, victims, and other non-judicial actors in sentencing decisions, and how whether a judge or a jury imposes sentence affects the sentence. The class will also address the collateral consequences of sentencing. The class will examine monetary (bail) and non-monetary detention schemes, and the differing factors considered in detention and sentencing decisions. In addition, the class will examine the impact of race, gender, class, and related factors on detention and sentencing. Finally, the class will address alternatives to incarceration, therapeutic courts, and community-based sanctions. The class will be taught as a seminar; the class will not be conducted solely in a lecture format and there will be a strong emphasis on class discussion. In addition, during many classes students will be assigned role-playing exercises that are intended to help students better understand sentencing issues and the operation of federal and state guidelines systems. Students will also complete exercises in which they will review background information and sentencing recommendations for a defendant and then impose a sentence. There will also be guest speakers representing a range of backgrounds and viewpoints.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Recommended: Criminal Law.

Mutually Excluded Courses: Students may not receive credit for this seminar and Sentencing Law and Policy or Sentencing Law, Policy, and Practice Seminar.

Note: NOTE FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

This course will be enrolled via waitlist. 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 1614 v00 Sentencing Law, Policy, and Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201614%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will familiarize students with the history, law, policy, and administration of American criminal sentencing, both state and federal. The course will examine sentencing from theoretical and policy perspectives, while also explaining how federal sentencing proceedings are litigated. The course will examine: 1) the goals and justifications for punishment; 2) the institutional actors involved in the sentencing process and their often-competing interests; 3) various sentencing schemes including discretionary versus non-discretionary sentencing; 4) risk prediction; 5) the role and function of the U.S. Sentencing Commission and similar commissions; and 6) the collateral consequences of a conviction. Students will learn the basic elements of the U.S. Sentencing Guidelines, apply those Guidelines to a hypothetical case, prepare a sentencing memorandum, and witness an actual sentencing hearing in either the DC Superior Court or the DC Federal District Court. The course is available as 2 or 3 credits.

Mutually Excluded Courses: Students may not receive credit for this course and Sentencing Law and Policy or Sentencing and Pre-Trial Detention: Law and Policy.

LAW 1085 v00 Sentencing Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201085%20v00)
J.D. Course | 2 credit hours
This two-hour credit course will address issues of sentencing law and policy in the state and federal court systems, in both capital and non-capital cases. Students will study relevant Supreme Court case law, statutory and sentencing guideline schemes, and relevant reports of the United States Sentencing Commission. The larger focus on the course will be on the proper purposes of criminal punishment and whether state and federal sentencing schemes adequately address those purposes. Students' grades will be based on an in-class final examination, and class participation.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Mutually Excluded Courses: Students may not receive credit for this course and Sentencing and Pre-Trial Detention: Law and Policy.

LAW 1085 v02 Sentencing Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201085%20v02)
J.D. Course | 2 credit hours
This two-credit hour course will address issues of sentencing law and policy in the state and federal court systems. It examines courtroom decision making from a policy making perspective, drawing on research and writing from legal, criminological, and political perspectives. We will examine prosecutorial discretion, plea-bargaining practices, sentencing guidelines, mandatory minimums, truth-in-sentencing reforms, and alternatives to incarceration. The larger focus on the course will be on the proper purposes of criminal punishment and the role of empirical research in sentencing policy. Students' grades will be based on a take-home final examination and class participation.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Mutually Excluded Courses: Students may not receive credit for this course and Sentencing and Pre-Trial Detention: Law and Policy or Sentencing Law, Policy, and Practice Seminar.

LAW 397 v02 Separation of Powers (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20397%20v02)
J.D. Course | 3 credit hours
This course will address the allocation of authority among the branches of the federal government. The course title is a bit of a misnomer, because those powers are not simply "separated" between the three departments. As Justice Jackson wrote, although "the Constitution diffuses power the better to secure liberty . . . it also contemplates that practice will integrate the dispersed powers into a workable government. It enjoins upon its branches separateness but interdependence, autonomy but reciprocity." Youngstown Sheet & Tube Co. v. Sawyer, 343 U.S. 579, 635 (1952) (Jackson, J., concurring)). A principal focus of the course will be to test Justice Jackson's description. Although we will examine some issues related to the federal judiciary and Article III, our primary focus will be on Articles I and II—in particular, on the President’s independent powers and Congress’s authority to regulate the Executive. This course will deal in greater depth with some of the separation-of-powers issues you studied in Constitutional Law I, but we will also closely examine current controversies, including the allocation of congressional and executive war powers, foreign affairs disputes, congressional oversight, presidential control over the execution of federal law, and constitutional interpretation within the political branches. The principal text will be the second edition of Shane & Bruff, Separation of Powers Law (2005), with some supplemental materials.

Mutually Excluded Courses: Students may not receive credit for this course and Separation of Powers Seminar with Professors Clement and Blatt. Students MAY receive credit for this course and Separation of Powers Seminar: Hot Topics in Scholarship with Professor Chafetz.
LAW 397 v00 Separation of Powers Seminar

J.D. Seminar | 3 credit hours
This seminar addresses advanced issues raised by the interaction of the three branches of the federal government. In particular, the seminar will build on the separation of powers issues covered in the Constitutional Law I course by addressing some of those issues in greater depth and dealing with other separation of powers issues that tend to receive less attention because they do not result in justiciable controversies. Specific areas of study will include the political question doctrine, the invocation of executive privilege in Congress and the courts, executive immunity from the criminal and civil process, congressional subpoena power over executive branch documents, the effect of impeachment on the separation of powers, the issues raised by the executive branch's refusal to defend the constitutionality of acts of Congress, and judicial review of executive branch efforts to address foreign terrorism.

Students will be expected to prepare an outline, draft, and final version of a 25-page paper on a topic covered in the seminar and chosen in consultation with the instructor. Participation in class discussions will factor into final grades. Photocopied sets of reading materials for the seminar will include cases, statutes, legislative hearings, interbranch correspondence and other materials.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Executive Branch Legal Interpretation: The Separation of Powers and the Office of Legal Counsel

LAW 1441 v00 Serial and Adnan Syed: Special Topics in Criminal Procedure

J.D. Seminar (cross-listed) | 2 credit hours
The popular podcast Serial's first season was a classic "whodunit," chronicling the case of Adnan Syed, a Baltimore high school student accused and convicted of murder. The story also raised several complex and interesting questions of criminal procedure. Using the case of Adnan Syed as a case study, this course will cover topics that criminal defendants face from "bail to jail," including bail and pre-trial detention, plea bargaining, ineffective assistance of counsel, and sentencing. This course will examine the responsibilities and the power allocated to each of the players in the criminal justice system, including judges, prosecutors, defense counsel, law enforcement, and defendants. At each stage, we will ask whether the system is working optimally, and how the process may be improved.

The first hour of each class will tackle the constitutional cases assigned that week; the second hour will apply the law to the Adnan Syed case facts. Because the Adnan Syed case is ongoing, the readings may be supplemented with late-breaking court filings. The course will also feature guest speakers involved in the Adnan Syed litigation. Assignments will include three short (2-3 page) writing assignments and a final (10-15 page) paper.

Prerequisite: Criminal Justice or Criminal Procedure.

Mutually Excluded Courses: Students may not receive credit for this course and Advanced Criminal Procedure or Advanced Criminal Procedure and Litigation.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1661 v00 Sex Equality: Theory and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201661%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
The seminar on **Sex Equality: Theory and Practice** will focus on particular issues that currently press the boundaries of what “sex equality under the law” means, both legally and socially. Over the course of the week, students will read and discuss at least one substantial piece of recent feminist scholarship and also meet with one or more leading practitioners in the field. For example, students may read a law review article that addresses transgender or gender non-binary issues, and discuss its ideas from a theoretical point of view with the professor and then discuss the same questions with a more applied focus with an advocate. Students may also read short texts such as articles from journalism or organizational reports.

By the end of the week, students will have gained a concrete sense of how current scholarly debates intersect with the efforts of advocates involved in lawmaking (whether through litigation or other means). The class itself will serve as a bridge between academia and practice, and discussions will analyze both overlaps and disjunctions.

Attendance and participation every day is mandatory. In addition to participation, valuation will be based on written reactions to the assigned scholarly readings.

**Recommended:** Knowledge of Fourteenth Amendment rights or anti-discrimination statutes would be helpful, but is not required.

**Note:** WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 6, 2020, through Thursday, January 9, 2020, 1:30 p.m. - 4:50 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 395 v03 Sexual Orientation and the Law: Selected Topics in Civil Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20395%20v03)
J.D. Course | 3 credit hours
This survey course explores a wide range of legal issues relating to sexual orientation and gender identity. The issues we will address cut across numerous areas of legal doctrine, including criminal law, employment, family law, equal protection, privacy, and First Amendment law. The course considers how the legal system regulates and affects various aspects of the lives of lesbians, gay men, bisexuals, and transgendered individuals; we will address workplace issues, family relationships (including marriage, partnerships and parenting), and the interplay between law, politics, and policy as it relates to sexual orientation. The course will meld both legal theory and practical considerations, and therefore will draw on the experiences of several practitioners as course participants currently involved in shaping various aspects of LGBT law and policy.

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

**Mutually Excluded Courses:** Students may not receive credit for both this course and Sexuality, Gender and the Law Seminar or the course, Gender and Sexuality: Law and Theory.
LAW 1353 v00 Sexual Orientation, Gender Identity, Sex Characteristics and International Human Rights Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201353%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 the professor. This project-based practicum course will focus on issues of sexual orientation, gender identity, gender expression and sex characteristics from an international human rights law perspective. Students will participate in a two-hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

Background: Every day, lesbian, gay, bisexual, transgender and queer (LGBTQ) people are victims of multiple human rights violations, which are directly linked to the lack of acceptance (by society and the State) of their non-normative sexualities, gender identities or gender expressions. Some of the most common human rights violations of LGBTQ people include killings, torture, ill-treatment, “corrective” or punishing rape, “conversion therapy,” discrimination in schools, in the workplace and in accessing health services, among many others. Intersex persons face human rights violations because of the general lack of acceptance of their bodies that differ from the socially accepted standards of “female” and “male” bodies. Because of their sex characteristics, intersex people often face human rights violations including irreversible non-consented and non-medically necessary genital surgery at the early stages of infancy and throughout childhood, as well as forced sterilization, among others.

SEMINAR: The course will take a close look at some of the human rights violations faced by lesbian, gay, bisexual, trans, queer and intersex (LGBTQI) people, or other people perceived as such, as well as the corresponding States’ obligations under international human rights law. The students will analyze landmark and recent decisions emerging from regional and international human rights monitoring bodies, which have developed standards around these categories. This analysis will provide a solid legal foundation for students to develop their projects for external partners.

PROJECT WORK: Students will work, under the direction of the professor, with external partners on legal and policy projects, including conducting legal research and drafting memoranda on specific human rights issues faced by LGBTQI people, preparing shadow reports to present before international human rights bodies, conducting analysis of legislation or a related case, among others. External partners vary every year, and include international and domestic leading human rights organizations working on the promotion and protection of the rights of LGBTQI people at the international level.

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 the Office of the Registrar (lawreg@georgetown.edu) to request admission.

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be assessed.

LAW 402 v00 Small Business Law and Entrepreneurship Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20402%20v00)
J.D. Seminar | 2 credit hours

This seminar focuses on legal issues in small business associations, from an entrepreneurial perspective. Topics include forming a small business, partnerships, franchising, joint ventures, government procurement policies and programs, commercial leases, employer-employee issues, intellectual property, international trade, funding sources and ethical considerations for the small business lawyer.

Recommended: Prior or concurrent enrollment in Corporations, Federal Income Taxation (formerly Taxation I) and Corporate Taxation (formerly Taxation II), Taxation of Partnerships.

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

LAW 1173 v00 Social Enterprise and Nonprofit Law Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201173%20v00)
J.D. Clinic | 9 credit hours

Please see the Social Enterprise and Nonprofit Law Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/social-enterprise-and-nonprofit-clinic) for more detailed information about the clinic.


Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course.
LAW 1314 v00 Social Enterprise, Impact Investing, and the Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201314%20v00)
J.D. Seminar | 2 credit hours
This class is for entrepreneurial-minded students who wish to pursue legal careers to drive social impact whether they enter into private practice or pursue public interest legal jobs. This class explores the nexus of social enterprise, impact investing, and the law (formerly called Social Entrepreneurship and the Law), including what role the three traditional sectors of society (nonprofit, government and private) can play, individually and together, in addressing the world's most pressing problems.

Traditionally, the public has relied on the government to tackle society's major social issues. Eventually, the nonprofit sector began to play a larger role where the government was either unable or unwilling to take action. But today, there is a growing recognition that no one sector alone can address today's most pressing problems. Now, the private sector is beginning to play an even larger role by applying market-based solutions to address traditional social problems at greater scale and sustainability, such as economic inequality, climate change, and access to basic resources like clean water and energy.

Social enterprise and impact investing -- driven by social entrepreneurship -- represent two areas where the traditional lines between the traditional sectors are increasingly blurred. Social entrepreneurs are individuals who develop innovative solutions to some of the world's most pressing social and development problems. They often form social enterprises, which can be either for-profit or nonprofit entities that advance a double- or triple-bottom line approach (i.e., the pursuit of a profit, social and/or environmental objective). They also need to raise capital, often through impact investments, to grow their organizations. Through this course, we will explore the unique legal challenges and opportunities that social entrepreneurs and social enterprises typically encounter. We will also focus on the role that lawyers can play in advancing social change.

The topics we will cover include an analysis of the traditional role of the nonprofit sector and its limitations, the evolution of traditional for-profit legal forms and the use of tandem structures (the combination of both a nonprofit and for-profit entity), potential unintended consequences of relying on the private sector to provide traditional public goods, and the provision of access to capital beyond traditional grants, including impact investing, blended finance, and pay-for-results structures.

Learning Objectives:

This course will provide you with the analytical and communication (oral and written) skills as an attorney to effectively counsel social enterprises and to analyze the role of the law as a powerful tool to help social entrepreneurs achieve their objectives.

This course will utilize skill-building exercises in each class so that you have the opportunity to:

- improve written (final research paper) and oral (class participation) communication skills critical to good lawyering;
- apply the relevant laws and regulations that you have learned in other core law school courses to the specific legal challenges faced by social enterprises;
- exercise a multidisciplinary approach and understand how to apply existing bodies of law in different ways that address the unique needs of social enterprises;
- explore and critically examine the role of the law in social innovation; and
- become thought leaders in this emerging area to encourage further legal innovation and legal entrepreneurship within your law firm or other organizations.

LAW 611 v05 Social Intelligence in the Practice of Law: Dealing Effectively with Clients, Colleagues, and Opposing Counsel
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v05)
J.D. Seminar | 1 credit hour
This Week One simulation will introduce students to the essential concepts and competencies of social intelligence implicated in all forms of a law practice, including law firms, government agencies, corporations, non-profits, and a solo practice. Students will learn about emotional intelligence and research that illustrates how basic brain function and other factors, such as strong emotion, influence how a person makes decisions. Using a combination of lecture, discussion, videos, skills exercises and simulations of common legal practice scenarios, this course will emphasize concrete, practical tools to increase students’ effectiveness in managing themselves and their interactions with others. The course will equip students with an improved ability to effectively communicate with others and make them feel heard; present information in the most persuasive light; recognize and address their own internal biases; act with assertiveness when necessary; learn how to effectively give and receive criticism; and deal with highly emotional or extremely difficult individuals. This course also will present positive strategies for dealing with common interpersonal relationships in the legal workplace: lawyer-client, lawyer-opposing counsel, and lawyer-co-counsel. Students completing this course will have developed a solid grasp on how to address the wide variety of interpersonal dynamics that commonly arise in the legal arena.

Learning Objectives:

The main objectives of this course are to increase students’ awareness of the substantial role of social intelligence in the practice of law, and to provide students with concrete skills to effectively handle day-to-day interactions. Students will learn research-based skills and strategies from the fields of neuroscience, the study of emotions and emotional intelligence, negotiations and communication. As they learn theory, students will have the opportunity to practice techniques for harnessing these dynamics in professional interactions commonly involved in the actual practice of law. The simulations will emphasize positive strategies for dealing with common interpersonal interactions in a legal practice: lawyer-client, lawyer-opposing counsel and lawyer-co-counsel. At the end of the course students will have an improved ability to effectively communicate and negotiate, present information in a persuasive light; recognize and address internal biases; and deal with highly emotional or extremely difficult individuals – skills that talented legal minds need to become great counselors at law.

Note: This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 29, 2021 at 3:00 p.m. After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.
LAW 1404 v00 Social Justice and Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201404%20v00)  
J.D. Seminar (cross-listed) | 2-3 credit hours  
This course explores questions of social justice in taxation both in theory and practice, focusing on issues related to distributive justice, tax-based social programs, and families. Part I of this course will introduce students to theories of distributive justice in taxation. Students will become familiar with a range of political philosophies that can inform our understanding of distributive justice, including theories set forth by John Stuart Mill, Robert Nozick, John Rawls, Ronald Dworkin and Amartya Sen. We will examine these theories in the context of income taxation, endowment taxation, and wealth taxation. Part II will explore the use of the tax system to advance non-revenue raising social goals. Students will consider the strengths and limitations of the tax expenditure approach advanced by Stanley Surrey and will critique existing tax programs, examining their distributive effects and impact on the poor. Topics will include charitable deductions, the earned income tax credit, and tax-based housing subsidies. Part III will consider tax issues related to family units. Students will explore the existing treatment of families under the tax law and consider alternative approaches, paying close attention to the effect on women and the poor.  
Prerequisite: Federal Income Taxation (formerly Taxation I).  
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 1746 v00 Social Media Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201746%20v00)  
J.D. Seminar (cross-listed) | 3 credit hours  
Overview:  
Never before have so many individuals had such a tremendous opportunity to access information, to engage with others, and to express their views on a global scale. Simultaneously, 24/7 online access means that actors can more easily manipulate networks, foment hatred, reach audiences poised to engage in violence, and spread false information. Platforms seemingly protected by the First Amendment, moreover, can be used to undermine and destabilize democratic systems and to radicalize and recruit adherents to violent causes. The risks to national security could be profound.  
Yet does this give the government the right to remove content from these sites? And what should the role of private actors be, in light of the enormous political, social, and economic implications of restricting—or failing to restrict—online speech and association? What options are there for dealing with false or misleading information? What are the risks posed by the different courses of action? How should we think about even traditional areas of the law, such as antitrust, when agreement among social media providers results in effective de-platforming of certain individuals and views? What are the privacy implications of micro-targeting and social media evolution in the advertising and marketing arena? And what happens when effective targeting is moved to a political realm?  
The issue is far from static: technology is catapulting social media forward at warp speed. 5G and 6G networks will make it possible to deploy online experiences previously cabined to science fiction. A number of apps such as Snapchat, have integrated real time digital overlay features, as augmented reality (AR) blends the digital and 3-Dimensional world. Apple has deployed Quick Look AR that allows customers to “see” products in AR, interact with others, and buy the products directly. Users already can build virtual worlds, in games such as Minecraft, Roblox, Fortnite, and Second Life. Niantic is now taking it to the next level, developing what it calls full-world AR, leveraging Pokemon GO to crowdsourcing data to generate 3D space. Google glasses and Facebook Smart Glasses transform AR to a feature of daily 3D interaction. These devices allow companies to collect engagement metrics and to use them to further target users.  
The move to virtual reality will be even more profound. Patents have been filed for collecting biopotential signals, tracking muscle and eye movements to re-create individuals’ expressions and actions in an online environment. Others allow users to feel digital images in a 3D world, integrating the experience. The recording of what is done in the VR allows users to share the experience with others, even as hardware attached to other users will be able to mimic the experiences of the original user. How should we think about brain computing and online actions in light of criminal law?  
How should we think about social media in light of the current constitutional, statutory, and regulatory environment?  
This course begins with the origins of the First Amendment, examines its evolution, and raises some of the most pressing questions today that come out of a doctrine utterly unprepared for the digital age. The course mixes traditional lecture background with Socratic exchange and intense debates.  
Learning outcomes:  
As a result of taking the course, students will be able to:  
- articulate the opportunities and risks presented by social media;  
- ascertain ways in which online platforms challenge our traditional understanding of the First Amendment;  
- assess the effects of online social media on the political landscape;  
- examine the application of antitrust measures to de-platforming and verification regimes;  
- discuss the application of antitrust measures to deplatforming and among social media providers results in effective de-platforming of certain individuals and views;  
- analyze how criminal law provisions apply to the online environment;  
- ascertain ways in which online platforms challenge our traditional understanding of the First Amendment;  
- examine the application of antitrust measures to de-platforming and verification regimes;  
- discuss the application of antitrust measures to deplatforming and among social media providers results in effective de-platforming of certain individuals and views;  
- analyze how criminal law provisions apply to the online environment;  
- ascertain ways in which online platforms challenge our traditional understanding of the First Amendment;  
- examine the application of antitrust measures to de-platforming and verification regimes;  
- discuss the application of antitrust measures to deplatforming and among social media providers results in effective de-platforming of certain individuals and views;  
- analyze how criminal law provisions apply to the online environment;  
- ascertain ways in which online platforms challenge our traditional understanding of the First Amendment;  
- examine the application of antitrust measures to de-platforming and verification regimes;  
- discuss the application of antitrust measures to deplatforming and among social media providers results in effective de-platforming of certain individuals and views;  
- analyze how criminal law provisions apply to the online environment;  
- ascertain ways in which online platforms challenge our traditional understanding of the First Amendment;  
- examine the application of antitrust measures to de-platforming and verification regimes;  
- discuss the application of antitrust measures to deplatforming and among social media providers results in effective de-platforming of certain individuals and views;  
- analyze how criminal law provisions apply to the online environment;  
- ascertain ways in which online platforms challenge our traditional understanding of the First Amendment;  
- examine the application of antitrust measures to de-platforming and verification regimes;  
- discuss the application of antitrust measures to deplatforming and among social media providers results in effective de-platforming of certain individuals and views;  
- analyze how criminal law provisions apply to the online environment;  
- ascertain ways in which online platforms challenge our traditional understanding of the First Amendment;  
- examine the application of antitrust measures to de-platforming and verification regimes;  
- discuss the application of antitrust measures to deplatforming and among social media providers results in effective de-platforming of certain individuals and views;  
- analyze how criminal law provisions apply to the online environment;
LAW 1191 v00 Sovereign Debt and Financial Stability Seminar
This seminar will examine sovereign debt and its role in national and global financial systems. By the end of 2012, national governments had borrowed over $40 trillion from private creditors at home and abroad, and hundreds of billions of dollars more from one another and from international organizations. Government debt is a popular savings vehicle, a benchmark for pricing the risk of corporate debt, and the core asset in national and global financial systems. Sovereign governments may also guarantee borrowing by other important economic actors, from cities and provinces to banks and housing lenders. In many ways, sovereign debt functions like money. Yet it is also effectively unenforceable, since most of the debtors’ property is either immune or inaccessible to creditors. In addition to the basic policy, doctrinal and theoretical concepts in sovereign borrowing and restructurings, we will study recent crises in Europe and Latin America, reform proposals, and implications for the financial system.

Each student will be expected to submit a one-page analysis of each week’s reading, and two five-page papers (one each on the third and fourth parts of the syllabus). Students may choose to submit a single ten-page paper for either the third or fourth part of the syllabus. Each student will also direct class discussion of one assigned reading at least once during the term.

Recommended: Background in financial regulation and/or public international law would be helpful, but not essential.

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 406 v00 Space Law Seminar
This seminar addresses the international and domestic laws governing outer space. Class discussion will include issues such as: liability for damage caused by space objects, use of outer space resources, rescue of astronauts and return of objects launched into outer space, environmental issues in outer space, and other more specific topics such as NASA and the International Space Station, commercial space operations, U.S. Government agencies involved in outer space, and the role of the United Nations in outer space.

Recommended: Prior or concurrent enrollment in International Law I.

LAW 947 v00 Special Topics in Exempt Organizations
This course will focus on the practical deal-making aspects of structuring transactions involving non-profits and for-profits, with focus on the rules governing joint ventures (designing a joint venture policy), choice of entity issues, hospital and health care industry deals, low income housing tax credit issues, historic and energy tax credits, new markets tax credit transactions, environmental and conservation ventures, university joint ventures (e.g., distance learning, faculty research and pouring rights), impact investing, social benefit corporations (Hobby Lobby case) and valuation and reasonable compensation issues. It will include negotiating strategies (key structural issues, how to educate the for-profit party, “must-have” deal terms); case studies with students taking sides in negotiating the deal; Congressional outlook (political and lobbying) and “hot” UBIT topics. The course will feature guest lecturers from the Treasury, IRS and the private sector, including in-house general counsel of tax exempt organizations. The course will require a 20 page (approx.) paper.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Recommended: Taxation of Charities and Other Nonprofit Organizations.
J.D. Seminar (cross-listed) | 2 credit hours
This course will give students an in-depth look at rapidly developing areas in immigration law. Students will become familiar with the variety of adjudicators in the immigration system, navigating the relationship between Asylum Officers, Immigration Judges, the Board of Immigration Appeals, and the federal courts. We explore legal topics that often arise before these adjudicatory bodies, focusing on those that generate the most frequent—and complex—litigation. Specifically, we focus on detention and bond, corroboration requirements for asylum seekers, and “categorical approach,” under which adjudicators determine whether a criminal conviction renders a respondent removable and ineligible for relief. Students will also become familiar with constitutional challenges to immigration statutes or procedures as they appear in immigration courts and the extent of executive authority under the immigration laws. Finally, we introduce students to judicial review under the Immigration & Nationality Act, the immigration rule of lenity, and the role of deference doctrines in immigration cases.

This course also provides experiential training in the field of appellate immigration practice. Instead of writing a final paper or exam, students will participate in a moot court exercise. Each student will draft the pleadings and prepare arguments for an immigration-related case currently pending in a court of appeals. During this process, the professors provide each student with individualized feedback on her brief-writing and oral advocacy.

Learning Objectives:

Through this course, students will:

• Better understand judicial review under the immigration laws and the immigration adjudication procedures.
• Develop familiarity with asylum law, exclusion and removal grounds, and detention under the immigration laws.
• Gain knowledge of administrative legal practice, including concepts like administrative exhaustion requirements, administrative appeals procedures, and judicial review.
• Become familiar with appellate practice, including concepts like standard of review and findings of fact.
• Develop oral advocacy skills, including the ability to respond to present a legal argument and respond to questions from appeals judges.
• Prepare pleadings in an immigration case at the appellate level, including researching relevant caselaw and succinctly stating the facts of the case.

Recommended: Immigration Law and Policy.

LL.M Course (cross-listed) | 2 credit hours
The biggest challenge of a multistate tax practice is dealing with the practical issues of multiple states with sometimes conflicting laws and regulations. Most companies operate in multistate environment and must learn how to apply their operational realities to a patchwork of state and local tax laws and regulations. With telecommuting, internet and other work options, and a fluid workforce, this course will also review the state and local tax rules for employers/employees and individuals.

This course reviews the basic concepts that govern multistate taxation on an operational level and detailed practice and procedures guidelines. The issues surrounding audits and record access will be discussed along with the use of tools such as managed audits and voluntary disclosures. Appeals on administrative and judicial levels will be reviewed with an emphasis on statute of limitation, de novo and other issues. Additionally, this course will provide a review of the relationships between the states, information sharing between and among the states and the federal government, and the natural tension between taxpayers and the state revenue departments.

Learning objectives:

Gain an understanding of the practical aspects of state and local taxation. This understanding will prepare you to take on real time state tax projects with a client perspective. The class will also provide you with an understanding of state and local learning resources to gain the needed information to define and complete state and local tax projects.

Prerequisite: Federal Income Taxation (formerly Taxation I).
This class will explore the interface of sports, media, and intellectual property (IP) from a comparative perspective. Sporting events attract significant public attention, broadcasting rights for the major leagues and tournaments are purchased for vast amounts, and famous athletes frequently commercialize their names and likenesses. The course will examine the central legal aspects of this interface between sports, media and intellectual property law. It will highlight the social attributes of sports and will critically explore their implications for various legal questions. The analysis will concentrate on the legal regime in the United States, with occasional comparisons to equivalent arrangements in Europe, Canada, and Israel.

Discussion will cover a range of cutting-edge topics, such as the nature of broadcasting rights to sporting events and the protection afforded to such rights under various intellectual property laws; media regulation of broadcasting exclusivity and access to sports broadcasts; access to sports highlights; athletes' "right of publicity" in the age of new media; the use of symbols of teams and tournaments; "big data" and sports data analytics, as well as additional technological developments and their implications for this field.

Note: This course will meet on Tuesdays and Thursdays, 10:00 a.m. - 12:00 p.m. in Spring 2019 on the following dates: 4/2, 4/4, 4/9, 4/11, 4/16, 4/18, and 4/23.
**LAW 944 v00 State and Local Taxation: Income & Franchise Taxes**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20944%20v00)

**LL.M Course (cross-listed) | 2 credit hours**
This course discusses the basic principles of state and local taxation, focusing primarily on state income and franchise taxes. The course provides an overview of the limitations of state taxation provided by the Due Process and Commerce Clauses of the U.S. Constitution as well as selected federal statutes that pre-empt state taxation. The course discusses conformity with federal tax laws and introduces the student to the state tax concepts of unitary business principle and formulary apportionment. In addition to corporate income and franchise tax issues, the course will discuss issues relating to passthrough entities, common planning strategies, states’ authority to challenge positions taken by taxpayers, and taxation of non-U.S. income and non-U.S. taxpayers.

**Prerequisite:** Federal Income Taxation (formerly Taxation I).

**LAW 824 v01 State and Local Taxation: Other Business Taxes**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20824%20v01)

**LL.M Course (cross-listed) | 2 credit hours**
This course, in conjunction with the state and local income and sales and use tax courses, is intended to complete a foundational overview of primary state and local taxes, fees and other charges ("taxes") imposed on manufacturing and mercantile entities, as well as select industries operating in a multijurisdictional environment. Included among the areas that are reviewed in this course, on a comparative law basis are: ad valorem taxes imposed on real, tangible and intangible property, as well as select federal provisions, such as that found in the Railroad Revitalization and Regulatory Reform Act (4-R Act) of 1976; escheat/unclaimed funds laws; net worth taxes; transfer taxes, including those imposed on the transfer of "controlling" real property interests; select excise taxes, including those imposed on telecommunication and natural resource companies; withholding taxes, including state equivalents to the federal withholding tax imposed by Foreign Investment in Real Property Tax Act* (FIRPTA) rules; unemployment taxes, including State Unemployment Tax Act (SUTA) dumping provisions; statutory and negotiated tax incentives; privilege and retaliatory taxes; and, business license taxes and fees. By presenting the above topics in a comparative laws context, nonuniform principles, policies, jurisprudence and administrative positions confronting the multijurisdictional business operating in multistate environment are brought to light and will serve as one of the primary themes of this course.

**Prerequisite:** Federal Income Taxation (formerly Taxation I).

**LAW 2031 v00 State and Local Taxation: Sales and Use Taxes**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202031%20v00)

**LL.M Course (cross-listed) | 2 credit hours**
This course provides an in-depth examination of Sales & Use taxes. These taxes make up approximately half of all state tax revenues. The course focuses on fundamental principles of the Sales & Use tax regime by reviewing seminal and recent cases on the subject. The course also discusses U.S. Constitutional limitations applicable to Sales & Use taxes and state efforts to bypass these limitations to tax remote sellers. Finally, we will discuss current issues in the field of Sales & Use taxation, including application of Sales & Use taxes to ‘the Cloud’, marketplace facilitators, and digital goods.

**Recommended:** It is recommended students take Federal Income Taxation (formerly Taxation I) prior to enrollment.

**LAW 435 v01 State Government Law and Policy**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20435%20v01)

**J.D. Seminar | 2 credit hours**
"There will always be a new federalism" one scholar said. In recent years, the federal government has taken on increasing responsibility for state programs that traditionally have been within the purview of state government, including health, education, and job creation. The states have not accepted this diminished role, and in state legislatures and federal courts across the nation, a battle is being played out over the constitutional limits of federal power. This course will examine the balance of powers between the three branches of state government and the intergovernmental relationship between state and federal levels. We will start with an examination of Tenth Amendment, Commerce Clause, and coercive federalism jurisprudence, focusing in particular on National Federation of Independent Business v. Sibelius (the Affordable Care Act case). We will also look at state constitutions and the role of state courts of final jurisdiction in the protection of individual rights and the roles of these courts as a counterpoise to federal courts, the role of the governor, the relationship of state governors to their legislatures, judicial independence in states that elect their judges, and states as lobbyists of the federal government. We will consider the choice advocates make between litigating or pursuing state legislative change to advance policy objectives. There will be two assessments, both involving role-playing, which will require student papers as well as one-on-one evaluation of oral presentations. For these, students will be expected to work on contemporary issues simulating the work of state legislative committee staff, Governor’s counsel staff, and state-level lobbyists. Participation will be a component of assessment for the class. Limited to 20.

**Note:** Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
This course will tackle state-to-state disputes a historical and comparative perspective, tracking the development of interstate dispute resolution over time and across institutions. We will approach the history of interstate dispute resolution from both a legal and political science perspective. In so doing, the course will ask the following questions:

- Why have states agreed to submit their disputes to arbitration or other dispute resolution mechanisms? What were the international relations factors that permitted the use of such mechanisms?
- How successful are such means in resolving disputes between states? What sorts of disputes can be resolved through arbitration or similar mechanisms?
- How does interstate dispute resolution work in practice?
- What are common procedures for such disputes?
- How do international courts develop international law?
- What are the prospects for interstate dispute resolution going forward?

Modern interstate dispute resolution finds its basis in a string of ad hoc arbitrations and claims commissions from the 18th, 19th, and early 20th centuries. The United States was an early adopter of arbitration as a means of resolving interstate disputes, first agreeing with the United Kingdom in 1794 in the Jay Treaty to resolve certain disputes remaining from the Revolutionary War.

In the first part of the 20th century, there was an effort to formalize such disputes, first through the PCA and then the PCIJ and ICJ. In the latter half of the 20th century and into the 21st century, there was a rapid increase in formal mechanisms or courts to hear state to state disputes, including the WTO and ITLOS mechanisms, other specialized courts, and a host of regional courts and tribunals. Ad hoc arbitration and claims commissions continue to be used to resolve disputes as well.

This course will tackle state-to-state disputes a historical and comparative perspective, tracking the development of interstate dispute resolution over time and across institutions. We will approach the history of interstate dispute resolution from both a legal and political science perspective. In so doing, the course will ask the following questions:

1. practice (how it is done by courts, and by lawyers who advocate in court and before administrative agencies);
2. theory (how those practices are explained, both descriptively and normatively); and
3. doctrine (the textual and substantive canons of statutory construction).

Offered for several years at Boston area law schools by the judge, the course is designed to be both intellectually engaging and highly practical.

While much of the first year law school curriculum focuses on “common law reasoning” (identifying applicable judicial precedent and, if necessary, distinguishing the case at hand), most of modern law practice involves applying statutory law produced by the Congress and state legislatures, as well as administrative law in the form of rules and regulations. “Thinking like a lawyer” involves mastering the practices and doctrines of statutory interpretation.

This course covers those practices, the doctrines that govern them, and the theories that (purportedly) explain or justify them: purposivism, intentionalism, textualism, and pragmatism in its various forms.

You'll learn some substantive law, but the class won't focus on it. Instead you'll encounter text, figure out the interpretive problems the text presents, and learn how courts, advocates and academics have approached those problems.

Learning Objectives:

The course has three overall goals:

1. Enabling you to recognize the "moves" undertaken by courts and advocates in interpreting statutes and regulations, and to make and oppose the arguments underlying those moves.
2. Mastering a reasonable number of canons of statutory construction (both textual and substantive), as well as other related tools such as "ordinary" and "plain" meaning, legislative intent, statutory purpose, and deference to administrative agencies.
3. Exposing you to the theoretical debates that inform and animate statutory interpretation. A judge's theoretical understanding of statutory interpretation may affect the judge's decision making and opinion writing (which are two different things) in statutory cases. This may help you form your own theoretical position on statutory interpretation, which may in turn inform your view of the origin, nature and functions of law.

Recommended: Administrative Law; Constitutional Law I: The Federal System.

Mutually Excluded Courses: Students may not receive credit for both this course and Legislation, or Lawmaking: Introduction to Statutory and Regulatory Interpretation, or The Regulatory State.

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University's COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.
LAW 415 v00 Strategic Intelligence and Public Policy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20415%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar explores several significant legal and policy concerns raised by the conduct of foreign intelligence activities. We will consider the disclosures of Edward Snowden and their impact on the balancing of national security and privacy, the congressional authorization for foreign intelligence surveillance and the operation of the Foreign Intelligence Surveillance Court. We will review the role of Congress and the executive branch in intelligence oversight. We will consider the investigation and prosecution of espionage, using the Aldrich Ames and other recent cases as examples, including the Classified Information Procedures Act and the state secrets privilege. We will examine the authority for, and controls on, covert action and its role in the conduct of foreign policy, and compare the role of military special operations. We will use one class to examine the Law of Armed Conflict and International Humanitarian Law. And we will discuss the problems of cyber-security with a senior corporate officer from a major military industrial company. The class will be structured as an ongoing conversation on these and related topics.

LAW 1287 v00 Strategic Litigation for Social Change (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201287%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Regardless of one’s political orientation or the substantive issue at hand, targeting laws for judicial termination requires lawyers to navigate a common set of doctrines and best practices. This seminar provides insight into what it takes to craft successful strategic civil rights/impact litigation. Students will study issue and client selection, media relations, amicus concerns, fee shifting, the basics of Section 1983 and the Declaratory Judgment Act, and governmental avoidance doctrines (immunities, abstention, mootness), among other topics. For the paper portion of the grade, students identify an allegedly unconstitutional law—be it a statute, ordinance, regulation, the nature of the thing is unimportant—and create a case challenging that law, with a complaint and accompanying memorandum laying out their strategic vision. Attendance and participation will also factor into the grade.


Note: Laptops/tablets may not be used during class sessions, as they tend to inhibit discussion.

LAW 1630 v00 Strategic Responses to Data Breach: "We've Been Hacked!" (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201630%20v00)
J.D. Course (cross-listed) | 2 credit hours
This hands-on course will explore the fast-paced, high-stakes field of data breach response. Data breaches wreak havoc at organizations of all shapes and sizes in both the public and private sectors. From hospitals and financial institutions to military installations and civilian government agencies, entities face sophisticated adversaries and a diverse range of threats. Few organizations are prepared to manage and respond to an incident. This lack of preparation and experience can turn an already high-pressure event into a full-scale crisis.

Legal experts who can provide clients with sound advice and pragmatic guidance are in high demand but there remains a dearth of lawyers with the relevant training and experience to navigate the barrage of issues that surface following an incident. This course examines the full range of challenges and questions that counsel may face, from legal compliance to risk mitigation and reputational damage.

The course will introduce the subject, focusing on the types of breaches organizations may experience and some basic technical issues. The overview is followed by a deep dive into the myriad legal issues that arise. Most notably, we'll explore how different governments regulate breach response activities and the challenging patchwork of requirements. Other issues include: mitigating the risk of liability and potential litigation; coordinating with law enforcement; working with human resources; and examining contractual and other obligations of third parties. The course then turns to a dizzying array of policy and strategic issues: public relations and communications; government affairs; managing the investigation; coordinating with technical teams; assessing risk to potentially impacted individuals; and effective breach notification. Real world scenarios and actual data breaches will be used and referenced throughout the course to illustrate different points. By the end of the course students should be able to enter the job market prepared to develop and execute a comprehensive data breach response strategy.

Learning Objectives:

• Understand the legal and regulatory framework that governs data breach response in the United States and other jurisdictions.
• Appreciate the importance of establishing and following clear policies for addressing a data breach.
• Be prepared to pivot back and forth between the legal and practical functions necessary to address a serious incident.
• Be able to manage a data breach response team composed of a range of stakeholders with potentially inconsistent priorities.
• Tailor response strategies to different types of data breaches from a lost laptop or an insider threat to the exfiltration of sensitive data by organized crime.
• Learn how to identify, assess, and mitigate the risk of harm to potentially impacted individuals as well as to the organization itself.
• Become comfortable with making high-stakes decisions in short time frames and with incomplete information.
LAW 1348 v00 Strategically Managing Intellectual Property: A Study of IP in Business Transactions

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

The class will address the need for companies and individual creators to strategically manage their intellectual property assets. Students will study approaches to managing patents, copyrights, trademarks and trade secrets through the spectrum of activities including creation and ownership of intellectual property; its acquisition, sale and license; due diligence and disclosure issues; protection and enforcement of rights; and litigation. The class will cover case law and real world business dynamics and provide students with insights into the role and responsibilities of in-house counsel and outside lawyers in this process. As part of the course, there will be an assignment of a corporate case study project to teams of at least two students. It will involve communication with legal representatives from the companies in the study project who have agreed to be available to the students.

Students will be evaluated based on class attendance and individual class participation; team participation and completion of team written and oral presentations related to the corporate case studies; and written assignments including a final individual paper.

**Learning Objectives:**

By the conclusion of the course, students will have the ability to apply intellectual property law effectively in business situations and also gain experience with some of the skills necessary in counseling business executives, inventors and others about their intellectual property assets.

**Prerequisite:** A basic course in Patent Law, Copyright Law or Trademark and Unfair Competition Law.

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LAW 560 v50 Street Law: Community

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

Street Law: Community offers law student instructors the opportunity to teach courses in practical law to adults and youth in a variety of community settings: correctional facilities; treatment centers for alcohol, drug, or HIV problems; homeless shelters; halfway houses; juvenile detention facilities and other community settings. Through interactive, participatory methodology, Street Law: Community provides law students insights into correctional and community law related issues affecting the lay public.

The Street Law instructors, in pairs, teach two courses in the community, consisting of a weekly 90-minute class, at two separate sites, for six weeks of the eight-week summer session. Topics may include negotiation and dispute resolution, small claims court, public benefits, landlord/tenant, torts, family law, and various other topics of civil and criminal law. The course features an innovative series of criminal law lessons based on the podcast, “Serial,” and actual evidence from the case. The course concludes with a mock trial or mock hearing.

The program utilizes interactive, participatory, learner-centered methods that not only develop learners’ knowledge and skills in the subject areas but also develop critical thinking, reading, writing and listening skills, and basic advocacy skills.

The first class will be held on Thursday, May 25 from 6:30 p.m. – 9:30 p.m., and will consist of an orientation on teaching methods. Additional orientation sessions will be held on two evenings or a weekend day that are convenient for participants. Regular seminar classes will be held from 6:30 p.m. – 9:30 p.m. on Monday nights.

**Mutually Excluded Courses:** Students may not receive credit for both this practicum and the fall semester Street Law: Criminal Justice and Human Rights practicum. Students are eligible to participate in the spring Street Law: Mock Trial Advocacy practicum. The course is open to both J.D. and LL.M. students.

**Note:** After registering via MyAccess, please email Street Law Teaching Fellow Gharrett Favinger at gf275@georgetown.edu to set up an informational interview with Street Law staff.

A student who accepts a seat in Street Law: Community for Summer 2017 may not drop after April 28. If fewer than four students are enrolled on that date, the program will not be offered. Any student who is admitted after April 28 may not drop the program after formally accepting the seat.
LAW 1397 v00 Street Law: Criminal Justice and Human Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201397%20v00) (Project-Based Practicum)
J.D. Practicum | 5 credit hours
Please see the Street Law website (http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/street-law-program) and this video (https://youtu.be/wq9fk_eeMNA) for more information.

OVERVIEW: Street Law is a project-based practicum where Georgetown Law students teach practical law courses at DC public high schools. Street Law instructors help the local community better understand the law, identify how it impacts them, and develop legal and analytical skills. Law students will be assigned to a DC public high school class or the DC Jail to teach law and law-related concepts for the semester. Law students are immersed in the practical application of law and exercise actual lawyering skills (public speaking, legal research, and writing, advocacy, etc.). The curriculum focuses on the purpose of laws and legal reasoning, legal negotiations, criminal justice, and human rights. The course capstone is a human rights “mini” mock trial where the high school students perform as lawyers and witnesses and compete against other Street Law classes. This practicum allows law students to gain invaluable lawyering skills while actively giving back to the local community.

SEMINAR: The seminar provides instruction in the law and legal concepts, classroom management, lesson planning, and student assessment using interactive methods. Outside of the seminar, faculty provide intense support for each student to support their learning and growth.

PROJECT WORK: Law student instructors are placed in DC public high school classrooms based primarily on their academic schedules for the semester. All high school classes will be taught in person. There, they will work for at least 10 hours/week preparing for and teaching a course in practical law. Law student instructors have the primary responsibility for the instruction and grading of their students. Street Law faculty and fellows observe each law student instructor and conduct post-observation debriefs at least three times per semester. The instructional methods are subject to change to accommodate Georgetown Law and DC Public Schools COVID policy.

ORIENTATION: There is a four-day interactive orientation from 10:00 a.m. to 4:30 p.m., August 23-26 where law students will experience the student-centered teaching methodology they will use in their own classes. Attendance at the orientation is mandatory.

ENROLLMENT INFORMATION: Students enroll in this course via MyAccess (https://myaccess.georgetown.edu). Students are encouraged to enroll in this practicum course and the spring semester practicum course Street Law: Mock Trial Advocacy. A background check will be required.

After registering via MyAccess, please email Street Law Professor Charisma Howell at ch329@georgetown.edu to set up an informational interview with Street Law staff.

Prerequisite: 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 not receive credit for this course and the summer course, Street Law: Corrections and Community.

LAW 1398 v00 Street Law: Mock Trial Advocacy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201398%20v00) (Project-Based Practicum)
J.D. Practicum | 4-5 credit hours
Please see the Street Law website (http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/street-law-program) for more information about the program.

OVERVIEW: Street Law is a project-based practicum course where Georgetown Law students teach a course in mock trial advocacy at DC public high schools or a variety of community settings ranging from adult and juvenile correctional facilities to treatment centers for alcohol and drug addiction. Street Law instructors help the local community better understand the law, identify how it impacts them, and develop legal and analytical skills. This project-based course will focus on trial and litigation skills and prepares high school students and community members to compete in the Annual City-wide Mock Trial Tournament. Law students help their students prepare for a complicated criminal or civil trial. The law students develop a thorough understanding of trial procedure, law, and effective advocacy skills. This practicum allows law students to actively give back to the local community while gaining invaluable lawyering skills.

SEMINAR: Seminars are devoted to teaching law and legal reasoning, mock trial advocacy skills, classroom management, lesson planning, and student assessment using interactive methods. Outside of the seminar, faculty provide intense supports for each student to support their learning and growth.

PROJECT WORK: Law student instructors are assigned to regular DC public high school classrooms or other community placements based primarily on their academic schedules for the semester. They will work for at least 10 hours/week preparing for and teaching a course in practical law. Law student instructors have the primary responsibility for the instruction and grading of their students. Street Law faculty and fellows observe each law student instructor and conduct post-observation debriefs at least three times per semester. The experience of guiding students through the mock trial process is remarkable and unforgettable. The analytical and critical thinking skills that high school students and community members develop, thanks to the law student instructors, are invaluable for their future endeavors.

ORIENTATION: There is a four-day orientation required for this practicum course conducted in mid-January. During orientation law students will participate in lesson plans that they will use in their own classes and learn about the student-centered teaching methodology. In-person attendance at the orientation is mandatory. Evening division students should reach out to practicum faculty to discuss orientation schedule conflicts. Attendance at this orientation is mandatory for students who did not already take the fall semester Street Law: Criminal Justice and Human Rights practicum.

ENROLLMENT INFORMATION: Students enroll in this course via MyAccess (https://myaccess.georgetown.edu). Students are encouraged to enroll in this practicum course and the fall semester practicum course Street Law: Criminal Justice and Human Rights. Alternatively, students who enroll in this course may take the summer course, Street Law: Corrections and Community.

After registering via MyAccess, please email Street Law Professor Charisma Howell at ch329@georgetown.edu to set up an informational interview with Street Law staff.

Prerequisite: 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).
LAW 401 v00 Structuring Private Equity Funds and Transactions
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20401%20v00)

LL.M Course (cross-listed) | 2 credit hours
This course covers the key business, legal and certain tax principles applicable to the formation of private equity funds, including private offering rules, corporate structuring and practical skills with respect to investor negotiation and management. The course explores these topics through a series of discussions and exercises that will require students to analyze complex transactions, and to apply their analytical skills and their corporate, tax and regulatory knowledge to solve business, legal and tax issues. Substantive subjects include discreet federal income tax concepts, corporate law, partnership and limited liability company law and SEC rules and rulemaking, in each case as applied in the context of forming and operating a private equity fund.

Prerequisite: Corporations

Recommended: Securities Regulation; Corporate Taxation or Corporate Income Tax Law I

Mutually Excluded Courses: Students may not receive credit for both this course and Emerging Growth Companies and Venture Capital Financings.

LAW 1368 v00 Supreme Court Decisions: The Impact of the 2017-18 Term of the Supreme Court of the United States on Federal Practice
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201368%20v00)

J.D. Seminar | 1 credit hour
The course is designed to focus on decisions from the 2017-18 Term of the Supreme Court of the U.S. and to examine their impact on practice before the Federal Courts. The cases will be used as teaching tools to examine the many facets of Federal Practice.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Note: Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.

LAW 1361 v00 Supreme Court History from John Jay to John Roberts
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201361%20v00)

J.D. Seminar | 2 credit hours
This seminar examines the history of the Supreme Court as an institution from its origins to the present day. Beginning with the design for the Supreme Court in the Constitution itself, we will study the Court as it has developed chronologically, from its first meeting on February 2, 1790 in the Royal Exchange building in New York City to its current occupants on One First Street. Each week we will move forward from one period to the next, organizing our study around the 17 Chief Justiceships of John Jay through John Roberts. We will rely principally upon two single volume histories of the Supreme Court and supplement these narratives with selections from some of the defining cases from each of these periods. Our goals throughout will be to think through the dominant jurisprudential questions and trends of each era, the personalities that shaped the Court at different moments, and the changes in the powers and internal operating procedures of the Court itself.

Students will be expected to prepare an outline, draft, and final version of a 20-25-page paper on a topic covered in the seminar and chosen in consultation with the instructor. Participation in class discussions will factor into final grades.
**LAW 1174 v00 Supreme Court Institute Judicial Clerkship Practicum**

(3 credit hours)

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor. This project-based practicum course will operate in conjunction with Georgetown Law's Supreme Court Institute (SCI), which provides moot courts to Supreme Court advocates in virtually every case the Court hears each Term. Each moot court panel is composed of five “Justices,” professors or practitioners with experience in Supreme Court and appellate advocacy. This practicum will enable eight J.D. students to function as “law clerks” who will help prepare “Justices” to serve on SCI moot court panels. Students will participate in a two hour/week seminar and carry out five hours/week of project work under the direction of the course professor.

**SEMINAR:** The seminar component of the practicum will explore the role and function of law clerks; the mechanics of writing a useful bench memo and draft opinion; and ethical dimensions of judicial clerkships, including confidentiality and influence. Seminar sessions will also feature guest speakers, including appellate judges and former judicial law clerks.

**PROJECT WORK:** Each student will be assigned a case scheduled for argument in the February or March sitting, for which he or she will prepare a “bench memorandum.” Prior to the moot, the student will submit the memorandum to his or her assigned moot “Justice” – a Georgetown Law professor or local practitioner who has volunteered to serve on the moot panel – and will meet with the Justice for a “case conference” to discuss the case in preparation for the moot. After attending the moot court, the student will attend the oral argument, read the argument transcript, or listen to the audio recording, and write a postmortem review describing the ways in which the moot resembled and differed from the argument.

**Learning Objectives:**

Writing, legal analysis, oral presentation, and other skills required to serve as an effective appellate law clerk; sensitivity to ethical issues such as confidentiality and influence on judicial decision-making.

**Prerequisite:** 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 course is open to J.D. students only.

This course may be suitable for evening students who have sufficient flexibility in their day jobs to take time off to attend the weekly seminar (10:00 a.m. - 12:00 p.m. each Wednesday); conduct a case conference with their Justice/professor (roughly an hour, scheduled at the professor’s convenience); and observe their assigned moot court (a two-hour session during the working day, scheduled to accommodate the needs of the advocate). THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students must submit a transcript and Statement of Interest (one page double-spaced), explaining their interest in the course to Professor Daniel Woofter (dhwoofter@goldsteinrussell.com) by 5:00 p.m. on Wednesday, October 6, 2021. After the October 6 application deadline, students will be admitted into open seats on a rolling basis. Any student who is offered a seat in this course will be directly enrolled and will have one week only in which to drop. After that time, a student may only drop the course with the permission of the professor and the Assistant Dean of Experiential Education. Permission will be granted only if remaining in the practicum would cause significant hardship to the student. This is a first-year elective.

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**LAW 469 v00 Supreme Court Litigation Seminar**

(2 credit hours)

This seminar seeks greater understanding of the nature of Supreme Court decision-making in four primary ways:

First, we will read a modest amount of secondary source material and discuss how the Supreme Court works and how it differs from other American courts.

Second, we will view Supreme Court opinions, as practiced in the U.S. Supreme Court, with multiple opportunities to observe actual moot courts and talk with arguing counsel, and also for each student to participate as advocate and judge (two hour/week seminar). Topics to be discussed include the certiorari process, strategic considerations in briefing before the Court, the role of amici curiae, the Office of the Solicitor General, its impact on the work of the Court, and the role of oral argument in the decisional process.

Students will be expected to be prepared to participate at each seminar meeting. Course grades will be based on classroom participation and the two papers.

**Prerequisite:** J.D. students must complete the required first-year program, including Constitutional Law I: The Federal System (or Democracy and Coercion), 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.

**Recommended:** Constitutional Law II: Individual Rights and Liberties. Federal Courts and the Federal System is helpful, but not required.

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

Students will attend three Supreme Court Institute moot courts over the course of the semester. Most will be held at the usual class time, but it is possible that one or more may be scheduled on a Friday afternoon (1:00 p.m. or later). Availability to attend at these times is a class requirement except for other class conflicts. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1346 v00 Supreme Court Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201346%20v00)
J.D. Seminar | 3 credit hours
The purpose of this seminar is to introduce you to the basics of Supreme Court practice and to teach you appellate advocacy skills. You will learn the ins and outs of the certiorari process and put that knowledge to work in crafting either a Reasons for Granting Certiorari or a Reasons for Denying Certiorari. You will also learn techniques for presenting cases on the merits in the Supreme Court, and then draft a brief in, and argue, a Supreme Court case. The certiorari-stage Reasons for Granting or Denying Certiorari will be no more than 1,900 words in length, excluding footnotes (roughly 8 pages) and a draft merits briefs must be at least 6,250 words in length, excluding footnotes (roughly 25 pages), but no more than 7,000 words (roughly 28 pages). We will give you comments on your draft merits brief, and you will then submit a revised final merits brief with legal citations of at least 6,250 words, excluding footnotes, but no more than 7,000 words. In the process, you will receive one-on-one instruction from the professors and learn through in-class discussions based on the instructors’ extensive experience litigating in the Supreme Court.

The professors for the seminar are:

The Honorable Patricia Millett of the U.S. Court of Appeals for the District of Columbia Circuit, who worked for four years in the Justice Department’s Civil Division, Appellate Staff, and for eleven years in the Office of the Solicitor General. While in practice, she argued 32 cases before the U.S. Supreme Court and briefed scores more, as well as dozens of cases before appellate courts.

Michael Robinson, formerly Senior Counsel with the Appellate Staff, Civil Division, at the Department of Justice, has argued 119 appeals, including three en banc cases, before every federal court of appeals in the country, and several state appellate courts. Professor Robinson also has drafted numerous Supreme Court briefs at both the certiorari and merits stages with the Office of the Solicitor General.

Prerequisite: Legal Practice: Writing and Analysis.
Recommended: Prior or concurrent enrollment in one or more of the following courses: Constitutional Law I and II, Administrative Law, and an advanced legal writing seminar such as Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing as a Discipline, Writing for Law Practice, or Appellate Courts and Advocacy Workshop.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. 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.

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

LAW 418 v00 Supreme Court Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20418%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar examines the Supreme Court as an institution with emphasis on the ways in which the institutional forms and structures of the Court influence the law the Court makes. Topics studied include: appointments to the Court; the Court's jurisdiction and procedures for determining cases it will adjudicate; the internal deliberative process employed by the Justices; and the role of the advocates before the Court. Cases currently pending in the Supreme Court will be studied for illustrative purposes.

Prerequisite: Constitutional Law I: The Federal System (or Democracy and Coercion).

Note: 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 1738 v00 Supreme Court Today (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201738%20v00)
J.D. Seminar | 2 credit hours
The focus of this course is the Supreme Court’s current docket—cases that the Court is hearing and deciding this term. We will use the rich variety of the Court’s cases as a springboard to explore its decisional process. Through close study of briefs and oral arguments, students will learn about the art of appellate advocacy. We will also examine perceptions of the Court in the media, the role of the Court in American society, and cross-cutting themes in the Court’s jurisprudence. The mosaic of the Court’s current docket reaches into many disparate corners of the law, including voting rights, the powers of the police in Indian country, administrative law judges and the Constitution’s Appointments Clause, the Fourth Amendment’s limits on police entry into a home, securities law class actions, the application of antitrust law to the NCAA, and the FTC’s injunctive powers. Engaging with these cases and analyzing both sides’ arguments will deepen your understanding of the Court as an institution and how advocates seek to persuade it.


Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.
LAW 1416 v00 Supreme Court Topics: The Role of Dissenting Opinions
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201416%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
In this course students will learn about the role of dissenting opinions in U.S. appellate courts generally, and the United States Supreme Court in particular, with a special focus on the writings and jurisprudence of the late Justice Ruth Bader Ginsburg. We will also briefly discuss the role dissents play in select foreign jurisdictions. Students will be evaluated based on their active and informed class participation, including a mini-moot during the final class session, and on the quality of their final written product, which will be a 5-10 page paper.

Recommended: Constitutional Law I: The Federal System or Democracy and Coercion.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 1706 v00 Surveillance and Civil Rights
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201706%20v00)
J.D. Practicum | 6 credit hours
The Center on Privacy & Technology at Georgetown Law conducts research and advocacy at the intersection of privacy and civil rights. Center reports have revealed that most American adults are in a police face recognition database; that face recognition technology suffers from race, age, and gender bias; and that ICE is beginning to tap into the biometric networks that police have long exploited. Center advocacy has resulted in multiple states investigating or halting use of face recognition; in ICE dropping plans for an expansive social media monitoring plan; and in Congress halting the use of unaccompanied children’s data to find and deport their loved ones.

In this fieldwork based practicum, students will learn the tools of effective research and policy advocacy, and put those tools to use in the Center’s projects on biometrics, immigrant surveillance, and potentially other fields. They will work closely with Center staff and, as needed, their partners in civil society and federal and state legislatures.

The projects that the students will likely work on will generally fall into two fields relating to two tranches of research and advocacy.

Immigrant Surveillance. The Center advocates against the expansion and lawless nature of surveillance conducted by Immigration and Customs Enforcement and Customs & Border Protection. The students may have an array of projects related to that work, including:

- Writing research papers analyzing congressional oversight into ICE and CBP appropriations.
- Writing research papers identifying policy tools — legislative, executive, and administrative — that policy stakeholders can use to decrease or cut off flows of data to immigration enforcement.
- Conducting targeted outreach to federal and state legislators to urge them to investigate, conduct oversight, and take policy action on this subject.

Police Face Recognition. The Center is the nation’s leading research institution into the proliferation, use, and misuse of face recognition by law enforcement. The students may have an array of projects related to that work, including:

- Analyzing caselaw on legacy biometrics (fingerprint, DNA) to apply those precedents to face recognition.
- Writing draft legislation to regulate the use of face recognition by law enforcement.
- Conducting targeted outreach to federal and state legislators to urge them to investigate, conduct oversight, and take policy action on this subject.

In the seminar, students will study the following legal, policy, and technical frameworks:

- The Immigration and Nationality Act, the authorizing statutes behind the Department of Homeland Security, and their intersection with federal and state surveillance statutes and caselaw;
- Fourth Amendment protections for geolocation information post-Carpenter;
- The tensions between regulating immigrant surveillance and face recognition at different levels of government (local, state, federal); and
- The data-sharing networks and technical systems underlying both face recognition and ICE/CBP surveillance.

And students will develop the following skills:
LAW 3017 v00 Survey of Employee Benefits Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%203017\%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course provides a general overview of the federal labor and tax law policies and principles that apply to employment-based retirement plans, health care plans, and executive compensation arrangements. Students will examine the principles of the Internal Revenue Code and ERISA that govern the form and operation of employer-sponsored plans, especially tax-qualified pension plans, executive compensation arrangements and welfare plans (with a focus on health care). This class will concentrate on the structure and basic rules that govern such arrangements. In the context of tax-qualified and nonqualified plans and health and welfare programs, this course will explore plan administration, fiduciary duties, claims appeals and litigation.

**Prerequisite:** Federal Income Taxation (formerly Taxation I).


**Note:** Students enrolled in the Employee Benefits Certificate Program may not register for this course.

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LAW 2072 v00 Survey of State and Local Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%202072\%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course is designed as a survey course for those students not pursuing a SALT Certificate in conjunction with their LL.M. in Taxation, Executive LL.M. in Taxation, or MSL Program. The course begins by first introducing the student to the dynamics and taxonomy of SALT, and why (out of necessity) the study of subnational taxes must vary from the “classic” pedagogy of most LL.M. – Tax programs that have come to focus and build on a study of the differing subchapters of the Internal Revenue Code. Next, the course explores important subnational topics not encountered in the study of federal corporate income taxes, such as federal limitations on the powers of subnational governments to tax. To close the course, the student will be presented with a case study and a comparative law analysis that will provide them insight into analytical approaches employed by interdisciplinary tax teams made-up of international, federal and subnational tax specialists assigned to deal with enterprise restructurings.

SALT issues unique to following types of taxes will be explored: income based taxes; sales and use taxes; ad valorem taxes; unemployment taxes; real estate and controlling-interest taxes; transfer taxes; gross receipts taxes; capital stock (net worth based) taxes; excise taxes; and, other taxes to illustrate the diversity of subnational levies and how they can be of critical importance to select industries and their advisors, e.g., such as the insurance industry (premium and retaliatory taxes); the natural resource industry (severance taxes); the communication industry (telecommunication taxes); and, the health care industry (hospital and medical provider taxes).

In addition to overviewing key taxes, the course will introduce the student to other important topics that routinely engage multijurisdictional enterprises, including: unclaimed property (“escheat”) audits; issues implicated by operations and transactions within and without the U.S.; statutory and negotiated tax and non-tax incentives; and, the nonuniform taxing and sourcing rules that face unincorporated multijurisdictional enterprises and their owners that choose to operate through partnerships, limited liability companies, S Corporations or joint ventures.

**Prerequisite:** Federal Income Taxation (formerly Taxation I).

**Note:** Students enrolled in the SALT Certificate program may NOT receive credit for this course.
LAW 883 v00 Survey of Transfer Pricing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20883%20v00)
LL.M Course (cross-listed) | 2 credit hours
The topic of international transfer pricing – that is, how a business conducting operations in a number of different countries should divide its taxable income among those countries – remains among the most practically important of international tax issues. This course seeks to provide an introduction to the United States’ principals and current practice of international transfer pricing, as well as some understanding of the historical and conceptual basis of the current system. Specific goals of the course are to assist foreign students in gaining a general perspective on the United States system and to provide domestic students and practitioners a sufficient level of understanding of the area and practices to provide a platform for the development of further interest in the area.

Recommended: Prior or concurrent enrollment in a course in international taxation.

LAW 1299 v00 Tackling the Civil Access to Justice Crisis (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201299%20v00)
J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course will focus on the access to justice crisis in this country. Students will participate in a two-hour/week seminar and carry out 10 hours/week of fieldwork with organizations that are engaged in research and developing interventions to address the civil access to justice crisis.

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will learn about the nature and extent of the access to justice crisis in this country. Recent studies reveal that an estimated 75% of civil cases in the state courts have at least one party who is unrepresented, leaving some 30 million people who cannot afford an attorney alone in court. Indeed, 86% of civil legal problems of low income Americans receive inadequate or no legal help. The stakes are high with many people without legal help facing the danger of losing their families, their homes and their livelihoods. Yet, this invisible crisis has given rise to an array of innovations to serve more people who cannot afford an attorney. Students will study new interventions to rectify this broken system; consider strategies to bring forward solutions; enhance their competencies in gathering essential information; engage in creative problem-solving; enhance their legislative and rule drafting skills; gain experience in working as part of a team; and address cultural issues and concerns.

FIELDWORK: In the two-credit, mandatory pass/fail, fieldwork portion of the practicum, students will be assigned to work with organizations that are engaged in research and development initiatives to address the civil access to justice crisis. The organizations may include District-based legal services providers—such as Ayuda, D.C. Access to Justice Commission, D.C. Pro Bono Center, as well as national organizations such as the Legal Services Corporation, Fines and Fees Justice Center, or the Self Represented Litigation Network. Initiatives underway include: revising unauthorized practice of law rules to permit non-lawyers to help address unmet legal needs; expanding pro bono commitments through establishing mandatory pro bono requirements, and through other means; developing “low bono” projects to represent those with modest incomes who cannot afford the normal rates lawyers charge; creating ways for professionals and community actors who are not lawyers to help provide access to justice; creating civil Gideon requirements at state levels in adversarial proceedings where basic human needs are at stake; providing new forms of self-help services to those who represent themselves in litigation or in their handling of other legal matters; and reforming court rules and procedures to create a fairer environment for pro se litigants.

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 and an externship or a clinic or another practicum course.

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

This course is suitable for evening students who can commit to attending seminar and working 10 hours/week (during business hours). This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The two-credit seminar portion will be graded. The two credits of fieldwork are
LAW 2097 v00 Takeovers, Mergers, and Acquisitions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202097%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course provides a broad overview of mergers and acquisitions. This course will provide a framework for students to understand the merger and acquisition environment, to analyze M&A transactions, to develop opinions about them, to design M&A transactions, including friendly deals, hostile, leveraged buyouts, mergers of equals, and cross border situations and covers topics such as the structures commonly used in M&A transactions, securities laws affecting M&A transactions, strategies employed by the acquiring company and the target firm in negotiating an acquisition, the roles and responsibilities of stakeholders in responding to an acquisition proposal, takeover defenses employed by target companies, the structure of an acquisition agreement, and the techniques for effective drafting of transaction documents.

Prerequisite: Prerequisites: Corporations or equivalent

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Mergers and Acquisitions, or the LL.M. course, Takeovers, Mergers, and Acquisitions.

LAW 700 v00 Takeovers, Mergers, and Acquisitions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20700%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course focuses upon the regulation of negotiated, hostile and cross-border takeover, merger and acquisition transactions. Assigned readings and lectures will principally examine the regulatory text governing changes in corporate control, including contested elections of directors, as well as the federal regulatory requirements mandating disclosure of large ownership positions, as well as the corresponding tactical and strategic considerations associated with structuring domestic and international business combinations.

Prerequisite: Prior or concurrent enrollment in Securities Regulation

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. Seminar, International Mergers and Acquisitions Seminar, or the J.D. Course, Mergers and Acquisitions, the LL.M. Course, International Mergers and Acquisitions, or the LL.M. Course, Takeovers, Mergers, and Acquisitions.

LAW 2012 v00 Tax Court Advocacy Workshop (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202012%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This Tax Court Advocacy workshop provides students a chance to use substantive tax law to learn Tax Court litigation skills. Using tax law frequently involved in individual income tax matters, the course covers the cycle of an individual income tax dispute with the IRS, beginning at the administrative level and culminating in a mock Tax Court trial and mock US Court of Appeals appellate argument. We start with an overview of income tax issues in individual taxpayer case studies that form the foundation of the course and give rise to frequent litigation. Acting as either lawyer for the taxpayer or the IRS in hypothetical cases, students will conduct client or witness interviews, prepare IRS administrative filings, Tax Court petitions or answers and briefs, and engage in other exercises designed to impart the skills of effective Tax Court advocacy and to convey a practical understanding of the tax controversy process. An introductory course in taxation is a prerequisite. A course in tax practice and procedure is recommended but not required. Students will be graded on written assignments and on class performance during the semester. The course does not have a final written exam.

Prerequisite: Federal Income Taxation (formerly Taxation I)
LAW 2033 v00 Tax Fraud and Tax Crimes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202033%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course offers first-hand insight into how federal criminal tax cases are investigated and prosecuted. Taught by white collar defense attorneys with prior federal prosecutorial and enforcement experience, topics include a survey of frequently charged crimes such as tax evasion, filing false returns, and conspiracy. The course chronicles the life of a tax fraud prosecution from its inception at the investigative stage to indictment, pretrial, trial, and sentencing. At each stage, students are presented with challenging issues about methods of proof, taxpayer defenses and other issues that impact the theory of prosecution. Student will learn how to examine the strength of evidence of a case and negotiate with federal prosecutors and enforcement agents, the equities for-and-against prosecution, and trial strategy. Animating these discussions are examples of recent tax prosecutions in federal district court that have either resulted in criminal conviction or acquittal of the taxpayer, along with well-known domestic and cross-border investigations.

Strongly Recommended: Federal Income Taxation (formerly Taxation I).

LAW 1276 v01 Tax Law and Public Finance Workshop (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201276%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course is a colloquium on recent academic work in tax law, public finance economics, and related fields. It is intended to introduce you to current research in tax policy and to give you an opportunity to develop skills in reading and critiquing contemporary legal and economic scholarship and policy position papers. After three introductory sessions, the workshop shifts to a series of weekly paper presentations by leading public finance economists, tax law scholars, and government experts.

Professor Brian Galle will lead the workshop. This is a small and focused course, and thus reading and active participation are essential. The format for the paper presentations will be 15-25 minutes of presentation by the speaker, followed by discussion. The primary goal is student-centered discussion and participation, but students will also be exposed to views provided by other Georgetown faculty and members of the larger DC-area tax community who attend the workshop.

Note: 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 784 v00 Tax Planning for Corporate Acquisitions Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20784%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This seminar will examine the tax planning for recent public M&A deals from the practical vantage points of tax counsel advising the buyer and the seller. The principal focus will be on: (1) the tax structure utilized; (2) the tax representations, warranties, covenants, and indemnification provisions in the acquisition documents, along with any tax-sharing agreements; (3) the tax disclosure discussion in the proxy/prospectus delivered to the shareholders; and (4) the form of tax opinions provided by the buyer’s and the seller’s tax counsel.

Prerequisite: Completion of Corporate Income Tax Law I and prior or concurrent enrollment in Corporate Income Tax Law II or Corporate Taxation (formerly Taxation II).

Mutually Excluded Courses: Students may not receive credit for this course and Corporate Tax Planning in Practice: Structuring and Negotiating the Deal.

Note: This class will require a final paper and a short mid-term paper.

LAW 736 v00 Tax Planning for Real Estate Transactions Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20736%20v00)
LL.M Course | 2 credit hours
Examines on an interactive and pragmatic basis the effect of federal income taxes on the real estate market and real estate transactions; sales (including installment sales) and like kind exchanges of real estate interests; the choice of various entities (including partnerships, limited partnerships, LLCs, S corporations and REITs) for the ownership and development of real estate; the impact of taxes on the landlord and tenant; the tax impact of creative financing techniques, such as the sale-leaseback; basis (including at-risk) and basis adjustments; passive activity loss limitations; and the tax consequences of foreclosures, bankruptcies, and work-outs.

Prerequisite: Federal Income Taxation (formerly Taxation I). Prior or concurrent enrollment in Taxation of Partnerships or equivalent practice experience strongly recommended.
LAW 428 v05 Tax Policy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20428%20v05)
J.D. Seminar | 3 credit hours
The reading for the Tax Policy Seminar will be classic (or foundational) articles on tax policy. The topics we will cover include comprehensive income taxation, the rate structure, personal deductions, income versus consumption taxation, and tax expenditures.

The seminar meetings will alternate reading and writing assignments. On odd-numbered weeks, there will be a reading assignment consisting of one or two law review articles. For each even-numbered week, you will be asked to write a 750-word paper.

You must submit each paper no later than 7pm on the Sunday preceding the class devoted to that paper.

Each paper should discuss some aspect of the previous week’s reading. It is up to you to decide more specifically what to write about. You may criticize the author’s argument. You may praise it. You may, if you wish, try to summarize the argument (not as easy as it may seem). The decision is yours.

At classes devoted to writing, we will discuss one or two of the papers due the preceding Sunday evening. In advance of each of these classes, I will email to each of you copies of the paper or papers that we will discuss. I expect you to study these papers carefully so that you can comment on the writing when the seminar meets. One of your papers will be the focus of discussion during at least one (and probably no more than one) class.

REQUIREMENTS
1. Attendance is required.
2. Preparation is required. I expect you to read each assignment carefully and critically, whether a law review article by an outside author or the paper of a classmate.
3. For weeks when papers are due, you must submit your paper NO LATER THAN SUNDAY AT 7PM. Absent a true family or medical emergency, you will receive a failing grade on any paper not submitted by that deadline.
4. All papers must be submitted as an attachment to an email message. My email address is: (sbclawprof@aol.com).
5. I will make comments, suggest changes, and return your paper to you by email no later than 9pm on the Tuesday before we meet to discuss that week’s writing assignment.

ALSO — students taking the seminar to meet the writing requirement will receive 3 credits and must write a paper on a tax policy subject that follows the technical requirements of the J.D. upperclass legal writing requirement. The requirements are explained in the Georgetown Law Student Handbook (http://www.law.georgetown.edu/campus-services/registrar/handbook). (http://www.law.georgetown.edu/campus-services/registrar/handbook/index.cfm.html)

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for both this seminar and the J.D. seminar, Current Issues in Tax Law and Policy Seminar or the graduate seminars, Tax Policy or Graduate Seminar: Federal Tax Policy.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Stephen Cohen (cohen@law.georgetown.edu) by Tuesday, June 6, 2017 expressing your interest in taking the seminar. This seminar is open to J.D. students only.

ATTENDANCE: YOU MUST ATTEND ALL CLASS SESSIONS. Attendance is mandatory.

LAW 856 v00 Tax Practice and Procedure (Administrative Practice) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20856%20v00)
LL.M Course | 2 credit hours
Examines the administration and enforcement of the Internal Revenue Code, including types of guidance, preparation and filing of returns, audit procedures (including centralized partnership audit procedures), administrative appeals, deficiencies, assessments, closing agreements, collection, civil penalties applicable to taxpayers and practitioners, criminal tax penalties, interest, refund claims, statutes of limitations, and practice before the IRS.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 858 v00 Tax Practice and Procedure (Litigation) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20858%20v00)
LL.M Course (cross-listed) | 2 credit hours
Studies problems and considerations arising in the litigation of federal tax cases before the U.S. Tax Court, District Court, and the Court of Federal Claims, including jurisdictional, procedural, ethical and evidentiary issues. Practical problems of choice of forum, pleadings, discovery, privileges and tax trial practice are surveyed. Also considered are IRS summonses enforcement litigation, civil collection, levy and distraint, and the tax lien and its priorities. Government attorneys, practicing attorneys, and U.S. Tax Court Judges are utilized as guest lecturers on some of the subject matter.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 809 v04 Tax Research & Writing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20809%20v04)
LL.M Seminar | 2 credit hours
This course will cover the basic concepts of tax research and tax-specific writing techniques and skills. We will cover legislative, administrative, judicial, and secondary sources of authority. We will discuss where these materials can be located, the extent to which these materials are available electronically, and other practical aspects of researching tax issues in private practice and as an IRS attorney. We will also talk about the relative weight to be given to these various authorities. Finally, we will review why taxpayers and practitioners must be aware of and consider the relative weight of the various authorities covered in the course.

We will also focus on developing effective writing skills. The ability to accurately convey one’s thoughts in a written work product is an essential skill in the legal profession. The strength of a legal argument depends not only on the sources of authority cited but also on the manner in which those authorities are presented. Students will practice the research and writing skills developed in class by drafting a piece of tax-related writing throughout the course of the semester, receiving feedback and editing the draft along the way.

Prerequisite: Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in Corporate Income Tax Law I or Corporate Taxation (formerly Taxation II).
LAW 809 v02 Tax Research and Writing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20809%20v02)

LL.M Seminar | 2 credit hours
In the first half of the course, we will cover the basic concepts of tax research. We will begin with domestic materials, including statutes, legislative history, regulations, cases, administrative rulings, and secondary sources. Then we will cover tax treaties and other international materials, including other international agreements with tax provisions. We will discuss where these domestic and international materials can be located, the extent to which these materials are available electronically, and other practical aspects of researching tax issues in private practice and as an IRS attorney. We will also talk about the relative weight to be given to these various authorities and the interaction between domestic law and international agreements. Finally, we will review why taxpayers and practitioners must be aware of and consider the relative weight of the various authorities covered in the course.

In the second half of the course, we will focus on developing effective writing skills. The ability to accurately convey one’s thoughts to a written work product is an essential skill in the legal profession. The strength of a legal argument depends not only on the sources of authority cited but also on the manner in which those authorities are presented.

There will be a brief research memorandum and a piece of persuasive writing on a current tax issue that will provide you with a chance to use the research skills you learned in the first half of the course.

Prerequisite: Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in Corporate Income Tax Law I or Corporate Taxation (formerly Taxation II).

LAW 846 v00 Tax Treaties (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20846%20v00)
LL.M Course (cross-listed) | 2 credit hours
International tax treaties determine why hedge funds are located where they are, how motion pictures are financed, whether the dispatch of employees abroad is economical, and why financial assets follow prescribed international paths. They determine why Netherlands and Luxembourg have a large positive balance of trade with the United States, and why recording studios are established in the Caribbean. They determine whether bank accounts in Switzerland and Liechtenstein are really secret. While tax treaties ostensibly are only about dividing up tax bases between countries and exchanging information between sovereigns, in reality they channel the flow of investment and development in the global economy.

This course assumes that students have some familiarity with basic tax treaty concepts and examines how provisions of the OECD Model Treaty and the United States Model Treaty are used by tax practitioners to achieve specific business objectives. Students will acquire an understanding of how treaty provisions help shape economic and financial decisions in different industries and economic sectors. The course uses examples drawn from actual practice to illustrate the creative use of tax treaty provisions. It is designed to be an interactive experience, with students working on case studies, discussing alternative approaches, and using different jurisdictions and changes in the form of the underlying transaction to achieve desirable tax results.

Learning objectives:

This course is intended to teach the concepts underlying the United States Model Tax Treaty and the OECD Model Tax Treaty. By the end of the course, students are expected to understand how tax treaties are organized and be able to apply the model tax treaties to factual situations in which the tax treaties are applicable.

At the same time, the course is intended to challenge the student to be aware of the ethical challenges and risks of practice in the area of international taxation. More and more, tax authorities are not only looking to penalize a taxpayer for improper tax planning, but also the tax advisor who recommended the course of action followed by the taxpayer. By the end of the course, students are expected to be able to understand where the borders of ethical behavior are when developing international tax structures and to be able to analyze risks to the clients and themselves when working in this area.

Finally, the course is intended to reinforce principles of close reading and attention to the specific wording used in the tax treaties and cases interpreting the tax treaties. By the end of the course, students are expected to be able to read and understand why specific words are used in tax treaties and the significance of these words.

Prerequisite: One course in international taxation.

Note: This course is open to J.D. students by professor permission. Interested students should contact Professor De Vos via email at ld57@law.georgetown.edu no later than December 1, 2021 for permission to take this class.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 897 v00 Tax Treaties (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20897%20v00)
LL.M Course (cross-listed) | 2 credit hours
This is a basic tax treaty course. It will cover fundamental tax treaty concepts such as residency, permanent establishment, business profits, limitation on benefits, and relief from double taxation (including operation of the U.S. foreign tax credit rules). There will be an overview of treaty provisions that apply to investment income and income from the performance of services. In addition, students will learn about the interaction of tax treaties with U.S. domestic tax law, the role of international organizations in interpreting tax treaties, procedures for resolving tax treaty disputes through the competent authority process, and strategies for researching tax treaties. This course is designed for students with little or no background in tax treaties. However, students will be expected to have a basic understanding of the U.S. tax rules that apply to foreign persons who receive income from the United States and U.S. persons who receive income from abroad. The course will be based primarily on the United States Model Income Tax Convention, together with selected case law and administrative authority. We will also look at selected provisions of the OECD Model Tax Convention.
Prerequisite: Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in one course in international taxation.

LAW 948 v00 Tax Treatment of Charities and Other Nonprofit Organizations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20948%20v00)
LL.M Course (cross-listed) | 2 credit hours
Studies the treatment of charities and other nonprofit organizations, including private foundations, churches, hospitals, trade associations, social clubs, and political organizations under the federal income tax law. Among the topics covered are the characteristics of the various classes of exempt organizations, the legislative policies underlying their exemption from tax, problems associated with qualification for and retention of exemption, joint ventures, the unrelated business income tax including corporate sponsorship, the declaratory judgment remedy, implications of racial discrimination, international activities and the treatment of lobbying and political expenditures.
Prerequisite: Federal Income Taxation (formerly Taxation I).
Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1328 v00 Taxation in the European Union Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201328%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
For the past several decades, the European Union has been at a crossroads. Member States no longer have complete sovereignty over their tax systems, but the European Union as a whole has only limited control over taxation. This seminar will introduce students to the particular challenges raised by taxation in the European Union. This seminar will provide a general background to European Union law and will then introduce students to the treatment of indirect taxation, direct taxation, and state aid. The seminar will conclude with several sessions on possible solutions to the tax challenges currently facing the European Union.
Prerequisite: Students must have taken Federal Income Taxation (formerly Taxation I).
Recommended: International Tax is encouraged but not required.
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 980 v00 Taxation of Debt Instruments & Securitization Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20980%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Textbook: David C. Garlock, Federal Income Taxation of Debt Instruments
This class will cover the following topics:
1. Definition of Indebtedness and debt v. equity discussion
2. OID basic rules
3. Disallowance and anti-abuse rules
4. Variable rate debt instruments
5. Contingent payment debt instruments
6. Market discount and bond premium
7. OID special topics
8. Sales, exchanges, redemptions and modifications of debt instruments
9. Cross border and treaty issues
Prerequisite: Federal Income Taxation (formerly Taxation I).
Recommended: Prior or concurrent enrollment in Corporate Income Tax I or Corporate Taxation (formerly Taxation II).
Note: The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.
LAW 945 v00 Taxation of Energy Markets (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20945%20v00)
LL.M Course (cross-listed) | 2 credit hours
The energy industry has undergone dramatic change in recent years. The US power sector is undergoing a transformation from a coal-based sector to one that now has incredible diversity between natural gas, wind, solar and even nuclear energy now leading the way in new development. Likewise, the oil and gas sector has seen a revolution in development of non-conventional energy sources, changing US energy policy and energy politics. More so than almost any other industrial sector, energy is highly influenced by the tax law. The economics of renewable energy is highly dependent on specific tax credits designed to encourage their development. For oil and gas, long-standing tax rules impact how investment decisions are made.

This course will examine three important areas of energy tax policy:
1. taxation of the oil and gas industry (including long-standing tax rules specific to exploration, production and refining of oil and natural gas)
2. taxation of electric utility and natural gas markets (including tax changes flowing from deregulation of these markets)
3. tax subsidies and tax incentives for alternative energy development (including analysis of creative tax-planning structures designed to maximize the value of these incentives).

The course is designed to help students appreciate the role the tax plays in the generation of energy in the US and issues confronted by tax practitioners in this rapidly changing environment. There will be a final examination at the end of the semester.

Prerequisite: Federal Income Taxation (formerly Taxation I).
Recommended: Corporate Tax Law I or Corporate Taxation (formerly Taxation II).

LAW 752 v00 Taxation of Financial Institutions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20752%20v00)
LL.M Course (cross-listed) | 2 credit hours
Examines the taxation of insurance companies, banks, regulated investment companies (RICs), real estate investment trusts (REITs), and real estate mortgage investment conduits (REMICs). The course analyzes the applicable tax provisions applicable to these financial institutions. Consideration is given to why financial institutions are taxed differently from other taxpayers in light of the economic function and operation of these financial institutions.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 2069 v00 Taxation of Financial Instruments and Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %202069%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
The course will explore selected federal income tax issues relating to financial instruments and transactions. Major topics will include the legal and economic characteristics of indebtedness, equity, and derivatives, the fundamentals of the original issue discount (OID) rules, market discount and bond premium, variable rate and contingent payment debt instruments, the fundamentals of the tax rules for derivatives, hedging transactions, and anti-abuse rules such as straddles, wash sales, constructive sales, and conversion transactions.

LAW 976 v00 Taxation of Intellectual Property (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20976%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course covers the tax treatment applicable to the development, purchases, sales, transfers, licensing, and valuation of intellectual property (IP), such as patents, trade secrets, trademarks, copyrights, and computer software. It will begin with a brief introduction to the field of intellectual property for those unfamiliar with this area of law, along with the policies behind U.S. and foreign taxation of intellectual property. Specific tax areas then covered will include some or all of the following: the different tax treatment afforded to the development, acquisitions, and transfer of IP; cross-border IP transaction issues; transfer pricing considerations; and considerations relating to other non-federal areas of taxation.

Students should come away from the course with a substantial working knowledge of how IP is integrated into basic and advanced tax transactions, what are the hot areas for IP tax planning, and how to spot issues relating to IP assets in multinational organizational structures.

Prerequisite: Corporate Income Tax Law I (or Corporate Taxation (formerly Taxation II)); International Tax (or U.S. International Outbound Tax (formerly U.S. Taxation of Domestic Persons With Activities Outside of the U.S))

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University's COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

LAW 362 v01 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20362%20v01)
J.D. Course (cross-listed) | 2 credit hours
Examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder. Attention is given to the tax issues arising upon the formation, operation and liquidation of a partnership, including the consequences of acquisitions of partnership interests, compensating the service partner, distributions by the partnership to partners, the option adjustment to basis of partnership property, and the transfer of partnership interests.

Prerequisite: Federal Income Taxation (formerly Taxation I).
Recommended: Corporate Taxation (formerly Taxation II).

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course, Taxation of Partnerships (LAWG-942).
LAW 362 v02 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20362%20v02)
J.D. Course (cross-listed) | 4 credit hours
Taxation of Partnerships covers the tax treatment of non-corporate business entities, including both partnerships and limited liability companies. These business forms are commonly used in several important contemporary settings, including private equity, real estate transactions, professional organizations (such as law firms and accounting firms), and international tax planning, as well as in everyday small businesses. Similar course coverage can also be found in the combined LL.M. courses Partnership Tax I and Partnership Tax II.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Recommended: Many students find Corporate Taxation a helpful preparation for this course, but it is not required.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course, Taxation of Partnerships (LAWG-942).

LAW 362 v03 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20362%20v03)
J.D. Course (cross-listed) | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder as they apply to the life cycle of a partnership, from formation to liquidation. Students will be able to evaluate the tax consequences of the most common partnership transactions, including the acquisition of a partnership interest, compensation of a service partner, distributions by the partnership to partners, and transfers of partnership interests. In addition, students will understand the mechanics and implications of profit and loss allocations, liability allocations, allocations with respect to built-in gain property and disguised sales of property between a partner and a partnership. Students will also have a basic understanding of partnership tax accounting, including creating and maintaining tax and book balance sheets.

Prerequisite: Federal Income Taxation.

Recommended: Prior or concurrent enrollment in Corporate Taxation.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course, Taxation of Partnerships (LAWG-942).

LAW 362 v04 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20362%20v04)
J.D. Course (cross-listed) | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder. Attention is given to the tax issues arising upon the formation, operation and liquidation of a partnership, including the consequences of acquisitions of partnership interests, distributions by the partnership to partners, the optional adjustment to basis of partnership property, the transfer of partnership interests, and current topics in partnership taxation.

Prerequisite: Federal Income Taxation.

Recommended: Prior or concurrent enrollment in Corporate Taxation.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course, Taxation of Partnerships (LAWG-942).

LAW 942 v00 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20942%20v00)
LL.M Course | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder. Attention is given to the tax issues arising upon the formation, operation and liquidation of a partnership, including the consequences of acquisitions of partnership interests, distributions by the partnership to partners, the optional adjustment to basis of partnership property, the transfer of partnership interests, and current topics in partnership taxation.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Taxation of Partnerships (LAWJ 362).

LAW 942 v01 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20942%20v01)
LL.M Course (cross-listed) | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder. Attention is given to the tax issues arising upon the formation, operation and liquidation of a partnership, including the consequences of acquisitions of partnership interests, distributions by the partnership to partners, the optional adjustment to basis of partnership property, the transfer of partnership interests, and current topics in partnership taxation.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Taxation of Partnerships (LAWJ 362).

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

LAW 808 v00 Taxation of Property Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20808%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Explores the federal income tax consequences arising from sales, exchanges, and other dispositions of property. Principal issues considered include determination of the taxable event; ascertainment of basis and amount realized; ascertainment of gain or loss; limitations on the allowability of losses, including the at-risk and passive activity loss provisions; and the relevance of the capital/ordinary gain or loss distinction and the original issue discount rules. The course includes an analysis of certain major non-recognition provisions, including like-kind exchanges and involuntary conversions and replacements. The course also includes an examination of the taxation of deferred payment sales, including the effect of taxpayer’s method of accounting and the availability and operation of the installment method.

Prerequisite: Federal Income Taxation (formerly Taxation I).
LAW 1496 v00 Tech Law Scholars Seminar I (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201496%20v00)
J.D. Seminar | 0 credit hours
This year-long course introduces Tech Law Scholars in their first year of law school to key institutions and organizations that shape technology law and policy through visitor presentations and site visits to federal agencies, Congress, the Federal Circuit, and private and not-for-profit organizations. Preparation for this class includes reading the assigned material, preparing a short reflection paper, as well as a few questions about the readings or the implications of the readings; and reading the response papers of the other Tech Law Scholars.

Learning Objectives:
Exposure to key institutions and organizations that shape technology law and policy; ability to engage on contemporary topics with leaders and experts in the field.

Note: This course is open only to first year Technology Law and Policy Scholars.
Enrollment is by professor permission. This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit.

LAW 1516 v00 Tech Law Scholars Seminar II (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201516%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This year-long seminar is the mandatory second-year course for students in the Technology Law and Policy Scholars program. The seminar takes a deep dive into current ethical, constitutional and policy issues relating to technology through bi-weekly sessions taught by members of Georgetown's technology law faculty.

Student preparation for each session will include readings relevant to that week's class, and submission of a written reflection paper ahead of class that draws on the reading, current events, and/or topics explored over the semester.

Learning Objectives:
Exposure to key issues and academic approaches in technology law and policy; ability to engage on contemporary topics with leaders and experts in the field.

Note: This course is open only to second year Technology Law and Policy Scholars.
Enrollment is by professor permission. This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1659 v00 Technology (Un)leashed: the Future of National Security Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201659%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
Traditional ways of thinking about National Security Law have left the United States relatively unprepared for the technological revolution. Private actors control global communications systems, social media, satellites, and currencies, all of which are vulnerable to manipulation. Autonomous systems and vehicles, such as drones and driverless cars, can be weaponized by states or non-state actors to devastating effect. In the interim, Fourth Amendment doctrine's terrestrial ties are failing to address the explosion in personal data generation and its subsequent collection and analysis by government actors—even as myriad questions accompany the application of the Law of Armed Conflict (LOAC) to autonomous weapons systems and the cyber realm.

Technology (Un)leashed: the Future of National Security Law focuses on technologies that mark the frontiers of National Security Law, exploring the current state of their development and future trajectory. It provides students with the opportunity to do a deep dive on the related constitutional, statutory, regulatory questions and the implications for international law. For the 2019-20 academic year, the course will examine big data, surveillance law, algorithmic analysis, and the Internet of Things; social media; and automation and artificial intelligence.

The goal is to help students to develop the intellectual flexibility required to understand and respond to the challenges posed by new and emerging technologies; to identify and address related ethical concerns; and to anticipate myriad, related issues and interests so that they can more effectively represent their clients in the future. Readings will be a combination of tech-focused and scientific articles as well as legal source material (case law, statutes, and regulatory measures) and (potential) client-specific information. Grading centers on briefs, meeting preparation, papers laying out proposed solutions, and students’ performance in class and on the final exercise.

Note: There will be an all-day exercise in this course held on Saturday, April 4, 2020 from 8:30 a.m. - 5:30 p.m.
LAW 1656 v00 Technology and Election Integrity Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201656%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the security requirements for voting systems (particularly those used for civil elections in the United States), how various technology designs and implementations meet or fail to meet these requirements, and how such systems can be improved. The course will focus on the implications of various vote-casting technologies ("voting machines") as well as the "backend" election management systems and processes that define ballots, register voters, provision precinct equipment, and count and report vote tallies. While it will not be our main focus, we will also examine the interaction between modern social media and foreign and domestic influence operations aimed at affecting election outcomes.

We will devote particular attention to understanding how the legal framework and historical threat models for elections relate to specific technical requirements, how technical failures can affect election outcomes, and the limitations of various remedies when such failures occur. We will look at a range of formal and informal proposed designs for election systems, specific systems that have been or are currently in active use, and various studies that have been made of these systems and designs. The course will focus on technical security issues, but will also touch on usability, threat modeling, and legal and governance issues.

Our primary reference will be the 2018 National Academies study "Securing the Vote" as well as readings drawn from the technical, legal, and policy literature.

Student papers will focus on some issue at the intersection of technology and voting, depending on the specific background and interests of the student.

Recommended: A basic background in computer science and software will be helpful but is not essential.

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.

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LAW 1605 v00 Technology and the Free Press Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201605%20v00)
J.D. Seminar | 3 credit hours
In the past two decades, technology has dramatically changed the American press. The Internet and mobile devices have revolutionized the creation and consumption of news. The economic structure supporting the press, and newspapers in particular, has crumbled. Readers are finding more of their news through platforms like Google, Facebook, and YouTube. Even though these companies have disavowed the "media" label, they play editorial roles—deciding what speech is allowed into the new public square and even shaping that speech.

These rapid changes lead to numerous legal questions: What is the "free press" in an era when journalists are pushed to amass clicks? Who is a journalist when access to publication technology has been democratized? Are reporter shield laws still relevant when technology allows the government to covertly spy on journalists? Does law have a role to play in combatting so-called "fake news"? Can and should the First Amendment (or other law) protect the press from being squeezed by technology platforms? More generally, what is law's role in protecting journalists, the press, or the journalistic process? This course aims to encourage deep thinking, discussion, and writing about the answers to these questions.

Among the learning objectives for this course are: developing an understanding of how the law conceives of the press, journalists, and the audience for news; determining what legal questions arise as a result of how technology is impacting the press; creatively considering whether and how law can address these questions; improving legal research techniques as well as the ability to closely read and analyze both scholarly work and legal authorities; developing, organizing, and writing a seminar paper that is not merely descriptive but sets forth a thesis and defends it; and refining the ability to give and receive feedback as we workshop drafts.
**LAW 1395 v00 Technology Colloquium: Edge Technologies**

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

Edge Technologies, the 2017 Tech Colloquium, will provide students with an opportunity to examine the impact of new and emerging technologies on existing doctrinal, statutory, and regulatory structures. The focus of the course will be on flexibility of mind and creativity in applying the existing regimes to new questions that are coming down the pike. Towards this end, the colloquium will invite twelve technologists and lawyers to come to Georgetown Law, to present on different new and innovative technologies and the related legal concerns. Potential topics include:

- Network Investigative Techniques (law enforcement use of hacking to access suspects’ computers)
- Automated Weapons Systems (a.k.a., “killer robots”)
- Drones 1: from LE to NSL (currently used by LE for surveillance purposes as well as to arrest individuals)
- Drones 2: Private power (currently used for commerce, hunting, delivering contraband & weapons, and stalking)
- 3-D printing
- Remote Identification Techniques (e.g., iris scanning, vascular patterns, hormone sniffing, and gait recognition)
- Synthetic Biology
- Network convergence
- Cloud computing
- Algorithmic data analysis
- Auto-driving cars
- Dark Web & Encryption

**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.

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**LAW 067 v05 Technology in Legal Practice: A Practical Study of Electronic Discovery, Big Data, Cybersecurity and Beyond**

J.D. Seminar | 2 credit hours

In today’s age of exploding data volumes, called into focus by increasingly strenuous discovery obligations in federal and state legal matters, lawyers face the critical need to embrace and understand how technology itself has become indispensable, in many respects, to the practice of law. This course considers the ways in which data and technology are fundamentally transforming the practice of law. We will examine procedural rules and case law that confront these issues. We will explore some of the core technologies that are deployed at the critical stages of legal proceedings. We will seek to understand the growing role of data itself as a strategic, tangible factor in today’s legal world.

This course will be a hands-on practical course: through a series of lectures and demonstrations, and with valuable insights from a variety of industry experts, students will examine the fascinating interplay of technology and law, with particular focus on how case outcomes can be shaped by the leverage of technology. Subtopics will include preservation, analytics and review of data, development of a discovery plan “toolkit”, the emerging roles of discovery experts, cybersecurity, privacy, and the Internet of Things. Perhaps most importantly, this course will familiarize students with many of the ways technology is used in modern-day discovery and legal practice more broadly, preparing them for the early stages of their careers.

**Recommended:** Evidence; Civil Procedure (or Legal Process and Society).

**Mutually Excluded Courses:** Students may not receive credit for both this seminar and Electronic Discovery or Topics in Electronic Discovery.
**LAW 4000 v00 Technology Law & Policy Investigations Practicum**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%204000%20v00) (Project-Based Practicum)
L.L.M 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 professor(s). This project-based practicum course will focus on technology law and policy investigations in collaboration with the Communications & Technology Law Clinic and the Intellectual Property and Information Policy Clinic. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of Professors Barrett and Moy.

**PROJECT WORK:** Master of Law and Technology (M.L.T.) students will work side by side with J.D. students enrolled in the Communications & Technology Law Clinic (CTLC) and the Intellectual Property and Information Policy Clinic (iPIP) on a range of clinic projects, such as FTC requests for investigation, regulatory comments, FOIA requests, and draft legislation.

Project assignments will provide M.L.T. students with opportunities to use their technology-related skills and expertise to develop and strengthen legal and policy arguments in the clinic projects, while applying and honing the legal knowledge they have acquired in other M.L.T. classes.

Students' work will fall into four broad categories: (i) conducting investigations into products and services that will form the evidentiary basis for clinical legal work; (ii) drafting technical explanations to be embedded in or appended to those legal writings and filings; (iii) answering technical questions for the clinical students as they collaborate on clinical projects; and (iv) reviewing the ultimate products of those collaborations for technical accuracy.

The M.L.T. and clinic students who are paired on the same projects will meet regularly (weekly or more frequently, depending on project needs and timeline).

The projects on which M.L.T. students will work will depend on the projects that the CTLC and iPIP clinics undertake that semester, but generally speaking, the projects will focus on consumer privacy law, communications law, trademark law, copyright law, and FOIA, among others.

**SEMINAR:** In the seminar, M.L.T. students will gain substantive knowledge about privacy, copyright, trademark, and communications law and policy, and hone their abilities to present their ideas effectively to a range of audiences.

Students will learn how to approach legal and policy arguments critically, with an eye to structural impediments to the realization of civil rights and freedoms. Additionally, they will learn how those rights and freedoms are disproportionately less accessible or denied all together. Both clinics have a social justice mission that is reflected in the clinics’ projects; the weekly practicum seminar will also focus on the disparities between idealized values and lived reality that tech policy frequently exacerbates for marginalized groups.

The practicum students and the clinic students will occasionally attend the practicum seminar together. In addition, the M.L.T. students will occasionally attend the CTLC seminar. By collaborating with the clinic students, the practicum students will discover the challenges that working in an interdisciplinary environment brings, and improve their ability to make their ideas accessible to a sophisticated audience without technical backgrounds, as well as to the public. They will hone their abilities to triage key legal and policy issues, isolate different audiences for their arguments and frame them accordingly, and present their arguments orally in a compelling way.

**LAW 1698 v00 Technology Law and Policy Colloquium: Data, Algorithms, and Platforms**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201698%20v00)  
J.D. Seminar | 2-3 credit hours

At this colloquium, outside speakers (typically faculty members or researchers from other institutions) will present their current works-in-progress. The focus of this year’s colloquium will be the legal and policy issues surrounding the shift to a networked environment organized around data, algorithms, and platforms. The research presented will explore a variety of current topics, such as: information privacy and data protection; competition in the platform economy; algorithmic fairness and transparency; the viral spread of fake news, hate speech, and revenge porn; online content moderation; the Internet of Things; sensor networks; automation and AI; and administrative frameworks for information economy governance. Students are responsible for reading the speakers’ papers, preparing short (2-3 page) weekly response memoranda that will be provided to the speakers in advance of the colloquium session, and attending each session prepared to ask at least one question. Students taking the seminar for WR credit additionally will write a 6000-word research paper.

Learning goals for this course: Close reading and critical interrogation of scholarly analysis and policy proposals regarding cutting-edge legal topics; refinement of analytical and writing skills.

**Mutually Excluded Courses:** Students may not receive credit for this course and Technology Law and Policy Colloquium: Information Platforms.

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

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.
LAW 1457 v00 Technology Law and Policy Colloquium: Information Platforms

At this colloquium, outside speakers (typically faculty members or researchers from other institutions) will present their current works-in-progress. The focus of this year's colloquium will be the legal and policy issues surrounding information platforms. The research presented will explore current issues surrounding the governance and legal regulation of information platforms, including the information privacy concerns that accompany access to platforms; issues relating to fairness and competition in search and advertising; the viral spread of fake news, hate speech, and revenge porn; the scope of the legal immunity that platforms enjoy under section 230 of the Communications Decency Act; and the rise of the gig economy and related regulatory issues. Students are responsible for reading the speakers' papers, preparing short (2-3 page) weekly response memoranda that will be provided to the speakers in advance of the colloquium session, and attending each session prepared to ask at least one question. Students taking the seminar for WR credit additionally will write a 25-page research paper.

Learning goals for this course: Close reading and critical interrogation of scholarly analysis and policy proposals regarding cutting-edge legal topics; refinement of analytical and writing skills.

Mutually Excluded Courses: Students may not receive credit for this course and Technology Law and Policy Colloquium: Data, Algorithms, and Platforms.

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

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

LAW 1625 v00 Technology Policy and Practice

Discover what it means to "practice" technology policy through an innovative and experiential class using cutting-edge technology issues to teach practical writing, legal, legislative and policy making skills that can be applied to any legal and policy matter (e.g., competition, national security, health, tax policy).

Students can expect to leave with an understanding of key technology legal and policy issues and having acquired "skills of the trade" for legislative advocacy, including: persuasive advocacy for policy issues, formation of policy campaigns, legislative strategic planning, drafting of policy documents, and stakeholder politics. Specifically, students will develop practical legal and policy making skills, such as drafting talking points, creating a strategic legislative campaign, and learning the art of an elevator pitch. Students will learn skills that can help them pursue a wide-array of careers, from a law firm to the White House.

There is no prerequisite course required. Each class will incorporate pre-class preparations and an in-class skill building exercise.

Learning Objectives:

Goals:

- Develop legislative strategy skills needed for planning and implementing legislative advocacy/policy campaigns
- Develop oral and written skills specific to policy making

Outcomes:

- Students will gain substantive knowledge of technology policy issues.
- Students will develop practical written advocacy skills through drafting advocacy papers, talking points and testimony to Congress.
- Students will develop practical written advocacy skills for drafting testimony from the perspective of a Congressperson or policy maker.
- Students will develop legislative strategy skills - such as how to coalition build, critically review a lobbying strategy plan, evaluate a media plan and other crucial aspects of policy campaign.
- Students will develop oral advocacy skills for delivering prepared testimony to Congress.
- Students will develop oral advocacy skills for delivering an elevator pitch.
- Students will develop oral advocacy skills for preparing and implementing an effective meeting for policy making.

Mutually Excluded Courses: Students may not receive credit for both this course and Communications and Technology Policy: Advocacy in the Public Interest (Fieldwork Practicum).
LAW 2080 v00 The Affordable Care Act: Law and Policy Governing Private Health Insurance

This course will examine the regulation of private health insurance with an emphasis on the issues that the Affordable Care Act was designed to address. The course will explore regulatory changes such as new market reforms and health insurance marketplaces; the impact of federal and state approaches to implementation; and legal and regulatory challenges. Guest lectures by speakers—including insurance industry representatives, legal experts, and regulators—will provide students with an in-depth understanding of how the Affordable Care Act has been implemented and what it means for millions of consumers across the country.

The primary objective of the course is to teach students about the regulation of private health insurance at the federal and state level, with the rare opportunity to witness real-time changes to this complex system. Through this course, students will gain practical experience in identifying and analyzing federal and state laws, regulations, and administrative materials. Students will also gain a broader understanding of administrative law and how it has affected Affordable Care Act implementation. By the end of the course, students will be able to describe how private health insurance is regulated at the federal and state level, the major reforms ushered in by the Affordable Care Act, federal and state implementation, and likely areas of changes to the law given real-time debates.

LAW 1099 v00 The Art of Regulatory War Seminar

This seminar will focus on “the art of regulatory war.” How can lawyers and other stakeholders working at the regulatory intersection of law and politics gain advantage, use their different sorts of legal artillery and strength, and push regulatory disputes and tool choices into venues, modes, and postures that favor their or their clients’ interests and broader policy goals? What changes are underway regarding the nature of regulation, attitudes about the role of the administrative state, and ways regulatory wars are fought?

Subject to adjustment in light of legal developments and student interest, the seminar meetings will be organized around a mix of case studies and cross-cutting regulatory topics. Topic-based classes will likely select from among the following: critiques of assumptions of regulatory overreach and empire building; a class or two on federalism-linked subjects such as power federalism doctrinal shifts and presumptions, debate over the values and functions of preemption, and rationales for various federalism-utilizing allocations of authority; theories of regulation and regulatory reform proposals; recent presidential and agency deregulatory and policy change efforts and judicial and scholarly responses; debates and shifting doctrine regarding deference regimes; the shift to market-based and experimental “rolling rule” modes of regulation; “sound science” and “bought science;” behavioral economics and regulatory design; and “impact” litigation strategies. Case study subjects will likely include a mix of the following: my own research into the 1971-85 battles over the multi-billion dollar Westway project defeated by a small number of citizens; climate change regulatory and legislative proposals and battles; regulatory responses to disasters; and court, regulatory and legislative battles over protecting “waters of the United States” under the Clean Water Act. Readings will include diverse materials to illuminate the art of regulatory war, including court decisions, briefs, congressional testimony, legislative and regulatory proposals, statutory provisions and scholarship. Students will before each class submit a few brief comments or questions about the readings, with class discussion building on those areas of interest. Students will have broad latitude to develop related paper topics based on their own interests and goals. During the last few weeks of the semester, we will conclude with students sharing and leading discussion of their draft papers. There are no seminar prerequisites, but students interested in administrative law, constitutional law, economic and risk regulation, environmental law, energy law, legislation, law and politics, law and economics, litigation and other areas of public law should find the material of interest.

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

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 1731 v00 The Certiorari Process Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201731%20v00)
J.D. Seminar | 1 credit hour
The purpose of this seminar is to introduce you to the basics of the Supreme Court certiorari process and to teach you appellate advocacy skills through in-class discussions based on the instructors’ extensive experience litigating in the Supreme Court. You not only will learn the ins and outs of the certiorari process, but you will put that knowledge and advocacy skills to work in an in-class debate on whether the Court should grant or deny certiorari. The seminar paper will be either a petition for certiorari or a brief in opposition to certiorari. The instructors will also teach about written advocacy skills that you can apply to this paper. The petition or opposition will be no more than 3,750 words in length (roughly 15 pages).

Case materials will be distributed before the first class.

Prerequisite: Legal Practice: Writing and Analysis.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 1707 v00 The Color of Surveillance Seminar: Law and History (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201707%20v00)
J.D. Seminar | 2-3 credit hours
In 2020, the hallmark of surveillance is its ubiquity. Any public discussion of Facebook or the National Security Agency, every edition of the Business or Technology section of any newspaper, all document the inuring, inevitable fact that “everyone is watched.”

At the same time, these discourses also tend to be anodyne, ahistorical, and often blind to the realities of race, class, and power. We talk about pervasive surveillance; we rarely discuss its disparate impact, its human toll, or its perseverance across centuries of American history. And that is a deep history. The migration of the English Separatists we know as Pilgrims, the construction of the Southern slave economy, the settlement of Mormons in the American west, the labor struggles of Appalachian coal miners, the Palmer Raids, the return of Black service members from World War I, the internment of Japanese Americans during World War II, and J. Edgar Hoover’s surveillance of nearly the entire leadership of the 20th century civil rights movement – not to mention the boom in post-9/11 surveillance of Muslim Americans – each of these republic-defining moments reflect an overarching reality. Everyone is watched, but everyone is not watched equally.

This seminar aims to excavate and expose that “color of surveillance.” It will also reckon with its consequence: If surveillance is indelibly marked by disparate impact, must we understand privacy to be not just a civil liberty, but also a civil right? If surveillance is a tool used to threaten vulnerable people, should we understand privacy as a shield that lets them survive and thrive? If so, the entirety of the post-9/11 National Security Agency and consumer privacy debates must be reevaluated in light of their near-total absence of considerations of disparate impact.

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 1748 v00 The Death Penalty in America Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201748%20v00)
J.D. Seminar | 2-3 credit hours
This seminar will consider the past, present, and future of the death penalty in the U.S. Topics will include the Eighth Amendment framework; capital-eligible offenses and limitations; the role of race; intellectual disability, insanity, and mental status; juvenile offenders; procedural requirements in capital cases; actual innocence claims; methods of execution; juror qualification; and the allocation of issues between judge and jury. The course also will cover current abolition initiatives under state constitutional, legislative, and clemency initiatives.

Student learning goals: Students will gain both a jurisprudential understanding and practical insight into the death penalty and its administration. Students will intensively explore this challenging constitutional and legal area, and will write on an important selected issue.

Mutually Excluded Courses: Students may not receive credit for this course and Capital Punishment Seminar or the Death Penalty Litigation Practicum.

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 3062 v00 The Essentials of FinTech Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203062%20v00)
LL.M Course (cross-listed) | 2 credit hours
Nowhere have the recent changes wrought by technological innovation been more visible than in the financial industry. Algorithmic robots (algo bots) can scan the equivalent of thousands of pages of information and make trading decisions based on that material in fractions of a second. People who might not be able to afford a human financial advisor can get financial advice from robots by enrolling in a "robo-advisory" service to help manage their investments. Virtual currencies such as Bitcoin and initial token offerings (ICOs) have the potential to revolutionize the financial markets. Financial institutions are taking steps to use blockchains and distributed ledger technologies to clear and settle trades in financial instruments and other transactions in a manner that upends traditional processes in this area. Data about human behavior is being collected and used in ways that had not been imagined only ten or so years ago, from uncovering financial market trends via social media sentiment analysis to discerning the success of commodities businesses by scrutinizing satellite images.

"FinTech" is short for "financial technology," and the term is broadly used to refer to technologies applied to financial services and within financial institutions. This course explores some of the complex, cutting-edge legal issues that are arising at the intersection of technological innovation, business, finance, and the law. The course will introduce several of the primary FinTech innovations and explore with students if, and how, the relevant laws and regulations apply to these new business models. This course provides a guided tour of the major legal and policy issues in banking, financial market regulation, insurance, business-entity law, and data privacy/protection that have resulted from FinTech innovations. Accordingly, much of the course involves looking at how the existing laws and regulations governing securities, derivatives (including futures and swaps), payment systems, and banking activities apply to innovative financial products and services.
LAW 1663 v00 The Federal Courts and the World Seminar: History, Developments, and Problems (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201663%20v00)
J.D. Seminar | 2 credit hours
This course investigates the federal courts’ role in United States foreign affairs. It is a commonplace that the courts take a backseat to the political branches on issues relating to foreign affairs. But that truism, though generally accurate, obscures more than it reveals, for the federal courts routinely adjudicate cases with significant implications for the United States’ relations with the world—as they have since 1789. In this course, we will explore several fundamental questions: What kinds of foreign affair issues have the courts historically addressed? How has the courts’ jurisdiction over cases implicating foreign affairs changed over time? How have the courts handled foreign and international law? What impact have separation of powers principles had on the courts’ decision-making?

The course is organized thematically; in each two- or three-week unit we will focus on a particular issue, including the foreign affairs background to the establishment of federal courts under Article III of the Constitution; the status of international and foreign law in federal court; foreign states as litigants in federal court; and the reach of the courts’ jurisdiction beyond U.S. territory. Each unit will be framed in historical perspective, exploring both the courts’ past practice and their modern approach.

This is not a survey course on the law of U.S. foreign affairs; we will not address directly many of the topics that would be covered in such a course—including the allocation of foreign affairs responsibility between the Executive and Congress; the scope of Presidential war power; and treaty-making and executive agreements. Instead, the focus here is squarely on the courts and their interactions with the world.

By the end of the semester, students should be able to do the following:
• Demonstrate a general understanding of the various ways in which the federal courts address issues that have implications for the United States’ relations with foreign nations.
• Recognize how the courts’ role in foreign affairs has changed over time, and understand what has driven those changes.
• Draw connections between different doctrinal areas and historical periods to develop a broader understanding of the court’s role in foreign affairs.
• Critically assess legal and historical scholarship on the courts’ role in foreign affairs.
• Respond constructively to classmates’ questions, comments, and ideas.

LAW 1228 v00 The Financial Crisis: Law, Policy and Inequality (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201228%20v00)
J.D. Course (cross-listed) | 2 credit hours
Theory
Our discussions will provide an introduction to the social justice critique of economic theories of free markets. Our efforts will be guided by economic and social theory as well as financial regulatory policy. We will take up the puzzle of persistent empirical evidence of race and gender discrimination in financial markets, notwithstanding economic theories that posit the elimination of discrimination by the market itself.

Financial System Failure
This semester the course will be concerned with the Financial Crisis of 2008 with special focus on the subprime mortgage crisis and the implementation of governmental bailouts to mitigate the economic damage done to homeowners, taxpayers, the infrastructure of the financial sector and the broader economy. Our course work will include an in depth exploration of the systematic problems in origination, distribution and financing of home mortgages in the United States.

At the end we will focus special attention on the “foreclosure crisis” that included widespread recordkeeping inaccuracies and wholesale failures by banks and servicers to comply with local land recording rules and the ancient rules for the negotiation and transfer of promissory notes.

We will examine the attributes of home mortgage origination markets, public and private policies supporting expanding the market for homeownership, the racial and ethnic characteristics of the borrowers who were sold high priced home loan products with an examination of the relationship of legal rules to the distribution of housing wealth.

Inequality
The course will emphasize the race, gender and other identity variables that work to create and preserve economic inequality. A central exploration of the course will be the problem of race and gender discrimination in the home mortgage lending market and the governmental response to that longstanding economic and social problem. We will make use of a range of materials taken from sociology, economic argument, political theory, constitutional discourse and the critical legal theories of race, gender and social class.
LAW 3083 v00 The First 1000 Days: Global Health Law & Policy from Gestation to Age Two (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203083%20v00)
LL.M Seminar (cross-listed) | 2-3 credit hours
The first 1,000 days between a woman's pregnancy and her child's second birthday significantly impacts a child's ability to grow, learn, and thrive and affects a country's health and prosperity. This course approaches this period with a Reproductive Justice (RJ) lens, emphasizing social supports, financial assistance and other tools that advance the right to have and raise children. Both in the US and throughout the world, factors such as race, language, income, education, ability, gender identity and sexual orientation all impact one's ability to carry a healthy pregnancy to term, and the opportunities babies have to grow and thrive.

Increasingly, law and policy has been recognized as a high-impact and robust approach for accelerating progress in supporting women who are pregnant and lactating, along with infants through their first 24 months. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws and policies, and set funding priorities with direct or indirect effects on providing the essential building blocks for families during the 1,000-day window of opportunity. This course focuses on policies, programs and practices across the globe—at the national, tribal, state and local levels—that improve or hinder a mother and child's health and well-being. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory and judicial aspects. This course applies the RJ framework to an area that has primarily been viewed as one of public health. In doing so, students will build a deeper understanding of the social factors and inequities that impede public health initiatives and widen health disparities. Topics and themes include preconception care, infertility, assisted reproductive technology, maternal and infant mortality disparities, newborn screening, immunizations, maternity and paternity leave policies, breastfeeding relevant policies and practices, dietary and physical activity guidance, social assistance programs, food and nutrition labeling, childcare supports, and other environmental and policy strategies to support maternal and child health.

Note: J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students.

LAW 975 v00 The Foreign Tax Credit (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20975%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course will cover the basics and the finer points of the foreign tax credit, an important issue for virtually all multinational taxpayers. In the current global economy, knowledge about the foreign tax credit is essential for any tax lawyer and particularly helpful for those who represent large corporations or whose practice involves cross-border transactions of any kind. The course will address the mechanics of the Code and Regulations, as well as bigger-picture concepts arising in case law and elsewhere. Students will learn the rules that govern who is entitled to a credit; for what taxes a credit may be claimed; and how large a credit may be taken; and in what year the credit properly accrues. We will also discuss current tax planning issues regarding foreign tax credits.

Students will gain an understanding of the basic foreign tax credit principles of section 901 of the Code, including the criteria used to determine the creditability of foreign taxes, as well as the principles governing “in lieu of” taxes creditable under section 903. The course will address the limitations on the foreign tax credit under section 904; the rules governing the sourcing and “baskets” of income; base and timing differences; and required adjustments to the amount of foreign taxes paid. Students will also learn the fundamentals of the section 861 rules whereby taxpayers’ deductions are allocated and apportioned to their foreign-source income for purposes of credit computation. The course will cover the deemed paid credit under section 902 for taxes paid by foreign subsidiaries of U.S. taxpayers; the rules for maintaining pools and layers of earnings and profits and related foreign taxes; the impact of corporate transactions on E&P and the amount of the credit; and the interaction with the subpart F regime. Reading materials will focus on the relevant Code provisions and Regulations and on the evolution of the foreign tax credit through case law.

Prerequisite: Federal Income Taxation (formerly Taxation I), Corporate Income Tax Law I or Corporate Taxation (formerly Taxation II), and a course in International Tax.
This seminar will explore the question of whether the actions of victims, civil society, and nongovernmental organizations (NGOs), with key support from some national authorities and international bodies, can create a third wave of international criminal justice. We will begin with a brief exploration of the impact of the first wave—the post-World War II tribunals, and the second wave—the international, hybrid and mixed courts created since the 1990s, and continue with a survey of the obstacles to the enforcement of international criminal law in many of the conflict zones of the 21st century. We will study the procedures available in various national justice for victims or independent prosecutors/ magistrates to commence criminal cases or civil actions against those allegedly responsible for atrocity crimes, including in non-territorial states based upon passive personality or universal jurisdiction. We will look at the expanding role of civil society and other nongovernmental organizations to advocate effectively for justice remedies and to build the documentation of individual criminal responsibility that will attract national authorities to take up cases and increase the availability of probative evidence for trial. Finally, we will identify the available sources of support for these cases, including through litigation in national, regional, or international courts; investigative assistance from multinational police and justice organizations; and fact-finding, human rights reporting, and investigative coordination through actions taken by multilateral bodies other than the veto-bound UN Security Council.

**Note:** This course requires a paper. J.D. students must register for the 3 credit section of the course 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.
LAW 1685 v00 The Impeachment Power & American Constitutional Balance Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201685%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
The course explores the origins, historical applications, and current significance of the impeachment clauses of the U.S. Constitution. The course considers the birth of impeachment in British parliamentary practice dating to the 1300s, as well as the transplantation of impeachment to America in the colonial and Revolutionary War periods. More importantly, it examines the place of impeachment in the American constitutional design of inter-branch checks and balances, and the rare instances of its use since 1788. Studying American impeachments provides a crash course into some of the most wrenching public controversies in American history. From the 1797 attempt to impeach Senator William Blount for conspiring with Great Britain to steal Spanish territory in Florida, to the nearly successful effort to impeach President Andrew Johnson for his pro-Southern actions during Reconstruction, to the near-impeachment and ouster of President Nixon for the crimes of Watergate against the background of the strife over the Vietnam War, impeachments have been windows into the passions of the time. The course will conclude by considering the controversy over efforts to impeach the current president.

Prerequisite: Prior or concurrent enrollment in Constitutional Law I: The Federal System.

Note: The 3 credit section of this course enrolls via waitlist. Please place yourself on the waitlist by noon on Monday, August 12, 2019.

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 1285 v00 The Internet and International Trade Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201285%20v00)

J.D. Seminar (cross-listed) | 2 credit hours
In 1995, the World Trade Organization was created to "to develop an integrated, more viable and durable multilateral trading system." It was a major step forward in formalizing the rules and procedures around the global trading system of the late 20th Century and globalization, which at the time was dominated by large multinational corporations moving large shipments of products across international borders. The policies in the General Agreement on Trade and Tariffs (GATT), the General Agreement on Trade in Services (GATS), and regional trade agreements that have followed were largely designed to further this traditional model of trade.

In 1995, the National Science Foundation divested its final piece of its computer science network (NSFNET) marking the official commercialization of the Internet, at the time the Internet had a user base of less than 20 million. The Internet was designed to facilitate communication between individual desktop users sitting on independent networks, and was largely used by academics at the time. The policies that shaped the modern Internet were the creation of national governments and a multi-stakeholder process involving engineers, businesses, non-profits, and government.

In 1995, there was not much thought given to the world of trade intersecting with the burgeoning Internet.

It is more than 20 years later, and the worlds of global trade and the Internet are rapidly overlapping. In 2011-2012, the US census bureau reported that 49.3% of manufacturing trade was conducted through electronic means; McKinsey found that the Internet accounted for 21% of GDP growth in mature economies; and, the Organization for Economic Cooperation and Development (OECD) reported that the only 5.7% of small firms in the EU25 were not accessing the Internet. There is a divergence of opinion, though on whether the Internet is revolutionizing the players, method, and function of international trade. Moreover, despite the increased importance of the Internet to doing business in the modern world, trade policymakers struggle to understand the individual policy issues of the Internet and Internet-enabled commerce.

This class will bring together the divergent worlds of Internet and trade policy. Students will analyze the macro questions around trade through the lens of the Internet revolution. Moreover, students will delve into a number of unique trade issues that are being created as a result of the global Internet. Students will also analyze national laws on the Internet and why they are difficult to globalize. The class will challenge students to understand the unique issues of the Internet, to think about classical trade and development issues in new ways, and to challenge the efficacy of global policy solutions to global Internet problems.

The class will be divided into three parts: Part 1 will provide background on the Internet and trade and will lay out the foundational questions that underlie the rest of the class; Part 2 will delve into a number of specific Internet policy issues through the lens of trade; and Part 3 will be forward looking and will ask students for solutions to difficult policy questions.

Recommended: Prior or concurrent enrollment in an international trade law course.
LAW 3134 v00 The Intersection of Employment and National Security Law [link]
LL.M Course (cross-listed) | 1 credit hour
Federal employees and contractors safeguard our nation’s most sensitive information and secrets. However, many do not consider that national security is a major consideration when employing civil servants or making decisions regarding their continued employment. As of 2017, over 4.3 million Americans possess a security clearance and even more have access to sensitive, unclassified information. Security clearances and suitability reviews assess the reliability, trustworthiness, and character of prospective employees.

Because security clearance and suitability adjudications often determine whether a person is hired and in some cases, fired, they invoke the application of employment protections under laws such as Title VII of the Civil Rights Act of 1964, Age Discrimination in Employment Act of 1967, and the Americans with Disabilities Act Amendments Act of 2008. The decision to deny employment based on a security clearance or suitability decision is considered an adverse action. While some actions are subject to judicial and/or administrative court review, others are not. Therefore, executive orders, federal regulations, and agency guidance are necessary to ensure that vetting is both thorough and fair. In the last decade, courts and agencies have grappled with issues ranging from discrimination to the stigmatization of mental health issues in security clearance and suitability adjudications.

This course will examine the intersectionality of national security issues and employment; specifically, how national security concerns shape vetting in federal employment from security clearances to suitability reviews. Moreover, it will serve as an introduction to understanding the interplay of federal case law, executive orders, federal regulations, and agency guidance in this area.

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol [link] and follow all other safety measures.

LAW 3065 v00 The Law and Ethics of Automation, Artificial Intelligence, and Robotics [link]
LL.M Seminar (cross-listed) | 2 credit hours
Automated systems and artificial intelligence (AI) soon will be like electricity—an ever-present technology that enables many aspects of modern society to function smoothly while operating largely in the background. Internet-connected “smart” refrigerators and kitchen shelves in “smart” homes will order food items automatically, without human direction, when existing supplies are running low. Factories are increasingly becoming completely automated, operated by robots that can work 24-hours a day in the dark. AI even can handle tasks that are currently performed by doctors, attorneys, and human resources executives. For example, computer algorithms can diagnose illnesses in patients and review documents and contracts for legal and regulatory issues. AI systems can select the job applicants that firms call in for interviews, and then use facial recognition technology to analyze video-recordings of the interviews to determine which applicants were enthusiastic, bored, or dishonest. Automated systems already control much of the trading on stock and futures exchanges. Regular people who want investment advice and guidance can use their smartphones to enroll in AI-powered robo-advisory services that adjust investment strategies according to individual risk preferences. Algorithms used by online retailers decide what products to show people based on analysis of both the shopping habits of specific individuals and the behavior patterns of like-minded shoppers. Taxis of the future may very well be self-driving cars that are robot business entities that own themselves.

These radical changes in society will have significant implications for the legal system. Advances in AI will necessitate changes to laws and regulations, and even to how lawyers practice law. In this course, students will examine legal and ethical issues related to automated systems, AI, and robotics, which will involve analysis of topics in agency law, business entity law, contract law, and more.
This evolution of the role of SOF has created a widespread sense that the special operations community is at a critical inflection point. One concern is the number of recent high-profile disciplinary and ethical transgressions. This resulted in a Congressional directive to conduct a review of the ethics and culture of SOF. US Special Operations Command published a report pursuant to this directive in January 2020, which has generated considerable discussion. Another concern is that SOF culture has come to place undue emphasis on kinetic action. This creates the risk of excessive reliance on force, as well as prospect that operators may be unprepared to perform non-kinetic functions that will be crucial to prevent dishonesty, disinformation, artifice, cover-up and other forms of trickery, or to avert mistake, misunderstanding, miscalculation or other false beliefs. So defined, the law of deception cuts across traditional legal categories such as tort, contract, criminal law, consumer protection and securities law. This seminar examines common issues of design and justification in the law of deception. Readings will be a mix of primary and secondary materials on topics such as historical developments, justifications, remedies, special pleading and other procedural rules and constitutional issues.

The writing requirement section (LAWJ-1199-05) is year-long.

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.
LAW 1330 v00 The Law of Money Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201330%20v00)

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

This seminar examines how the law creates and regulates money. Money is at the very core of economic exchange, and serves both as a tool and as a subject of economic policy and regulation. This seminar will emphasize historical and international comparisons to examine what is money, how it is used by economic and political actors, and how it is regulated. Topics to be covered include monetary policy and central banks, legal tender, the gold standard and currency indexation, bank money, shadow banking and near-money, alternative currencies, payment systems, money and nation-building, currency regimes, monetary unions, financial crises and money laundering.

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 1019 v00 The Law of Public Utilities: Bringing Competition to Historically Monopolistic Industries (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201019%20v00)

J.D. Seminar | 2-3 credit hours

Our major infrastructural industries—electricity, gas, telecommunications, transportation and water—were historically controlled by monopolies. Since the 1980s, efforts to introduce competition into these industries have met obstacles. Battles before legislative bodies, regulatory agencies and courts, at the state and federal levels, have produced a distinct body of law. That body of law—the law of introducing competition into historically monopolistic industries—is the subject of this course.

From the principles learned in the course, students have written papers on such diverse topics as renewable energy, internet, movie production, chicken slaughtering, student loans, pharmaceutical research, Uber, Flint’s water crisis, utility corporate form, cloud storage, electric storage, and telemedicine at the VA. Some of these papers have made their way into professional journals or law journals.

Regardless of the industry or era, the regulation of infrastructural monopolies and their competitors has five common elements: its mission (to align business 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 public purposes, from service reliability to environmental accountability to protection of vulnerable citizens); reliance on multiple professional disciplines (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?).

This field has many jobs, as new issues emerge and as baby boomers retire. 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.

Note: The 3-credit Writing Requirement section of this course is restricted to J.D. students only. The 2-credit Paper section of this course is restricted to LL.M. students only.
LAW 496 v01 The Mind and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20496%20v01)
J.D. Course (cross-listed) | 3 credit hours
Developments in neuroscience and the psychological study of cognition and emotion are transforming our understanding of the mind. These developments have large implications for law and lawyering. They challenge some of civil and criminal law’s central premises - about people’s rationality, free choice, and consistency over time. This course will examine some of these challenges, and it will weigh the law’s possible responses. Legal topics to be explored will include health and safety regulation, the idea of the reasonable person, intent and culpability, mental disability, and the roles of revenge, regret, and other motives in civil and criminal justice. Other themes, relevant to lawyering and to the management of conflict, will include the psychology of negotiation, the nature of intuition and judgment, and the roles of trust and social norms. The course will also consider the causes and control of violence and extremism, as well as the use of emerging neuroscience technologies for legal and national security purposes.

LAW 1517 v00 The New EU Privacy Law—The GDPR: Background, Development and Consequences (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201517%20v00)
J.D. Seminar | 1 credit hour
The General Data Protection Regulation of the European Union went into force in May 2018. The GDPR is the most comprehensive privacy law ever enacted and it will have immediate impact on firms and consumers all around the world. This course provides an intensive introduction to the GDPR, drawing on the text of the Regulation, background materials, and related EU law developments. The course explores the development of privacy law in the modern democratic state, assesses the strengths and weaknesses of the Regulation, and examines the challenges ahead for implementation and compliance.

Learning Objectives:

The aim of this class is to provide:

- A general understanding of the historical and political circumstances that gave rise to the adoption of the GDPR
- A general understanding of the provisions of the General Data Protection Regulation
- A general understanding of current developments related to the GDPR
- A focused understanding of key provisions in the GDPR, including collective actions, data protection impact assessments, algorithmic transparency, the role of supervisory authorities, and the creation of the European Data Protection Board
- An introduction to related legal frameworks, including the Council of Europe Convention 108 (The "Privacy Convention"), the OECD Privacy Guidelines, and the OECD AI Guidelines
- A brief introduction to regulatory theory, “ratcheting up,” and the “California/Brussels effect”
- Authoritative reference materials that will aid students as they undertake future work on the GDPR, including Rotenberg, Privacy Law Sourcebook, which includes the text of the GDPR and related material and the web site for Privacy Law and Society - privacylawandsociety.org (https://privacylawandsociety.org)

Recommended: Information Privacy Law.
LAW 3085 v00 The Nuremberg Trials, the Doctors Trials

LL.M Seminar (cross-listed) | 2 credit hours

The Doctors Trial considered the fate of twenty-three German physicians who either participated in the Nazi program to euthanize persons deemed "unworthy of life" (the mentally ill, mentally retarded, or physically disabled) or who conducted experiments on concentration camp prisoners without consent. The Doctors Trial lasted 140 days. Eighty-five witnesses testified and almost 1,500 documents were introduced. Sixteen of the doctors charged were found guilty. Seven were executed.

The Doctors Trial provides a significant and important example of human rights violations and serves as a lesson in law and bioethics vital to understanding how law evolved from an initial eugenics policy to and including the horrible examples that framed human atrocities during WWII.

This course will highlight examples from Jeanne Guillemin's "Hidden Atrocities, Japanese Germ Warfare and American Obstruction of Justice at the Tokyo Trial", Joel Dimsdale's "Anatomy of Malice" examining the psychological assessments necessary for the trials, and Vivien Spitz's "Doctors from Hell", delving deep into the actual court transcripts from the proceedings. Ben Ferenz's work, one of the actual prosecutors at the trials, will also be included as insight into this tragic period.

LAW 1428 v00 The Past and Future of Civil Liberties Seminar

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

This course, taught by Professor David Cole, who will become the National Legal Director of the ACLU in January 2017, will examine key moments in the history of civil liberties, as well as some of the current civil liberties challenges and those likely to arise in the coming years. The course will focus on the role that the ACLU and other civil society organizations have played in civil liberties conflicts, studying their strategies, tactics, goals, and effectiveness. Readings will include historical accounts of civil liberties disputes, as well as cases and other materials relating to current and future civil liberties disputes. Among other topics, we will cover criminal justice, campaign finance reform, the tension between LGBT rights and religious freedom, immigrants' rights, sexual assault and due process on college campuses, and the right to die.

Each student will be responsible for two 8-10 page papers and significant class participation, including an oral presentation on the topic of one of the papers. Each paper and class participation will count for a third of the final grade.

Prerequisite: Constitutional Law II: Individual Rights and Liberties.

Note: This course is enrolled via waitlist.

LAW 1674 v00 The Persuasive Narrative Seminar

J.D. Seminar | 1 credit hour

Law is story. This seven-week course will focus on how to tell that story persuasively on behalf of a client. We will draw on scholarship in rhetoric, applied legal storytelling, cognitive science, and design to understand why stories are so powerful. This scholarship, and real-world examples of narratives that nudge and tug their audiences, will also help us to build our own toolboxes for constructing persuasive narratives. As part of the course, we will use these tools to create persuasive narratives in several genres (both written and visual) and for different audiences (legal and non-legal).

Note: This course will meet the first seven Wednesdays in Fall 2019 on the following dates: 9/4, 9/11, 9/18, 9/25, 10/2, 10/9, and 10/16.
LAW 1495 v01 The Role of the State Attorney General (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201495%20v01)
J.D. Course | 2 credit hours
As the chief legal officer of the states, commonwealths and territories of the United States, attorneys general serve as counselors to their legislatures and state agencies and as the “People’s Lawyer” for all citizens. Originating in the mid-13th century in the office of England’s “King’s Attorney,” the office had become, by the American Revolution, one of advisor to the Crown and to government agencies. Since colonial times, three forces have molded the office of the Attorney General: state constitutions and state government codes, which specify the duties and responsibilities of the attorney general; legislative decrees altering the duties of the attorney general in response to specific state needs; and the personalities and ambitions of those who have served as attorney general. Attorneys general today deal with everything from common law and statutory authority; conflicting legal and policy demands; resource restriction; relationships with outside counsel; and hard-core partisan politics.

The Role of the State Attorney General has these overarching objectives:

- To examine the unique junction of law, policy, and politics at which the state attorney general operates and to consider whether and when each of these does or should feature in a state attorney general’s deliberations and decisions
- To explore issues of law and governance, especially to consider the role of the executive branch in tripartite democratic republics
- To consider how the state attorneys general figure in the current iteration of American federalism
- To showcase in concrete terms the actual workings and work of state attorneys general

The course will cover the day to day challenges faced by attorneys general and their staffs in delivering legal advice to guide state government in a constitutional and ethical manner. The course will also cover the relationship of attorneys general with the federal government, the private bar, and a range of advocacy organizations. It will focus on some of the most prominent areas in which state attorneys general work, such as consumer protection, criminal justice, and environmental law. Although each state is unique, the course will demonstrate the congruence that exists among state attorneys general when addressing similar challenges and issues. Unlike private and other government lawyers, who work subject to ethical rules that defer decision making to agency “clients,” state attorneys general answer directly to the public interest. The course is weighted toward those decisions by attorneys general that reflect their independent status, which is most often revealed when legislatures, other elected officials, state agencies or the federal government exceed their constitutional or statutory authority. The course materials include case materials and court documents, scholarly articles from a variety of sources, and some journalistic coverage. There is no separate text for this course. All materials will be available via a web portal to be designated by the professor.

Students will be evaluated on class participation (15%); the quality of a short writing assignment (20%), due approximately mid-way through the course; and a compact take home exam, which can be self-scheduled any time during the exam period (65%). In addition to substantive content, the exam will be assessed according to the quality of the prose and organization of the discussion.

Mutually Excluded Courses: Students may not receive credit for this seminar and the course by the same name.

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

LAW 1495 v00 The Role of the State Attorney General Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201495%20v00)
J.D. Seminar | 3 credit hours
As the chief legal officer of the states, commonwealths and territories of the United States, attorneys general serve as counselors to their legislatures and state agencies and as the “People’s Lawyer” for all citizens. Originating in the mid-13th century in the office of England’s “King’s Attorney,” the office had become, by the American Revolution, one of advisor to the Crown and to government agencies. Since colonial times, three forces have molded the office of the Attorney General: state constitutions and state government codes, which specify the duties and responsibilities of the attorney general; legislative decrees altering the duties of the attorney general in response to specific state needs; and the personalities and ambitions of those who have served as attorney general. Attorneys general today deal with everything from common law and statutory authority; conflicting legal and policy demands; resource restriction; relationships with outside counsel; and hard-core partisan politics.

The Role of the State Attorney General has these overarching objectives:

- To examine the unique junction of law, policy, and politics at which the state attorney general operates and to consider whether and when each of these does or should feature in a state attorney general’s deliberations and decisions
- To explore issues of law and governance, especially to consider the role of the executive branch in tripartite democratic republics
- To consider how the state attorneys general figure in the current iteration of American federalism
- To showcase in concrete terms the actual workings and work of state attorneys general

The seminar will cover the day to day challenges faced by attorneys general and their staffs in delivering legal advice to guide state government in a constitutional and ethical manner. The course will also cover the relationship of attorneys general with the federal government, the private bar, and a range of advocacy organizations. It will focus on some of the most prominent areas in which state attorneys general work, such as consumer protection, criminal justice, and environmental law. Although each state is unique, the course will demonstrate the congruence that exists among state attorneys general when addressing similar challenges and issues. Unlike private and other government lawyers, who work subject to ethical rules that defer decision making to agency “clients,” state attorneys general answer directly to the public interest. The course is weighted toward those decisions by attorneys general that reflect their independent status, which is most often revealed when legislatures, other elected officials, state agencies or the federal government exceed their constitutional or statutory authority. The course materials include case materials and court documents, scholarly articles from a variety of sources, and some journalistic coverage. There is no separate text for this course. All materials will be available via a web portal to be designated by the professor.

It is important to complete assigned reading fully before each session. It is strongly recommended that students check assignments early and budget reading time accordingly. Course grades will be based on the paper grade, the quality of class participation, and the quality of constructive feedback given to fellow students. Attendance is required. If a student must miss a class, she, he, or they should inform the professor beforehand. In addition to regular attendance, students will be credited for thoughtful questions and comments and for constructively engaging with the professor and with fellow students in class discussion. Quality is paramount, quantity far less significant.

Students will design their own paper topics in consultation with the professor. Students will submit rough drafts for comments from the professor. They will also have an opportunity to receive peer feedback on their work in progress. Final exams will be evaluated with consideration...
The course will focus on four broad areas covering the most important aspects of WHO as an international organization, an actor in global health governance, and a forum for policy and legal developments: 1) historical, constitutional and institutional aspects; 2) normative functions and the role of WHO in the development of international law; 3) directing and coordinating functions, both in terms of how to address the most important health challenges as well as with regard to WHO’s interaction with a number of political and economic regimes; 4) the position of WHO in the current global health landscape, both with regard to the role of other actors as well as to how the organization should look to its own future. The course will allow students to gain not only an in-depth knowledge and appreciation of WHO from an institutional and structural perspective, but also most importantly to appreciate the main contemporary challenges in global health as well as the role of health in a number of critical policy and normative regimes. The approach of the course will be based on lecturing, class discussions and at least one class exercise. Prof. Burci’s former tenure as the Legal Counsel of WHO and a long-term senior lawyer in the organization will allow him to contribute real-life examples and experiences that will better root the course in the realities of the life of an international organization.

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

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

- To master a variety of complex legal questions raised by the Trump presidency.
- To learn about and develop informed views about important policy choices raised by the Trump presidency.
- To examine the efficacy and desirability of various constitutional structures as they intersect with the Trump presidency and the system by which Trump was elected.
- To think in a serious way about political disagreement, how it should be resolved, and how a liberal democracy can deal justly and effectively with deep cultural, social, and political divisions.
- To model among ourselves how people who disagree can talk candidly, respectfully, and forcefully about their disagreements.

This deep and acrimonious division, in turn, raises serious questions about whether Americans still share enough common ground to function as a thriving democracy. It also raises questions about constitutional law. Can adherence to the constitution or to constitutional values bridge this disagreement? Are our constitutional structures sufficiently robust to ward off authoritarianism? If not, are there other social or political structures that will serve this purpose? Is authoritarianism a serious threat under current circumstances?

In addition to these broad and existential questions about the country’s future, the Trump presidency poses a host of narrower, legal and related policy questions about matters such as the appropriate form of immigration policy, the putative need for electoral reform, the problem of providing adequate health care and controlling costs, the role of courts in curbing presidential power, and the virtues or vices of free trade.

The Trump phenomenon did not emerge from nowhere. It is part of a world-wide erosion of the liberal consensus that has dominated politics since the end of World War II. That consensus is threatened by the emergence of strong nationalist and populist forces. We will explore the possible causes of this change and the implications it holds.

For many of us, the Trump presidency also poses personal challenges. Is civil disobedience an appropriate response? Should a lawyer accept a civil service job while Donald Trump is president? Should lawyers who already have these positions resign? Is it ever appropriate for a government lawyer to take steps to oppose the policy aims of political appointees?

The aim of this course is to examine these and related questions in a calm and analytic fashion. The course is open to students of all political persuasions. It would be foolish to suppose that we can talk about these issues without having our political views influence the discussion, but we expect all participants to be respectful of, and open to, the positions of fellow participants.

With the United States so deeply divided politically, how can US leaders best move ahead to protect human rights at home and to advance human rights abroad? Do the foundations of international human rights law – rooted in the universal affirmation of inherent human dignity and equality – provide new promise going forward, and can greater empathy and common purpose be nurtured across political divides at home and abroad? What tangible mechanisms and strategies can best address the most urgent human rights challenges today? Who will be the key actors in these efforts, and what roles can state and local governments, civil society organizations, individuals and local groups and others play, in addition to the longstanding role of the federal government? Does the US system of federalism offer promising avenues for progress on urgent human rights issues or do deep divisions within the United States today undercut the prospects for consistent US leadership abroad? This seminar will explore these questions systematically. Students will write a substantial seminar paper within the subject matter scope of the seminar.
LAW 1301 v00 Theories and Conflicts at the Intersection of Law, Morality, and Religion (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201301%20v00)
J.D. Seminar | 3 credit hours
This seminar for graduate students and law students explores the major theories of the relationship between law and morality (including religious morality) and the way this relationship manifests in contemporary legal and political conflicts. Questions we will address include inquiry into the nature and purpose of law related to moral and ethical life and goals. What is the extent to which moral and religious culture and claims can (or ought) to shape the civil law? How does moral and religious pluralism and diversity affect the inclusion of moral claims into law and policy? Do the ideals of justice to which law and political institutions aim have objective or ontological status or are they more properly conceived as contingent and constructed? Can the authority of law be considered morally legitimate? When law and policy clash with moral and religious culture, which gives way to the other, and are there moral or legal principles for determining how to navigate and/or solve this conflict?

In the first part of the seminar, we will examine the representative theories of this relationship through close readings and discussion of works to include: classic and modern accounts of positivism and command theory in law, (including some attention to modern political theories about the purpose and limits upon political states); classic and contemporary views of natural law and its claims about the civil order; the debate between H.L.A. Hart and Lon Fuller over whether law has an intrinsic moral content; Catholic social teaching and Protestant political thought regarding the moral demands upon the political order; the debate between Hart and Lord Devlin over whether the law and political order may be utilized to sanction behavior on exclusively moral bases; American political thought about the Constitution and limits upon state power over individual (moral and religious) actions; and contemporary political theories about the demands of justice imposed upon political states in a global era.

In the latter part of the seminar, we will investigate three clusters of legal cases and political conflicts in which morality and religion appear as central components of the conflict: 1) the de-criminalization of certain modes of human sexuality and the recent debates over same sex marriage; 2) the clash over the contraception provisions of the Affordable Care Act and demands for religious accommodation; and 3) the relevance of moral and religious claims for legal debates over the efficacy/legitimacy of the death penalty.

A research paper will be the main requirement for the course, along with careful preparation for and participation in the seminar.

Note: 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 527 v00 Theories of Criminal Responsibility Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20527%20v00)
J.D. Seminar | 3 credit hours
The criminal law is a method of social control that relies on punishment as its primary mechanism of enforcement, and punishment, by definition, involves the intentional infliction of pain. Surely, then, the criminal law and its harsh method of enforcement would seem to require some sort of justifying purpose or purposes, and also some plausible theory of personal responsibility for determining who can justly be blamed and punished and who cannot.

In this seminar we will be discussing and evaluating the various purposes that can plausibly be advanced to justify the institution of punishment generally and also various theories of responsibility and blame that determine whether punishment can justly be imposed in a particular case. Though the seminar will focus on responsibility in the context of criminal liability, we will be discussing topics, such as free will and determinism, that have relevance far beyond the criminal law. And though we will take up some issues that are touched on in the basic criminal law course, the focus here will be theoretical and philosophical rather than doctrinal. Thus, the seminar will, I hope, be worthwhile and interesting both for those who have already taken a criminal law course as well as those who have not. There are no prerequisites for the course.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. 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.
J.D. Seminar | 2-3 credit hours

A distinctive set of political, philosophical, and economic ideas underwrites American law. These provide elements for thinking like a lawyer, especially when one must come up with creative legal arguments, understand new areas of doctrine, or broach new areas of practice. This seminar aims to equip students with an introduction to a selection of elemental ideas that underpin American law, including liberty and tyranny, sovereignty, trade and commerce, and democracy. We will explore these ideas within a broadly historical framework, concentrating especially on their development in England and then the United States in the 17th, 18th, 19th, and 20th centuries. No prior study of history, philosophy, or political theory is necessary to join or to succeed in the course.

Students will write papers that select a current (21st century), significant legal question and to analyze it using one element covered in the course. The legal question may come from any area of American law, including but not limited to corporate law, constitutional law, securities law, tort law, family law, immigration law, bankruptcy, consumer protection, labor and employment law, and civil rights law. Students will submit rough drafts for comments from the professor. They will also have an opportunity to receive peer feedback on their work-in-progress. Final papers will be evaluated with consideration for originality, creativity, quality of writing, and the ability to absorb and constructively use feedback.

Seminar grades will be based on the paper grade, the quality of class participation, and the quality of constructive feedback given to fellow students. The technical requirements for the paper (e.g. minimum length, citation format, submission for WR credit) are given in the in the Student Handbook (https://www.law.georgetown.edu/academics/academic-resources/registrar/student-handbook).

Many of the assigned readings will be available via a web portal designated by the professor. Some books (e-format fine) worth obtaining likely to be discussed include:

- John Locke, Two Treatises on Government
- Blackstone's Commentaries, Book 1
- Thomas Paine, Common Sense
- Jacobus tenBroek, The Antislavery Origins of the Fourteenth Amendment (this book is out of print, so must be borrowed from a library or purchased used)
- John Stuart Mill, The Subjection of Women

**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 067 v06 Topics in Electronic Discovery**

Modern discovery is no longer about rummaging through boxes of paper; today, virtually all information is created and stored electronically. The wealth of potential evidence contained in massive stores of e-mail, instant or text messages, electronic files of different types, database applications, social media, the cloud, mobile devices, information from sensors, and myriad other imaginable (and unimaginable) applications or media has engendered an ever-expanding jurisprudence in the field known as Electronic Discovery. The law has struggled to keep pace with the challenges digital information presents for the legal system, including preservation and spoliation issues, rising costs, and questions of privilege waiver, privacy, and evidentiary admissibility, to name but a few. Amendments to the Federal Rules of Civil Procedure that went into effect in December 2015, changes to the Federal Rules of Evidence in September 2008, and a dizzying array of state and local rules that have emerged in response to the challenges posed by electronically stored information have brought Electronic Discovery to the forefront of litigation. This course will touch on matters that lawyers need to know in order to competently represent their clients in an increasingly digital world, and will also explore some of the broader challenges posed by digital information.

**Prerequisite:** Civil Procedure (or Legal Process and Society). This requirement may be waived with permission of the professor.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Electronic Discovery or Technology in Legal Practice: A Practical Study of Electronic Discovery, Big Data, Cybersecurity and Beyond.

**Note:** WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 8, 2018, through Thursday, January 11, 2018, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 19th through Friday, January 26th, 2018. This course will be taught online using Zoom. Additional instructions will be provided to enrolled students.

The course is mandatory pass/fail and will not count toward the 7-credit pass/fail limit for J.D. students. Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the waitlist must attend the first class in order to be admitted off the waitlist. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of J.D. Academic Services. Withdrawals are permitted up until the last class for this specific course.
LAW 067 v07 Topics in Electronic Discovery (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20067%20v07)
J.D. Course (cross-listed) | 1 credit hour
Modern discovery is no longer about rummaging through boxes of paper; today, virtually all information is created and stored electronically. The wealth of potential evidence contained in massive stores of e-mail, instant or text messages, electronic files of different types, database applications, social media, the cloud, mobile devices, information from sensors, and myriad other imaginable (and unimaginable) applications or media has engendered an ever-expanding jurisprudence in the field known as Electronic Discovery. The law has struggled to keep pace with the challenges digital information presents for the legal system, including preservation and spoliation issues, rising costs, and questions of privilege waiver, privacy, and evidentiary admissibility, to name but a few. Amendments to the Federal Rules of Civil Procedure that went into effect in December 2015, changes to the Federal Rules of Evidence in September 2008, and a dizzying array of state and local rules that have emerged in response to the challenges posed by electronically stored information have brought Electronic Discovery to the forefront of litigation. This course will touch on matters that lawyers need to know in order to competently represent their clients in an increasingly digital world, and will also explore some of the broader challenges posed by digital information.

Prerequisite: Civil Procedure (or Legal Process and Society). This requirement may be waived with permission of the professor. J.D. students must complete a minimum of 28 credit hours before enrolling in this distance learning course.

Mutually Excluded Courses: Students may not receive credit for both this course and Electronic Discovery or Technology in Legal Practice: A Practical Study of Electronic Discovery, Big Data, Cybersecurity and Beyond.

Note: The course is mandatory pass/fail and will not count toward the 7-credit pass/fail limit for J.D. students.

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the waitlist must attend the first class in order to be admitted off the waitlist. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of J.D. Academic Services. Withdrawals are permitted up until the last class for this specific course.

LAW 1405 v00 Tort Theory Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201405%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will address aspects of the long and ongoing work to win LGBT freedom, equality, and inclusion. Topics likely will include the freedom to marry, challenges to so-called “sodomy” laws, the efforts to establish the rights of transgender individuals, LGBT parenting, and employment discrimination, as well as such matters as how the movement is structured, how political and legal groups and strategies interact, etc. The approach will be to talk not only about the development of the legal doctrine but also about the cultural and political context in which the struggle has taken place, and how that context contributed to the willingness or unwillingness of courts and politicians to embrace the cause. Readings will include briefs, case law, and selections from secondary sources. Students should finish the course with an understanding of how the law in this area has evolved, where it is going, and how the LGBT movement illustrates some more general aspects of how successful civil rights movements in this country operate.

Prerequisite: Constitutional Law II: Individual Rights and Liberties.

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 1454 v00 Topics in LGBT Civil Rights Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201454%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will address aspects of the long and ongoing work to win LGBT freedom, equality, and inclusion. Topics likely will include the freedom to marry, challenges to so-called “sodomy” laws, the efforts to establish the rights of transgender individuals, LGBT parenting, and employment discrimination, as well as such matters as how the movement is structured, how political and legal groups and strategies interact, etc. The approach will be to talk not only about the development of the legal doctrine but also about the cultural and political context in which the struggle has taken place, and how that context contributed to the willingness or unwillingness of courts and politicians to embrace the cause. Readings will include briefs, case law, and selections from secondary sources. Students should finish the course with an understanding of how the law in this area has evolved, where it is going, and how the LGBT movement illustrates some more general aspects of how successful civil rights movements in this country operate.

This seminar satisfies the upperclass legal writing requirement. Students will be graded primarily on the basis of a final paper of at least 6,000 words that explores a tort theory topic of their choosing.

Prerequisite: Torts.
LAW 008 v01 Torts (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20008%20v01)
J.D. Course | 4 credit hours
Explores the basic principles governing private lawsuits for damages for wrongs that are noncontractual, including consideration of the concepts of strict liability, liability based on fault, intentional and negligent interference with personal and property interests and defenses thereto, recoverable damages, and related problems.

Learning goals:

The primary goal of the course is to teach students how to manipulate the doctrinal rules and underlying policy considerations that govern the topics in the course, and to get students to confront the normative implications raised by such vast amounts of doctrinal indeterminacy.

Learning goals for Professor Hasnas’ section:

The learning goals are not only to acquaint students with the rules of Tort law and practice their application to facts, but also to understand the normative values behind the rules that will allow them to construct cogent arguments for how the rules should be extended or restricted to encompass or exclude novel factual situations.

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

LAW 3075 v00 Trade Remedies: WTO Framework, National Law and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203075%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Trade remedies are the bread of butter of international trade law, and hence a critical area of study for any aspiring trade lawyer. This course will introduce participants to the three principal types of trade remedies, anti-dumping, countervailing measures and safeguards. The class will explore the role of, and justifications for, trade remedies in the international trading system, the framework set out in the WTO Agreement for their use, and the dispute settlement jurisprudence regarding them. Because trade remedies are a global phenomenon, it will then examine and compare the trade remedy regimes of major users around the world, before zooming in on the specifics of US practice.

The first objective of this course will be to familiarize students with trade remedies, both in terms of the WTO framework and in terms of the practice of both the United States and other major user countries. At the same time, the course should help students to gain a better understanding of the WTO Agreement, how that Agreement interacts with the national law and policy of the United States and other WTO Members, and the role that WTO dispute settlement can play in that interaction.

Prerequisite: An introductory course in International Trade Law and/or WTO Law is highly recommended.

LAW 1218 v00 Trade, Money, and Trust: The Law and Policy of Globalization Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201218%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
Successful management of globalization has emerged as the central challenge of our time. Globalization has been blamed for many of our social and economic problems from inequality to stagnant growth. The international regulatory failures exposed by the financial crisis of 2008-2009 have called into question not only the regulatory framework for financial stability, but also the entire framework of international norms and institutions known as Bretton Woods that have been the pillars of global economic regulation. The accompanying collapse in public trust in government experts and private elites has complicated efforts to address these challenges. Populist candidates have swept elections, particularly in the US and UK, based on platforms to reverse the course of international integration. Meanwhile, China and Russia have doubled down on leaders that embrace a return to state controlled economies and traditional notions of regional hegemony. Are we at an historical turning point characterized by GLEXIT – the abandonment of globalization – or will these challenges lead to a Globalization 2.0?

The purpose of this seminar is to look at the role of international economic law in managing globalization, both in terms of extracting the benefits and in addressing the consequences, particularly those negative effects that have fed the backlash. The focus of the seminar will be on the central regulatory regimes governing international economic activity: trade, monetary, investment, finance, competition, tax, sovereign debt and corruption. We will examine the fundamental character and role of legal norms, regulatory systems and international institutions in a world characterized by interdependence and conflict.

This is a research seminar in which the initial eight weekly classes will present a survey of regulatory regimes designed to give students a framework for what have historically been somewhat distinct “silos” but which each illustrate the recurring tensions between fragmentation and coherence. We invite student involvement in the specific topics in the field on which we focus. Each student will be asked to provide short papers responding to the readings for each of the initial sessions. Students will be expected to write a research paper on a relevant topic under the guidance of one of the professors and to make a short presentation to the class during the last third of the course. In their research paper, students will be expected to identify a contemporary, global economic regulatory issue and propose solutions drawing on insights from the seminar (and their broader studies) to analyze the problem, propose and defend possible solutions.

The seminar will be taught by professors with a wide range of experience in academia, private practice and government service. Distinguished outside experts will also be called upon to address particular topics within this framework.

A number of broad themes will be developed to help unravel the complexity of global regulation:

- What is the role of legal norms in creating efficient and sustainable global markets? Do some problems lend themselves to different types of norms (e.g. soft versus hard law)? What about governance, the formality of legal norms (and institutions) and the role of national sovereignty and subsidiarity?
- Why do the different global economic regulatory regimes look so different? Why has trade evolved with an advanced set of norms, dispute settlement and enforcement?
- How have crises and systemic failures contributed to the development of legal regimes? Do crises lead to sustainable and effective regulatory regimes?
- What role does trust play in the character of legal regimes? Can international economic law be viewed as the objectification of trust?
- What is the role of legal norms in creating efficient and sustainable global markets? Do some problems lend themselves to different types of norms (e.g. soft versus hard law)? What about governance, the formality of legal norms (and institutions) and the role of national sovereignty and subsidiarity?
LAW 433 v02 Trademark and Unfair Competition (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20433%20v02)
J.D. Course (cross-listed) | 2 credit hours
This course will not meet on Thursday, January 23, Thursday, March 5 and Thursday, April 9. To make up for the cancelled classes, this course will meet from 9:00 a.m. - 11:00 a.m. on the following dates: 3/19, 3/24, 4/2, 4/7, 4/14 and 4/23.

LAW 433 v00 Trademark and Unfair Competition Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20433%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course will introduce students to the federal Lanham Act and related common law doctrines designed to protect against consumer confusion and appropriation of commercial goodwill. In addition to the technical requirements for trademark eligibility, registration, and infringement, we will consider the constitutional and economic underpinnings of trademark protection and evaluate current trends toward the "propertization" of trademark law. We will also review and assess the reasons that trademarks can lose protectable status (e.g., becoming generic) and examine best practices in selecting, adopting and enforcing rights in trademarks.

Learning Objectives:
By the end of the semester, you should be able to:

- Differentiate between trademark, copyright, patent and trade dress laws;
- Identify what designations can function as trademarks and understand the requirements for trademark protection;
- Assess the degree of protectability of trademarks depending on their distinctiveness;
- Understand the requirement of "use in commerce" for trademark protection, and evaluate whether particular usages of trademarks meet that requirement;
- Grasp the process of obtaining federal registrations for trademarks;
- Analyze whether uses of junior trademarks infringe the rights of owners of senior trademarks (i.e., whether there is a "likelihood of confusion");
- Evaluate whether a trademark is famous, and whether uses of other trademarks constitute dilution of famous marks by either blurring or tarnishment;
- Determine whether a trademark owner has lost its rights in the mark, either through abandonment or "genericide";
- Identify and make arguments concerning defenses to trademark infringement and dilution (e.g., "fair use"); and,
- Articulate the interplay and conflicts between trademark law and the First Amendment.

Mutually Excluded Courses: Students may not receive credit for both this course and Trademarks and Brands.

Note: This course will meet from 9:00 a.m. - 11:00 a.m. on the following dates: 3/19, 3/24, 4/2, 4/7, 4/14 and 4/23.

LAW 433 v01 Trademark and Unfair Competition Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20433%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course will introduce students to the federal Lanham Act and related common law doctrines designed to protect against consumer confusion and appropriation of commercial goodwill. In addition to the technical requirements for trademark eligibility, registration, and infringement, we will consider the constitutional and economic underpinnings of trademark protection and evaluate current trends toward the "propertization" of trademark law. We will also review and assess the reasons that trademarks can lose protectable status (e.g., becoming generic) and examine best practices in selecting, adopting and enforcing rights in trademarks.

Learning Objectives for Professors Madhavi Sunder and Julie Cohen:

By the end of the semester, you should be able to:

- Determine whether a trademark owner has lost its rights in the mark, either through abandonment or "genericide";
- Identify and make arguments concerning defenses to trademark infringement and dilution (e.g., "fair use"); and,
- Articulate the interplay and conflicts between trademark law and the First Amendment.

Mutually Excluded Courses: Students may not receive credit for both this course and Trademarks and Brands.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.
LAW 1466 v00 Trademarks and Brands (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201466%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course studies basic issues in Trademark Law, including trademark subject matter, the acquisition and loss of trademark rights, infringement, dilution, and trademark defenses, including trademark fair use. The course is an introductory trademark class. Additionally, the course will have a particular emphasis on the role of trademarks in the age of brands, considering how trademark law is being challenged and stretched in response to the rise of brands. Where trademarks have long protected marks that signal the source of a good or service to consumers, increasingly today customers value logos in and of themselves. Starbucks is “everything but the coffee;” it is an experience, an identity, and a place to connect with others. Furthermore, branding is ubiquitous. Every charity, organization, and university seeks to brand itself, that is, to cultivate and trade off its distinct identity. Students will consider whether traditional trademark law is well-suited to protect today’s brands.

Grades will be based on class participation and the final exam. Students will take a take-home final exam in March 2018, which will be graded.

No prerequisites.

Mutually Excluded Courses: Students may not receive credit for this course and Trademark and Unfair Competition Law.

Note: In Spring 2018 this course will meet 1/19-1/21 and 1/26-1/28. On Fridays the course will meet from 10:00 am - 2:00 pm and on Saturdays and Sundays it will meet from 10:00 am - 2:30 pm.

LAW 743 v00 Transfer Pricing: Selected Topics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20743%20v00)
LL.M Seminar | 2 credit hours
This course will provide students an opportunity to explore the international taxation topic of transfer pricing through the research and writing of a graduate paper. Students will choose a topic in consultation with the instructors, prepare an outline to be submitted to the instructors, make a presentation to the class on their topic, and submit a paper of at least 22 pages. During the first half of the course, the instructors will focus on international transfer pricing and related topics. Transfer pricing involves the division of taxable income resulting from cross border transactions including the sale of goods and services and the licensing of intangibles. Transfer pricing typically leads to the largest audit disputes between multinational corporations and the national tax administrations for the countries in which these companies do business. As a result, transfer pricing is a key practical topic in international tax.

This course is an advanced topics course. The introductory course in transfer pricing is recommended, but not required. Specific lecture topics will include 1) Overview of the international transfer pricing system. 2) Performing a transfer pricing analysis for a particular multinational group, and assisting the group in implementation. 3) Current developments including the taxation of services, intangibles, and OECD guidance. 4) Apportioning group-wide expenses. 5) Enforcement issues. 6) Administrative procedures, including IRS examinations, APA procedures, and competent authority procedures, and 7) Looking toward the future: what are the most appealing policy options today? In addition to transfer pricing, students may choose paper topics from other international tax topics with a practical application including permanent establishments, tax treaties, international arbitration, and the competent authority process.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Recommended: Survey of Transfer Pricing.
LAW 1430 v00 Transforming the Police Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201430%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
The relationship between police and the communities they serve is not only one of the most important civil rights issues facing our country today; it is one of the most important issues we face overall. In many respects, police are the face of our criminal justice system and the embodiment of our Constitution. Understandably then, each new revelation of apparent police abuse raises concern, not only about that particular incident, but about the fairness and humanity of our criminal justice system—and even our democracy. These concerns are particularly acute in communities from which police misconduct takes a disproportionate toll.

We will review current thinking on approaches to policing and study police practices related to stops, searches, arrests, custodial interrogations, and the use of force. We will explore different mechanisms of protecting constitutional rights (primarily the First, Fourth, and Fourteenth Amendments) and other legal limitations on police powers. We will pay particular attention to enforcement mechanisms aimed at long-term structural reform of police departments and other law enforcement agencies, such as Section 1983 injunctive suits and the statute authorizing DOJ's pattern-or-practice investigations in Ferguson, Baltimore, and elsewhere. This course also will explore the extent to which existing legal interpretations of the Constitution may undermine lawful and effective policing, including whether current law sufficiently incentivizes police and non-police players in the legal arena to use their unique authority to prevent police misconduct and its related harms.

The final grade for the seminar will be based on a final paper and participation.

Learning goals for this course:

- Better understand the democratic/ethical values we want local law enforcement to embody and promote.
- Explore the extent to which current policing furthers those values; where it falls short; and why.
  - Gain general understanding of current police practices and the extent to which they do or do not promote lawful and effective policing;
  - Understand/develop an informed opinion on the extent to which the law does and does not appropriately direct and constrain police behavior (emphasis on 1st, 4th, 14th A)
- Understand strengths and weaknesses of legal mechanisms that have been developed to hold police individuals/agencies accountable to the rule of law; develop an informed opinion on which might be more effective in differing climates and how to improve.
- Explore and gain better understanding of limits of the law to “fix” policing and potential need for other interventions (reference to poverty, education, unemployment, but focus in this respect will be on role of protest and direct action, as well as on education/advocacy specifically around issues of bias, esp. race bias).
- Develop and hone skills related to constructive discussions regarding policing, including the nexus between race and policing.

Prerequisite: Constitutional Law I: The Federal System and Criminal Justice or Criminal Procedure.

LAW 766 v01 Transitional Justice: Theory and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20766%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
In the wake of historical trauma — dictatorship, revolution, civil war, mass atrocity, genocide, and other crisis moments in the life of a nation — law and society begin the process of grappling with the past and laying a foundation for the future. From the Nuremberg Trials to Rwanda’s gacaca courts, and from Argentina’s amnesty laws to the International Criminal Court, this course uses historical and contemporary case studies to gain a better understanding of whether and how various mechanisms of transitional justice have contributed to such goals as peace, justice, and reconciliation.

Prerequisite: International Law or equivalent. Please note that exceptions may be granted, especially if students have prior professional experience in the field of international human rights or international law.

LAW 1498 v00 Transnational Contract and Unified Sales Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201498%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course is divided into two parts. The first part compares different approaches and strategies for analyzing contract law in a transnational context. It offers an overview of comparative contract law, a comprehensive assessment of ways to achieve more harmonization in contract law, and an examination of some of the challenges that arise from differences between common law and civil law systems, with special consideration of the European Union experience. The course will explore the challenges of transnational contract law by looking at four topical issues: the conclusion of contracts; misrepresentation compared to mistake and error; punitive damages compared to penalty clauses; and limits on damages. The second part of the course will focus specifically on international instruments such as the Vienna Convention on Contracts for the International Sale of Goods (CISG). The course will aim at a comprehensive analysis of substantive issues dealt with by CISG by considering various cases. The course will confront the challenges of a uniform Convention that is regulated neither by a common supreme court nor by a single language regime, and will conclude with a discussion of the possibility of unification of law and culture through such transnational instruments.

Overall, the course aims at providing a practical perspective on comparative contract law issues faced by American lawyers working in a transnational practice. It will also show how legal comparison is a means for thinking about strategies in advocating changes in the law as well as solving concrete problems in an international commercial setting.
TRANSMATIONAL LAW

LAW 1721 v00 Transnational Law Colloquium (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%201721\%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
The Transnational Law Colloquium, normally held as part of the Center for Transnational Legal Studies (CTLS) in London, UK, will be offered fall 2020 and spring 2021 online to any Georgetown Law upperclass JD or LLM student. It also will be offered synchronously to law students at several universities in Europe. CTLS faculty and other legal scholars will present their own work for discussion by students and faculty from partner schools. The Colloquium will meet every other week for two hours. Over the course of the semester, we will discuss six papers in a broad range of topics relating to transnational law, including public and private international law and comparative law. The papers presented will most often be works in progress although some will be recently published work. They will ordinarily be available on Canvas two weeks in advance of the Colloquium. Students are expected to read works before sessions, write two reaction papers, and participate in class discussion.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

LAW 1539 v00 Transnational Law Practice Field Study (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%201539\%20v00)
J.D. Seminar | 1 credit hour
Attorneys practicing law in another country face a variety of unique challenges. There are obstacles in local laws, admission requirements and immigration regimes. Attorneys must navigate developing client relationships in different cultural settings and tackle cultural and/or language barriers to serve those clients. Attorneys and law firms face international and foreign legal issues in representation of their domestic clients. Law firms increasingly have offices staffed around the globe, and are innovating and experimenting with client delivery service models. Rules and norms of professional conduct can vary based on country and practice setting.

This field study is open only to students taking part in summer legal work in a country other than their home country. It is designed to foster deeper engagement and exploration of an aspect of their transnational legal practice through development of a scholarly paper and substantive presentation.

Students must submit a proposed paper topic on an issue of international law or international legal practice related to their summer employment/internship in order to be enrolled in this course. The topic and final paper may be related to but must not directly overlap with legal issues explored and worked on during the summer as part of the student’s employment or internship. Students are encouraged to include a comparative element and/or to explore diverse aspects of the transnational legal professional experience. Students will be required to submit an outline, conduct an interview, create an audio or visual presentation of their topic, and provide feedback to others, in addition to writing their research paper. The final paper must be a minimum of 3,000 words, excluding footnotes.

Note: This study is enrolled via professor permission. Students should email ahn27@georgetown.edu for a link to the application form. This form should be completed as soon as possible, but no later than May 21, 2021, to propose a paper topic and confirm qualifying summer employment. Students may be asked to revise their proposal and/or meet with the professor(s) prior to the start of the course.

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This course does not satisfy the upperclass writing requirement or count toward the 6 credits of experiential coursework required of students matriculating as first-year students in Fall 2016 or later. This is a distance-learning seminar with no regularly scheduled meeting times. Students will participate and submit coursework via Canvas. Additional instructions will be provided to enrolled students. Any student who will not have completed 28 credits or more by the beginning of the summer session is strongly advised to review the rules related to distance education courses for the jurisdiction in which they intend to sit for the bar examination. Once enrolled, students who are on an F-1 visa must contact an International Student Advisor (lawcentervisa@georgetown.edu) before they drop or seek permission to withdraw from this seminar to discuss their work authorization. Students pursuing opportunities outside of the United States are required to register their travel and to obtain specific Education Abroad Health Insurance. Please see the Law Center’s policy regarding student travel abroad (https://www.law.georgetown.edu/academics/transnational-programs/international-travel-policy) for additional details.

Students wishing to travel to countries under a U.S. State Department Travel Warning must first go through an approval process. These policies are administered by the Office of Transnational Programs (https://www.law.georgetown.edu/academics/transnational-programs).
LAW 351 v01 Trial Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v01)
J.D. Seminar | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives for Professors Williams, Glick, and Jones:

During the course, you will learn to develop a persuasive case theory, structure and deliver opening statements and closing arguments, and conduct effective direct and cross-examinations. You will also learn how to lay proper foundations to admit exhibits and other evidence at trial and to object to your opponent’s exhibits, evidence, and arguments. By the end of the course, you should have developed a sense of your personal courtroom style, an understanding of courtroom mechanics, and an appreciation of what it means to be a trial lawyer. Our goal is for you to have developed useful, basic advocacy skills to begin your legal careers.

Learning Objectives for Professor McKenzie:

Through this course, you will learn to develop a persuasive case theory, to structure and deliver opening statements and closing arguments, and to conduct effective direct examinations and cross-examinations. You will also learn to introduce exhibits in court, develop expert testimony, and make objections. A principal goal of this course is to help you to develop a courtroom style that reflects your personality and that is credible and persuasive. By the end of the course, you should develop a sense of your personal courtroom style, an understanding of courtroom mechanics, and an appreciation of what it means to be a trial lawyer.

Learning Objectives for Professors Koukios, Last, and Tsao:

Provide exposure to the elements of a trial and the techniques that are necessary to properly try a case so that the students have a fundamental understanding of what is involved.

Prerequisite: Evidence.

Recommended: Civil Procedure (or Legal Process and Society) and Criminal Justice (or Democracy and Coercion, or Criminal Procedure).

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.

LAW 351 v05 Trial Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v05)
J.D. Skills | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:

This is a practical course. The objective is to have students acquire the basic skills for trying a case including making an opening statement and a closing argument and doing direct and cross examination.

Prerequisite: Civil Procedure (or Legal Process and Society) and Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 351 v07 Trial Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v07)
J.D. Seminar | 2 credit hours
This course is taught by two adjunct professors who have extensive litigation experience and years of instructing law students and lawyers to be effective trial advocates. Prior to COVID, this course has been taught in a courtroom located at DC Superior Court. This course experience blends practical and rigorous on-your-feet exercises culminating in a mock trial, with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended class or extra meetings outside of class to accommodate the mock trial as a final exam.

Prerequisite: Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.

LAW 351 v08 Trial Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v08)
J.D. Seminar | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:
In this practice-oriented course, students try three civil cases. Students act and are treated as counsel, and work with motions in limine, jury selection, opening statements, direct and cross-examination of lay and expert witnesses, demonstrative evidence, and closing arguments. The course emphasizes jury persuasion, exhibits, courtroom tactics and demeanor, and adapting to trial judges of varying demeanors. Students not assigned as trial counsel serve as witnesses and jurors. Proceedings are conducted pursuant to the Federal Rules of Civil Procedure and Evidence.

Students are assigned to teams, but a student’s final grade will be based upon that individual’s presence, punctuality, preparation, participation, and performance, with emphasis upon the progress observed throughout the semester. Students are encouraged to set and share personal goals to facilitate assessments throughout the semester. Assessments are necessarily subjective, with preparation, participation, performance, and progress weighted most heavily. Lack of participation is the greatest detriment to a “good” grade, because it makes preparation and progress difficult to perceive. Students may be given mid-semester feedback upon request.

This Section is for the student who (a) wants to experience trial practice in a true-life setting; (b) is a self-starter wanting to learn actively, through doing, not passively, through “how to” lectures; (c) is able to stay in role, as a lawyer or witness, and to hold questions or comments until the trial exercise has completed; (d) is able to give and receive constructive criticism; and (e) understands the value of learning through a group’s exchange of ideas.

Prerequisite: Civil Procedure (or Legal Process and Society) and Evidence.

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

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.

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

J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.
LAW 351 v10 Trial Practice
course-search/?keyword=LAW%20351%20v10
J.D. Seminar | 2 credit hours
This course is designed to impart a fundamental knowledge and experience of how to try a case, and the basic litigation skills necessary to do so. There will be emphasis on ethics, professionalism, strategy, sophistication, and success at trial in a manner that will allow you to protect your verdict on appeal.

Examples and exercises will pertain to litigation in U.S. District Courts. More often than not these will come from criminal cases as these lend themselves to more manageable examinations. However the skills learned will be entirely transferable to civil trials.

The class is taught in an “immersion” style, similar to a language class. Beginning with the second class we dive right in to mock trial work. This course blends rigorous litigation experiences with class discussion of trial techniques, strategy, and ethics. Students will directly participate in a series of trial practice problems as witnesses and attorneys. We will focus on different problems throughout the semester, including jury selection, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic.

Prerequisite: Civil Procedure (or Legal Process and Society); Criminal Justice (or Democracy and Coercion) or Criminal Procedure; Evidence. Recommended: Prior or concurrent enrollment in Advanced Evidence: Trial Skills.

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.

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

LAW 351 v11 Trial Practice
course-search/?keyword=LAW%20351%20v11
J.D. Seminar | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: This course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Prerequisite: Civil Procedure (or Legal Process and Society); Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.

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

LAW 351 v12 Trial Practice
course-search/?keyword=LAW%20351%20v12
J.D. Seminar | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use video as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Prerequisite: Civil Procedure (or Legal Process and Society); Criminal Justice (or Democracy and Coercion, or Criminal Procedure); Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.

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

LAW 351 v13 Trial Practice
course-search/?keyword=LAW%20351%20v13
J.D. Seminar | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:

The purpose of this course is to orient students with the basics of trying a civil or criminal case. We will cover topics such as developing the theme of the case, picking a jury, opening statements and closing arguments, direct and cross examinations, witness preparation, proffers of evidence, handling exhibits, the use of expert witnesses, and the use of jury instructions. The goal is prepare students to prepare and try cases in state and federal courts.

Strongly Recommended: Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.
LAW 1245 v00 Trial Practice and Applied Evidence

This course is a traditional “Trial Practice” course with an additional credit hour to permit examination of the nuances of how some key aspects of the Federal Rules of Evidence are applied in a courtroom setting. The class combines rigorous civil and criminal mock trial exercises, demonstrations, and class discussion to enable students to develop both trial skills and an increased understanding of evidentiary rules. The course focuses on opening statements, direct and cross examination, making and opposing objections, handling exhibits, expert testimony, impeachment and rehabilitation, and closing argument. In addition, the course includes detailed examination and application of the rules of evidence regarding hearsay and hearsay exceptions (FRE 801-807), character and impeachment (FRE 404-406 and 607-609) and other issues, such as methods of refreshing recollection (FRE 612) and the use of prior statements by witnesses (FRE 613). There will also be exercises on opinions and expert testimony (FRE 701-706). The course is designed especially for students who wish to develop some trial experience but lack the time to enroll in a regular litigation clinic and those who wish to improve their understanding of the nuances of the rules of evidence. Note: This course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:

Students will learn how to prepare and present opening statements and closing arguments. In addition, they will learn to prepare and conduct direct examination and cross examination of of a wide variety of witnesses. They will also learn how to impeach and rehabilitate witnesses and how to introduce and oppose the introduction of witnesses. Throughout the course, students will learn how to apply the Federal Rules of Evidence and develop a fuller understanding of those rules.

Prerequisite: Evidence; Civil Procedure (or Legal Process and Society); Criminal Justice (or Democracy and Coercion, or Criminal Procedure).

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Evidence: Trial Skills; Trial Practice; or Patent Trial Practice.

Note: Enrollment is limited to J.D. students only.

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. To ensure that late withdrawals do not prevent a student on the wait list from filling a course opening, students may not withdraw from this class after the add/drop period ends without the permission of the professor. Registration for the Spring 2022 section of this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.

LAW 1245 v01 Trial Practice and Applied Evidence

This course is a traditional “Trial Practice” course with an additional credit hour to permit examination of the nuances of how some key aspects of the Federal Rules of Evidence are applied in a courtroom setting. The class combines rigorous mock trial exercises, demonstrations, and class discussion to enable students to develop both trial skills and an increased understanding of evidentiary rules. The student will learn all aspects of trial practice, including opening statements, direct and cross examination, making and opposing objections, handling exhibits, expert testimony, impeachment and rehabilitation, and closing argument through the experience of a single mock case. In addition, students will learn how to apply the Federal Rules of Evidence, including but not limited to hearsay, impeachment, opinion testimony, and refreshing recollection. The course is designed especially for students who wish to develop some trial experience but lack the time to enroll in a regular litigation clinic and those who wish to improve their understanding of the nuances of the Federal Rules of Evidence.

Learning Objectives:

- Conduct Direct and Cross-Examination of Witnesses
- Formulate and Respond to Evidentiary Objections
- Introduce Exhibits and Object to the Introduction of Exhibits
- Prepare Opening Statement and Closing Arguments (including Rebuttal Argument)

Prerequisite: Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Evidence: Trial Skills; Trial Practice; or Patent Trial Practice.

Note: Enrollment is limited to J.D. students only.

This course may require extended classes or extra meetings outside of class to accommodate a mock trial. FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 355 v00 Trial Practice Seminar: Working with Expert Witnesses

This seminar is designed to familiarize students with the role of experts in litigation. Strategies for the selection and use of experts as well as techniques for discovering the opinions of other parties’ experts will be presented. Particular emphasis will be given to the use of scientific experts in civil litigation. Techniques for direct examination and cross-examination of expert witnesses, and challenging the admissibility of expert testimony, will be reviewed. There will be frequent clinical exercises involving depositions of expert witnesses culminating in an in-court exercise.

Recommended: Prior or concurrent enrollment in Evidence.
LAW 336 v01 Trial Techniques (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20336%20v01)
J.D. Seminar | 1 credit hour
This mini-course will present remarkable challenges for students seeking a career in the courtroom. Students will explore innovative and effective approaches in the areas of voir dire, witness examination, opening statement, and final argument. The importance and consideration of client and case selection will also be addressed. All students will be encouraged and expected to participate. The course is designed to inspire active involvement through the various aspects of the course. It should be challenging, but at the same time gratifying and enjoyable for anyone who may have aspirations of becoming a trial lawyer. Evaluation will be on class preparation and student involvement/participation.

Note: Note: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 9, 2017, through Thursday, January 12, 2017, 5:45 p.m. - 9:05 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. This course is not mutually exclusive with any courses in the Trial Practice series or any clinic.

Note: Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.

LAW 780 v01 U.S. and International Customs Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20780%20v01)
LL.M Course (cross-listed) | 2 credit hours
As international trade and commerce have increased over the years, customs law has become increasingly more internationalized, important and complex. This course will examine and provide a basic introduction to the rules and principles relating to both U.S. and international customs law. This will include an examination of those rules and principles relating to tariff classification, customs valuation, rules of origin, border enforcement of intellectual property rights and regional trading arrangements. International efforts to facilitate trade and to harmonize and simplify customs laws and procedures will also be examined together with international organizations dealing with customs laws and procedures (such as the World Trade Organization and the World Customs Organization).

Customs authorities are the guardians of national borders. The role of customs authorities in combating terrorism and criminal activity and in securing and safeguarding national borders will also be examined.

No prerequisites.

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

LAW 3050 v00 U.S. Employment Taxes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203050%20v00)
LL.M Course (cross-listed) | 1 credit hour
Introductory course on the workings, issues and challenges of U.S. Employment & Unemployment Taxes at the Federal, State and Local levels. This course will explore what Employment Taxes and Unemployment Taxes are, a brief history, and the role they play in government funding and in the day-to-day living of individuals. Other topics to explore in the course are: Worker Misclassification (independent contractors vs. employees), "Gig Economy" (Uber, Lyft, etc.), so-called "Jock Taxes" (including discussions on Away Games and "Michael Jordan's Revenge"), "Nanny Taxes", Multistate nonresident withholding, SUTA dumping, Employment Tax Crimes and Penalties, and Payroll Taxes in M&A transactions.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 1:30 p.m. - 4:50 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 962 v03 U.S. Export Controls and Economic Sanctions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20962%20v03)

LL.M Course (cross-listed) | 2 credit hours
Understanding and dealing with U.S. export control and sanction laws have become increasingly important skills for lawyers advising clients who compete in the global economy, including manufacturers, service enterprises, financial institutions, and companies licensing their technology abroad. This course surveys the federal laws and implementing regulations governing the export and re-export of goods, services, technology and software from the United States or by persons subject to U.S. jurisdiction, the extraterritorial reach of re-export controls, prosecution strategies, restrictions on dealings with or in sanctioned countries, prohibitions against dealing with blacklisted parties, and other sanctions that apply to non-U.S. companies and individuals. We also will examine the policies underlying these rules, which are designed to address ever-changing and developing threats to the United States, including Russian aggression in the Ukraine, the nuclear threat posed by Iran, civil war in Syria, missile development in North Korea, and conventional military tensions between the United States and China.

The course is designed to impart the practical skill sets you will need to use and understand the various complex regulatory systems that implement national security rules related to technology and high-tech transfers, including restrictions on release of technology to non-U.S. persons, foreign policy restrictions and licensing requirements. The regulations are implemented under various statutes, such as the International Emergency Economic Powers Act, Trading with the Enemy Act, Arms Export Control Act, and Atomic Energy Act, and regulations issued by various federal agencies, including the U.S. Departments of Commerce, Treasury, State, and Energy and the Nuclear Regulatory Commission. We will address each regulatory regime as well as the limited body of relevant case law.

In addition, the course will address multilateral export control regimes, the role they play in shaping U.S. trade laws, the impact of new regimes (such as those under the Chemical Weapons Convention) and the direction of U.S. export controls and sanctions policy in response to the changing threats. We will focus on the U.S. Government's use of embargoes and other economic sanctions to achieve national security and foreign policy goals of target countries. This course also will provide the skill sets necessary to communicate effectively with licensing agencies and the Defense Department regarding key issues of agency jurisdiction and classification and how these issues affect direct investment in the United States as regulated by the Committee on Foreign Investment in the United States.

The course also will focus on the enforcement environment, including the trend of ever-increasing fines, the use of extradition, and imprisonment. We will discuss defense strategies and the potential for global settlements with the Departments of Justice, State, Treasury, and Commerce.

Finally, the course will emphasize developing the working knowledge necessary for hands-on practice and problem-solving in this field. In addition, the course will provide skills sets to assess proposed legislation and regulations in depth, as well as advocacy skills related to legislation and rulemaking.

Recommended: Administrative Law; International Law I.

LAW 763 v00 U.S. Income Tax: Policies and Practices (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20763%20v00)

LL.M Course | 4 credit hours
This course is designed to provide an introduction to the U.S. income tax for foreign graduate students.

In the United States, the income tax is not just the principal means of financing government. Sooner or later, nearly every legal problem, no matter what the subject, raises an income tax issue. Whether the legal matter involves environmental regulation, corporate governance, or criminal behavior, money is likely to change hands, and the parties will need to know how the income tax treats the payment and receipt of the money.

Although the reading includes judicial opinions, statutory provisions, and regulatory decisions, its primary goal is to teach the deeper structure, or what might be called the conceptual or theoretical map, which underlies the federal income tax. Not even the most knowledgeable tax lawyer knows more than a tiny fraction of the thousands and thousands of details of the U.S. income tax law. Fortunately, lurking beneath the mass of technical detail is a deeper structure, a conceptual or theoretical map, which enables the practitioner to spot problems and identify issues even before the actual legal research begins. The principal objective of this course is to convey that conceptual or theoretical map.

A second objective of these materials is to place the tax law in a broader social and economic context. The tax law has an enormous impact, pervading every sphere of public and even private life. It may be a major cause of America's reliance on private automobiles, rather than mass transit, for transportation and on single-family dwellings, rather than apartment buildings, for housing. It may also affect a couple's decision to marry or have children. To study the tax law, then, can be to examine the basic value choices that Americans have made.

Being so pervasive, taxation is naturally an intensely political subject. A myriad of groups lobby the U.S. Congress to amend the tax laws to serve their particular, and often conflicting, interests. The degree to which one group succeeds, rather than another, reflects the distribution of political power.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Federal Income Taxation (formerly Taxation I).

Note: This course is required for and limited to foreign-trained students pursuing the LL.M. in Taxation.

The midterm for the course will be on Tuesday, October 9, 2018.
(Monday classes meet instead of Tuesday classes on October 9th, 2018.)
LAW 986 v01 U.S. International Inbound Tax (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20986%20v01)
LL.M Course (cross-listed) | 2 credit hours
Concentrates on the U.S. taxation of foreign persons and foreign investments in the United States. The course covers the U.S. taxation of passive and business income of nonresident aliens and foreign corporations, the source rules, the principles and application of U.S. tax treaties, special rules governing foreign investment in U.S. real estate and other business, cross border financing transactions, the base erosion and anti-abuse tax, and tax planning possibilities involved in the foregoing.

Prerequisite: Federal Income Taxation (formerly Taxation I) and either prior or concurrent enrollment in Corporate Taxation (formerly Taxation II) or Corporate Income Tax I.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course International Tax Law or U.S. Taxation of International Transactions.

Note: Required for U.S. trained students pursuing the Certificate in International Taxation.

LAW 756 v01 U.S. International Outbound Tax (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20756%20v01)
LL.M Course (cross-listed) | 2 credit hours
Concentrates on the U.S. taxation of U.S. persons and businesses earning income outside of the United States. The course examines, in depth, U.S. taxation of the international operations of U.S. multinational corporations. It covers the recently enacted GILTI rules, the Foreign Tax Credit provisions, Subpart F, repatriation, section 367, foreign currency considerations, Passive Foreign Investment Companies, and overall strategic tax planning, including the significant new U.S. international tax rules and other changes introduced by the 2017 Tax Cuts and Jobs Act.

Prerequisite: Prerequisite: Federal Income Taxation (formerly Taxation I) and either prior or concurrent enrollment in Corporate Taxation (formerly Taxation II) or Corporate Income Tax I.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. seminar, Congress and the Department of Justice Seminar: Conflict and Cooperation; or the J.D. seminar, International Tax Planning Seminar; or U.S. Taxation of International Transactions.

Note: Required for U.S. trained students pursuing the Certificate in International Taxation.

LAW 881 v00 U.S. Taxation of International Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20881%20v00)
LL.M Course | 3 credit hours
The course will address the principal elements of the U.S. taxation of international transactions, including trade, investment and labor. The initial portion of the course will address the way in which individual and corporate foreign taxpayers are taxed in the United States. The second portion of the course will deal with the way in which U.S. individual and corporate taxpayers are taxed on income earned in other countries. The impact of tax treaties will be addressed in both portions of the course.

Prerequisite: Federal Income Taxation (formerly Taxation I) or equivalent from home country. Strongly recommended for U.S.-trained students: A prior or concurrent course in the taxation of corporations and shareholders.

Mutually Excluded Courses: Students who take this course may not enroll in U.S. International Inbound Tax (formerly U.S. Taxation of Foreign Persons in the United States) or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons outside the United States), or International Tax Law. Students who have taken any of these or are currently enrolled in these three courses may not enroll in this course.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.

LAW 881 v01 U.S. Taxation of International Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20881%20v01)
LL.M Course | 3 credit hours
The course will address the principal elements of the U.S. taxation of international transactions, including both the way in which individual and corporate foreign taxpayers are taxed in the United States (Inbound Taxation) and the way in which U.S. individual and corporate taxpayers are taxed on income earned in other countries (Outbound Taxation). The impact of transfer pricing rules and tax treaties will be addressed in both portions of the course.

Prerequisite: Federal Income Taxation (formerly Taxation I) and either prior or concurrent enrollment in Corporate Taxation (formerly Taxation II) or Corporate Income Tax Law I.

Mutually Excluded Courses: Students who take this course may not enroll in U.S. International Inbound Tax (formerly U.S. Taxation of Foreign Persons in the United States) or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons outside the United States), or International Tax Law. Students who have taken any of these or are currently enrolled in these three courses may not enroll in this course.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Transactions.

Withdrawals are permitted up until the last class for this specific course.
LAW 1282 v00 Urban Laboratory: Land Use Planning Law in Practice
(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 L-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
(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. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Laptops and tablets are not allowed in the classroom.

LAW 1458 v00 Use of Force, National Security, and Human Rights Seminar
(J.D. Seminar (cross-listed) | 3 credit hours)

The struggle to respect and ensure universally recognized and protected human rights while also protecting national security raises important and complex legal and policy challenges across a range of issues from the "war on terror" to climate change. This course will address current issues at the intersection of national security and human rights, with an emphasis on the novel and complex questions about the nature of conflict, national security threats, and the place of human rights in the context of the struggle against transnational terrorism after 9/11. These questions are especially salient with regard to state use of force, which involves the deployment of violence against individuals, as well as their seizure, detention, and trial.

In general terms, the current legal approach to dealing with these issues tends to present decision makers with a binary framework that was created with the assumption that conflict between states is the primary threat to international peace and stability. The absence of armed conflict is presumed to constitute peacetime, when human rights law requires that states deal with threats to the peace through law enforcement operations in which lethal force may be used only as a last resort, and exercising physical control over individuals is strictly constrained. Movement from peacetime to war occurs when states use armed force against one another, or when the use of force between non-state organized armed groups (against one another or against a state) reaches sufficient intensity and duration. During this period, the traditional paradigm assumes that international humanitarian law (IHL) largely governs state conduct, and that the demands of human rights law must be adapted to the IHL regime.

International terrorism by non-state actors presents challenges to reliance on this binary peace-time-war framework. One possible response is to regard terrorist violence as presumptively occurring during peacetime, which means that terrorism must be addressed under a law enforcement paradigm, which is governed by human rights law. Some critics, however, argue that the scale of destruction inflicted by international terrorist attacks is more akin to wartime damage than to domestic criminal activity, and that law enforcement is insufficiently flexible to permit preventive operations. They argue that that international terrorists therefore should be treated as engaged in armed conflict that triggers the application of IHL.

Rules governing the use of force under IHL, however, run the risk of being excessively permissive when applied in settings that do not involve segregated battlefields but terrorists embedded in large civilian populations whose behavior is not unambiguously hostile. Service members are also being increasingly required to carry out activities more akin to law enforcement when undertaking operations amidst these local populations. One response to this is a call for greater incorporation of human rights principles into armed conflict operations in some settings.

There is a pressing need to develop legal concepts to guide operations that blend human rights and national security concerns in a way that does justice to the distinctive nature of many conflicts in the contemporary world. Some commentators and scholars argue that we should eschew the legal categories of human rights law and IHL and focus on forms of regulation that involve highly contextual assessment of the complex competing considerations at stake in particular situations. Others argue that traditional legal categories establish important presumptions, and that human rights law in particular is more flexible about the use of force than many observers realize. Still others suggest that we should consider a new third category to guide the use of force that draws on elements of both law enforcement and armed conflict.

This course will assess these and other positions in the debate, with the aim of exploring how best to respond to the challenges that international terrorism presents.
LAW 1453 v00 Vatican City State, Holy See, and United Nations Seminar
J.D. Seminar (cross-listed) | 1 credit hour
The purpose of the Seminar is to lead the participants to the understanding of the position and operations in international law of Vatican City, a small but sovereign state, of the Holy See, the representative of an international religious corporation – in particular in their relationships to the United Nations. The sessions will focus (1) on the historical background of the emergence of the modern Vatican; (2) the consolidation of its position among the nations through the Treaty of Lateran in 1927; (3) its developing relationship with the United Nations; (4) its specific contribution as advocate of peace and justice. Each student will be asked to study either a relevant historical event or a major document related to the main topic, and to report on it in a paper of about 12 pages.

Note: This class will meet on the following seven dates in Spring 2018: 1/18, 2/1, 2/15, 3/1, 3/22, 4/5 and 4/19.

LAW 1477 v00 Video Games in the 21st Century: Creativity and Innovation in Action
J.D. Seminar (cross-listed) | 2 credit hours
This course is devoted to current legal and policy issues specifically relevant to the video game industry, a business sector that generated over $43 billion in revenue in the United States, and over $120 billion worldwide, in the last year alone. In class, we will look at video games as both software and audiovisual works and examine how intellectual property, contracts, and the Internet help shape and drive their creation and distribution. Current issues in First Amendment jurisprudence, communications law, international trade, privacy, and the online marketplace will be discussed. A wide range of novel issues associated with new developments in media and technology, (i.e. esports, virtual reality, location-based gaming, and artificial intelligence) will be highlighted. This class will show how video games, which combine innovation with creativity, and are considered subjects of both commerce and art, continue to contribute to American life and culture.

Class participation is critical and counts as 25% of your grade.

Recommended: Courses that cover Communications Law, Entertainment Law, and Antitrust.


Note: Gamers wanted!
This seminar looks at the Warren Court from a historical perspective. Guided by readings from legal historians and the decisions themselves, we will explore the Court’s major cases and issues in their historical and political context: school desegregation, suspected Communists, denaturalization, the Little Rock school crisis, redistricting, freedom of the press, right to privacy/access to contraception, criminal justice, interracial marriage, and free speech. We will also discuss the strong personalities and jurisprudential philosophies of the justices and how alliances, conflicts, and new justices affected the Court’s decisionmaking. During the semester, students will complete all the required reading, participate in all class discussions, and write an original research paper that which fulfills the Upper Class Writing Requirement.

Location, location, location. Writing original research papers will be easier for you than any other law students in the country. Many Warren Court justices – Black, Frankfurter, Douglas, Jackson, Burton (with diaries!), Warren, Brennan, White, Goldberg, and Marshall – donated their papers to the Library of Congress. The papers are open to the public (with a library card) and are rich sources of material. You’ll receive an expert-led tutorial on how to do archival research, discover how much fun it is to read other people’s mail, and learn how the justices’ papers add to our understanding of the Court’s decisionmaking process.

Win $500 & get published. What other class can you win $500 and get published? Each year, the Journal of Supreme Court History awards the Hughes-Gosssett Prize for the best student paper. The prize comes with a $500 award and a publication in the Journal of Supreme Court History. Think you can’t win? One of my former law students at the University of Wisconsin, Jesse Bair, won the award for his article, “The Silent Man: From Lochner to Hammer v. Dagenhart, A Reevaluation of Justice William R. Day.”

**Student Learning Outcomes**

By the end of the semester, all students should be able to (1) discuss major topics in the constitutional and legal history of the Warren Court; (2) make a historical argument; and (3) write an original research paper. All students are required to complete the Paper Proposal, Progress Report, first draft, and final drafts of the Research Paper. All research papers will be graded on (a) substance and writing style, and (b) research and critical analysis.

**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 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.

**Mutually Excluded Courses:** Students may not receive credit for both this seminar and Water Law Seminar: Allocation and Use in Times of Scarcity.
LAW 1515 v01 Water Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201515%20v01)

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

This course provides a survey of the key elements of domestic water resources law and policy, as well as selected international topics. 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 water as a shared regional resource in both domestic and international contexts. 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 in watersheds and river basins in the U.S. and around the globe. We will also address strategies and challenges for addressing future international and domestic 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 sound science. Students will be expected to participate in class discussions, as well as to complete a final paper. This is a two-credit seminar.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Water Law Seminar: Allocation and Use in Times of Scarcity.

LAW 1456 v00 Water Law Seminar: Allocation and Use in Times of Scarcity (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201456%20v00)

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

This course focuses on the laws governing surface and ground water resources, with an emphasis on allocation and use. Disputes over water both within and between states are intensifying because of increased pressure on limited supplies. This course will provide students with an understanding of the basic principles of water use law in states that have adopted riparian, prior appropriation, and hybrid systems; the historical context in which water law evolved; the role of federal law and institutions; and current trends in this field. This class will focus primarily on the appropriation and use of water resources rather than on regulation of water quality. Students will examine how water law doctrines and water law institutions have evolved in two example states, Florida for riparian law and New Mexico for the law of prior appropriation. We will then consider interstate conflicts and different approaches for conflict resolution.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Water Law Seminar (LAW.J/G-1515-05).

LAW 1686 v00 White Collar Criminal Practice: International Scandal Investigations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201686%20v00)

J.D. Seminar | 1 credit hour

This intensive, Week One simulation course is designed to provide students with a basic understanding of how to defend clients in the early stages of an international criminal scandal investigation. The course requires students to work in teams to defend a fictitious foreign celebrity client in an investigation conducted by the U.S. Attorney’s Office for the Southern District of New York. Through role-plays and practice-based exercises, students will handle assignments of the exact type associates at leading white collar practices might be called upon to complete. Among other things, students will learn to:

- Work collaboratively as a member of a defense team
- Analyze a criminal case against a high-profile international client, isolate points of weakness in the prosecution’s case, develop important interview questions for the client, and create a strategic research and defense plan
- Explore typical issues arising in high-profile international criminal investigations, including press, jurisdiction, and statute of limitations
- Gain basic understanding of substantive U.S. crimes arising in the context of international criminal investigations, such as mail and wire fraud, bribery, money laundering, and conspiracy
- Conduct fast-paced legal research, and draft high-quality written work product
- Present and defend findings orally, and prepare a witness for interview by the U.S. Attorney’s Office

Assignments students will complete during the course of the week will include drafting an initial press release, conducting “flash” research, delivering an oral presentation and responding to real-time questions, preparing a PowerPoint presentation, drafting persuasive talking points for use in a meeting with a federal prosecutor, and preparing a client for interview by that prosecutor.

Note: UPPERCLASS WEEK ONE COURSE: This will meet on the following days: Monday, January 10, 2022 through Thursday, January 13, 2022. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students.

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. Note: Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar at lawreg@georgetown.edu. A student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. Note: Students should be prepared to dedicate a significant amount of time to this class over the course of the week outside of the scheduled class hours.
LAW 1671 v00 Winning the Freedom to Marry: How It Happened, Lessons Going Forward (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201671%20v00)
J.D. Seminar | 1 credit hour

Goals of the Course. This course will examine and tease out lessons from the successful movement spanning more than 40 years to win the freedom to marry for same-sex couples in the U.S., with particular attention to the central Freedom to Marry campaign and the transformation of hearts and minds as well as the law. The course will include study of some key court decisions, as well as history and advocacy materials such as briefs and publications, and will look beyond litigation and legal doctrine to the mix of methodologies, movement dynamics, and elements of success that shape effective advocacy. There will be an emphasis on inviting students to put themselves in the shoes of those confronting challenges and opportunities at key junctures in the past several decades, as well as to think about how the Freedom to Marry elements of success and playbook of tactics can be adapted to other organizations, other movements, and other countries.

Evaluation Criteria. The grade will primarily be based on a final paper, and may also be adjusted upward or downward based on class participation.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 6, 2020, through Friday, January 10, 2020, 9:00 a.m. - 11:35 a.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 1075 v00 Women and Immigration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201075%20v00) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course will focus on government protection for women fleeing gender-based persecution and abuse. Students will participate in a two hour/week seminar and carry out 10 hours/week of fieldwork for private law firms and nonprofit agencies located in the D.C. metro area that are representing women fleeing their countries because of gender-related violence.

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will discuss how shifting migration patterns and societal forces have caused more women to leave their home countries and attempt to enter the United States. While a woman may flee her home country for the same reasons as a man, research shows that refugee women also flee their countries for gender-related reasons. In many countries, women face persecution and violence just for being women. This includes the use of rape as a weapon of war, domestic violence, so-called honor crimes, forced marriage, widow rituals, one child policies, forced sterilization policies, and female genital mutilation. In seminar, students will study and learn through experience about the societal forces causing the forced migration of women and how U.S. laws and policies address the immigration status of these female immigrants. We will focus on forms of relief that, while available to both men and women, are almost exclusively accessed by women to obtain legal status in the United States. Specifically, we will focus on: Asylum (specifically the gender-based prong of “membership in a particular social group”), the Violence against Women Act (for abused women who are or were married to U.S. citizens), U Visas (for victims of crime), and T Visas (for victims of trafficking).

FIELDWORK: In the two-credit, mandatory pass/fail, fieldwork portion of the practicum, students will work with lawyers from private law firms and nonprofit agencies on actual cases of women fleeing their countries because of gender-based violence. Students will be assigned in teams to interview clients, prepare research and briefs, and assist the principal lawyer conducting the case. Students will also work directly with attorneys at local legal services agencies who are representing female survivors of gender-based harm seeking legal status in the United States.

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 and an externship or a clinic or another practicum course.

Note: LL.M students may enroll in this course, space permitting, provided they have excellent U.S.-based legal research skills, English language, and writing ability. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

This course is suitable for evening students who can commit to working 10 hours/week (during business hours) for private law firms and nonprofit agencies. Students are responsible for organizing their own transportation to meet clients in the D.C. metro area, which includes clients in Virginia. PLEASE NOTE: There will be two class sessions in the first week – one at the regularly scheduled Tuesday meeting time and the second on Wednesday from 3:00-5:00 p.m. FIRST AND SECOND CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first and second class sessions in order to be eligible for a seat in the class, and must attend both class sessions in their entirety. Due to the case and team structure of this practicum,
This course focuses on women and leadership. You will develop skills for teams, teamwork, self-advocacy, navigating organizational politics, and networking. You will also focus on your own personal leadership style. We will learn from notable leaders who will share their experiences and advice with the class. These conversations will be supplemented with cases and readings about women leaders, as well as a review of the current state of empirical evidence about the status of women as leaders. You will also reflect both individually and with the group on what you expect from your career and develop strategies for achieving those goals.

**Course Goals/Student Learning Outcomes:**

- Develop self-advocacy tactics and styles.
- Develop critical and strategic thinking skills.
- Improve communication skills, both oral and written.
- Develop team and collaborative skills.

**Note:**

This course has mandatory attendance at the first class session and all remaining sessions. Participants are expected to participate actively in each class. All participants will submit reaction papers/essays on the assigned materials for some of the classes and complete a team project, including a presentation in the last two weeks of class. **Withdrawal Policy:** Students in Women and Leadership participate in team projects. Because this class cannot successfully operate without a set group of students who are assigned their roles in advance, it is essential to ensure a fixed enrollment for the class, by adopting special rules for dropping the class. A student enrolled in Women and Leadership Seminar may drop the class no later than 5:00 p.m. on Thursday, January 21, 2021 and only by notifying Professor Sale in writing. After January 21st at 5:00 p.m., any drop will be recorded as a "W" (for withdrawal) on the student’s transcript, even if such a drop happens during the official add/drop period. **Note:** This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit.
LAW 1399 v00 Working on a Deal: Analytical, Negotiation and Drafting Challenges (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201399%20v00)
J.D. Seminar | 2 credit hours
“Working on a Deal: Analytical, Negotiation and Drafting Challenges” will take the class through a semester-long simulation of a single, complex joint venture transaction. Combining teaching on the core elements of a joint venture, extensive negotiation of a letter of intent for the transaction, and drafting of key elements of the definitive joint venture agreement, the course will seek to expose students to the work of a transactional lawyer on an actual joint venture. The goal of the course will not be to produce fully-developed transactional lawyers. Rather, it will be to expose students – to the degree possible in a classroom setting – to the analytical and substantive skills required in a complex transaction. Students will also have the chance to see first-hand why transactional work can be exciting, dynamic and fun.

LAW 611 v04 World Health Assembly Simulation: Negotiation Regarding Climate Change Impacts on Health (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v04)
J.D. Seminar | 1 credit hour
This Week One simulation will introduce students to the science and impacts of climate change, including effects on health such as heat stress, vector-borne disease, and food security. It will provide students an opportunity to develop positions, advocate, conduct a simulated negotiation, and receive feedback to improve skills. The negotiations will take place as part of the World Health Organization’s World Health Assembly. Students will represent countries and important civil society institutions in negotiating and crafting an international agreement pertaining to climate change and global health. They will have the opportunity to conduct research for their assigned country or organization, interview experts, develop strategy, negotiate, receive and incorporate feedback, and draft resolutions, treaties, or other legislative language. Our approach will allow students to go through not merely an academic negotiation exercise but to develop language that might be useful in the real-world context of the World Health Assembly.

Note: This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. 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. For more information see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 29, 2021 at 3:00 p.m. After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 872 v00 World Trade Organization: Agreements, Negotiations & Disputes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20872%20v00)
LL.M Course (cross-listed) | 2 credit hours
The course analyzes the World Trade Organization (WTO) and its agreements, including the General Agreement on Tariffs and Trade (GATT), and the substance and status of negotiations to amend the agreements. It concentrates on the coverage of the agreements, based on their text and interpretive guidance from key dispute settlement decisions. The course also reviews the relevant economic, policy and legal aspects of the international trading system.

LAW 1104 v00 Writing for Law Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201104%20v00)
J.D. Seminar | 2 credit hours
This seminar is designed to reinforce and ensure mastery of the legal writing skills initially taught in Legal Research and Writing. Students will draft a variety of documents based on a single fact pattern, including emails, an inter-office memo, a client letter, and a motion. Students will complete multiple drafts of documents, meet in group conferences and individually with the instructor to discuss certain drafts, and engage in peer editing of classmates’ papers with the goal of improving their own writing and editing.

Writing assignments, both inside and outside class, will involve exercises, initial drafts, peer review, and final revisions with students building a portfolio of their work during the course of the semester. Discussion topics will include litigation strategy, writing techniques, and professional demands and concerns. Students will have opportunities to work in small groups and in team pairs, to strategize and write individually and collaboratively, and to write in the way they will be expected to write in practice, including using email correspondence, preparing drafts for colleagues, and ultimately finalizing work product for a client and the court.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for this course and Legal Writing Seminar: Theory and Practice for Law Fellows, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators or Advanced Legal Writing: Legal Writing as a Discipline.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students should email Professor Ewert (ee3@law.georgetown.edu) with a short explanation of their interest in the seminar no later than 5:00 p.m. on Friday, July 1, 2016.
LAW 1104 v01 Writing for Law Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201104%20v01)

J.D. Seminar | 2 credit hours
This seminar is designed to develop mastery of the legal writing skills initially taught in Legal Research and Writing as employed in a simulated law firm environment. Students will draft a variety of documents based on a single fact pattern, including emails, an inter-office memo, a client letter, and a motion. Students will complete multiple drafts of documents, meet in group conferences and individually with the instructor to discuss certain drafts, and engage in peer editing of classmates’ papers with the goal of improving their own writing and editing.

Writing assignments, both inside and outside class, will involve exercises, initial drafts, peer review, and final revisions with students building a portfolio of their work during the course of the semester. Discussion topics will include legal strategy, writing techniques, and professional demands and concerns. Students will have opportunities to work in small groups and in team pairs, to strategize and write individually and collaboratively, and to write in the way they will be expected to write in legal practice, including using email correspondence, preparing drafts for colleagues, editing the work of others and ultimately finalizing work product for a client and a court.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for this course and Legal Writing Seminar: Theory and Practice for Law Fellows, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing: Practical Skills from Retail Industry Examples, or Advanced Legal Writing for International Business Lawyers.

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 1312 v00 Writing for Practice: Antitrust Economics and Law**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201312%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, writing-intensive seminar is designed to help students develop this skill while focusing on a particular substantive area of law. 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 antitrust law. In addition to the practical legal writing skills, students will also learn more about antitrust practice and litigation strategy.

The seminar will draw on substantive antitrust principles covered in Professor Salop’s Antitrust Economics and Law course. Discussion topics and writing assignments will focus on the application of those principles in different contexts, including client counseling, dealing with government enforcers, and litigating antitrust cases.

Written work product will be a particular focus of the seminar, and students should expect to draft a number of documents common to antitrust practice, such as e-mail correspondence, client memoranda, analyses of litigation issues, and motion papers. At least one document will require both an initial and final draft. The professor will provide individualized comments and grades 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 enrollment in Antitrust Economics and Law in Fall 2017.

**Note:** Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students should email a short statement of their interest in the seminar to Professor Holt at benjamin.holt@hoganlovells.com by 5:00 p.m. on June 6, 2017. After the June 6 application deadline, students will be admitted into open seats on a rolling basis.

Limit: 10 students.

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.

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 1350 v01 Writing for Practice: Corporations**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201350%20v01)
J.D. Seminar | 2 credit hours

The ability to draft clearly and concisely is a fundamental skill for lawyers in every area of legal practice. This two-credit seminar offers students the opportunity to develop their drafting skills in the context of a hypothetical simple corporate transaction: the acquisition of a small business. Students will review, draft and revise documents typical to this type of transaction. Since it is important to understand the purpose of the various provisions of an agreement to be able to draft clearly and in the best interests of a client, a portion of the classes will be devoted to understanding the content of the documents from the substantive perspective.

Each student will prepare several written assignments over the course of the semester, each of which will require the student to edit a document provided by the instructor to use as a model:

- Confidentiality Agreement
- Letter of Intent
- Escrow Agreement
- Consulting Agreement
- Acquisition Agreement

Additional pertinent agreements may be reviewed as part of class, as time permits, but will not be part of the homework.

**Prerequisite:** Prior or concurrent enrollment in Corporations.

**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. Students who experience a personal or family emergency must contact the professor prior to the start of the class session to discuss the possibility of a waiver of the mandatory attendance policy. Students who miss a class session and have not received a prior waiver may be withdrawn from the seminar involuntarily or may have their grade lowered accordingly.

**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students should email a short statement of their interest in the seminar to Professor Gayer at judy_gayer@freddiemac.com by 5:00 p.m. on June 6, 2017. After the application deadline, students will be admitted into open seats on a rolling basis.

Limit: 12 students. This course is open to J.D. students only.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
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 compose several documents common in the given practice area. For transactional practice, these may include client letters or other communications, certificates, contracts, and investor communications. 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 transactional practice strategy and the demands and concerns of professional practice.

This seminar, taught by a former law fellow and practicing attorney, will be writing intensive with a focus on the agreements and other documents at the center of a deal-focused transactional practice. The seminar will give students opportunities to craft client communications, deconstruct and reassemble various types of agreements and consider them in the context of a complex transaction. The seminar will examine both drafting and reviewing techniques. While the context of the seminar substantively overlaps with Prof. Teitelbaum’s course Deals: The Economics of Structuring Transactions, the seminar’s focus will be on providing students with professional writing skills that they will employ in future practice.

Written work will consist of several short writing assignments to be completed between class sessions and one longer assignment that requires both a first and final draft. Written assignments will also be utilized during class sessions for peer review and commenting purposes. Students will be evaluated based on the quality of their written work (50 points collectively for the short assignments, 60 points for the longer assignment), participation (20 points) and attendance (20 points). Attendance at all sessions is mandatory.

Prerequisite: Legal Practice: Writing and Analysis.

Recommended: Prior or concurrent enrollment in Deals: The Economics of Structuring Transactions.

Note: Limit: 10 students. This course is open to J.D. students only.

In the Spring 2017 semester, this class will meet on the following seven Mondays: 1/23, 2/6, 2/13, 2/27, 3/20, 4/3, and 4/17.

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.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students should email a short statement of their interest in the seminar to Professor Overall at joverall@mayerbrown.com by 5:00 pm on August 1, 2016. After the August 1 application deadline, students will be admitted into open seats on a rolling basis.
LAW 1311 v00 Writing for Practice: Federal White Collar Crime (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201311%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 litigation strategy and the demands and concerns of professional practice.

This seminar, taught by a federal prosecutor and former law fellow, will expose students to some of the central legal documents and processes that govern the federal white collar criminal case, including investigative techniques, indictments, plea negotiations and agreements, pre-trial motions, and sentencing. The seminar will give students opportunities to develop investigating and charging decisions, formulate defense strategies, and grapple with cutting edge legal issues, with an emphasis on written work product. Occasional guest speakers will also provide students with special insight into federal white collar criminal practice.

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 based on the quality of their written work—check, check-plus, and check-minus for short assignments; letter grades for the long assignment—and class participation. Attendance is mandatory (and will be rewarded with bagels and cream cheese).

Prerequisite: Legal Practice: Writing and Analysis; prior or concurrent enrollment in Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Recommended: Prior enrollment in Federal White Collar Crime.

Note: Note: This course requires Professor Permission to enroll. Students should email a short statement of their interest in the seminar to Professor Cooper at Aaron.Cooper@usdoj.gov by 5:00 p.m. on August 1, 2016. After the August 1 application deadline, students will be admitted into open seats on a rolling basis.

Limit: 10 students. This course is open to J.D. students only.

In the Fall 2016 semester, this class will meet on the following seven Wednesdays: 8/31, 9/14, 9/28, 10/12, 10/26, 11/9, and 11/30.

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.

LAW 1622 v00 Wrongful Convictions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201622%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course will survey the problem of wrongful convictions. We will first examine the primary causes of wrongful convictions, including “junk science,” false confessions, prosecutorial misconduct, misidentifications, jailhouse snitches, and ineffective assistance of counsel. Next, we will explore the legal landscape of actual innocence litigation, including habeas corpus, Section 1983, and the lingering question of whether innocence alone is a constitutional basis for relief. Finally, we will consider the moral, ethical, and philosophical implications of wrongful convictions for our justice system, and the difficulty of administering a functioning system while also correcting its mistakes.

Learning Objectives:
1. We hope that, by the end of this class, you will have a working understanding of the most common causes of wrongful convictions and the most common issues that arise when litigating them.
2. We also hope that, throughout the course, you will develop a broader sense for what the fact of wrongful convictions means for our criminal justice system overall, and what if anything we can improve.
3. Finally, we hope that you will develop and demonstrate improved critical thinking, persuasive writing, and oral advocacy through the written and oral components of this class.

LAW 566 v01 Wrongful Convictions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20566%20v01)
J.D. Seminar (cross-listed) | 2 credit hours
This course will survey the problem of wrongful convictions. As of the writing of this syllabus, well over 2,200 innocent individuals have been exonerated, 352 by DNA alone; by the time our semester together is over, no doubt there will be more. And because exonerations occur only in the small subset of cases in which exculpatory evidence is discoverable, logic compels us to conclude that there must remain countless individuals locked behind bars for crimes they did not commit. In this course, we will first examine the primary causes of wrongful convictions, including “junk science,” false confessions, prosecutorial misconduct, misidentifications, jailhouse snitches, and ineffective assistance of counsel. Next, we will explore the legal landscape of actual innocence litigation, including habeas corpus, Section 1983, and the lingering question of whether innocence alone is a constitutional basis for relief. Finally, we will consider the moral, ethical, and philosophical implications of wrongful convictions for our justice system, and the difficulty of administering a functioning system while also correcting its mistakes.

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3. Finally, we hope that you will develop and demonstrate improved critical thinking, persuasive writing, and oral advocacy through the written and oral components of this class.
LAW 703 v00 WTO & Public International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20703%20v00)
LL.M Course (cross-listed) | 2 credit hours
Since the institution of the WTO’s Dispute Settlement Understanding in 1994, WTO jurisprudence has increasingly addressed disputes involving the interaction between trade related values and other domestic or international policy values. The various WTO instruments that are subject to the discipline of the Dispute Settlement Understanding address the relationships between international trade and other fields such as public health, the environment, intellectual property, and even public morality. The treatment of these issues in the WTO Agreements simultaneously demonstrates the linkages among these fields, and the separation of each from the others. Moreover, many of these “trade-related but not trade” policy areas are covered by other international agreements and understandings, as well as by domestic laws, and are in some cases subject to different judicial or quasi-judicial dispute resolution mechanisms, each applying its own rules of decision. Finally, even within the international trade arena, the proliferation of regional trade arrangements with their own dispute settlement mechanisms presents another potential source of conflict with the jurisprudence of the WTO.

This state of affairs has, since about 1995, given rise to serious concerns over what has been termed the “fragmentation” of international law. Although abstract, the question of whether international law should be viewed as a “system” of law, or merely as an aggregation of rules formed principally by agreements between sovereign states, has become one of more than theoretical interest. The resolution of actual or potential conflicts between various specialized international regimes, as well as between such regimes and domestic legal regimes, has become of increasing practical importance. In many respects, WTO jurisprudence stands at the heart of these developing concerns.

This course will examine the jurisprudence of the WTO through the lens of the issue of fragmentation. Through a close study of relevant decisions and hypothetical disputes, the course will address actual and potential regime conflict issues between the international trade regime and competing norms in the environmental, public health, and intellectual property spheres. It will also address the challenges to the integrity of general international law, and of the WTO regime itself, that are posed by the proliferation of regional trade regimes with their own dispute settlement mechanisms, and by emerging questions about the effect of WTO norms within domestic legal regimes. The course will seek to balance a case-driven approach to these issues with a consideration of the underlying theoretical questions, and will regularly return to the question of the future role of the WTO in the new world order of international law.

Recommended: Prior exposure to WTO law, or concurrent enrollment in a basic course in WTO law.